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DATE: 25 January 2016

To: Members of the
ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

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

A meeting of the Environment Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 2 FEBRUARY 2016 AT 7.30 PM**

MARK BOWEN
Director of Corporate Services

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

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 the Chairman of 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 January 2016.
- 4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 24TH NOVEMBER 2015 (Pages 3 - 20)**

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 January 2016.

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

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

- a **CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16**
(Pages 21 - 26)
- b **HIGHWAYS PLANNED MAINTENANCE PROGRAMME INCLUDING SURFACE TREATMENT OPTIONS** (Pages 27 - 40)
- c **LITTERING ENFORCEMENT** (Pages 41 - 46)
- d **PARKING APPEALS POLICY** (Pages 47 - 78)

POLICY DEVELOPMENT AND OTHER ITEMS

7 **DRAFT 2016/17 BUDGET** (Pages 79 - 102)

8 **BROMLEY PARKING - CAPITAL PROGRAMME REVIEW** (Pages 103 - 110)

9 **FORWARD WORK PROGRAMME MATTERS ARISING FROM PREVIOUS MEETINGS AND CONTRACTS REGISTER** (Pages 111 - 120)

PART 2 AGENDA

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

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

Items of Business

Schedule 12A Description

11 **EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 24TH NOVEMBER 2015** (Pages 121 - 122)

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

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ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 24 November 2015

Present

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

Also Present

Councillor Colin Smith and Councillor Lydia Buttinger

80 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor David Jefferys.

81 DECLARATIONS OF INTEREST

Councillor Sarah Phillips declared an interest at item 7b of the agenda in view of her position as treasurer of the Friends of Croydon Road Recreation Ground.

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

Two questions to the Committee had been received. Details of the questions and replies are at **Appendix A**.

83 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 30th SEPTEMBER 2015

The minutes were agreed.

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

A number of questions were received for Portfolio Holder reply. Details of the questions and replies are at **Appendix A**.

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

A) BUDGET MONITORING 2015/16

FSD15065

Based on expenditure and activity levels to 31st October 2015, the latest budget monitoring position for the Environment Portfolio 2015/16 showed an underspend of £162k, with the controllable budget projected to be underspent by £146k at year-end.

Details were provided of the projected outturn with a forecast of projected spend against each relevant service area compared to the latest approved budget. Background to variations was also outlined.

In discussion, the Chairman explained that if there was evidence of any Council car park being underutilised due to current parking fees this would be looked at.

An explanation was also provided for an earlier loss of income from recycled paper, the position on paper recycling having since returned to normal from mid-September.

RESOLVED that the Environment Portfolio Holder be recommended to endorse the latest 2015/16 budget projection for the Environment Portfolio.

B) PARKS, GREENSPACE, COUNTRYSIDE, EVENTS AND ACTIVITIES STRATEGIES

Report ES15084

In commissioning the parks and greenspace service to The Landscape Group, (TLG), TLG were required to authorise and develop a number of strategic plans for PDS scrutiny, ultimately creating policies for the Council's portfolio. Member views were sought on Strategies related to (i) Parks, Greenspace and Countryside and (ii) Events and Activities. Both draft documents were appended to Report ES15084. Further strategic plans encompassing Countryside and Woodlands, Play, Sports and Grant Funding would be presented to the Committee in early 2016. The draft plans were also currently under consultation with the Friends Forum and other groups.

TLG were keen to promote events and activities in the borough's parks, countryside, recreation grounds and other suitable sites and a Business Development Manager had been appointed. The Chairman preferred to see a programme of events rather than have all activities take place in a few days in adjacent parks. It was also desirable for promoters of activities to be aware of the events of others.

Events and activities would be publicised online. TLG were also looking to expand programmes and have events during winter as well as summer. Should local residents and users be unduly inconvenienced by certain activities, TLG would review complaints for the future. If there were sustained complaints about particular activity/activities, TLG staff would liaise with Board

Members. It was highlighted that activities by Friends Groups would be free of charge and a reduced hire fee would apply to activities by charities.

The TLG representative agreed that it was necessary to streamline paperwork for a park event and to have more online provision to make application; it was necessary to reduce paper and simplify the procedure. The representative also explained that TLG were working with public health.

Members supported the recommendations to the Portfolio Holder.

RESOLVED that the Environment Portfolio Holder be recommended to:

(1) authorise the Parks, Greenspace and Countryside Strategy document for publication as a policy; and

(2) authorise the Events and Activities Strategy document for publication as a policy.

C) BROMLEY CYCLING STRATEGY CONSULTATION REPORT

Report ES15079

Consultation on Bromley's draft Cycling Strategy took place between 1st May 2015 and 31st July 2015, Report ES15079 presenting outcomes from the consultation.

Projects outlined in the strategy would be funded externally from TfL programmes. Many projects remain unfunded and the strategy would be used to lobby and secure further funding from the Mayor of London and TfL.

The Chairman suggested that for car free developments there should be an expectation that Community Infrastructure Levy (CIL)/ Section 106 payments should support cycling infrastructure.

Concerning development of a BMX track, officer contact had already been made with TLG on sourcing funding for such a track. Officers were also working with TLG (as well as TfL) in considering an extension of the Quietway from Elephant and Castle to Crystal Palace station.

Reference was made to Robin Hood junction, perceived as a difficult junction for cyclists. It was explained that a more simplified junction was now being considered rather than a larger scheme proposed earlier. If necessary, excess funding from the larger scheme could be recommended for another difficult junction for cyclists e.g. the junction of Green Lane and Penge High Street. Councillor Brookes suggested that another cycling route be considered to take cyclists away from the end of Croydon Road.

In addressing the issue of park by-laws and building cycle confidence the Chairman hoped it would be possible to have more cycling without additional tarmac in parkland. The Chairman also enquired whether it would be possible

for TfL to include Quietways in their journey planning information. It was explained that the Council provides information so that this could happen.

It was confirmed that cycle proficiency training (and testing) for children was now covered under the bikeability scheme. Reference was made to work with Bromley Cyclists and an annual event to promote cycling training. Members were encouraged to support the next event on 14th May 2016.

A Member suggested a focus on children cycling to school in view of fitness benefits and reduced traffic congestion around schools. Cycling officers visited schools to encourage cycling as well as provide training. Officers were looking at ways for cycling to become the mode of travel to secondary school. Cycle training was being increased for students in higher years and it was an aspiration to see more young people continue cycling as adults.

In regard to practicalities of transporting luggage, cargo bikes were suggested as a possible solution. The cafe and cycle hub at Norman Park would have a couple of cargo bikes available for trial. Officers were also looking to encourage better parking facilities for cycles at schools.

RESOLVED that the Portfolio Holder be recommended to:

(1) note the comments of the Committee; and

(2) endorse the suggested changes to the final Cycle Strategy, based on consultation responses, as set out at Section 5 of Enclosure 1 to Report ES15079.

D) GREEN GARDEN WASTE SATELLITE SITES - FURTHER REVISIONS TO SERVICE

Report ES15085

Members considered options to continue operation of the Green Garden Waste (GGW) Satellite service in a more strategic manner.

With the new GGW Wheelie Bin collection service now having 17,500 customers, the original objective of the Satellite Sites – to address congestion issues near the Household Waste Recycling Centres (HWRCs) – had become less crucial. The HWRCs had seen a substantial fall in tonnage collected, albeit a lower diversion from Churchfields, and the Satellite Sites had also seen less tonnage, their reduced opening times also being a factor.

Alternatives to the current service would enable savings and two options were presented for consideration, both including provision to operate the Satellite Sites for one weekend in January for Christmas tree recycling.

Option 1 entailed operating all five sites during four weekends in April only. Garden waste arisings were at their highest in Spring and Option 1 would help

reduce congestion during this time at the HWRCs. The option would cost £20,400.

Option 2 involved the operation of all five sites during April and maintaining one site (Shire Lane) in operation thereafter to October on every Saturday. The cost of Option 2 amounted to £48,800.

Members supported Option 2.

RESOLVED that the Environment Portfolio Holder be recommended to:

(1) agree Option 2 for the future operation of the Green Garden Waste Satellite service as outlined in Report ES15085, with the changes to be effective from April 2016; and

(2) agree that Shire Lane be confirmed as the site to remain in operation from May to October.

86 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE

A) STREET ADVERTISING SITE CONTRACT GATE REPORT

Report ES15081

With the contract for advertising at bus stops expiring in July 2016, Transport for London (TfL) had given notice that it would not involve the Council in future contractual arrangements, TfL referring to legal advice indicating that the Council's consent is not required as Highway Authority and they can exercise similar powers regarding bus shelters through their Transport Authority status. The Council was seeking legal advice on this as it could no longer receive income from the activity. In the meantime TfL had let an advertising contract, including advertising on bus shelters, to JC Decaux.

The contract with Clear Channel on free-standing poster sites would also expire in July 2016 and approval was sought to tender as a concession contract for this activity, the anticipated contract value being approximately £1.3m (if let for another 15 year term - an initial 10 year agreement with an option to extend for 5 years).

It was also proposed that officers separately tender a concession contract to identify and develop new advertising opportunities. This would comprise a five agreement with an option to extend for five years to identify and implement new sites not covered by the free-standing contract. This could involve an individual, advertising agency, or company identifying new opportunities and bringing them to fruition.

In response to a question from the Chairman with regard to developing new advertising opportunities it was suggested that there might be scope in considering opportunities presented by proximity sensors and text messaging.

The Chairman commented that if new or innovative methods were proposed, there may be a need for the Council to develop new policies.

In regard to TfL's notice of not involving the Council in contractual arrangements for advertising at bus stops, it was not possible yet to provide any update on legal advice that was being sought.

RESOLVED that the Executive be recommended to:

- (1) agree the proposed tender activity in respect of the existing (free-standing) advertising sites, so that the new arrangements can commence on expiry of the current contract;**
- (2) agree that officers separately tender a contract to identify and develop additional new income generating advertising options/sites; and**
- (3) note TfL's position regarding expiry of the bus shelter advertising contract and support officers in seeking Counsel's opinion in challenging TfL's position.**

B) CROYDON ROAD RECREATION GROUND BANDSTAND RESTORATION

Report ES15075

Significant repair works were needed to the Croydon Road Recreation Ground bandstand at Beckenham to prevent further decline. Report ES15075 outlined funding proposals for the bandstand's restoration, comprising a two-stage Heritage Lottery Fund (HLF) grant and a small amount of match funding.

Decisions were required in advance of the Stage 1 grant outcome being notified in order that the Development Grant can be acknowledged and accepted within HLF timescales. A Stage 1 application was submitted to HLF's Heritage Programme on 14th September 2015 for a Development Grant of £27.3k. Notification of the Stage 1 outcome was expected later in December 2015 with Development Stage expenditure expected between December 2015 and June 2016.

Submission of a second-stage application was anticipated by June 2016. The outcome would be reported and approval sought to tender the works. Delivery phase costs of £308.8k would be split between capital and revenue over an 18 month period. Application for HLF grant was expected to comprise £274.8k, the £34k balance being funded by £16.1k donations secured by Croydon Road Recreation Ground Friends Group and £14.9k cash match funding from L B Bromley.

Completion of capital works was anticipated by summer 2017. To facilitate on-going use and maintenance of the bandstand, an earmarked reserve was

proposed for income raised through fund raising, the reserve supporting future repairs and on-going community events and activities.

Report ES15075 also requested that the scheme be added to the capital programme with an estimated cost of £156k, subject to a successful stage two HLF bid.

Councillor Sarah Phillips highlighted her support for the recommendations and referred to the financial contribution raised in the local community to support the bandstand and park. Proposals related to the Bandstand were a good news story and the current position could not have been reached without the support of The Landscape Group to whom Cllr Phillips conveyed her thanks.

RESOLVED that the Executive be recommended to:

(1) accept the £27.3k Development Grant (subject to HLF approval) along with relevant terms and conditions from the Heritage Lottery Fund to assist with development of a Stage 2 application;

(2) approve in principle the submission of a HLF Stage 2 application and acceptance of associated terms and conditions for restoration costs and related community events and activities programme, including the condition to maintain the structure over the next 20 years;

(3) agree in principle addition of the scheme to the Capital Programme with an estimated cost of £156k, subject to a further report on the outcome of the Stage 2 application;

(4) set up of an earmarked reserve to hold monies raised by donations and fundraising; and

(5) agree that the earmarked reserve be used to contribute towards the future maintenance of the bandstand and for delivery of an events and activities programme through small annual grants.

**87 ENVIRONMENT PORTFOLIO PLAN 2015/16: SIX MONTH
PROGRESS REPORT**

Report ES15074

Members considered a six-month progress report against commitments made in the 2015/18 Environment Portfolio Plan.

In discussion attention was given to the problem of fly-tipping. Incidents had increased over the past three years and at times lorry loads of material was now fly-tipped on to carriageways. The cost of legitimate waste disposal contributed to fly-tipping. For some large fly-tips it would be necessary to mark off the tip or close the road. On occasions specialist vehicles would need to clean a site. There had been success with Kent police identifying individuals leading to prosecution. It was necessary to achieve more convictions. To

report a fly-tipping incident outside normal hours the Council's emergency duty officer should be contacted.

To help deter material being passed for fly-tipping it was suggested that a reminder might be helpful particularly in regard to consequences and the availability of legitimate waste disposers. In this regard the Portfolio Holder's column in the winter edition of Environment Matters was highlighted. The Portfolio Holder's column included advice against passing waste to non-legitimate disposers which could itself incur a criminal record (an article was also included with advice on how to ensure that waste is passed to a legitimate waste disposer; the article also seeking the co-operation of residents in providing information which could lead to a successful prosecution for fly-tipping).

In regard to street cleansing it was highlighted that 69% of residents are satisfied with the cleanliness of the borough's streets with 87% satisfied with the cleanliness of town centres. It was agreed with Cllr Brooks that a check would be made to establish whether it was possible to provide a ward breakdown of these percentages.

In considering whether to call the Council's street cleansing contractor or another contractor to appear before the Committee in March 2016, Cllr Phillips highlighted that some of the complaints from residents in her ward concerned "fall-out" of material along streets from waste collection rounds. As this was a concern she offered her preference to hear how the contractor might improve performance on this aspect of service. Members agreed that the Committee's meeting on 15th March 2016 would include attendance by Veolia as the Council's contractor for waste collection.

RESOLVED that:

(1) progress against aims set out in the 2015/18 Environment Portfolio Plan be noted; and

(2) Veolia be invited to attend the Committee's meeting on 15th March 2015 as the Council's contractor for waste collection.

88 FORWARD WOK PROGRAMME, MATTERS ARISING, AND CONTRACTS REGISTER

Report ES15073

Concerning the Committee's next meeting on 2nd February 2016 reference was made to an invest to save report concerned with street lighting and to an initial report outlining service proposals and a procurement strategy for environmental services i.e. the current waste and related contracts.

It was agreed that a working group of the Committee be established to consider design of the new environmental services contract with recommendations feeding into a gateway one report. The Chairman referred

to a meeting of the group in January 2016 and it was agreed that the Group's membership would comprise the Chairman, Cllr Chris Pierce, Cllr Catherine Rideout and Cllr Sarah Phillips.

RESOLVED that:

- (1) the Committee's work programme be agreed;**
- (2) progress related to previous Committee requests be noted;**
- (3) a summary of contracts related to the Environment Portfolio be noted; and**
- (4) a working group comprised of Cllr William Huntington-Thresher, Cllr Chris Pierce, Cllr Catherine Rideout and Cllr Sarah Phillips be established to consider design of the environmental services contract.**

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

90 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 30TH SEPTEMBER 2015

The exempt minutes were agreed.

91 HIGHWAY DRAINAGE CLEANSING CONTRACT EXTENSION 2017-19

Report ES15078

Members recommended that the Executive approve a recommendation to extend the highway drainage cleansing contract until March 2019.

The Meeting ended at 9.03 pm

Chairman

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QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

1. Questions from Mr Richard Gibbons

a) Improving public health is a key element of the Council's work, states EPP 2015/18. How has the Portfolio Holder used recognised triggers such as health (e.g. rising levels of diabetes and obesity), congestion, and poor air quality in the past six months to achieve behaviour change to active and sustainable travel advocated by the BMA, PHE, TfL, and DfT?

Reply

Over the last year alone, the Council has initiated a number of projects including:

- Releasing our Cycling Strategy for consultation
- Use of Norman Park Lodge as a cycle hub and café,
- Submitted plans for cycling to TfL as part of wider Beckenham Town Centre regeneration plans
- a feasibility study for a new pedestrian and cycle bridge at Petts Wood,
- a corridor study for the A21 including substantial improvements for cycling,
- over 240 new cycle parking spaces
- studies of locations for introducing contra-flow cycle lanes on one-way streets.

Alongside this, we continue to run our highly successful cycle training programme which sees Bromley ranked 7th out of all London boroughs for number of children trained.

As a result, Bromley has seen the mode share of cycling increase from 0.8% in 2013/14 to 1.3% in 2014/15, higher than neighbouring boroughs Croydon and Bexley, which each have a 0.8% cycling mode share. In Bromley schools, this is higher at just under 2% of trips made by cycling. The average for outer London boroughs is 1.7%.

You may be aware that Bromley enjoys the best air quality in London.

Supplementary Question

Mr Gibbons requested details of the numbers of cyclists on the ground rather than as a percentage.

Reply

The Portfolio Holder advised that he would ask officers to arrange for any such information to be made available, were same held.

b) PS Paul Law states most frequent complaint by residents is about poor driving and parking during school run. From (a) 90 school travel plans submitted to TfL and, (b) 779 children and 367 adults trained, how many children/adults have switched mode to cycle to school/shops/stations in past six months.

Reply

The most frequent complaint by residents concerns missed bin collections. It is a police function to deal with poor driving at any time of day. Parking is an acknowledged problem during the school run, a situation just made worse due to recent legislative changes in the Deregulation Bill which have rendered the Council's Mobile CCTV fleet economically unviable. The data you request is not measured on a six monthly basis.

The Portfolio Holder advised Mr Gibbons that he could however have whatever statistics might become available as and when they became so.

Supplementary Question

Mr Gibbons felt that the training of children and adults is not the same as having cyclists on the road; he indicated that training information was therefore superfluous. Mr Gibbons also suggested that in Chelsfield and Pratts Bottom ward there was concern for local residents and a contradiction in who deals with traffic around schools.

Reply

The Portfolio Holder explained that the police deal with poor driving and that the Council deal with parking problems associated with cars being driven to schools. There was no such problem outside of term time when the roads were clearer of parked traffic.

Concerning the comment from Mr Gibbons about superfluous information, the Portfolio Holder suggested that a clearer explanation as to precisely what was sought would be helpful. Mr Gibbons acknowledged that he had used a poor choice of word, conveying that training was only half the story.

c) Bromley's parks and greenspaces contain significant heritage and archaeological assets. How has the Portfolio Holder ensured and monitored that all workers employed by TLG are aware of and trained in the

management and care of these assets prior to working on any site in the borough since being commissioned in June?

Reply

The Landscape Group (TLG) have spent the time since the June 2015 transfer in largely reorganising and recruiting an entirely new establishment and since November integrating that with the manual workforce. In addition there has been a commitment to produce a Parks, greenspace and countryside strategy. This document, which has received wide consultation including heritage interest groups, makes reference to the value of such assets and their protection. The Strategy also refers to training requirements to both its own workforce and also stakeholder groups. Whilst the transfer is only relatively recent TLG has liaised with L B Bromley's Heritage and Urban Design team to facilitate appropriate training opportunities in the near future. Similarly the Orpington and District Archaeological Society had offered to mentor key staff in principal aspects. Finally, several staff that had transferred to TLG from LBB, are organising mentoring sessions with other employees to ensure a universal base understanding amongst all partners.

LBB will monitor the delivery of all of the above through the regular contract monitoring meetings with TLG and via any reports received from interested parties or members of the public. The Portfolio Holder added that there had been a first meeting the previous week of the Group and referred to the future offering promise. Finally, that there remained a strong willingness on all sides to make the new arrangements work.

Supplementary Question

Mr Gibbons felt that the draft strategy wording was weak and implied that there should be more reference to training.

Mr Gibbons enquired whether the Portfolio Holder would consider whether volunteers etc fit into the training programme for heritage objects.

Reply

The Portfolio Holder referred to his belief in achieving results.

He advised that the changeover had been fine and if the Panel considered that additional training was important, that was also fine – at the end of the day outcomes were the most important thing.

2. Question from Mr Spencer Harradine

Given the possible further shortfall of £50m highlighted by the Council, does the Portfolio Holder regret not bidding for £30m mini-Holland funding which

given the DFT formula would have given a significant return through improved health, wellbeing and a much needed reduction in obesity and congestion.

Reply

No I don't. Not for a moment.

All available public funding should be spent on proven priorities for society as a whole, especially at times of pressing economic need and 'mini Hollands' do not fulfil that vital criteria in my opinion.

As we have touched upon previously, there are far easier and cheaper ways for individuals and society alike to improve health and wellbeing, likewise reduce obesity, rather than spending untold millions of pounds on cycling infrastructure which could potentially only be used by a small minority of the general public thereafter.

The Council already focuses closely on reducing congestion at hot spots across the Borough and also remains committed to working with Bromley Cyclists along routes such as the A21 (which sits under TfL's control as you know and which could clearly host dedicated cycle paths), developing a state of the art BMX facility at Norman Park, and strenuously investigating 'Quietways' to facilitate better quality journeys for both cyclists as well as other road users.

Supplementary Question

Does the Portfolio Holder agree that cycling provides part of the answer to obesity, health and the financial problem?

Reply

The Portfolio Holder indicated that cycling played an important part as a mode of transport and it was important to promote cycling for those who wish to do so.

Unfortunately, the Mayor for London's cycling tsar had not stepped up with funding or further assistance for a BMX track/park. The Portfolio Holder would nevertheless be pressing emphatically for cycling facilities along the A21 and had also been frustrated with progress.

There was a problem with by-laws around parks and the Portfolio Holder referred to people being able to cycle off-road with cycling in parks and country parks for recreation an area worthy of further investigation too.

**QUESTIONS TO THE ENVIRONMENT PDS COMMITTEE CHAIRMAN
FROM MR SPENCER HARRADINE FOR ORAL REPLY**

a) How much does the Committee think the proposed strategy will save the Borough using the benefit to cost ratio formula set out by the Department for Transport? Given that across a town of 150,000 people, if everyone walked an extra 10 minutes a day the HEAT model estimates: 31 lives saved, current value of £30m per year that's the budget deficit solved. Bromley pop approx 300k.

Source: Increasing walking and cycling briefing for Local Authority Elected Members http://www.noo.org.uk/slide_sets/activity

Reply

The cycling strategy is just one element of increasing physical activity within the borough. Whilst I don't doubt the figures you quote, the ability for the Council to realise the cost savings in its activities is limited. Trying to calculate a figure for the saving of this strategy in isolation is fraught with difficulty, not least because I would expect that the return on investment is skewed in favour of the most sedentary residents. Our strategies are aimed at all residents. Your example highlights that in terms of increased life expectancy there are benefits to the residents who live longer as well as the reduced need to call on Council Services. In terms of a return on investment, I would particularly like to highlight our over 10,000 Friends of Parks, Street friends, Snow Friends and Tree Friends. These residents combine increased physical activity with more easily measureable outputs in terms of improvements in our green environment, plus providing a further beneficial return of a more pleasant green environment which more residents can enjoy thus increasing their physical activity.

b) Bromley has the 3rd highest level of obesity in London. Could the Committee tell me why there is little reference to the Health and Wellbeing Board and joint projects in the strategy given the suggestion by PHE in: 'Making the case for tackling obesity - why invest?'

Link to presentation: https://www.noo.org.uk/slide_sets

Reply

The Health and Wellbeing Board is tackling obesity according to its priorities and Councillor Page (on this Committee) is leading that Task & Finish Group. In particular they have focused on diet. Looking at the website you reference, the figures seem different to yours. It suggests that for obesity 4-5 year old children are 11th lowest in London, 10-11 year old children are 3rd lowest in London and adults are 6th highest in London and below the England average in all these groups. Obviously we can't be complacent. In my experience there is rarely a magic solution to any issue and for physical exercise there are a

myriad of solutions. Our percentage of residents classed as inactive at 24% is the 6th lowest in London. This would suggest that we are doing fairly well with our many strategies, from road and pavement condition for our cyclists and pedestrians including dog walkers, to our green environment strategy including our exemplary Friends movement aimed at increasing the use of our parks and green spaces. Whilst each area of Local and National Government should be cognisant of the other issues relevant to residents, a clarity of focus on individual strategies should aid their delivery.

Supplementary Question

Mr Harradine indicated that he was looking to see an acceptance that cycling and walking could save a lot of money and have health benefits and that working with the Health and Wellbeing Board would help people become more active.

Reply

The Chairman agreed that more people becoming active was good. The Chairman indicated that he would like to see physical activity and cycling reduce congestion and cycling was part of a wider transport strategy.

He suggested that there might be an element of tension between what new and committed cyclists might like; it was important that the strategy balanced the competing desires to gain the desired benefits.

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FROM MR JOHN WOOD FOR WRITTEN REPLY

a) Given the known health, environmental and financial benefits of cycling, would the Portfolio Holder agree that part of his role is leadership and thereby to encourage his constituents to accept less attractive lifestyle changes (e.g. reduced domestic waste collections) which they might otherwise reject.

Reply

Not particularly in the context that you set; whilst I will obviously continue to encourage people who might wish to do so to cycle, it is certainly not for me or anybody else come to that, to instruct people that they should be doing so.

I have to say that I am rather surprised to see you allude to cycling being a "less attractive lifestyle" to other forms of transport as well. I certainly don't see it as such, rather more so a different option, matter of opinion and choice.

With regards to the example of waste which you highlight, I would say that whilst the Council has clear statutory duties to collect waste and wherever possible recycle it, it certainly doesn't however instruct residents what

products to purchase, nor when to use them.

b) Having regard to his previous answer would the Portfolio Holder now say what in this document encourages constituents to shift from car to bicycle?

Reply

The Cycle Strategy includes a wide range of initiatives which aim to encourage uptake of cycling. These include cycle parking at stations, on-street and in residential areas; a highly successful cycle training programme for school children and adults; and studies for the A21 and A233 corridors to improve facilities for cycling. Bromley will also receive two Quietway routes as part of the Mayor of London's Cycling Vision. This year has also seen work begin on the cycle hubs at Norman Park Lodge and Bromley South Station. We will also be looking at cost-effectively widening the cycle network via contra-flow in one-way streets.

Bromley has seen the mode share of cycling increase from 0.8% in 2013/14 to 1.3% in 2014/15.

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Report No.
FSD16016

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: 2nd February 2016

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16

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

Chief Officer: Director of Finance

Ward: All

1. Reason for report

On 2nd December 2015, the Executive received the 2nd 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 highlights in paragraphs 3.1 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 scheme progress as at the end of the first half of 2015/16 are shown in Appendix B.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive in December.

Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring and review is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Effective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. The Council continuously reviews its property assets and service users are regularly asked to justify their continued use of the property. For each of our portfolios and service priorities, we review our main aims and outcomes through the AMP process and identify those that require the use of capital assets. Our primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Building a Better Bromley".
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Total increase of £2.1m over the 4 years 2015/16 to 2018/19, mainly due to increased funding for Beckenham Town Centre Improvements
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £25.0m for the Environment Portfolio over four years 2015/16 to 2018/19
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

Staff

1. Number of staff (current and additional): 1 fte
 2. If from existing staff resources, number of staff hours: 36 hours per week
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: 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? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Capital Monitoring – variations agreed by the Executive on 2nd December 2015

3.1 A revised Capital Programme was approved by the Executive in December, following a detailed monitoring exercise carried out after the 2nd quarter of 2015/16. The base position was the revised programme approved by the Executive on 15th July 2015, as amended by variations approved at subsequent Executive meetings. All changes on schemes in the Environment Programme are itemised in the table below and further details are included in paragraphs 3.2 to 3.5. The revised Programme for the Environment Portfolio is attached as Appendix A. Appendix B shows actual spend against budget at the end of the first half of 2015/16, together with detailed comments on individual schemes.

	2015/16	2016/17	2017/18	2018/19	TOTAL 2015/16 to 2018/19
	£000	£000	£000	£000	£000
Programme approved by Executive 15/07/15	8,261	6,469	4,100	4,010	22,840
<u>Variations approved by Executive 02/12/15</u>					
Woodland Improvement Programme - reduction in funding (see para 3.3)	-3	0	0	0	-3
Increase in TfL funding for Highways & Traffic schemes (see para 3.4)	710	0	0	0	710
Schemes rephased from 2015/16 into later years (see para 3.5)	-1,013	100	913	0	0
Total Amendment to the Capital Programme	-306	100	913	0	707
Beckenham Town Centre Improvements - (Executive 02/12/15) (Full Council 14/12/15) (see para 3.2)	0	1,440	0	0	1,440
Total Revised Environment Programme	7,955	8,009	5,013	4,010	24,987

3.2 Beckenham Town Centre Improvements (£1,440k increase in 2016/17)

At its meeting in December, the Executive agreed to increase the funding on the Beckenham Town Centre Improvements by £1.44m as the scope has increased to cover the whole of the High Street area. TfL has agreed in principle to increase their funding by £950k, £250k will be funded from the Principal Road Maintenance 2016/17 allocation and the remaining balance (£240k) will be funded from capital receipts. This was agreed by Full Council on 14th December 2015, and the total budget on the Beckenham Town Centre Improvements has increased from £3,257k to £4,697k.

3.3 Woodland Improvements Programme (£3k reduction in 2015/16)

The Woodland Improvements Programme was funded by £126k grant from the Forestry Commission to enhance and sustain 30 of Bromley's woodland sites. In December, Members approved a £3k reduction on the scheme to reflect the revised expenditure and funding received from the Forestry Commission.

3.4 Transport for London (TfL) – Revised Support for Highway & Traffic Schemes (£710k increase)

Provision for transport schemes to be 100% funded by TfL was originally included in the Capital Programme 2015/16 to 2018/19 on the basis of the bid in our Borough Spending Plan (BSP). Notification of an overall increase of £710k in 2015/16 was reported to the Executive in December and the Capital Programme was increased accordingly. Grant allocations from TfL change frequently and any further variations will be reported in subsequent capital monitoring reports.

3.5 Schemes rephased from 2015/16 into later years

As part of the 2nd quarter monitoring exercise, £1,013k has been re-phased from 2015/16 into later years to reflect revised estimates of when expenditure on Environment schemes is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. This is itemised in the table below and comments on scheme progress are provided in Appendix B.

Capital Expenditure – Rephasing in Q2 monitoring	2015/16	2016/17	2017/18
	£000	£000	£000
Beckenham Town Centre improvements	-672	-241	913
LIP Formula funding scheme	-279	279	0
Winter maintenance - gritter replacement	-56	56	0
S106 - Highway PIL (unallocated)	-6	6	0
Total Environment Programme rephasing	-1,013	100	913

Post-Completion Reports

3.6 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in recent years, 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. The following two post-completion reports are included elsewhere on this agenda for the Environment Portfolio.

- The Hill Car Park – strengthening works
- Bromley Town Centre – increased parking capacity

This quarterly report will monitor the future position and will highlight any further reports required

4. POLICY IMPLICATIONS

4.1 Capital Programme monitoring and review is part of the planning and review process for all services.

5. FINANCIAL IMPLICATIONS

5.1 These were reported in full to the Executive on 2nd December 2015. Changes agreed by the Executive for the Environment Portfolio Capital Programme are set out in the table in paragraph 3.1.

Non-Applicable Sections:	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 15/07/15). Q2 monitoring report (Executive 02/12/15). Beckenham Public Realm Improvements (Executive 02/12/15) (Full Council 14/12/15)

ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 2 DECEMBER 2015									
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.15	Estimate 2015/16	Estimate 2016/17	Estimate 2017/18	Estimate 2018/19	Responsible Officer	Remarks
		£'000's	£'000's	£'000's	£'000's	£'000's	£'000's		
	SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	12,000	0	0	4,000	4,000	4,000		
922602	TFL - Borough Support	204	204	0	0	0	0	Angus Culverwell	
922608	Cycling on Greenways	552	516	36	0	0	0	Angus Culverwell	
922660	Borough Transport Priorities (not allocated)	24	2	22	0	0	0	Angus Culverwell	
922668	Biking Boroughs	596	413	183	0	0	0	Angus Culverwell	
	<u>TFL - New funding streams</u>								
922661	Maintenance	6,569	5,353	1,216	0	0	0	Angus Culverwell	
922672	LIP Formula Funding	10,588	7,014	3,295	279	0	0	Garry Warner / Angus Culverwell	
922673	Borough Cycling	12	2	10	0	0	0	Angus Culverwell	
922674	Bus Stop Improvement works	159	5	154	0	0	0	Angus Culverwell	
922677	Flexi Lane	100	0	100	0	0	0	Angus Culverwell	
941539	Widmore Road - BNV	366	0	366	0	0	0	Garry Warner	
	TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	31,170	13,509	5,382	4,279	4,000	4,000		
	OTHER								
917242	Winter maintenance - gritter replacement	1,210	814	34	272	90	0	Paul Chilton	
917247	Orpington Public Realm Improvements	2,200	2,151	49	0	0	0	Garry Warner	
941536	Beckenham Town Centre improvements	4,697	101	241	3,442	913	0	Kevin Munnely	£1.2m TfL funding Executive 16/10/13 and Executive 02/12/15 (Full Council 14/12/15), £3,295k TfL funding; £150k Members' Initiative reserve; £1002k Capital Receipts; £250k Principal Road Maintenance (TfL funded)
922675	Gosshill Road	289	0	289	0	0	0	Malcolm Harris	Funded from TfL £80k and S106 £209k
922676	Orpington Railway Station	130	0	130	0	0	0	Malcolm Harris	Funded from TfL £50k and S106 £80k
941893	Depots - stand by generators	120	38	82	0	0	0	Paul Chilton	
941863	The Woodland Improvements Programme	123	57	66	0	0	0	Robert Schembri	Approved by Executive 02/04/14. Funded by Forestry Commission
917251	SEELS street lighting project	864	864	0	0	0	0	Garry Warner	100% external funding (Salix)
917252	Street Lighting Invest to Save Initiative	8,507	6,872	1,635	0	0	0	Garry Warner	Funded by Invest to Save Fund (Executive 28/11/12)
927000	Feasibility Studies	40	0	10	10	10	10	Claire Martin	
951000	S106 - Highway (unallocated)	6	0	0	6	0	0	Claire Martin	S106 Receipts
	TOTAL OTHER	18,186	10,897	2,536	3,730	1,013	10		
	CAR PARKING								
926068	The Hill Multi-Storey Car Park - strengthening works	232	222	10	0	0	0	Paul Redman	Approved by Executive 29/09/10
926069	Bromley Town Centre - increased parking capacity	420	393	27	0	0	0	Paul Redman	Approved by Executive 23/05/12
	TOTAL CAR PARKING	652	615	37	0	0	0		
	TOTAL ENVIRONMENT PORTFOLIO	50,008	25,021	7,955	8,009	5,013	4,010		

ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 2015/16 - 2nd QUARTER MONITORING				
Capital Scheme/Project	2nd QUARTER 2015/16			Responsible Officer Comments
	Estimate Jul 2015 £'000's	Actual to 23.11.15 £'000's	Revised Estimate Dec 2015 £'000's	
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON				Reallocated across named schemes below; £710k overall increase following TfL revised grant allocations
TfL - Borough Support	0	-17	0	Pending outstanding invoice
Cycling on Greenways	0	26	36	TfL funding allocated to individual scheme
Borough Transport Priorities	32	22	22	TfL funding allocated to individual scheme
Biking Boroughs	78	76	183	TfL funding allocated to individual scheme
TfL - New funding streams				
Maintenance	1,087	819	1,216	TfL funding allocated to individual scheme
LIP Formula Funding	3,333	1,382	3,295	TfL funding allocated to individual scheme. Rephased £279k into FY16/17 to reflect when the works will be completed on various schemes
Borough Cycling	0	10	10	TfL funding allocated to individual scheme
Bus Stop Improvement works	55	5	154	TfL funding allocated to individual scheme
Flexi Lane	0	10	100	TfL funding allocated to individual scheme
Widmore Road - BNV	366	213	366	TfL funding allocated to individual scheme
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	4,951	2,546	5,382	
OTHER				
Winter maintenance - gritter replacement	90	22	34	We estimate that £34k will be spent in 15/16, mainly on street scrubber (winter maintenance attachments) to be used in Bromley Town Centre. Following a condition review of the winter maintenance fleet and associated equipment at the end of the 14/15 winter season, the replacements are rephased into following years. Rephased £56k into 16/17.
Orpington Public Realm Improvements	49	0	49	Balance of funding being utilised for minor redesigns to scheme. We anticipate all the works to be completed in this FY.
Beckenham Town Centre improvements	913	0	241	Design and Development for TfL Major Improvement Initiative. Design and Development costs funded by TfL. Traffic modelling brief is out to tender and other survey work is ongoing. The Project follows on from Beckenham TC improvements delivered by the Council. Additional allocation of £1.44m in 16/17 as approved by Executive 02/12/15 and Full Council 14/12/15 due to changes in scope to cover the whole of the High Street area. The re-profile of capital is required because of extended stakeholder engagement and scheme revisions. Rephased £672k from 15/16 and £241k from 16/17 into 17/18
Gosshill Road Chislehurst - Private Street Works	289	60	289	Funded from TfL and S106. The scheme consists of building a new carriageway and footway with other enhancing highway elements, such as improved lighting. Site works started on 28/09/15 and is likely to finish in this FY
Orpington Railway Station - Access & Bus stop enhancement	130	1	130	Funded from TfL and S106. A legal agreement is being prepared between LBB and Network Rail. Some underground services (BT cables) might have to be lowered in the current footway. Detailed design is underway to widen the existing carriageway and then relocate the footway and bus shelter (the rail station side). This will enhance capacity greatly and also reduce congestion around the bus interchange.
Depots - stand by generators	82	0	82	Engaging with manufacturers and suppliers regarding options and technical specifications. Detailed investigative and enabling works are required, this means possible power outages at various intervals, which has to be coordinated between the various service user groups and may not meet the planned time scale proposed.
The Woodland Improvements Programme	69	66	66	Reduction of £3k on budget to reflect funding available. A claim for £72k to the Forestry Commission was submitted and processed in April 2015 for work delivered in 14/15 programme. The outstanding path works and the woodland work began in Qtr 3 15/16.
SEELS street lighting project	0	0	0	100% external funding (Salix)
Street Lighting Invest to Save Initiative	1,635	889	1,635	Funded by Invest to Save Fund (Executive 28/11/12) - Report presented to Executive 15/10/14 to amend the project in replacing fewer lamp columns and convert more lanterns. Additional connections are being passed to UKPN as a result of a previously unknown interconnected network. We anticipate all the works to be completed in this FY.
Feasibility Studies	10	0	10	Block capital - We do not expect to use the money this year on feasibility studies
S106 - Highways (unallocated)	6	0	0	Rephased the unallocated balance to 16/17 as it is unlikely to be spent in this FY.
TOTAL OTHER	3,273	1,038	2,536	
CAR PARKING				
The Hill Multi-Storey Car Park - strengthening works	10	0	10	Scheme completed.
Bromley Town Centre - increased parking capacity	27	11	27	Additional £60k from TfL. Scheme near completion, pending final invoices.
TOTAL CAR PARKING	37	11	37	
TOTAL ENVIRONMENT PORTFOLIO	8,261	3,595	7,955	

Report No.
ES16006

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: 2nd February 2016

Decision Type: Non-Urgent Executive Key

Title: **HIGHWAYS PLANNED MAINTENANCE PROGRAMME INCLUDING SURFACE TREATMENT OPTIONS**

Contact Officer: Paul Redman, Highways Asset Manager
Tel: 020 8313 4930 E-mail: Paul.Redman@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: All

1. Reason for report

This report recommends future programmes of planned carriageway and footway maintenance. The report also includes information in respect of the Council's annual bid made to Transport for London for bridge assessment and strengthening and information regarding carriageway treatment options.

2. **RECOMMENDATIONS**

That the Environment Portfolio Holder:

- i) **agrees that additional schemes listed in Appendix 'A' be completed during 2015/16 with those in Appendix 'B' forming the basis of the Council's programme of planned highway maintenance for 2016/17;**
- ii) **agrees the proposed TfL funded programme of principal road maintenance works for 2016/17 as set out in Appendix 'D', together with the bid to Transport for London for bridge strengthening and assessment as Appendix 'E'; and**
- iii) **agrees for authority to be delegated to the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, to implement any changes to the proposed programmes in line with service needs.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: £505k for 2015/16 and £3.579m for 2016/17
 2. Ongoing costs: Recurring Cost £3.579m
 3. Budget head/performance centre: Highways, DfT and TfL Funding
 4. Total current budget for this head: £2.378m, £505k and £1.201m
 5. Source of funding: Existing revenue 2016/17, DfT funding and TfL LIP funding
-

Staff

1. Number of staff (current and additional):4
 2. If from existing staff resources, number of staff hours: 4 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? Yes
2. Summary of Ward Councillors comments: Responses to be received at the Committee meeting.

3. COMMENTARY

Background

- 3.1 Bromley's highway assets include carriageways and footways of length 547 miles (880Km) and 885 miles (1,425 Km) respectively. It is a highly visible asset used by most residents and businesses on a daily basis. A well-maintained highway facilitates safe and reliable travel for pedestrians, cyclists and motorists, and contributes to the vitality of the borough and the local economy. The highway network has a gross replacement cost of approximately £1.5 bn. according to the most recent submission to HM Treasury.
- 3.2 Maintaining the highway asset through timely planned maintenance works reduces the demand for reactive maintenance, such as repairing potholes and broken paving. This improves value for money and customer satisfaction, reduces unplanned network disruption, and contributes to reducing third party claims for damages.
- 3.3 The Principal 'A' road network is 42 miles (67Km) in length. Sustained annual investment of between £0.75m and £1.0m p.a. received as part of the LIP settlement from TfL has helped to keep these roads in good condition. Maintenance of the 58 miles (93km) of non-principal 'B' and 'C' roads, and the 447 miles (720 Km) network of unclassified roads are funded from revenue budgets.

Road Condition

- 3.4 Borough-wide carriageway condition data is derived from technical surveys to provide a coarse assessment of network condition based on national guidelines. These are not precise as they are derived from identifying a wide range of highway defects, although they do provide a valuable source of trend data by identifying the percentage of carriageway likely to require maintenance.

Carriageway condition indicators based on the latest (2014/15) borough-wide condition data are set out in the table below;

Network Classification	A (Principal)	B/C (Non-Principal)	Unclassified
Road Condition Value	1%	3%	17%

- 3.5 In order to improve the quality of condition data LBB Engineers have been working with the Transport Research Laboratory (TRL) on a new survey methodology. The surveys have been completed and initial analysis is encouraging, although there has not been sufficient time to produce planned works programmes for the full three years, as in previous years. It is therefore proposed that this report only considers planned footway and carriageway works for the remainder of 2015/16 and 2016/17, with a draft programme for future years.

Proposed Programmes

- 3.5 Roads are identified for planned work using a prioritisation system based on highway condition, but also taking account of factors such as use, location on the network, adjacent services, frequency of reactive maintenance, level of public enquiries, consultation responses, etc. Those roads with the highest overall priority are put forward for planned works programmes in accordance with current budget provision.
- 3.6 In March 2014 the Department for Transport (DfT) allocated £10m to London boroughs and Transport for London to maintain the capital's road network, with LB Bromley receiving

£504,982, which Executive released to accelerate the planned carriageway maintenance programme during 2015/16. The latest survey results have been assessed and it is proposed that the roads shown at Appendix 'A' are included in the 2015/16 programme. Programmes of planned footway and carriageway works for completion during 2016/17 are shown at Appendix 'B', and a draft programme for future years at Appendix 'C'.

- 3.7 Maintenance of the Borough's principal 'A' road network is funded from an allocation made by Transport for London TfL. This funding is intended for carriageway maintenance, although some footway works may be included. Details are shown in Appendix 'D'.

Bridge Strengthening and Assessment

- 3.8 Bridge strengthening and assessment covers strengthening, replacement works, assessment and feasibility studies of highway structures. Officers are requested to submit a bid for structural projects to the London Bridges Engineering Group (LoBEG), which advises TfL on scheme prioritisation. These projects are set out in Appendix 'E' and the Portfolio Holder is asked to endorse this list. The Council will not know how much of the £1.054m bid for 2016/17 has been successful until the funding settlement is announced by TfL.

Carriageway surface treatment options

- 3.9 Bituminous surfacing materials deteriorate through oxidization and weathering, which causes the materials to become brittle and weak, eventually resulting in potholes and more serious defects. The 'stitch in time' principle applies, and if surfaces are treated in a timely manner more expensive maintenance can be avoided. There are a number of treatments available;
- 3.10 Joint sealing – as many of our residential roads are made of concrete with a thin bituminous overlay, the surfacing tends to crack at the joints of the underlying concrete due to movement between adjacent concrete bays. If these are repaired with a suitable flexible sealer this can prevent the ingress of water and further deterioration of the surfacing material. While this treatment can be used to seal any cracks in surfacing, it is usually only applied to cracks and joints that go across the road as the material used is quite slippery. The cost of this treatment varies from £4.50 to £10.00 per m.
- 3.11 Surface Dressing – this treatment can be suitable at an early stage of the deterioration process and is aimed at sealing carriageway cracks, thereby arresting further deterioration, and reinstating the skidding resistance of the road. It involves spraying hot bitumen on the road and rolling in chippings to provide a new running surface. Typical life expectancy is 5-8 years, although this treatment may not be suitable for busy urban or heavily trafficked roads. The cost of this treatment varies from £3.00 to £6.00 per m² depending on the binder and chippings used.
- 3.12 Micro Asphalt – involves overlaying a carriageway with a thin water based bituminous slurry. Some carriageway patching may be required before this treatment is applied but essentially this treatment is applicable where the road surface is still sound. Road needs to be closed for two hours after the works have been completed to allow the material to set. In addition to sealing the carriageway and providing a new running surface this treatment can also restore some of the shape of the road. This treatment is not suitable for heavily trafficked roads. A typical life expectancy of this treatment is 8-10 years, and the cost varies from £5.00 to £8.00 per m²
- 3.13 Slurry Sealing – this is a similar treatment to micro-asphalt for use on existing bituminous footways. It is suitable when deteriorated but still in a structurally sound condition. A typical life expectancy of this treatment is 10 - 15 years, and the cost varies from £3.00 to £6.00 per m²
- 3.13 Carriageway Resurfacing – this usually requires the removal of the existing surface layer before a new bituminous surface is laid, although in roads without kerbs or thresholds an overlay can be applied. The treatment materials vary depending on traffic conditions, and are laid at a depth

of 20 - 40 mm. A typical life expectancy is 15-20 years. The cost of an overlay varies from £5.00 to £11.00 per m² depending on the road type, with resurfacing costs between £6.50 and £12.50 per m²

- 3.14 Partial reconstruction – when deterioration affects the structural layers of the road construction, it may be necessary to replace the base material as well as the surface. As this is more expensive than simple resurfacing, and has a similar life expectancy, its use is restricted to those roads that have badly deteriorated. The cost of this treatment varies from £15.00 to £24.00 per m² depending on the road type.
- 3.15 In recent years maintenance works have comprised of resurfacing and partial reconstruction, as levels of deterioration have prevented the use of simpler treatments. As joint sealing, surface dressing and micro-asphalt are proprietary treatments using specialist equipment, they are not cost effective for individual or small numbers of roads. A programme of surface dressing was successfully completed in 2013 in rural roads within Downe village and Biggin Hill, and this treatment will be considered for similar works in the future.

4. POLICY IMPLICATIONS

- 4.1 The Environment Portfolio Plan 2015-2018 includes the key aim “To continue to invest in a timely and effective manner in our roads and pavements to maintain the value of our highway asset”. The Plan (item 4.4) identifies the Council will “Improve the condition of the of the highway network by completing an approved major programme of road and pavement resurfacing”.

5. FINANCIAL IMPLICATIONS

- 5.1 Appendix A contains a list of roads that will be funded from the one-off sum of £504,982 from the DfT specifically for the permanent repair of potholes or preventing their appearance by resurfacing. This sum must be spent by 31 March 2016.
- 5.2 Planned maintenance works for the Borough roads are funded from the annual revenue highways maintenance budget of £2.38m. Maintenance of the Principal Road Network is funded by TfL and these funds can only be used for maintenance work on classified roads.
- 5.3 A summary of the funding available for 2016/17 is summarised in the table below.

	£'000	£'000
<u>Revenue - Appendix B</u>		
Carriageway maintenance 2016/17	1,247	
Footway maintenance 2016/17	<u>1,131</u>	
		2,378
<u>Capital - Appendix D</u>		
Principal Road Network 2016/17 LIP funding from TfL	946	
TfL LIP funding for resurfacing busy bus routes	120	
TfL LIP funding for roads where accidents have been attributed to skidding	<u>135</u>	
		1,201
Total funding available for 2016/17		<u>3,579</u>

- 5.4 Appendix C sets out the list of projects that make up the proposed bid to TfL for bridge strengthening totalling £1.054m. TfL will notify the Council of the actual settlement in early 2016/17.

6. LEGAL IMPLICATIONS

- 6.1 Under the Highways Act 1980, the Council, as Highway Authority, has duties to ensure the safe passage of highway users and to maintain the highway.

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

2015/16 Carriageway Resurfacing Schemes Funded from DfT Pothole Fund

ROAD	WARD
Fashoda Rd	Bromley Town
Gilroy Way	Orpington
Golf Rd	Bickley
Gravel Rd	Bromley Common & Keston
Haysleigh Gdns	Crystal Palace
Herbert Rd	Bromley Common & Keston
Logs Hill	Bickley
Thornsett Pl	Clock House
Turpington La	Bromley Common & Keston
Tylney Rd	Bickley
Weighton Rd	Crystal Palace
Woldham Rd	Bromley Town
Yester Rd	Chislehurst

Proposed Carriageway Resurfacing Schemes 2016/17

ROAD	WARD
Augustine Rd	Cray Valley East
Bedford Rd	Orpington
Blandford Rd	Clock House
Bourne Rd	Bromley Town
Bromley Rd	Copers Cope
Castleton Rd	Mottingham & Chislehurst
Cockmannings Rd	Cray Valley East
Cowper Rd	Bromley Common & Keston
Crest Rd	Hayes & Coney Hall
Downsbridge Road	Copers Cope
Durham Av	Shortlands
Eden Park Av	Kelsey & Eden Park
Elwill Way	Shortlands
Grovelands Rd	Kelsey & Eden Park
Havelock Rd	Bromley Town
Homesdale Rd	Bromley Town
Homestead Rd	Chelsfield & Pratts Bottom
Lower Rd	Cray Valley East
Lynton Av	Cray Valley East
Manor Way	Kelsey & Eden Park
Martins Rd	Bromley Town
Melvin Rd	Penge & Cator
Nightingale La	Bickley
Princes Av	Petts Wood & Knoll
Rochester Av	Bromley Town
Samos Rd	Clock House
Sayes Court Rd	Cray Valley West
Shortlands Rd	Shortlands
South View	Bromley Town
Southlands Rd	Bromley Common & Keston
St Georges Rd	Copers Cope
Sylvan Way	Hayes & Coney Hall
Tintagel Rd	Orpington
Union Rd	Bromley Common & Keston
West Way	Petts Wood & Knoll
Wynford Gro	Cray Valley West
Yester Rd	Bickley

Proposed Footway Resurfacing Schemes 2016/17

ROAD	WARD
Avenue Road	Clock House
Avondale Road	Plaistow & Sundridge
Barnfield Wood Close	West Wickham
Bedford Road	Orpington
Cloonmore Avenue	Chelsfield & Pratts Bottom
Court Farm Road	Mottingham & Chislehurst North
Eden Way	Kelsey & Eden Park
Farnborough Hill	Chelsfield & Pratts Bottom
Florence Road	Bromley Town
Hillcrest Road	Plaistow & Sundridge
Ickleton Road	Mottingham & Chislehurst North
Kendall Road	Clock House
Langley Road	Kelsey & Eden Park
Lawrie Park Crescent	Crystal Palace
Linslade Road	Chelsfield & Pratts Bottom
Madeira Avenue	Bromley Town
Main Road	Biggin Hill
Oakhill Road	Petts Wood & Knoll
Phoenix Road	Penge & Cator
Ramsden Road	Orpington
School Road	Chislehurst
Stanhope Grove	Kelsey & Eden Park
Station Road	Bromley Town/Plaistow & Sundridge
Summer Hill	Chislehurst
The Avenue	Copers Cope
Thesiger Road	Penge & Cator
Thornsett Road	Clock House
Towncourt Crescent	Petts Wood & Knoll
Waring Drive	Chelsfield & Pratts Bottom
Wickham Way	Shortlands
Woodland Way	Petts Wood & Knoll

Proposed Carriageway Resurfacing Schemes for Future Years

ROAD	WARD
Blakeney Rd	Clock House
Brabourne Rise	Shortlands
Castleton Rd	Mottingham & Chislehurst
Chalk Pit Av	Cray Valley East
Church Hill Wood	Orpington
Crest Rd	Hayes & Coney Hall
Drayton Av	Farnborough & Crofton
Elwill Way	Shortlands
Fairfield Rd	Plaistow & Sundridge
Farleigh Av	Hayes & Coney Hall
Forde Av	Bromley Town
Goddington La	Orpington
Homefield Rd	Bickley
Kedleston Dri	Cray Valley West
Lansdowne Av	Farnborough & Crofton
Link Way	Bromley Common & Keston
Meaford Way	Penge & Cator
Mells Cres	Mottingham & Chislehurst
Mountfield Way	Cray Valley East
Oaklands Rd	Bromley Town
Park Rd	Chislehurst
Plantation Dri	Orpington
Portland Rd	Mottingham & Chislehurst
Quilter Rd	Orpington
Robin Way	Cray Valley West
St.Mary's Av	Shortlands
Stambourne Way	West Wickham
Surrey Rd	West Wickham
Sussex Rd	West Wickham
The Grove	West Wickham
Warren Av	Chelsfield & Pratts Bottom
Windsor Dri	Chelsfield & Pratts Bottom

Proposed Footway Resurfacing Schemes for Future Years

ROAD	WARD
Aberdare Close	West Wickham
Acacia Close	Petts Wood & Knoll
Bargrove Close	Crystal Palace
Belvedere Road	Crystal Palace
Berwick Way	Orpington
Camelot Close	Biggin Hill
Cedars Rd	Clock House
Churchill Way	Biggin Hill
Cumberland Road	Shortlands
Curzon Close	Farnborough & Crofton
Eccleston Close	Farnborough & Crofton
Elmlee Close	Chislehurst
Everglade	Biggin Hill
Faraday Way	Cray Valley East
Foley Road	Biggin Hill
Hamlet Road	Crystal Palace
Hawes Road	Plaistow & Sundridge
Highfield Road	Bickley
Highwood Close	Farnborough & Crofton
Homefield Rise	Orpington
Irene Road	Petts Wood & Knoll
Lebanon Gdns	Biggin Hill
Lubbock Road	Chislehurst
Madeline Road	Crystal Palace
Melody Road	Biggin Hill
Monks Way	Kelsey & Eden Park
Nightingale Close	Biggin Hill
Norheads La	Biggin Hill
Norman Close	Farnborough & Crofton
Oak Grove Road	Penge & Cator
Oakfield Road	Penge & Cator
Oast House Way	Cray Valley East
Palace Road	Crystal Palace
Petten Close	Orpington
Pleydell Av	Crystal Palace
Polesteeple Hill	Biggin Hill
Pound Close	Farnborough & Crofton
Rosecroft Close	Darwin

Proposed Footway Resurfacing Schemes for Future Years (Continued)

ROAD	WARD
Seymour Villas	Crystal Palace
Sheldon Close	Penge & Cator
Sheridan Way	Clock House
Springpark Drive	Copers Cope
Starts Hill Road	Farnborough & Crofton
Stock Hill	Biggin Hill
Sunningvale	Biggin Hill
Swievelands Road	Biggin Hill
The Crescent	West Wickham
The Grove	Biggin Hill
Thirlmere Rise	Plaistow & Sundridge
Thornsett Place	Clock House
Timbertop Road	Biggin Hill
Tintagel Road	Orpington
Tudor Gdns	West Wickham
Valley View	Biggin Hill
Victoria Gdns	Biggin Hill
Wickham Way	Shortlands
William Booth Rd	Crystal Palace
Wilmar Gdns	West Wickham
Wolfe Close	Hayes & Coney Hall
Woodbury Close	Darwin
Wyvern Close	Orpington
Yester Road	Bickley

Proposed TfL Funded Works 2016/17
Carriageway Schemes on Principal Roads

ROAD	WARD
Bromley Road	Chislehurst
Crofton Road	Farnborough And Crofton
Chislehurst Road/High Street Orpington	Orpington
Croydon Road	Kelsey And Eden Park
High Street Beckenham	Copers Cope

Proposed TfL Funded Works 2016/17

Bridge Assessment & Strengthening Bid To TfL 2016/17

BRIDGES AND STRUCTURES BID	FURTHER DETAILS		FUNDING £K		
	LBB STRUCTURE	TREATMENT	2016/17	2017/18	2018/19
Leamington Avenue Bridge	Y	S	20	105	5
Long Meadows Close Retaining Wall	Y	S	20	140	5
Sevenoaks Way Retaining Wall	Y	S	20	100	5
Parapet Strengthening	Y	M	20	15	10
Maintenance Safety	Y	M	15	50	50
Waterproofing	Y	M	60	60	60
Bishops Avenue Culvert	Y	S	20	166	5
Brooklyn Road Culvert	Y	I	2	2	2
Lych Gate Footbridge	Y	I	15	1	0
Kingsway Bridge	Y	M	50	1	0
Aldersmead Road Bridge	Y	M	50	1	0
Crystal Palace Subway Inc Walls	Y	S/M	450	50	0
Bridge Road Bridge (508)	N	A	6	0	0
Bridge Road Bridge (508)	N	A	6	0	0
Crofton Lane Bridge	N	A	44	0	0
Crofton Lane Footbridge	Y	A	30	0	0
Sackville Avenue Bridge	Y	S	5	55	450
Wendover Road Bridge	Y	S	40	150	0
Wendover Road Footbridge	Y	A	30	0	0
Plaistow Lane Bridge	N	I	1	0	0
Beddington Road Rw	Y	I	15	0	0
Marion Crescent	Y	I	15	0	0
Hillingdale Road Rw	Y	I	10	0	0
Glassmill Lane Rw	Y	S	10	30	2
Crab Hill Bridge	N	I/S	100		
Total			1054	926	594

KEY

- S Strengthening
M Maintenance
I Interim Measures
A Assessment

Report No.
ES16003

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT PORTFOLIO HOLDER
For Pre-Decision Scrutiny By Environment Policy
Development And Scrutiny Committee

Date: 2 February 2016

Decision Type: Non - Urgent Executive Non - Key

Title: LITTERING ENFORCEMENT

Contact Officer: Toby Smith, Head of Street Enforcement
E-mail: toby.smith@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: (All Wards)

1. Reason for report

This report outlines a strategy for the future delivery of the Enforcement Service carried out by Ward Security.

2. **RECOMMENDATION(S)**

That the Environment Portfolio holder;

2.1 **Approves the change to the arrangement with Ward Security for the provision of Littering Enforcement.**

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Quality Environment:
-

Financial

1. Cost of proposal: £26k offset by income
 2. Ongoing costs: Net nil as £6k estimated annual costs should be offset by income
 3. Budget head/performance centre: Streetscene and Greenspace Division
 4. Total current budget for this head: £ 489k
 5. Source of funding: Existing controllable revenue budget 15 /16
-

Staff

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: 0.30 FTE
-

Legal

1. Legal Requirement: Non Statutory - Government guidance
 2. Call-in: Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 In November 2014 the Environment PDS Committee received a report recommending that the Environment Portfolio Holder approve a variation and extension to the existing Parks Security Contract to include the issuing of Fixed Penalty Notices where individuals are in breach of the requirements of the Clean Neighbourhood and Environment Act 2005, including offences for littering and dog fouling on the Public Highway. This was to be at net zero cost to LB Bromley.
- 3.2 Ward Security agreed to provide two Street Litter Enforcement officers five days per week to patrol targeted hot spots for littering, primarily in Town Centre High Streets at zero cost to Bromley Council. It was expected that the income generated from the issued FPN's would cover Ward Security's staffing costs.
- 3.3 By April 2015 it was identified by Ward Security that the level of FPN income generated by the Street Enforcement officers did not cover the staffing costs and was not sustainable.
- 3.4 This provision was reviewed and a pilot scheme was introduced whereby Ward Security incorporated and used the existing resources of the Ward Security Park Security officers to undertake targeted street litter enforcement patrols across the Borough. The Ward Security Park officers are trained in all aspects of issuing FPN's and dealing with minor enforcement offences. They are in uniform, SIA licensed and have body worn video cameras to record all incidents and interaction with the public for evidential purposes.
- 3.5 Since May 2015 the FPN service has been delivered as a pilot scheme; with Park Security officers issuing FPN's on overtime outside of the Parks Security Contract contracted arrangements and Ward Security providing the staff resource for the issuing and administration of the FPNs.
- 3.6 During the month of November and December it was piloted that up to two Ward Security officers patrolled targeted hot spot sites / areas during contracted park security hours at no extra cost to the Council.
- 3.7 The cost to the Authority would be £10 per hour per officer for overtime plus a contribution towards the administration of the FPN process based on 50% of the net income received by the Council.
- 3.8 If the pilot arrangement was to be agreed then Ward Security will task two of the five Park Security officers on duty as instructed by LBB contract manager to undertake approx. 2 hours of intelligence led targeted patrols of areas such as High Streets, outside schools, alleyways and local recycling centres where fly tipping, dumping and dog fouling has been reported. Using current contract staff on overtime was designed to make more effective use of the existing resource while still providing a litter enforcement service to the Council.
- 3.9 Since May 2015 129 FPNs have been issued at a cost of £705 for overtime plus £3,087 contribution towards Ward Security's administration costs. The overall net income to the Council totals £3,088 as shown in the table below:-

Month	Number of FPN issued	Number of hours worked	Cost @ £10 per hour	Number of paid FPN	Income from paid FPN	Ward Security Admin	Net income
May	13	24.5	£245	8	£640	£197	£198
June	45	25.0	£250	36	£2,880	£1,315	£1,315
July	6	10.0	£100	6	£480	£190	£190
Aug	2	0	0	2	£160	£80	£80
Sept	8	5.0	£50	3	£240	£95	£95
Oct	9	6.0	£60	5	£400	£170	£170
Nov	18	0	0	9	£720	£360	£360
Dec	28	0	0	17	£1,360	£680	£680
Total	129	70.5	£705	86	£6,880	£3,087	£3,088

3.10 As the table above shows the service is now operating a net income. As outlined in government guidance any income derived from the issuing on these FPNs is to contribute towards the costs of tackling litter, dog control, graffiti and fly-posting problems within the borough.

4. POLICY IMPLICATIONS

4.1 To contribute towards the Building a Better Bromley objective of a Quality Environment, a key aim set out in the Environment Portfolio Plan 2015/18 is to improve street cleanliness. This scheme supplements existing Council resources in bringing about an improvement to the street scene through a reduction in litter. The Environment Portfolio Plan 2013/2016 also included a specific commitment to "Extend the trial use of a private enforcement company to issue fixed penalty notices for littering and dog fouling".

5. FINANCIAL IMPLICATIONS

5.1 A summary of the financial information shown in the table above for the new pilot scheme with Ward Security from May 2015: -

	£
Cost of issuing FPNs since May 2015	705
Administration costs	<u>3,087</u>
Total cost	3,792
Less income from 86 FPNs	<u>-6,880</u>
Net income	<u>-3,088</u>

5.2 Should the change in contract arrangements be agreed, the impact on the Ward Security Contract is shown below: -

	Park Security £'000	PPS Enforcement £'000	Street Enforcement £'000	Total £'000
Contract spend from 1.4.10 to 31.12.15	2,681	35	142	2,858
Estimated contract spend 1.1.16 to 31.3.20	2,053	50	0	2,103
Value of proposed changes to 31.3.20	0	0	26	26
Total contract value with Ward Security	4,734	85	168	4,987

- 5.3 The additional estimated cost for the issue and administration of payments for the FPNs has been calculated based on the average costs over the last 8 months. The estimated cost for the remaining contract period is £26k and should be covered by the income received for the FPNs.
- 5.4 Ward Security has been used by other departments within the Council since April 2010. The cumulative cost of this additional work is £86k.

6. LEGAL IMPLICATIONS

- 6.1 The contract was let under the Public Contract Regulations 2006. These have now been replaced by the 2015 regulations and it is likely that any revisions now have to be considered under the later provisions. Regulation 72 deal with modification of contracts during their term. The nature of the proposed change is not a substantial variation as defined by regulation 72 (8) and is effectively a minor operational change within the overall context of the contract.
- 6.2 The FPN process is in accordance with the requirements of The Clean Neighbourhoods & Environment Act 2005. This legislation enables the Council to enter into an agreement with a contractor for the provision of issuing Fixed Penalty Notices.
- 6.3 The arrangement with Ward Security is a negotiated variation to the existing contract for the provision of security services to the London Borough of Bromley. Necessary authorisation will be sought under CPR 23.7 and 13.1.
- 6.4 Any income is used for permissible purposes i.e. regulation of littering, dog fouling, graffiti and fly posting

Non-Applicable Sections:	Personnel
Background Documents: (Access via Contact Officer)	<p>Proposal for Provision of Enforcement Services. Report No.ES12066. 17th April 2012.</p> <p>Review of Provision of Enforcement Services. Report No. ES13002. 15th January 2013</p> <p>On-Street Enforcement. Report No. ES14027. 4th November 2014</p>

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Report No.
ES15080

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

For Pre-Decision Scrutiny by the Environment PDS Committee on:

Date: 2nd February 2016

Decision Type: Non-Urgent Executive Non-Key

Title: PARKING APPEALS POLICY

Contact Officer: Chloe Wenbourne, Parking Appeals and Processing Manager
Tel: 020 8313 4647 E-mail: chloe.wenbourne@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: All

1. Reason for report

This report asks Portfolio Holder to note the current parking appeal guidance document (Appendix 1) and to agree the two amendments to existing guidance. Specifically:

- Cases where the motorist states they never received the Penalty Charge Notice (PCN) on the windscreen, and
 - Cases where a motorist parks outside of their property on a restriction designed to prevent commuter parking and received a PCN.
-

2. **RECOMMENDATIONS**

That the Environment Portfolio holder agrees:

(i) to review and authorise the outline guidance set out in Appendix 1 and to consider the two new policy changes;

(ii) the amendment where the motorist states they never received the PCN on the windscreen to be allowed to pay at the discounted amount;

(iii) the amendment where a motorist parks outside their property on a restriction designed to prevent commuter parking and receive a PCN, to have the PCN to be written off on the first occasion; and

(iv) to delegate to the Executive Director and Portfolio Holder for Environment authority to make policy guidance amendments in the future that have minor financial and/or service implications.

Corporate Policy

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

Financial

1. Cost of proposal: Potential loss of income of £23k per annum which may be offset by a reduction in costs
 2. Ongoing costs Potential loss of income of up to £23k
 3. Budget head/performance centre: Parking
 4. Total current budget for this head: Cr £1.9m
 5. Source of funding: Existing revenue budget 2015/16
-

Staff

1. Number of staff (current and additional): current 14, no additional needed.
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 180
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Penalty Charge Notices (PCNs) are issued by the Council's parking contractor, Indigo (previously known as Vinci Park) under the Traffic Management Act 2004. If a member of the public disagrees to a PCN being issued to their vehicle, they have a statutory right to appeal their PCN directly to Parking Services. If they are dissatisfied with the Council's decision the motorist also has the right to appeal to the Environment Traffic Adjudicators at the London Tribunals Service (formally the Parking and Traffic Appeals Service, PATAS).
- 3.2 The current appeal guidance document (Appendix 1) was agreed by Members in April 2012 and has proved to be a robust document allowing Parking Service to resolve all appeals as quickly, consistently and as early in the process as possible whilst remaining fair and reasonable at all times.
- 3.3 Appendix 1 is a document used by Officers. A similar document designed for customers use is available on the Parking Web page, (Appendix 2). In addition an interactive web interface known as Response Master - Self Serve (RM-SS) gives a real time reply stating the Council's policy and the likely outcome of an appeal. RM-SS will also advise motorist of the type evidence which is required to support their appeal.
- 3.4 The policies have mostly been recognised as a good and fair approach with motorists generally accepting the decisions. The two policies set out below have been identified as specific matters where there is an increased level of dissatisfaction, and Officers are seeking clarification/scrutiny from Members.

If Motorist does not receive a PCN on their windscreen – reoffer the discounted amount

- 3.5 At present, Parking Services do reoffer the discount amount when 'mitigating circumstances' can be reasonably demonstrated.
For example,
- adverse weather that day,
 - the motorist was away on holiday when the ticket was issued, or
 - if the vehicle was parked outside a busy pub overnight
- 3.6 However if 'mitigating circumstances' cannot be reasonably demonstrated the motorist would have to pay the full amount. Although it is an offence for a third party to remove a PCN from a vehicle, it does sometimes happen. Officers will sometimes receive tickets in the post that have been found in a garden, or on another car. This information is recorded on the parking system. In these cases the discounted amount is reoffered to the motorists.
- 3.7 The Traffic Management Act does not specify that local authorities should reduce the charge back to the discounted amount in these circumstances.
- 3.8 Finally there are occasions, small in number where a motorists claims simply to have never received the PCN. For those it affects it can cause a high level of dissatisfaction and a feeling of being treated unfairly by the Council. It can lead to complaints against the service or further appeals being lodged with the adjudicator and may result in a cost to the Council.
- 3.9 The Council only has a duty to serve the PCN correctly to the vehicle (not to ensure the motorist receives it) however even if the adjudicators find in favour of the authority, there is a cost to the council for any cases which reach this stage of the appeal process.

- 3.10 Officers believe that re-offering the discount will have a positive impact on the reputation of the service for motorists. In preparation for this report, Parking Services contacted other London Councils and asked on their internal policy. Of those who responded, the majority of them do reset the discount period in these circumstances (Appendix 3).

A motorist parks outside their property on a restriction designed to prevent commuter parking and received a PCN

- 3.11 Officers also recommend, if a resident parks on a restriction outside their property, which is only in place to prevent commuters parking, they may have one ticket written off in any rolling 12 month period.
- 3.12 This only impacts a small number of residents, however on the few occasions these types of appeal are received, it is usually in situations where the resident has taken a day's leave and has forgotten it's a CPZ day, not the weekend. In many cases the resident has already purchased a resident parking permit at a minimum cost of £40 per year, but parked on the yellow line after returning home from work after the yellow line restriction finished, and was unable to move their car for some reason, resulting in the resident having to pay the Penalty as well.
- 3.13 Officers believe a change to this policy would have little financial impact on the service but would help mitigate the often very strong sense of frustration of residents.

4. POLICY IMPLICATIONS

- 4.1 The proposals in this report are consistent with agreed Parking Appeals Policy dated 17th April 2012.

5. FINANCIAL IMPLICATIONS

- 5.1 In order to assess how many PCNs will be affected by the proposed changes in policy, Parking Services have completed some sample checks from the existing representations received.
- 5.2 The estimated number of PCNs per annum that are reported as not having been received on the windscreen is approximately 800. Should the policy be changed in line with other Boroughs, to reoffer the discounted rate, there could be a potential reduction in income of around £20k.
- 5.3 However, Parking Services believe that by agreeing to reoffer the discount amount it will lead to payments being received earlier from the customer, a reduction in administrative time dealing with phone calls and written communications as well a reduction in costs for postage and the £40 fee when registering any cases with the Environment Traffic Adjudicators (ETA).
- 5.4 The estimated number of PCNs per annum that relate to when a motorist parks outside their property on a restriction designed to prevent commuter parking and receives a PCN is 60. Should the policy be agreed to write off one ticket in any 12 month rolling period, the net loss of income would be less than £3k.

6. LEGAL IMPLICATIONS

- 6.1 There are no legal implications. The Traffic Management Act 2004, instructs that the local authority has discretionary powers to cancel a PCN at any time throughout the PCN process. Authorities have a duty to act fairly and proportionately and are encouraged to exercise discretion sensibly and reasonably and with due regard to public interest.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	<p>Appendix One – Outline Guidance on Waiving Penalty Charge Notices 2012 http://cds.bromley.gov.uk/mgAi.aspx?ID=16215</p> <p>Appendix Two How we consider your appeal http://www.bromley.gov.uk/downloads/file/756/parking-how we consider your appeal</p> <p>Appendix Three London Councils Findings X:\Word\PCU\Appeals & Debt Recovery Team\Appendix 3</p>

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Outline Guidance on Waiving Penalty Charge Notices

Mitigating circumstances

Policy Number	Policy Name	Description of current policy and considerations
1	Bank holiday restrictions	<p>Appeals sometimes state that they:</p> <ol style="list-style-type: none"> 1. assumed that restrictions did not apply on Bank Holidays; 2. assumed that a particular day was a Bank Holiday; 3. the sign did not state that Bank Holidays were being enforced; or 4. they dispute the benefit of enforcement of a Residential bay on a Bank Holiday. <p>Action</p> <p>If an appeal is received and it is clear from their statement:</p> <ul style="list-style-type: none"> ✓ that there is obvious confusion, misunderstanding , an assumption based on press coverage or practices in another borough that parking was permitted on an official Bank Holiday or day reasonably assumed to be a Bank Holiday, the PCN may be waived with a warning if no other warnings have been given previously <p>Vinci Park, will continue to issue PCNs as and when they observe a contravention on a Bank Holiday for the following reasons:</p> <ul style="list-style-type: none"> • To demonstrate that permit holders are getting full protection for their fee. • To prevent shoppers and commuters from parking in residents' bays. • Traffic Management responsibilities in respect of traffic flow and road safety are being actively managed through appropriate enforcement, ultimately resulting in improved compliance.
2	Blocked access (obstruction)	If an individual receives a PCN for parking over someone else's drive , the PCN should not be waived. Note: we often issue PCNs on marginal cases if an enforcement request is made by the owner of a property, but may waive it with a warning not to park in such a way again
3	Blue badge and disabled drivers /passengers	<p>If a Blue Badge is incorrectly displayed but we can establish that it is a valid badge, the PCN may be waived.</p> <p>If a Blue Badge holder fails to display their Blue Badge correctly, the PCN will be cancelled on no more than one occasion in any rolling 12 month period.</p> <p>If a clock has been (1) incorrectly set or (2) not displayed when required or (3) they have overstayed their allotted time, the PCN will be waived on not more than one occasion in any rolling 12 month period.</p>
4	Broken Down vehicles.	Challenges and representations against PCNs where a motorist claims that the vehicle has broken down will be accepted only if supporting evidence in the form of a confirmation letter from the AA or similar motoring organisation or a garage repair invoice is

	Waive - TMO	produced. If the breakdown appears to have been avoidable e.g running out of petrol/water etc the PCN will not be waived.
5	Legally detained	If a PCN is issued to a vehicle and the owner/driver had been legally detained , consideration will be given to waiving the PCN if supporting evidence is supplied.
6	Dropping off or picking up passengers Waive - TMO	Except on designated clearways and bus stops and pedestrian crossings, a vehicle is allowed reasonable time, i.e. approximately 2 minutes to drop off and pick up passengers , irrespective of any waiting or loading restrictions in place. Greater time applies to those who have a disability. If a CCTV Enforcement Operator or a Traffic Warden observes activity in these circumstances, a PCN should not be issued. A PCN may be waived if it can be demonstrated that the driver was picking up or setting down an individual with a disability who and may have, for example, assisted the individual to their property.
7	Funerals and weddings Bereavement	Exemptions apply for hearses and wedding cars , but vehicles belonging to mourners or wedding guests must park in accordance with the restrictions. Where a motorist claims to have been recently bereaved , consideration may be given to waiving the PCN if evidence to support the claim is provided.
8	Health care workers	If a doctor, nurse or midwife receives a PCN whilst on duty , consideration will be given to waiving it if evidence of the emergency is provided. PCNs will not simply be cancelled due to the nature of their work.
9	Hospital, dental, doctor, opticians appointments	If there is a delay in the appointment time or the treatment took longer than anticipated , waiving the PCN will not normally be considered. However if the delay was caused for reasons outside the driver's control, written confirmation from the medical practitioner will be considered. A reasonable time should also have been purchased, or a reasonable amount of time should have been allowed for the appointment before restrictions started.
10	Loading and unloading Waive - TMO	If loading or unloading at a permitted location takes place, a period of observation will be adhered to. It is acknowledged that the person may have been away from the vehicle while the PCN was being issued. <ul style="list-style-type: none"> • A PCN will normally be waived where the appellant has provided evidence, such as a delivery invoice, confirming loading or unloading took place at the time. • Drivers who claim that they were collecting/delivering high value cash/jewels may be considered if evidence can be supplied. • Collecting shopping is not permitted. <p>A Memorandum of Understanding is in place with the British Security Industry Authority (BSIA), who are the representative body</p>

		for companies who deliver cash to banks, building societies, etc.
11	Lost keys	Where it is claimed that car keys have been lost, stolen or locked inside the car preventing removal from a parking place, the PCN may be waived providing there is supporting evidence from the police or motoring organisation. If the vehicle was parked in contravention before the keys were lost, stolen or locked inside, the PCN will not be waived.
12	Medical & emergency cases	<p>Consideration will be given to any appeal where the appellant believes that a valid emergency situation or medical emergency caused them to park incorrectly, or to be delayed back to their vehicle.</p> <p>If possible, documentary evidence confirming the reason for the delay is of great help, but often this is not possible</p> <p>These type of appeals may include; (1) a child was sick in the car causing them to pull over, (2) an elderly relative was taken ill, (3) a child fell over and hurt themselves whilst running back to the car.</p> <p>Below are examples of medical appeals which may be considered if a medical condition is known:</p> <ul style="list-style-type: none"> • If a motorist claims they had an urgent need to use the toilet, because of a known condition, consideration will be given in these circumstances but there should be documentary evidence to support this claim. • Pregnancy - If an appellant simply states that they are pregnant, the PCN would not normally be waived. If further mitigating circumstances are described, consideration will be given. • Diabetic - PCNs will not be waived as it is a known and manageable condition. DVLA publish clear guidelines stating that medication should be readily to hand and guidance on reporting the incident to them. • Asthmatic - PCNs will not be waived as it a known and manageable condition. • Mental Health issues - PCN may be waived with independent documentary proof. • Temporary mobility problem (e.g, broken leg & on crutches) - PCNs may be waived with independent medical proof from a qualified medical practitioner. • Prescribed medication - If the appellant can demonstrate the they are taking new or amended medication and a medical practitioner can confirm that the would not have been known by the individual, then consideration to waive the PCN would be given. <p>Given the often sensitive nature of this category of appeal and the common lack of supporting evidence, officers will continue to make a considered judgement. These cases will be referred to the Processing Manager or a more senior officer for decision.</p>
13	New/changed restriction	If a new restriction has been implemented or an existing one amended, for approx 1 month consideration will be given to waiving PCNs if the motorist was genuinely confused by the change or simply not aware of any changes.
14	Did not receive	Often a Motorist will only appeal once a Notice to Owner (NTO) has been served. The claim may be that 'they did not receive a

	the PCN on the windscreen.	<p>PCN on their windscreen and they would have paid it if they had known’.</p> <p>Only in exceptional circumstances might we consider accepting such a statement but would request documentary evidence if possible. In these cases, we may offer the motorist the opportunity to pay the discounted amount, i.e, the charge outstanding when the PCN was issued.</p> <p>If there are no grounds to waive the PCN and we have photographic evidence to demonstrate the PCN was served to the vehicle, or pocket book notes taken by the Traffic Warden at the time confirming that the PCN was handed to the driver, we generally reject a claim that they ‘did not receive the PCN’. The owner is then obliged to pay the full charge as stated on the NTO.</p>
15	Change of Enforcement method times/area.	Occasionally traditional enforcement methods are amended or changed . This may be for policy reasons or further to an enforcement request by a member of the public. As there may be local or long standing parking arrangements in place, consideration may be given to cancel the PCN.
16	Pay and display Driver returns just after issue	In some cases the motorist returns to the vehicle as the PCN is being issued or very shortly after. There may be some genuine discrepancies in terms of the times shown on a P&D machine when compared to a motorist’s watch and the time on the Traffic Warden’s hand held computer used for issuing tickets. Consideration is therefore given to waiving the PCN.
17	Pay and display Not aware	Claims from motorists that they did not see or realise they parked in a pay and display location will not be accepted as grounds for waiving a PCN.
17a	Pay and display Machine Fault	Where it is claimed the machine was not working , a check on the machine will be made to determine whether or not a fault was reported or observed at the time the PCN was issued. If this is found to be the case, the PCN will be cancelled. However if there is another pay and display machine close by, the motorist is expected to purchase a ticket from this machine and the PCN should not be waived in these circumstances.
17b	Pay and display Obtain Change	Where the motorist left the vehicle parked without a valid ticket on display to obtain change , consideration will not be given to waiving the PCN.
17b(1)	Pay and display Delayed return	Late or unforeseen delay is not acceptable. However consideration may be given if trains are delayed and evidence can prove the delay was beyond their control.
17c	Pay and display	Often a pay and display ticket is displayed with the expiry details/serial number face down . In these circumstances, the Traffic

	Incorrect display	warden will issue a PCN, as validity of the ticket cannot be verified. The serial number on the reverse of the pay and display ticket will be recorded in the Traffic Warden's pocket book notes and photographs may be taken. On checking the notes taken at the time of the contravention or the photographs, if the pay and display ticket was indeed valid and had not expired, we will waive the PCN.
17d	Pay and display No display	For total failure to display a Pay and Display ticket, a PCN will not be waived. However, if the original or valid copy of the P&D ticket, purchased prior to the PCN issue is provided, the PCN may be waived on the first occasion within a 12 month period.
17e	Pay and display Pay by phone	The concept of using mobile phone parking may be new to some motorist and mistakes can be made. It is for this reason that we will waive the PCN on the first occasion if the appellant tried but failed to start their parking time using a mobile phone. Enforcement should only have taken place if a CEO is satisfied that no valid pay and display ticket was on display.
18	Permits	The parking contravention is for failure to display a permit . However, if on checking our records it is clear that a valid permit is held, the PCN will be waived.
19	Visitor vouchers	A valid visitor voucher may be submitted as part of an appeal, but was not displayed in the car at the time. We would consider waiving the PCN for a first contravention, if a valid visitor voucher is submitted as part of an appeal on no more than one occasion in every 12 month period.
20	Signs and lines Waive - TMO	If a PCN is issued and the driver claims the lines were too worn to be seen or the sign was missing , it may be waived providing a site inspection confirms this to be the case. (This would actually be a cancellation not a waive). However, where a motorist claims that snow, foliage, fallen leaves or flooding covered the signs and markings, providing this can be established, consideration will be given to waiving the PCN.
21	Suspended bays	Consideration will only be given to waiving a PCN if the motorist can show that they could not have reasonably known about the bay suspension .
22	Vehicle not at scene	Where a keeper of a vehicle receives a Notice to Owner and claims that their vehicle was not parked in the area at the time , the keeper will be asked to verify the details of the vehicle including the tax disc number. A PCN will not automatically be waived in these circumstances and will be dependent on the evidence provided by the keeper of the vehicle.
23	Communication and Correspondence	If at any stage it is believed by a senior officer within Parking Services that a motorist has received unreasonable or unsatisfactory service or the motorist has been unduly or avoidably inconvenienced, consideration will be given to waiving the PCN.

24	Start and end of restriction	In some cases the motorist may return to their vehicle as the PCN has been or is being issued. If this occurs either within 5 minutes of the start or end of a restriction , consideration will be given to waiving the PCN.
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Parking Services

How we consider your appeal



Introduction

In this document we have attempted to explain the appeals process, given examples of documentation we may send to you and indicated how we are likely to deal with your appeal.

We acknowledge that receiving a Penalty Charge Notice (PCN) may be frustrating and the appeal process may seem confusing, even stressful.

Our aim therefore is to ensure that appeals are dealt with as quickly as possible, while maintaining a good quality of response and ensuring that all points raised are answered in full. Our staff are fully trained to deal with all aspects of the appeal process and quality checks are regularly undertaken.

We are aware that most individuals do not want to beat the system, but do want it to work. We therefore try to apply a common sense approach in the way we deal with appeals – each one is unique. Fairness, transparency and accountability are key factors in our procedures and decision making.

The demand for parking is high in Bromley, as it is geographically the largest of all the London Boroughs and car ownership levels are among the highest. This is reflected by the issue of approximately 95,000 PCNs between 01/04/14 and 31/03/15 and the receipt of approximately 23,000 appeals during this period.

For ease and convenience, we have used the word 'cancel' as a generic term for circumstances where we would withdraw, waive, write off, or cancel a PCN.

If you have any comments or suggestions, please contact:

Customer and Communications Officer
Parking Services
Civic Centre
Rochester Wing R75
Bromley
Kent
BR1 3UH



Ben Stephens
Head of Parking Services

Guidance used when considering your appeal

There are many legislative and procedural factors that must be borne in mind when dealing with Penalty Charge Notice appeals. Most importantly, each case must be considered on its own merits, taking into account all relevant factors and evidence.

The Department for Transport (DfT) operational guidance to local authorities on parking policy and enforcement sets out the issues facing local authorities when dealing with appeals. It states; *“An enforcement authority should be ready to depart from its policies if the particular circumstances of the case warrant it.”*

The guidance also states; *“The process of considering challenges, representations and defence of appeals is a legal process that requires officers dealing with these aspects to be trained in the relevant legislation and how to apply it”*. Accordingly, all our parking appeals staff are fully trained and qualified. As of April 2012, all have a Level 3 NVQ qualification in Notice Processing from the regulated and accredited body; City & Guilds.

The guidance stipulates; *“It is in the interests of the authority and the vehicle owner to resolve any dispute at the earliest possible stage. Authorities should take account of the CEO’s (Civil Enforcement Officer’s) actions in issuing the PCN, but should always give challenges and representations a fresh and impartial consideration.”*

It would be almost impossible to list each and every parking scenario here, as each case is different in some way. However, we have attempted to group together many of the types of appeals we receive. We hope these examples will give you some guidance in understanding how we consider your circumstances and how we are likely to deal with your appeal.

Parking Officer Checks

When a Parking Officer investigates a case, they will check all details in relation to the issue of the PCN, including:

- PCN details;
- CEO’s notes and any available digital images (only relevant if the PCN was issued by a CEO);
- body worn video camera footage (only relevant if the PCN was issued by a CEO);
- video footage of the contravention captured by a CCTV Operator (only relevant if the PCN was issued by a CCTV Operator);
- location details - where disputes arise, a site visit may be required to check the signs and lines;
- relevant Traffic Management Order if there is a query concerning regulations.

If a Parking Officer still has concerns after making the relevant checks, they will refer the case to a Senior Parking Officer for advice.

The appeals process

When a parking or bus lane PCN is issued, you must:–

Pay the full charge within 28 days (if you pay the PCN within 14 days, you will have the opportunity to pay the fine at the 50% discount rate),

OR

Make a challenge (an appeal before a Notice to Owner/Enforcement Notice is served) to the Council in writing enclosing any additional evidence to support your case. If your challenge is received within 14 days, but is unsuccessful, you will be given another opportunity to pay at the discount rate for a further 14 days from the date of our written response.

Please note: if you have been served a PCN by post for a parking contravention, the process is slightly different. In these circumstances, you can appeal by making a formal representation. If your representation is received within 21 days but unsuccessful, you will be given the opportunity either to pay the 50% discount amount for a further 21 days, or to appeal to an independent adjudicator at the Environment and Traffic Adjudicators (ETA) (formerly the Parking and Traffic Appeals Service (PATAS)). If your representation is received after 21 days of the PCN issue date (but before issue of a Charge Certificate), the full charge will apply and you will not be given another opportunity to pay the discount rate.

An adjudicator may only allow an appeal if one of the statutory grounds for appeal applies. They are unable to make a decision based on mitigating circumstances. However, where a contravention has taken place but the adjudicator considers that the enforcement authority should have used its discretion, the adjudicator may refer the case back for the enforcement authority to reconsider. Such referrals are rare; perhaps about a dozen cases per year are referred to the Chief Executive in these circumstances. These are cases where the PCN was correctly issued and the Council has acted properly, but the adjudicator believes the mitigating circumstances are sufficient to be reconsidered. In all such cases, the decision is reviewed by the Chief Executive with advice from Parking Services and the Assistant Director of Environment and Community Services.

How to make your challenge/representation

The quickest and easiest way to make a challenge/representation against a PCN is online at: www.bromley.gov.uk/parking

Alternatively you can make a challenge/representation:

By post to: Parking Services
PO Box 376
Bromley
BR1 3XJ

Please include any supporting evidence with your challenge/representation. If you are submitting a challenge or representation by post, please ensure that you provide the following details with any correspondence:

- the PCN number;
- the vehicle registration; and
- your name and full postal address.

Without this information, we may be unable to trace the parking contravention or respond.

How to pay

If you pay within 28 days of the PCN issue date, the charge will be at the full PCN rate. If you pay within 14 days of the PCN issue date, the charge will be at the 50% discount rate.

Please note: if your PCN for a parking contravention was issued by post, you will receive a 50% discount if you pay within 21 days from the date the PCN was served.

There are several ways to make payment:

By phone: 0845 508 7050 (24hrs debit/credit card)

On-line at: www.bromley.gov.uk/parking (24hrs debit/credit card). You can make payments using this secure site with most major credit or debit cards (excluding Diners Card or American Express)

By post to: London Borough of Bromley
PO Box 376
Bromley
BR1 3XJ

Cheques and postal orders should be made payable to
“London Borough of Bromley”

In person at: Civic Centre, Stockwell Close, Bromley, BR1 3UH
(during office hours)

Please do not send cash by post

Documentation you may receive

Notice to Owner/Enforcement Notice

A Notice to Owner will be issued if the PCN was served by a Civil Enforcement Officer (CEO). An Enforcement Notice will be issued if the PCN was served for a bus lane contravention.

You will be sent a Notice to Owner/Enforcement Notice if:

- 1 your challenge was unsuccessful, and;
- 2 you have not paid in the time stated in the rejection letter, or;
- 3 a challenge has not been made and 28 days have elapsed from the date the PCN was served.

An appeal received at this stage is known as a formal representation.

Notification of outcome after a formal representation to the Council

If you make a formal representation to the Council after a Notice to Owner/Enforcement Notice has been sent to you, we will consider your circumstances and write to inform you of our decision. If we accept your representation, we will cancel the Penalty Charge Notice. If we reject it, a Notice of Rejection will be sent to you, giving you the opportunity to pay the full charge within 28 days or to appeal to Environment and Traffic Adjudicators (ETA) (formerly the Parking and Traffic Appeals Service (PATAS))

Notification of outcome after an appeal to ETA

If you appeal to a Parking Adjudicator at ETA, your appeal will be considered and you will be informed of the outcome by post. You can appeal to the adjudicator in person or by post and your option should be made clear on your application to ETA. If the adjudicator allows your appeal, you will not have to pay anything. If your appeal is refused, you will have a further 28 days from the date of the outcome to make payment of the full charge.

Charge Certificate

If the charge is not cancelled as a result of making a formal representation or an appeal to ETA and it remains unpaid after 28 days, a Charge Certificate will be sent to the registered keeper of the vehicle indicating a 50% increase to the outstanding charge.

At this stage, the opportunity to make an appeal of any kind against the issue of the Penalty Charge Notice has passed. If we do not receive the amount due before the end of the period of 14 days beginning with the date of service of the Charge Certificate, we will apply to the County Court to register the outstanding debt.

Order for Recovery of Unpaid Penalty Charge

This is a County Court order for recovery of an unpaid penalty charge that has been registered as a debt at the Traffic Enforcement Centre (TEC). If you receive an Order for Recovery of Unpaid Penalty Charge, you must either:

- pay the charge within 21 days, or
- file a Statutory Declaration or Witness Statement.

You will have the opportunity to file a Statutory Declaration (Under the Road Traffic Act 1991), or Witness Statement (Under the Traffic Management Act 2004), if one of the following grounds applies to you:

- you did not receive the Notice to Owner/Penalty Charge Notice;
- you made a representation about the penalty charge to the enforcing authority concerned within 28 days of the service of the Notice to Owner/Penalty Charge Notice, but did not receive a rejection notice;
- you appealed against the Local Authority's decision to reject your representation within 28 days of service of the rejection notice, but you had no response to your appeal;
- The PCN has been paid in full (this ground is on a Witness Statement, but not on a Statutory Declaration).

If the charge remains unpaid, a warrant may be issued to a bailiff to recover the debt.

Bank holiday restrictions

Appeals sometimes state that:

- the motorist assumed that restrictions did not apply on Bank Holidays;
- the motorist assumed that a particular day was a Bank Holiday;
- the sign did not state that Bank Holidays were being enforced; or
- the motorist disputes the benefit of enforcement in a residential bay on a Bank Holiday.

Action – A PCN may be cancelled with a warning (provided no previous warnings have been given) if an appeal is received and it is clear that the motorist:

- was confused,
- misunderstood,
- made an assumption based on press coverage, or
- followed practices of another borough where parking is permitted on an official Bank Holiday or day reasonably assumed to be a Bank Holiday.

Our parking contractor will continue to issue PCNs as and when they observe a contravention on a Bank Holiday for the following reasons:

- to demonstrate that permit holders are getting full protection for their fee;
- to prevent shoppers and commuters from parking in residents' bays;
- traffic management responsibilities in respect of traffic flow and road safety, which are being actively managed through appropriate enforcement, ultimately resulting in improved compliance.

Blocked access (obstruction)

If a motorist receives a PCN for **parking across someone else's drive**, the PCN will not normally be cancelled. Please note: we often issue PCNs on marginal cases if an enforcement request is made by the owner of a property, but on receipt of an appeal, we may cancel it with a warning not to park in such a way again.



Blue Badges

If a **Blue Badge is incorrectly displayed**, but we can establish that it is a valid badge, the PCN may be cancelled.

If a **Blue Badge holder fails to display their badge**, it may be submitted to support an appeal. We will normally cancel the PCN for a first contravention on no more than one occasion in a rolling 12 month period.

A PCN will be cancelled on no more than one occasion in any rolling 12 month period if a parking disc (clock) has been:

- **incorrectly set;**
- **not displayed when required; or**
- **the motorist/Blue Badge holder has overstayed the allotted time.**

Broken down vehicles

In circumstances where a motorist claims their vehicle had **broken down**, the PCN may be cancelled if supporting evidence in the form of a confirmation letter from the AA or similar motoring organisation, or a repair invoice/receipt from a garage is produced.



The PCN will not be cancelled if the breakdown appears to have been avoidable, e.g. running out of petrol/water, etc.

Change of enforcement method/times/area

Occasionally traditional **enforcement methods are amended or changed**. This may be for policy reasons or as a result of an enforcement request by a member of the public. PCNs may be cancelled, if there are local or long standing parking arrangements in place.

Disputes about the issue of a PCN

Often a motorist will only appeal once a Notice to Owner (NTO) has been served. The claim may be that **'they did not receive a PCN on their windscreen and they would have paid it if they had known'**. We will only consider accepting such a statement and allowing payment at the discounted rate in **exceptional circumstances** and documentary evidence should be provided where possible. If there are no grounds to cancel the PCN and we have evidence that demonstrates the PCN was served to the vehicle or handed to the driver, we generally reject this type of claim and the full charge will apply to the penalty.



Dropping off or picking up passengers

A vehicle is allowed reasonable time, i.e. approximately 2 minutes, to **drop off and pick up passengers**, irrespective of any waiting or loading restrictions in place (except on designated clearways, bus stops, pedestrian crossings, or on the footway). Those who have a disability are allowed extra time. A PCN should not be issued if activity of this nature is observed.

A PCN may be cancelled if it can be demonstrated that the driver was picking up or setting down a passenger in a timely manor.

Health care workers

PCNs issued to **doctors, nurses or midwives while on duty** will be cancelled if evidence of an emergency is provided. PCNs will not simply be cancelled due to the nature of their work.

Hospital/dental/doctor/optician appointments

In circumstances where an appointment is delayed or the **treatment took longer than anticipated**, we will not normally consider cancelling the PCN. However, if the delay was caused for reasons outside the driver's control and written confirmation from the medical practitioner is provided, the PCN may be cancelled.



Please note: a reasonable amount of time should also have been purchased/allowed for the appointment before restrictions started.

Legally detained

If a PCN is issued to a vehicle when the **owner/driver was legally detained**, the PCN may be cancelled if supporting evidence is provided.



Loading and unloading

In locations where **loading and unloading** is permitted, vehicles will be observed for a period of time to establish whether the activity is taking place. (It is acknowledged that the driver may have been away from the vehicle when the PCN was issued).



- A PCN will normally be cancelled if the appellant has provided evidence, such as a delivery invoice that confirms loading or unloading took place at the time. This includes drivers who claim that they were collecting/delivering high value cash/jewels.
 - Choosing then purchasing items from a store is considered shopping, not loading/unloading and PCNs issued in these circumstances will not be cancelled. However, if pre-order and payment can be proved and the activity was undertaken in a timely manor, the PCN may be cancelled.
-

Lost keys



Where it is claimed that **car keys have been lost, stolen or locked inside the car** preventing removal from a parking place, the PCN may be cancelled, providing there is supporting evidence from the police or motoring organisation. If the vehicle was parked in contravention before the keys were lost, stolen or locked inside, the PCN will not be cancelled.

Medical and emergency cases

We will consider cancelling a PCN in circumstances where the appellant believes that a **valid emergency situation/medical emergency** caused them to park incorrectly, or to be delayed back to their vehicle.



Documentary evidence confirming the reason for the delay is of great help, but we acknowledge that this is not always possible.

These types of appeals may include:

- (1) a child being sick in the car causing the driver to pull over;
- (2) an elderly relative being taken ill;
- (3) a child falling over and hurting themselves.

Below are examples of appeals where cancellation may be considered if a medical condition is known.

- If a motorist claims they had an **urgent need to use the toilet because of a known condition**, a PCN may be cancelled if there is sufficient documentary evidence to support the claim.
- **Mental Health issues** – a PCN may be cancelled on receipt of documentary proof from an independent body.
- **Temporary mobility problem** (e.g. broken leg/on crutches) – a PCN may be cancelled on receipt of medical proof from a qualified medical practitioner.
- **Prescribed medication** - if the appellant can demonstrate that they are taking new or amended medication and a medical practitioner can confirm that the effect would not have been known by the individual, the PCN may be cancelled.
- **Acute asthma attack, diabetic hypoglycaemic episode, angina attack, cardiac rhythm disorder, severe migraine attack, acute neurological event** – we will only consider cancelling a PCN on medical grounds in circumstances where a chronic condition, such as diabetes mellitus or asthma, exacerbates an attack, episode, disorder or event, as described above. If the appellant is pregnant, we will only consider cancelling a PCN if there are further mitigating circumstances.

Given the often sensitive nature of this category of appeal and the common lack of supporting evidence, officers will continue to make a considered judgement, or refer the case to a more senior officer for a decision.

Mitigating circumstances

We will consider appeals based on mitigating circumstances and cancel a PCN if we are satisfied that the grounds are sufficient. Evidence to support such appeals is required. A PCN will be cancelled if it was issued as a result of error.

New/changed restriction

If a new restriction has been implemented, or an existing one amended, for appeals received within 1 month, a PCN may be cancelled if it is established that the motorist was genuinely confused or simply not aware of the change.

Pay and display

a) Driver returns just after a PCN has been issued

In some cases, we may cancel a PCN in circumstances where the motorist **returns to the vehicle as the PCN is being issued** or very shortly after. There may be a genuine discrepancy in terms of the time shown on a pay and display machine compared to a motorist's watch and the time on the Civil Enforcement Officer's handheld computer terminal (used for issuing PCNs).



b) Not aware of pay and display scheme

Claims from motorists that they **did not see signs or realise they parked in a pay and display location** will not be accepted as grounds for cancelling a PCN.

c) Machine fault

Where it is claimed that the **machine was not working**, a check will be made to determine whether or not a fault was reported or observed at the time the PCN was issued. If this is found to be the case, the PCN will be cancelled. However, a PCN will not be cancelled if it is found that there is another pay and display machine nearby that they could have used.

d) Getting change

A PCN will not be cancelled in circumstances where the motorist left their vehicle parked in a pay and display facility without displaying a valid ticket to **get change**. Motorists intending to use these facilities are expected to ensure they have sufficient change before parking.



e) Delayed return

We will not cancel a PCN if the driver returns after a pay and display ticket has expired unless documentary evidence proves the delay was unforeseen and beyond the driver's control.

f) Incorrect display

Often pay and display tickets are displayed with the **expiry details face down**. In these circumstances, the Civil Enforcement Officer will issue a PCN, as he/she cannot establish validity. The serial number on the reverse of the pay and display ticket will be recorded by the Civil Enforcement Officer and photographs may be taken.

A PCN will be cancelled if a copy of the pay and display ticket is provided and on checking the officer's records/photographs taken at the time of the contravention, proves to have been valid at the time.

g) Non display

Total failure to display a pay and display ticket will not result in a PCN being cancelled. However, if a copy of the pay and display ticket purchased prior to the PCN issue is provided, a penalty may be cancelled on the first occasion within a 12 month period.

Paying to park by mobile phone

The concept of **using a mobile phone to pay for parking** may be new to some motorists and mistakes can be made. For this reason, we will cancel a PCN on the first occasion if the appellant tried but failed to start their parking time using a mobile phone provided that our systems confirm the attempted payment. Enforcement should only have taken place if a CEO is satisfied that a valid pay and display ticket was not displayed.



Residential/business parking permits and visitors' vouchers

Failure to display a valid residential or business permit will result in the issue of a PCN. However, if we receive an appeal and our records confirm that a valid permit is held, the PCN will be cancelled.

If a valid visitors' voucher was not displayed in the car when a PCN was issued, it may be submitted to support an appeal. We will normally cancel the PCN for a first contravention on no more than one occasion in a rolling 12 month period.

Signs and lines

If a PCN is issued and the driver claims the **lines were too worn to be seen or the sign was missing**, the PCN will be cancelled providing a site inspection confirms this to be the case.



A PCN will also be cancelled if it can be established that signs/markings were covered by snow, foliage, fallen leaves or similarly affected by flooding.

Suspended bays

We will only consider cancelling a PCN if the motorist can demonstrate that they could not have reasonably known about a **bay suspension**.

Vehicle not at scene

In circumstances where the registered keeper of a vehicle receives a Notice to Owner and claims their **vehicle was not parked in the area at the time**, the keeper will be asked to verify the vehicle details. A PCN will not automatically be cancelled in these circumstances; this will depend on the evidence provided by the registered keeper.

Weddings, funerals and bereavement

Exemptions apply for **hearses and wedding cars**, but vehicles belonging to mourners or wedding guests must park in accordance with regulations.

Where a motorist claims that they have been **recently bereaved**, we may cancel the PCN if the bereavement was a primary reason for receiving the PCN and evidence has been provided.



Other policy guidance

Beginning of restriction – parking bays on and off street (car parks)

In some cases, the motorist may return to their vehicle as the PCN has been or is being issued. If this occurs during the first 10 minutes after the start of a restriction a PCN should not be issued and will be cancelled on appeal.

Beginning and end of restriction – yellow lines

In some cases, the motorist may return to their vehicle as the PCN has been or is being issued. If this occurs within 5 minutes of either the **beginning or end of a restriction** and an appeal is made, the PCN may be cancelled.

Communications and correspondence

If at any stage it is believed by a senior officer that a motorist has **received unreasonable or unsatisfactory service**, or the motorist has been unduly or avoidably inconvenienced, the PCN may be cancelled.

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**Motorist not
receiving a PCN on their vehicle**

Andrew Luck asked the below question on behalf of Bromley and Bexley.

I have been asked a question by Chloe Tovey at Bexley/Bromley regarding council policy when a motorist claims that they did not receive the PCN on their windscreen.

Bexley/Bromley would reoffer the discount in mitigating circumstances (such as adverse weather, away on holiday for a week or so, vehicle left outside a busy pub on a Saturday night, or outside a secondary school at going home time for example, where there is a reasonable possibility that someone may have taken the PCN off the screen.

Please see the responses I have received so far.

Borough	Reset Discount	Their Comments
Westminster	Yes	At Westminster we would generally take the motorist's word for this & reset the discount unless there was some evidence to the contrary, e.g. post-issue conversation recorded by the CEO, CEO noted PCN 'handed to driver', CEO notes something along the lines of 'driver returned & threw PCN on floor', photo shows driver with/in vehicle, correspondence or query received pre-NtO issue etc.
Croydon	Same as Bromley/Bexley	We would also consider what the motorist states in a similar way to Bromley. We would also look into whether or not they are a serial claimant. Any CEO notes and photographs (it's amazing how often the PCN was handed to the driver) before making a decision on whether to re-offer the discount.

Tower Hamlets	No	Here quite a significant number of motorists' claim that the PCN was not attached to the vehicle when we have photographic evidence to the contrary. Having done some analysis on those cases we determined that there were no significant similarities between the cases (e.g. issuing CEOs, areas, dates, times etc.) so we came to the conclusion that the majority of claims were being made in order to have the PCN cancelled, with the fall-back position being that we would at least reoffer the discount. As a result we implemented a policy of not reoffering the discount in any cases in order to assess whether the number of such claims would decrease. We are monitoring the situation and may change the policy if it does not have the desired effect.
City of London	No	Where the City can demonstrate that the PCN was correctly served to the vehicle, usually with photographic evidence, we would not reoffer the discount if a motorist claimed the PCN was removed. The only time we would consider reoffering the discount is if there is no photographic evidence and we would not be able to prove the PCN was served correctly.
Lambeth	Yes	We at Lambeth reoffer the Discount wherever possible.
Southwark	Yes	We would always reoffer the discount if they have claimed the PCN was never received and not on their vehicle when they returned
Wandsworth	Yes	Wandsworth would give the benefit of the doubt that a 3rd party may have removed the PCN and re-offer the discount amount in instances of representations that state the PCN was not attached to the vehicle upon their return. This is however subject to investigations and would not be re-offered in instances of CEO notes that support that the driver returned to the vehicle and/or there was a driver conversation.
TfL	Yes	TfL would reject the rep explaining that we are satisfied that the PCN had been correctly served, but re-offer at the reduced rate.

Parking Appeals Policy – Committee Report ES15080
Appendix 3

Enfield	Yes.	Further to Andrew Luck’s email, here in Enfield at the NtO stage – if the PCN is enforceable - we generally give the motorist the benefit of the doubt if they declare they have not received the PCN, and offer them the discount once again in our Notice of Rejection of Reps. We do not restrict this offer only to the mitigating circumstances mentioned in Mr Luck’s email.
Hillingdon		We enforce under much the same common sense rules

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Report No.
FSD16011

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Environment PDS Committee

Date: 2nd February 2016

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

Title: DRAFT 2016/17 BUDGET

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

Chief Officer: Nigel Davies, Executive Director of Environment and Community Services

Ward: Boroughwide

1. Reason for report

- 1.1 The prime purpose of this report is to consider the Portfolio Holder's Draft 2016/17 Budget which incorporates future cost pressures and initial draft budget saving options which were reported to Executive on 13 January 2016. Members are requested to consider the initial draft budget savings proposed and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.
 - 1.2 Executive are requesting that each PDS Committee consider the proposed initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to the Executive making recommendations to Council on 2016/17 Council Tax levels.
 - 1.3 There are still outstanding issues and areas of uncertainty remaining. Any further updates will be included in the 2016/17 Council Tax report to the next meeting of the Executive.
-

2. RECOMMENDATIONS

The PDS Committee is requested to:

- (a) Consider the update on the financial forecast for 2017/18 to 2019/20;
- (b) Consider the initial draft saving options proposed by the Executive for 2016/17.
- (c) Consider the initial draft 2016/17 Budget as a basis for setting the 2016/17 Budget;
- (d) Provide comments on the initial draft 2016/17 Budget for the February meeting of the Executive.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council. Quality Environment
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: Environment Portfolio Budgets
 4. Total current budget for this head: £38.3m
 5. Source of funding: Draft revenue budget for 2016/17
-

Staff

1. Number of staff (current and additional): full details will be available with the Council's 2016/17 Financial Control Budget published in March 2016
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement.

The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000; and the Local Government Act 2002.

2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2016/17 budget reflects the financial impact of the Council's strategies, service plans etc which impact on all of the Council's customers (including council tax payers) and users of the services.
-

Ward Councillor Views

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

3. COMMENTARY

Approach to Budgeting, Financial Context and Economic Situation which can impact on public finances

- 3.1 Forward financial planning and financial management is a key strength at Bromley and this has been recognised previously by our external auditors. This report continues to forecast the financial prospects for the next 4 years and includes the Government's provisional four year funding allocations. At the time of writing this report, further details on funding is awaited and it is important to note that some caution is required in considering any projections for 2017/18 to 2019/20.
- 3.2 The overall national debt stands at £1.6 trillion. The 2015 Spending Review and Autumn Statement identified that public sector net borrowing is expected to be £73.5bn this year which is planned to move to a surplus of £10.1bn from 2019/20. There remains positive news on the economy and since 2010, no G7 economy has growth faster than Britain. However, the fiscal squeeze will continue and with ongoing protection of health, overseas aid, education and recently police and other security services, the disproportionate cuts in direct funding to local government will continue over the four year spending review period. The most significant issue that will impact on local government funding from central government are the plans relating to DCLG Resource Departmental Expenditure Limits (RDEL). The reductions compared with the previous year are -16.5% in 2016/17, -22.9% in 2017/18, -17.6% in 2018/19, -11.5% in 2019/20. This results in a real reduction including the impact of inflation of 56%. Further details are provided in Appendix 1. This translates to a reduction in the Council's Settlement Funding Assessment of 48.5% by 2019/20 compared with the England average of 31.8%. In real terms the reduction equates to 52.2%.
- 3.3 Although there are significant funding cuts facing local government, the Chancellor repeated the aims of devolution, as part of the 2015 Spending Review and Autumn Statement, which includes transforming 'local government, enabling it to be self-sufficient by the end of Parliament'. The Government views the new flexibilities such as the future growth forecasts from business rates, to be fully devolved to local government by 2019/20, scope to raise a 2% rise in council tax (adult social care precept) and the ongoing ability to increase council tax as methods which can significantly mitigate against the impact of grant reductions.
- 3.4 The Budget Strategy has to be set within the context of a reducing resource base, with Government funding reductions continuing until 2020 – the on-going need to reduce the size and shape of the organisation to secure priority outcomes within the resources available. There is also a need to build in flexibility in identifying options to bridge the budget gap as the gap could increase further. The overall updated strategy has to be set in the context of the national state of public finances, with austerity continuing given the level of public sector debt, and the high expectation from Government that services should be reformed and redesigned with devolution contributing to the transformation of local government. There is also an on-going need to consider "front loading" savings to ensure difficult decisions are taken early in the budgetary cycle, to provide some investment in specific priorities, to fund transformation and to support invest to save opportunities which provide a more sustainable financial position in the longer term. Any decisions will need to consider the finalisation of the 2016/17 Budget as well as the longer time frame where it is now clear that the continuation of the period of austerity up to 2020 remains.
- 3.5 Bromley has the lowest settlement funding per head of population in the whole of London. Despite this, Bromley has retained the lowest council tax in outer London (other low grant funded authorities tend to have higher council tax levels). This has been achieved by having the lowest cost per head of population in outer London. Despite being a low cost authority, Bromley has achieved general savings of over £60m since 2011/12 but it becomes more

challenging to achieve further savings with a low cost base.

- 3.6 One of the key issues in future year budgets will be the balance between spending, Council Tax levels, charges and service reductions in an organisation starting from a low spending base. It is important to recognise that a lower cost base reduces the scope to identify efficiency savings compared with a higher cost organisation. Any decisions will need to take into account the longer term impact on the Council's financial position – financial sustainability will be key in order to protect key services to Bromley residents.

Changes that could impact on longer term financial projections

- 3.7 The 2015/16 Council Tax report reported to Executive in February 2015 identified a significant “budget gap” over the four year financial planning period. The forecast was updated to inform the public meetings held in November/December 2015. Some key changes are summarised below:
- (a) Following a newly elected national government, the Chancellor's Summer Budget 2015 introduced a new national Living Wage with significant cost implications to the Council over the next few years;
 - (b) A significant service pressure area impacting from 2015/16 relates to welfare reform and homelessness. The Council's Central Contingency Sum has been reviewed to reflect the escalating cost pressures arising from the welfare reform changes announced in the Chancellor's Summer Budget and in the Spending Review and Autumn Statement 2015;
 - (c) The Government announced in-year funding reductions (2015/16) for Public Health services and Adult Education equating to £919k and £30k respectively. The Draft 2016/17 Budget assumes the full year impact of the transfer of 0-5 year old services (health visitors etc.) from NHS England (a sum of £1.9m was assumed for 2015/16 with full year costs of £3.8m per annum). Ongoing annual funding reductions in Public Health were announced in the Spending Review and Autumn Statement 2015 with estimated total funding reductions of £2.461m per annum by 2019/20. The final grant details are awaited including the outcome of a review of the grant formula for Public Health. A verbal update will be provided at the meeting;
 - (d) The Government transferred funding for the Independent Living Fund, which contributes towards 42 clients totalling £526k in 2015/16 (July 2015) increasing to £701k in 2016/17 (full year). The fund was managed by the Department of Work and Pensions but on 30th June, the fund was closed and the responsibility devolved to local government. Following the transfer of funding, future allocations to support clients will be given on a case by case basis and the draft 2016/17 Budget assumes that the impact will be cost neutral. The grant funding for 2016/17 is still awaited;
 - (e) The most recent financial monitoring position was reported to Executive on 2nd December 2015. The full year impact of savings in social care, changes in grant funding for Adult Education and the impact of in-year Public Health funding reductions, and other variations, including, for example, the future containment of costs within Portfolio Budgets have been reflected in the draft 2016/17 Budget. Directors continue to identify options to manage these other cost pressures;
 - (f) The Care Act received royal assent in May 2014. Its provisions commence on the 1st April 2015 and the capping of care costs was due to be implemented from 1st April 2016. A report to the Executive in November 2013 titled “Adult Social Care – Impact of the Care Bill and Future NHS Funding” and a further report to Care Services PDS in October 2014 titled

“Care Act 2014 Impact” provided details of the potential changes to adult social care proposed in the Care Act. The Government announced, as part of the Spending Review and Autumn Statement 2015, that the “capping of care costs” due to be implemented in 2016/17 will now be delayed until 2020/21;

- (g) Executive approved the acquisition of residential properties to provide accommodation for homeless families as well as the long term “gifting” to the pension fund of the significant assets, subject to robust legal safeguards being in place. Details were reported to the meeting on 2nd December 2015 and the savings have been reflected in the Draft 2016/17 Budget and the future years financial forecast;
- (h) The Council’s four year funding settlement, based on information to date, will result in a net loss of grant funding, including Public Health funding, of £14.6m per annum in 2016/17 rising to £32.4m per annum by 2019/20. This includes an estimated loss of funding of £0.5m per annum for various grant allocations not yet announced and an estimate of the impact of Public Health funding reductions. The latest position will be reported at the meeting;
- (i) The Government has announced additional funding for the Better Care Fund (currently combined funding with Bromley CCG of £20.8m) and the financial forecast assumes that these monies may be required to meet future new burdens on social care at this stage. The additional funding which is back-loaded with lower funding available from 2017/18 increasing to an estimated £4.5m per annum by 2019/20. This position will be reviewed prior to finalising the 2017/18 Budget;
- (j) The Spending Review and Autumn Statement 2015 included reference to Councils being allowed to have a council tax precept of up to 2% per annum to specifically fund adult social care (a 2% increase in council tax equates to £2.6m additional income per annum). Councils are able to levy the precept on top of the existing freedom to raise council tax by up to 2% without holding a referendum. Therefore Council could potentially have a council tax increase of just below 4% without the need for a council tax referendum. The Government introduced this change in recognition of the cost pressures facing social care authorities. The Government recognise that the precept can also include, for example, the additional cost of the new Living Wage. A number of Councils have already indicated that they intend to increase their council tax bills by 3.99% in 2016/17 and future years to reflect this change. Members will be requested to consider applying the precept as part of the 2016/17 Council Tax report;
- (k) The additional funding for the Better Care Fund and the higher proportion of funding cuts in core grant to the Council now take into account the amount that can be raised locally through council tax. Therefore, there is an inherent assumption that local authorities will be increasing council tax to mitigate against the loss of grant funding and towards the cost of social care. For Bromley, this change does not take into account any need to address low funding levels for the Council raised previously with the Government. Therefore the starting point relating to funding levels remains unchanged, despite the Council’s concerns. Councils can still choose locally the level of council tax increase required, subject to referendum options. There is no council tax freeze grant available in 2016/17. In calculating the Council’s spending power the Government has assumed the social care authorities will have an average council tax increase applying both the social care precept and general council tax increases every year. For financial planning purposes, the financial forecast assumes a council tax increase of 3.99% per annum over the next four years to compensate for the higher proportion of funding reductions, to reduce the level of social care savings and provide funding to meet social care costs, demographic cost pressures and to meet the ongoing “budget gap”;

- (l) Details of various grant allocations for 2016/17 are still awaited at the time of writing this report. These include for example, Better Care Fund, Independent Living Fund, whether any top-slicing to the GLA of new homes bonus is still required (although unlikely) and various other grants;
- (m) Given the scale of savings identified and any inherent risks, the need for longer term financial planning, the significant changes that may follow with a new Government relating to new burdens (there were many changes introduced by the previous coalition Government that resulted in net additional costs for the Council), effect of ongoing population increases and the potential impact of other public agencies identifying savings which impact on the Council's costs, a prudent approach has been adopted in considering the Central Contingency Sum required to mitigate against these risks. If the monies are not required during the year the policy of using these resources, in general, for investment to generate income/savings and provide a more sustainable financial position should continue. To illustrate the benefit of the investment approach the Council has budgeted income totalling £12.9m from a combination of treasury management income and rents from investment properties. Without this income, equivalent service reductions may be required. Investment in economic growth (Growth Fund) will also be key to generate additional business rate income;
- (n) After allowing for the saving proposals in this report, there remains a significant budget gap in future years that will need to be addressed;

Latest Financial Forecast

- 3.8 The report to Executive in January 2016 identified a budget gap rising to over £26m per annum by 2019/20 which is broken down in the table below. The budget gap from 2017/18 rises steeply as the expected loss in Government funding is expected to increase sharply during that period.

Variations Compared with 2015/16 Budget

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
Cost Pressures				
Inflation	2.6	7.3	11.9	16.6
Grant Loss	14.6	24.7	30.6	36.4
Impact of Chancellors Summer Budget on future costs e.g. further changes on welfare reform, new Living Wage etc.	4.3	8.0	10.8	13.5
Real Changes (see Appendix 5 of Executive report)	0.9	2.6	5.0	6.2
Total Additional Costs	22.4	42.6	58.3	72.7
Income/ savings				
Saving proposals detailed in Appendix 6 of the Executive report	-15.1	-18.2	-19.1	-19.2
Full year effect of savings agreed as part of 2015/16 Budget	-2.9	-2.9	-2.9	-2.9
Acquisition of residential properties to accommodate homeless families and “gifting” of scheme to pension fund	-0.5	-3.2	-4.1	-4.6
Reduction in Council’s Central Contingency Sum	-1.8	-1.8	-1.8	-1.8
Impact of revised Treasury Management Strategy	-0.6	-0.6	-0.6	-0.6
Addt. Income from Business Rate Share	-0.2	-0.2	-0.2	-0.2
Increase in property numbers (council tax base)	-0.7	-0.7	-0.7	-0.7
Total income/ savings	-21.8	-27.6	-29.4	-30.0
Other Proposed Changes				
New Homes Bonus	-7.3	-7.3	-3.3	-2.5
New Homes Bonus – contribution to Investment Fund	7.3	7.3	3.3	2.5
Collection Fund Surplus (2014/15)	-4.9	0.0	0.0	0.0
Collection fund surplus set aside as one off support towards meeting funding shortfall in 2018/19	4.9	0.0	-4.9	0.0
Fall out of 2013/14 collection fund surplus to support 2015/16 Budget	5.3	5.3	5.3	5.3
	5.3	5.3	0.4	5.3
Impact of 3.99% increase in Council tax (Including adult social care precept)	-5.2	-10.5	-15.9	-21.3
Remaining “Budget Gap”	0.7	9.8	13.4	26.7

The table above shows, for illustrative purposes the impact of a council tax increase of 3.99% in 2016/17 (including adult social care precept). Each 1% council tax increase generates on-going annual income of £1.3m.

- 3.9 The Council has to continue to plan for a very different future, i.e. several years of strong financial restraint. It is important to recognise that, given the current ongoing period of austerity, the downside risks remain significant and that the budget gap in future years could widen substantially

Growth Pressures & Real Changes

3.10 A breakdown of the growth pressures included in the four year forecast for the Environment Portfolio is shown in the table below: -

	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000
Impact of removal of contracted out NI	130	130	130	130
Absorption of inflation for PCNs	56	112	170	228
Absorption of inflation for parking fee increases	123	248	375	505
Increase in Landfill Tax above inflation	16	32	48	64
Increase in refuse/recycling collection costs to reflect additional units	40	80	120	160
Estimated growth in tonnage (held in Central Contingency)	54	197	380	566
Decrease in paper income from fall in projected tonnages	113	163	178	193
Increase in refuse/recycling disposal costs to reflect additional units	64	128	192	256
Estimated reduction in balance held in Central Contingency for waste growth	-200	-200	-200	-200
	396	890	1,393	1,902

Saving Options

3.11 A summary of the new savings options relating to the Environment Portfolio is shown in the table below with more detail included in Appendix 1. Appendix 2 includes the draft estimate summary sheet, budget variations (including the full year effect of saving options agreed for 2015/16), notes on the budget variations and the subjective analysis.

	2016/17	2017/18
	£'000	£'000
Reduction in provision of graffiti & chewing gum removal contract	60	60
Deletion of outstanding balance for cleansing contract held in the Central Contingency	60	60
Income generation - parks and greenspace	0	50
Overachievement of savings from the change in paper collection frequencies	250	250
Removal of residual budget for green garden waste satellite sites	20	20
Extension of repayment of street lighting invest to save scheme by a further two years	353	353
Additional parking income	350	350
	1,093	1,143

Comments from the Executive Director of Environment and Community Services

3.12 Expenditure pressures and service risks in relation to services in the Environment Portfolio, particularly from unpredictable demand such as waste, parking, highways and winter maintenance, are detailed in Appendix 3.

4. POLICY IMPLICATIONS

4.1 The Council's key priorities are included within the Council's "Building a Better Bromley" statement and include:

- Safer Communities
- A quality environment
- Vibrant, thriving town centres
- Supporting independence, especially of older people
- Ensuring all children and young people have opportunities to achieve their potential
- An Excellent Council

4.2 The "Building a Better Bromley" objective of being an Excellent Council refers to the Council's intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.

5. FINANCIAL IMPLICATIONS

5.1 The financial implications are contained within the overall report.

6. LEGAL IMPLICATIONS

6.1 The Local Authorities (Standing Orders)(England) Regulations 2001 deal, amongst other things, with the process of approving the budget. Under these provisions and the constitution, the adoption of the budget and the setting of the council tax are matters reserved for the Council upon recommendation from the Executive. Sections 73-79 of the Localism Act 2011 has amended the calculations billing and precepting authorities need to make in determining the basic amount of Council tax. The changes include new sections 31 A and 31 B to the Local Government Finance Act 1992 which has modified the way in which a billing authority calculates its budget requirement and basic amount of Council Tax.

7. PERSONNEL IMPLICATIONS

7.1 Staff, departmental and trade union representatives will be consulted individually and collectively on any adverse staffing implications arising from the budget options. Managers have also been asked to encourage and facilitate staff involvement in budget and service planning.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Finance Monitoring, Estimate Documents etc all held in Finance Section

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DRAFT SAVINGS LIST - LATEST OPTIONS		2015/16	2016/17	2017/18	2018/19	2019/20	NOTES
		£'000	£'000	£'000	£'000	£'000	
		Controllable Budgets					
Proposals considered by Cabinet - Portfolio Savings							
Environment Portfolio							
Street Scene and Green Space							
1	Deletion of outstanding balance for cleansing contract held in the Central Contingency (replace by one-off Environment Fund, value to be determined)	60	-60	-60	-60	-60	Deletion of the £60k would mean no contingency to fall back on if members' wished to increase frequency of st. cleansing currently provided for within the St. Cleansing contract.
2	Reduction in provision of graffiti & chewing gum removal contract proposed that reduction in town centres to be undertaken by traders)	248	-60	-60	-60	-60	Cease funding for chewing gum removal in town centres and reduce capacity for proactive graffiti removal. It is expected that a reduction in proactive work will result in an increase in the number of reported reactive reports - expected to at least 50% of the current proactive SqM per annum.
3	Income generation - parks and greenspace	0	0	-50	-50	-50	Potential income from new activities in parks dependent on interest from the market. No agreement reached at this time.
4	Overachievement of savings from the change in paper collection frequencies	2,799	-250	-250	-250	-250	Additional savings were achieved through contract negotiation and a more cost effective way of procuring waste vehicles
5	Removal of the residual budget for green garden waste satellite sites (may be re-phased to reflect a specific interim arrangement)	20	-20	-20	-20	-20	November PDS recommended the PH agree to the phased closure of GGW sites with a net cost of £29k (£49k IF THIS SAVING IS TAKEN)
Total Street Scene and Green Space			-390	-440	-440	-440	
Transport and Highways							
6	Extension of repayment of street lighting invest to save scheme by a further two years	4,251	-353	-353	-353	-353	Extending the payback by 2 years to the end of 2021/22 will enable savings of £353k per annum from 2016/17, increasing to £528k from 2020/21. This is on the basis that maintenance budgets are protected at current levels to enable any emergency works to be completed during these years. It would not be possible to extend any further as the replacement budget is required to replace the remainder of the street columns from 2022/23 onwards.
7	Additional parking income - details to be confirmed	Cr 2,948	-350	-350	-350	-350	Removing under-utilised pay & display bays and introducing additional bays around shopping areas will increase turnover and availability of spaces where needed and raise an additional £220,000 income. Further work is required to confirm the impact of a similar expansion of pay & display parking around railway stations. This will be subject to a report to Environment PDS in February 2016. Members should note that each scheme will be subject to consultation with Ward members so full implementation will not be possible by 1st April 2016. Ward member views could also reduce the number of new P&D bays, reducing the impact of the scheme, including additional total income. There will also be additional one-off costs in year one for installation of P&D machines reducing the total projected income for 16/17 to £150k. Schemes will be dealt with at the appropriate level of delegation.
Total Transport and Highways			-703	-703	-703	-703	
Total Savings to date			-1,093	-1,143	-1,143	-1,143	

ENVIRONMENT PORTFOLIO
DRAFT REVENUE BUDGET 2016/17 - SUMMARY

2014/15 Actual	Service Area	2015/16 Budget	Increased costs	Other Changes	2016/17 Draft Budget
£		£	£	£	£
	Support Services				
545,332	Support Services	518,300	120	Cr 26,930	491,490
545,332		518,300	120	Cr 26,930	491,490
	Public Protection				
76,852	Emergency Planning	74,980	80	1,100	76,160
76,852		74,980	80	1,100	76,160
	Street Scene & Green Space				
4,115,313	Area Management & Street Cleansing	4,047,690	18,270	Cr 146,290	3,919,670
2,428,775	Highways - SS&GS	2,541,590	12,040	Cr 80,030	2,473,600
Cr 42,075	Markets	Cr 1,960	Cr 200	Cr 35,740	Cr 37,900
5,744,956	Parks and Green Space	5,675,920	26,830	Cr 254,230	5,448,520
466,903	Street Regulation	513,030	100	87,330	600,460
17,612,972	Waste Services	17,853,200	86,020	Cr 433,640	17,505,580
30,326,844		30,629,470	143,060	Cr 862,600	29,909,930
	Transport & Highways				
6,921,021	Highways (Including London Permit Scheme)	6,794,000	31,810	Cr 299,480	6,526,330
Cr 6,496,193	Parking	Cr 6,695,630	Cr 37,340	Cr 222,000	Cr 6,954,970
175,936	Traffic & Road Safety	156,470	Cr 320	111,000	267,150
578,817	Transport & Depot Support Services	616,880	1,320	165,000	783,200
1,179,581		871,720	Cr 4,530	Cr 245,480	621,710
32,128,609		32,094,470	138,730	Cr 1,133,910	31,099,290
6,237,865	TOTAL NON CONTROLLABLE	5,332,340	4,110	Cr 37,360	5,299,090
2,221,253	TOTAL EXCLUDED RECHARGES	2,290,340	0	Cr 388,040	1,902,300
40,587,727	PORTFOLIO TOTAL	39,717,150	142,840	Cr 1,559,310	38,300,680

ENVIRONMENT PORTFOLIO**SUMMARY OF BUDGET VARIATIONS 2016/17**

Ref		VARIATION IN 2016/17 £'000	ORIGINAL BUDGET 2015/16 £'000
1	2015/16 BUDGET	39,717	
2	Increased Costs	89	
	Full Year Effect of Allocation of Central Contingency		
3	Increase in Contract Costs re TLG Pension contributions	23	1,262
4	Contingency allocation re Street Cleansing contract	<u>60</u>	60
	Movements Between Portfolios/Departments		
5	Transfer resources for SEN transport client team	<u>159</u>	159
	Real Changes		
6	Impact of removal of contracted out NI	130	6,432
7	Absorption of inflation increases for PCNs	56	Cr4,116
8	Absorption of inflation increases for parking fee income	123	Cr7,697
9	Increase in landfill tax above inflation	16	3,164
10	Increase in refuse/recycling collection to reflect additional units	40	7,288
11	Increase in refuse/recycling disposal to reflect additional units	<u>64</u>	12,287
	<i>Savings identified for 2016/17 as part of the 2015/16 Budget process</i>		
12	Full year effect of the closure of the public conveniences	Cr 67	110
13	Full year effect of restructuring the SSGS division	Cr 348	3,999
14	Reduction of opening hours of the green garden waste satellite sites	Cr 125	145
15	Full year effect of management savings	Cr 142	142
16	Increase price of green garden wheelie bin service from April 2016	<u>Cr 30</u>	Cr 894
	<i>New Savings Identified for 2016/17 (subject to approval)</i>		
17	Deletion of outstanding balance for cleansing contract held in the Central Contingency	Cr 60	60
18	Reduction in provision of graffiti & chewing gum removal contract	Cr 60	248
19	Overachievement of savings from the change in paper collection frequencies	Cr 250	1,986
20	Removal of the residual budget for green garden waste satellite sites	Cr 20	145
21	Extension of repayment of street lighting invest to save scheme by a further two years	Cr 353	4,251
22	Additional parking income	<u>Cr 350</u>	Cr 2,942
23	Variations in Capital Charges	Cr 4	4,475
24	Variations in Recharges	Cr 388	2,239
25	Variations in Rent Income	21	Cr 478
26	2016/17 DRAFT BUDGET	<u>38,301</u>	

ENVIRONMENT PORTFOLIO

Notes on Budget Variations in 2016/17

Ref Comments

Full Year Effect of Allocation of Central Contingency

- 3 Increase in Contract Costs re TLG Pension contributions (Dr £23k)
This reflects the additional cost of the pension contributions payable for the staff transferred to TLG.
- 4 Street Cleansing Contract (Dr £60k)
Allocation of central contingency re Street Cleansing Contract into portfolio budget (total contingency is £60k). This enables a corresponding saving to be made - see below.

Movements Between Portfolios/Departments

- 5 Transfer of resources for SEN transport client team (Dr £159k)
Transfer of resources to the Environment Portfolio to manage the new SEN transport contract.

Real Changes

- 6 Impact of removal of contracted out NI (Dr £130k)
With effect from 6th April 2016, contracted out rates for Defined Benefit pension schemes have been abolished. The cost of this for the Environment Portfolio is £130k.
- 7 Absorption of Inflation increases for PCNs (Dr £56k)
Estimates are prepared on the basis that inflation is added to both income and expenditure. As penalty charge notices (for parking and bus lane contraventions) are set by the Mayor of London and therefore statutory, savings have to be found to absorb the inflation rate.
- 8 Absorption of Inflation increases for parking fee income (Dr £123k)
Estimates are prepared on the basis that inflation is added to both income and expenditure. As the parking fees were increased significantly in 2015/16 and are not expected to rise again for another 3 years, savings have to be found to absorb the inflation rate.
- 9 Increase in landfill tax above inflation (Dr £16k)
This represents the expected cost of the Government increasing the landfill tax above inflation built into the 2016/17 budget.

- 10 Increase in Refuse/Recycling Collection (Dr £40k)
The current refuse and recycling collection contract is based on the number of premises rather than bins. The additional costs reflect the anticipated increase in new properties for 2016/17.
- 11 Increase in Refuse/Recycling Disposal (Dr £64k)
The additional costs for the disposal contract reflect the anticipated increase in tonnage generated from new properties for 2016/17.
- 12 Full year effect of the closure of the public conveniences (Cr £67k)
Full year effect of closing the remaining four public conveniences.
- 13 Full year effect of restructuring the SSGS Division (Cr £348k)
This represents the full year effect of the restructuring of SSGS division including; a fully commissioned park service and a review of the client contract monitoring function across the whole division.
- 14 Reduction of opening hours - Green Garden Waste satellite sites (Cr £125k)
Reduced opening hours of the green garden waste satellite sites from April 2016 as detailed in the November 2015 report to the Environment PDS.
- 15 Full year effect of management savings (Cr £142k)
This represents the full year effect of the agreed management savings.
- 16 Increase price of green garden waste wheelie bin service (Cr £30k)
This proposal involves increasing the price of the green garden waste wheelie bin collection service with effect from April 2016.
- 17 Deletion of the residual balance held in central contingency for Street Cleansing contract (Cr £60k)
Deletion of the remaining balance of £60k held in the central contingency set aside for the Street Cleansing contract.
- 18 Reduction in provision of graffiti and chewing gum removal contract (Cr £60k)
Cease funding for chewing gum removal in town centres and reduce capacity for proactive graffiti removal.
- 19 Overachievement of savings from the change in paper collection frequencies (Cr £250k)
Overachievement of savings from the change in collection frequencies for kerbside paper, as reported to the Environment PDS on 18th February 2015.
- 20 Removal of residual budget for green garden waste satellite sites (Cr £20k)
The November 2015 Environment PDS recommended the Portfolio Holder agree to the phased closure of GGW sites with a net cost of £29k. If this saving is taken the net cost of this recommendation will rise to £49k. Alternative savings will have to be found to meet this additional net cost.

- 21 Extension of repayment of the street lighting invest to save scheme (Cr £353k)
Extending the payback of the invest to save scheme for street lighting by 2 years to the end of 2021/22, will enable savings of £353k per annum to be taken from 2016/17, increasing to £528k from 2020/21. This is on the basis that maintenance budgets are protected at current levels to enable any emergency works to be completed during these years. It would not be possible to extend any further as the replacement budget is required to replace the remainder of the street columns from 2022/23 onwards.
- 22 Additional parking income (Cr £350k)
Removal of under-utilised pay and display bays, the introduction of additional bays around shopping areas will increase turnover and availability of spaces where needed and there is potential to expand pay and display parking around railway stations. This will be subject to a report to Environment PDS in February 2016.
- 23 Variations in Capital Charges (Cr £4k)
The variation on capital charges, etc is due to a combination of the following:
- (i) Depreciation – the impact of revaluations or asset disposals in 2014/15 (after the 2015/16 budget was agreed) and in the first half of 2015/16
 - (ii) Revenue Expenditure Funded by Capital Under Statute (REFCUS) – mainly due to a significant general increase in the value of schemes in our 2016/17 Capital Programme that do not add value to the Council’s fixed asset base.
 - (iii) Government Grants - mainly due to a significant increase in credits for capital grants receivable in respect of 2016/17 Capital Programme schemes, which are used to finance expenditure that is treated as REFCUS.
- These charges are required to be made to service revenue accounts, but an adjustment is made below the line to avoid a charge on Council Tax.
- 24 Variations in Recharges (Cr £388k)
Variations in cross-departmental recharges are offset by corresponding variations elsewhere and therefore have no impact on the overall position.
- 25 Variations in Rent Income (Dr £21k)
This relates to the reallocation of rental income budgets across departments/portfolios. There are corresponding adjustments in other portfolios and these net out to zero in total.

Environment Portfolio
DRAFT REVENUE BUDGET 2016/17 - SUBJECTIVE SUMMARY

Service area	Employees	Premises	Transport	Supplies and Services	Third Party Payments	Income	Controllable Recharges	Total Controllable	Capital Charges/ Financing	Repairs, Maintenance & Insurance	Property Rental Income	Not Directly Controllable	Recharges In	Total Cost of Service	Recharges Out	Total Net Budget
	£	£	£	£	£	£		£	£				£	£	£	£
Support Services																
Support Services	463,140	0	1,020	27,330	0	0	0	491,490	0	0	0	0	136,890	628,380	Cr 677,900	Cr 49,520
	463,140	0	1,020	27,330	0	0	0	491,490	0	0	0	0	136,890	628,380	Cr 677,900	Cr 49,520
Public Protection																
Emergency Planning	48,810	0	5,380	21,970	0	0	0	76,160	0	0	0	0	49,740	125,900	0	125,900
Street Scene & Green Space																
Area Management & Street Cleansing	293,430	25,810	22,350	28,860	3,557,050	Cr 7,830	0	3,919,670	41,000	9,550	0	50,550	796,240	4,766,460	Cr 345,480	4,420,980
Highways - SS&GS	368,480	0	31,150	2,611,360	0	Cr 209,390	Cr 328,000	2,473,600	0	0	0	0	1,344,310	3,817,910	Cr 2,230	3,815,680
Markets	0	5,020	0	176,870	0	Cr 219,790	0	37,900	0	290	0	290	58,220	20,610	0	20,610
Parks and Green Space	307,670	3,188,550	22,750	35,240	2,196,110	Cr 41,800	Cr 260,000	5,448,520	569,000	557,780	Cr 299,020	827,760	1,373,660	7,649,940	Cr 1,775,670	5,874,270
Street Regulation	584,140	0	20,520	6,800	0	0	Cr 11,000	600,460	0	0	0	0	67,380	667,840	Cr 601,050	66,790
Waste Services	527,980	17,330	25,210	297,700	21,467,620	Cr 4,773,660	Cr 56,600	17,505,580	15,000	0	0	15,000	645,000	18,165,580	Cr 214,010	17,951,570
	2,081,700	3,236,710	121,980	3,156,830	27,220,780	Cr 5,252,470	Cr 655,600	29,909,930	625,000	567,620	Cr 299,020	893,600	4,284,810	35,088,340	Cr 2,938,440	32,149,900
Transport & Highways																
Highways (Including London Permit Scheme)	1,015,970	1,656,480	96,540	5,162,570	336,640	Cr 1,696,670	Cr 45,200	6,526,330	3,675,000	517,780	Cr 18,950	4,173,830	964,590	11,664,750	Cr 252,960	11,411,790
Parking	834,530	927,990	21,640	722,810	2,314,790	Cr 11,819,050	42,320	6,954,970	120,000	38,710	Cr 46,270	112,440	497,620	6,344,910	Cr 399,090	5,945,820
Traffic & Road Safety	1,492,800	4,540	29,490	37,370	178,690	Cr 327,880	Cr 1,147,860	267,150	0	0	0	0	496,870	764,020	Cr 243,220	520,800
Transport and Depot Support Services	483,220	226,530	40,460	38,930	0	Cr 5,940	0	783,200	51,000	163,020	Cr 94,800	119,220	293,410	1,195,830	Cr 1,108,200	87,630
	3,826,520	2,815,540	188,130	5,961,680	2,830,120	Cr 13,849,540	Cr 1,150,740	621,710	3,846,000	719,510	Cr 160,020	4,405,490	2,252,490	7,279,690	Cr 1,205,290	6,074,400
	6,420,170	6,052,250	316,510	9,167,810	30,050,900	Cr 19,102,010	Cr 1,806,340	31,099,290	4,471,000	1,287,130	Cr 459,040	5,299,090	6,723,930	43,122,310	Cr 4,821,630	38,300,680

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RISK AREAS WITHIN ENVIRONMENT PORTFOLIO FOR 2016/17 ONWARDS

Waste Services

Landfill Tax

Landfill Tax currently stands at £82.60 per tonne. The Government has confirmed that this Tax will then increase by RPI inflation until further notice.

The Government has not published any plans for introducing an Incineration Tax, but remains unwilling to rule it out. Until recently Waste tonnages were continuing to fall; and nationally, since 2003, municipal waste to landfill has fallen by 60%, and is now running at 8.5 million tonnes pa. This has the effect of government landfill tax income, which suggests that alternative income may yet be sought.

Increasing property numbers

Growth in the number of properties incurs additional expenditure, as extra collections are required and additional waste is generated. Currently each new property attracts a cost of £68 per year for collection (refuse, recycling and food waste), and an average of £85 per year for waste disposal. Each new property thus cumulatively increases costs by about £153 per year. On average, the number of properties in the borough has increased by about 500 each year, although the increase in the last year was 797 properties. This continues to add pressure to Waste budgets; not only for the collection and disposal of the waste, but also for the provision of recycling containers - the average cost to equip a property with recycling containers, including delivery, is £22.

The average additional cost per property is thus $£68 + £85 + 22 = £175$. At an average increase of 500 properties per year, this represents an additional annual cost of £87,500 to the Waste budget. This year's increase of 797 properties added a cost of £139,475.

Municipal Waste Tonnages

After a long period of falling tonnages, the quantity of municipal waste collected in Bromley is rising again:

2007/08	163,981
2008/09	157,225
2009/10	149,720
2010/11	144,890
2011/12	139,836
2012/13	138,400
2013/14	145,150
2014/15	144,337

In the first 8 months of 2015/15 tonnages have increased by 0.22%, which suggests waste could increase by 350 tonnes over the full year compared to

2014/15. However, many other local authorities are reporting increases of up to 4%. This is partly due to the easing of the recession. Whilst the impact of Recycling for All and local and national waste minimisation campaigns will contribute to restraining increases in waste, there is a substantial risk that tonnages will continue to rise as the economy revives.

The average cost of waste disposal for 2015/16 will be £83 per tonne. Each 1% increase in waste tonnage would increase disposal costs by £125k per annum.

Recycling Income

The fall in overall waste tonnages also impacts on the quantity of recycling materials available for collection.

Paper is sold to UK paper mills through Veolia at a fixed rate per tonne. 15,690 tonnes of paper were recycled in 2011/12, 15,877 tonnes in 2012/13, 14,436 in 2013/14, and 12,940 in 2014/15. The projection for the current year is 11,900 tonnes. Each 1% fall in paper tonnage will reduce income by £10k. It appears that recycled paper tonnages are falling across the UK, due to lower sales of printed media. In effect, the influx of tablets, laptops and smartphones is reducing the role of printed newspapers and magazines.

Similarly, income from textiles is falling, as the public take advantage of 'cash for clothes' shops and similar charity outlets.

Alternative disposal options

The pricing schedule in the Waste Management Contract specifies a set minimum tonnage each year to be sent for incineration. Patently, Landfill Tax costs mean it would be beneficial to send more of Bromley's waste to incineration. However, with all disposal authorities facing similar pressures current incineration capacity is at a premium. Officers are currently exploring additional incineration capacity, both through Veolia and independently. We are also exploring the opportunity to send some of our waste to MBT or Autoclaving as an alternative disposal point for our landfill waste. Discussions regarding this are taking place with Veolia (Southwark) and Viridor (Croydon), as well as with Lewisham Council and Kent County Council.

Street Environment Contracts

The Street Environment Contracts were re-let in 2012 and saw expenditure on Street Cleansing services reduce by about £1m per annum. This was a significant reduction (26%) in contract costs, achieved through variations in operational methodology and reductions in the frequency of carriageway and footway cleaning in a number of roads across the borough.

Officers revised the frequency of cleaning based on their experience and operational knowledge of local circumstances across the borough. However it was recognised that, given the significant budget reduction and reductions in the

frequency of cleaning some roads, it might be necessary to review cleaning schedules in the light of any concerns about standards of cleanliness. This could result in a need to change operational methodology and/or the frequency of scheduled cleaning in some areas.

To manage this risk a budget of £200k is held in the street cleaning revenue budget to address any need to provide additional targeted cleans or to revise operational methodology. This budget provides flexibility to add non-scheduled programmes of works (e.g. weekend sweeping, additional litter picking and bin emptying), whilst retaining budget capacity to manage risk. A further £60k is held in Central Contingency should there be a need to increase the frequency of cleaning. At this time there has been no call upon the Central Contingency sum of £60k, suggesting that this risk has diminished since last year.

Street works

LB Bromley has a responsibility under the New Roads & Street Works Act to monitor the works of Statutory Undertakers (SUs) which affect highway infrastructure. When defects are identified in road or footway reinstatements, a defect notice is issued and a charge made on the SU concerned to cover additional inspections. Charges are also raised when works over-run their approved programme (S74) and when other issues are found on site (FPN's)

Income levels have fluctuated during recent years in line with the performance of utility companies. The quality of works undertaken by Thames Water Utilities (TWU) for example had deteriorated, which led to additional income for the Council between 2007/8 and 2010/11. However TWU have been working hard in recent years to improve their performance, and have introduced new contracts to minimise defective works in the future.

Income from defect notices peaked at £903k in 2010/11, reducing to £793k in 2011/12 and £452k in 2012/13. Although income increased to £872k in 2013/14 this reduced to £446k in 2014/15 it is estimated to drop to £300k in 2015/16 as SU performance improves. At the same time income from S74 has reduced from £222k to £30k, and FPN's from £77k to £30k due to improved performance and changes in regulations.

LB Bromley also administers the London permit Scheme for all road and streetworks, with permit fees received being ring-fenced to cover administration of the scheme. As the number of permits issued depends on actual work on the network, income will vary year on year. Income peaked in 2011/12 at £1.021m, reducing to £0.814m in subsequent years, and is estimated to drop to £0.790m in 2015/16.

Winter service

2010/11 and 2011/12 saw a significant increase in expenditure on the winter service, following several years with little or no snow. Budgets have historically been based on patterns of spend for precautionary salting, primarily for frost or

ice, with relatively little actual snow clearance. As a result of the protracted snow, ice and sub-zero temperatures during the winter of 2010/11 winter maintenance budgets were overspent by £706k, with extra costs incurred for tree maintenance of £35k as well as for waste collection costs of £77k.

It is unclear at this stage whether this is a permanent shift in weather patterns or a one-off. The Government has commissioned research into this issue. In the meantime there continues to be a significant risk of incurring additional

Highways & Street Lighting Contracts

Street lighting improvement and maintenance contracts have price fluctuation clauses based on actual cost indexing, whereas budget increases are based on the Consumer Price Index. Although the budgets are cash limited, over time the variation between the two will lead to a reduction in spending power in real terms.

The street lighting invest to save programme is nearing completion, and future savings from reduced energy and maintenance will be used to repay the 'loan'. With the intense investment period, future expenditure on maintenance will not follow historic spend profiles, i.e. electrical safety inspections are required every six years, which has required one sixth of the stock being tested each year. However, there will be no testing of the LED units during the next five years, although they will all require testing in year six. A similar situation will apply to cleaning and maintenance.

Parking

Charges and tariffs for on- and off-street parking places are set by LB Bromley. A fundamental review of the Council's charging policy took place during 2011/12, leading to Member agreement to increase prices and simplify the tariff structure. A review of these charges was agreed in Feb 2015 to cover the period 2015/19. Members are aware of the potential impact of a further increase in charges, whilst recognising the pressure on the service to meet its budgeted income in the light of fluctuating demand and inflationary pressures.

It should be noted that the parking service operates in a restricted legal environment which cannot include "maximisation of revenue from Penalty Charge Notices as one of the relevant considerations to be taken into account in securing the...movement of traffic" (Traffic Management and Parking Guidance for London).

For a number of years there has been a general decline in 'paid for' car parking in the borough. The introduction of new on-street parking schemes and restricted zones has prevented the reduction from being even greater. Although new schemes will continue to be implemented to meet localised traffic and parking needs, there is no reason to suspect that the downward trend will be reversed, particularly in regard to off-street parking. Again this puts greater pressure on the service to meet its financial obligations. In the changing economic climate it is difficult to make reliable estimates of parking demand in the short to medium term, or forecast the longer term effects on parking behaviour.

The Executive is considering a proposal to extend pay & display parking around shopping centre and railway stations which will improve management of parking in these areas, with associated income.

In April 2015 Government banned the use of CCTV for the majority of Parking Contraventions. It was estimated that Bromley's income from parking fines could have reduced by about £1 million p.a. Proposals for management action with mitigation measures were agreed by Executive in December 2015.

The Shared Service is continuing to perform well and is leading on a joint Tender exercise with Bexley for the provision of all parking functions, with a go live date of October 2016. There is a risk that a new contract price may be greater than that already being paid, even with a discount for a joint contract. However it is hoped that the exercise will show a financial benefit for Bromley. A report will be put before Members in mid-2015, further to the original Gateway report approved in April 2014.

Pressures from Public Demand

Apart from the identifiable financial pressures arising from such items as budget reductions, contract costs and price increases, there are other pressures due to growing public expectations, social change and legislation. Increased public expectations of local services may be difficult to respond to during a period of tight restraints on resources.

Past surveys of public opinion have shown that four issues were consistently recognised as making Bromley a good place to live. These were low levels of crime, good health services, clean streets and public transport. The Environment and Community Services department leads for the Council on clean streets and on crime issues, particularly enviro-crime and anti-social behaviour; and the department has an input to TfL and others on public transport. There is continued public demand for high service standards in all these areas.

In terms of what needs most improvement in the local area, activities for teenagers, traffic congestion, road and pavement repairs, the level of crime and clean streets were regularly mentioned by residents. All of these service areas are either the lead responsibility of the Environment and Community Services department (clean streets, road & pavement repairs) or ones to which the department makes a significant contribution.

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Report No.
ES16010

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 2nd February 2016

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

Title: BROMLEY PARKING – CAPITAL PROGRAMME REVIEW

Contact Officer: Chris Cole – Programme Manager, Transport & Highways
Tel: 020 8313 4630 E-mail: chris.cole@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Bromley Town Centre

1. Reason for report

This is a post implementation review of two capital schemes associated with Bromley Town Centre parking: –

- The Hill Car Park – remedial strengthening (propping) works
 - Bromley Town Centre – increased parking capacity
-

2. **RECOMMENDATION(S)**

The Environment PDS Committee to consider and comment on the content of this report.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £232k and £420k
 5. Source of funding: LBB Capital
-

Staff

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

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not 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? Not Applicable
2. Summary of Ward Councillors comments: N/a

3. COMMENTARY

Background

- 3.1 This report provides Members with a post completion review of two related capital schemes concerning parking in Bromley Town Centre.
- 3.2 The first relates to issues with the structure of The Hill multi-storey car park. On 29 September 2010, the Executive agreed to undertake temporary propping of the car park to maintain capacity and approved a sum of £280k to be included in the Capital Programme. This capital estimate was later reduced by £48k in July 2014.
- 3.3 Subsequently, the impact of the closure of the Westmoreland Road car park for re-development caused additional concern. The second capital scheme therefore dealt with increasing the parking capacity within Bromley Town Centre. In May 2012, the Executive agreed that a sum of £520k from capital receipts could be used for the following schemes: -
- Permanent Strengthening and making safe of The Hill MSCP to increase capacity
 - On-street parking in the Elmfield Road and Elmfield park area
 - Removal of the public toilets in Mitre Close and replacement with a surface car park
 - Converting the St Blaise staff car park to a public car park at weekends.
- 3.4 The capital estimate was reduced to £420k in February 2013 when the tender price for the Hill came in significantly under the estimate (see 3.14). £60k of the funding from capital receipts has subsequently been replaced with £60k of TfL funding..
- 3.5 Following the conclusion of these works, this report details the outcomes of the schemes.

Scheme 1 - The Hill (Remedial Propping)

Information

- 3.6 A review was undertaken of parking options to ensure sufficient Bromley Town Centre capacity – Remedial options for use of The Hill MSCP were identified as part of the review. £232k was set aside to meet the cost of these works.
- 3.7 The repair work undertaken followed approval of Option 2 in the report (ES10127) at the 29 September 2010 meeting of Executive. The scope of work included repair to parapets and propping floors to alleviate problems with a potentially weak top slab at a cost of £204k plus consultants fees.

Achievement of expected benefits

- 3.8 Parapet strengthening and propping achieved the expected benefits to extend use of structure (< 5 years) without unsightly fencing and offered time to affirm the future of car park and the potential to strengthen later/undertake additional work at a later date. The final cost of the works, including consultant's fees was £222k.

Unexpected benefits

- 3.9 None.

Unexpected problems

- 3.10 The cost variation was as a result of some previously unknown cables, the erection of additional warning signs, plus some additional jointing to repair drainage and concrete.

User stakeholder experience

- 3.11 The technical work to determine the scope of strengthening and propping and subsequent implementation of those works was undertaken using the Council's Highway Engineering Consultant and term highways contractor. The work was undertaken satisfactorily.

Lessons learned.

- 3.12 None.

Scheme 2A – The Hill (Permanent Strengthening):

Information

- 3.13 Routine inspections of The Hill MSCP had identified a weak top slab and understrength parapets. A study to investigate possible strengthening options was commissioned and in autumn 2011 parapet strengthening work was completed together with installation of temporary propping to support the section of weak top slab. However, the temporary propping had (necessarily) been installed within parking bays and this reduced the available car parking capacity at The Hill.
- 3.14 Westmoreland Road MSCP was due to be handed over to developers in September 2012. Members had indicated concern that this may adversely impact on overall Bromley Town Centre car parking capacity during the busy Christmas period. Accordingly recommendations for a phased approach to parking capacity improvements were submitted to 23rd May 2012 meeting of Executive (ref report ES12077) and this included a scheme to demolish the section of weak top slab at The Hill MSCP. This work would enable removal of temporary propping, freeing up car parking spaces and helping to alleviate any potential capacity shortfall during the Christmas period.
- 3.15 The Council's term Highways and Engineering Consultant was commissioned to generate the design and manage the tender process, followed by project management and site supervision once the project had reached site. The estimated value of the demolition work was below OJEU thresholds and hence four contractors were invited to tender, having been identified from the Council's approved list.
- 3.16 J.F. Hunt (Demolition) Ltd submitted the most economically advantageous tender (£257,791). A waiver document provided the approved authority to proceed with contract award to John F. Hunt. The key deliverables of the contract were to return 123 car parking spaces prior to Xmas 2012.
- 3.17 Further project costs included Consultants fees to cover the costs of design, project management and site supervision.

Achievement of Expected Benefits

- 3.18 The project was delivered successfully with the work being completed according to programme and with substantial completion on 30th November 2012.

3.19 The final value of the demolition works was £241,057, which is within the value of the tender.

Unexpected Benefits

3.20 None

Unexpected Problems

3.21 During the demolition process cracks became evident near the top of columns located directly below the demolished slab. This hadn't been foreseen and the intention was to leave these columns full height in the event there was a future requirement to reinstate the demolished slab. Discussions were held with the contractor however the definitive reason for crack formation was never identified. The matter was resolved by the Contractor reducing the columns down to 'stub' height (approximately 1.0m) and applying a highly visible protective coating to the stub. This was at no additional expense to the Council and reduced column height should not compromise any future work reinstating the slab, should this be required.

3.22 Some temporary direction arrows and lining in the car park, which had to be altered to address temporary traffic management during the course of the demolition, work had not been reinstated.

User Stakeholder Experience

3.23 The user stakeholder experience was positive. The project was undertaken in an occupied car park but issues regarding noise, dust etc. were dealt with appropriately by the Council's contractor resulting in minimal negative impact on Bromley's car park users and nearby residents and businesses.

Lessons Learned

3.24 Given the nature of this work and its purpose (to secure additional car parking capacity during the busy Christmas period) it would have been preferable to programme the project earlier in the year to allow sufficient contingency in the event of unforeseen problems.

Scheme 2B - Elmfield Road On-street Parking

Information

3.25 Given the location of Westmoreland Road car park, Councillors raised concerns that the southern part of the Town Centre would suffer from a paucity of parking spaces. Officers undertook an audit of the area to find potential on-street parking spaces. The roads just to the north of Bromley South Station (Elmfield Road and Elmfield Park) provided the opportunity to provide significant additional on-street parking.

Achievement of Expected Benefits

3.26 19 additional parking bays have been achieved. This was slightly down on the initial estimate of 20-30, but some bays were removed following the safety audits due to sightline issues, and compromises with the number of taxi bays removed.

3.27 The final cost of the scheme was £17,590 which was within the initial estimate.

Unexpected Benefits

3.28 None

Unexpected Problems

3.29 The project experienced significant delay as a result of objections from TfL's Public Carriage Office (PCO) regarding the reduction in the number of taxi bays. The PCO's co-operation is required in order to licence taxi ranks. Despite an LBB survey showing that the taxi bays were rarely used, and when they were, they were frequently abused by taxi drivers parking as opposed to plying for trade, the PCO refused to reduce the numbers or compromise. This led to protracted negotiations with the PCO, taxi drivers' representatives and the Borough before a compromise was finally reached. This held up the scheme for a number of months. This was exacerbated when the official response from the PCO during the official consultation returned to their original position and not the agreed one. Fortunately the correspondence had been kept, but this held the project up further.

Lessons Learned

3.30 In dealing with the PCO in future schemes, expect the response to be negative if it is perceived to impact negatively on taxis, even if evidence shows this not to be the case. Engage TfL Ambassador/senior staff sooner.

Scheme 2C – Mitre Close

Information

3.31 This scheme saw the removal of the previously closed toilet block in Mitre Close next to The Hill car park, and saw the area replaced with a surface car park. The toilet block had been demolished previously.

3.32 Given that the new car park was adjacent to the Bromley North Village public realm project, the surfacing and landscaping of the area was enhanced to ensure that the two projects matched in aesthetic terms.

Achievement of Expected Benefits

3.33 It was originally estimated that 25-35 spaces could be accommodated on the site. The implemented car park has 27 spaces plus a loading bay for the businesses in Naval Walk. It was opened in time for Christmas 2013, although it was partially used as a storage yard for the Bromley North Village works before re-opening in time for the Christmas 2014. It is now permanently available as a car park.

3.34 The cost of the scheme was £128k, which was higher than the initial estimate. This was mainly because the quality of the materials used was higher than originally specified in order to tie the scheme into the Bromley north Village public realm scheme.

3.35 Based on current use, annual income from this car park is expected to be in the region of £85k per annum.

Unexpected Benefits

3.36 None

Unexpected Problems

3.37 None

Lessons Learned

3.38 None

Scheme 2D – St Blaise

Information

3.39 The St Blaise scheme saw the staff car park converted to a public car park at weekends. This was a relatively small scheme (£23k), as all that was required was the implementation of a pay and display machine, plus some minor accommodation works, such as re-lining the car park and resolving some minor drainage issues.

Achievement of Expected Benefits

3.40 The car park has been open since November 2013 to the public and holds 72 vehicles, although this includes some staff pool vehicles which are left over the weekend.

Unexpected Benefits

3.41 The car park is available for wedding guest vehicles.

Unexpected Problems

3.42 The usage of the car park has been very low. It appears that this is because its location is not particularly convenient and that there are still spaces in the more convenient car parks throughout the year.

Lessons Learned

3.43 It appears that despite erecting signs and promoting this facility on the Council's website, drivers still prefer to queue for facilities slightly closer to the town centre. A pilot to pre-book parking spaces online in the St. Blaise car park has also had little take-up.

Summary

3.44 The measures described above have delivered an additional 241 car parking spaces in Bromley town centre, during the period Westmoreland Road car park has been closed. Once the new development opens at Westmoreland Road a further 300 spaces will be added therefore no further investment in car park capacity is recommended at this stage.

3.45 A review of Bromley town centre car park capacity & usage will be undertaken early in 2017 to determine whether any additional capacity is required.

4. POLICY IMPLICATIONS

4.1 Building a Better Bromley 2014/17 – Outcome 5 Improving Transport, Aim 5.1 – Monitoring the impact on parking provision of the closure of Westmoreland Road car park and taking action to address any problems.

5. FINANCIAL IMPLICATIONS

5.1 This report provides information on the post completion review of two capital schemes - The Hill Car Park – remedial strengthening scheme and the Bromley Town Centre – increased parking capacity scheme.

5.2 The tables below summarise the financial position of both schemes: -

Financial Summary

Scheme 1 - The Hill Car Park - strengthening works scheme

	£'000	£'000
Original capital estimate (capital receipts)	280	
Less reduction agreed by Executive in July 2014	<u>-48</u>	
Latest approved capital estimate		232
Final scheme costs		222
Net underspend		<u><u>-10</u></u>

Scheme 2 - Bromley Town Centre - increased parking capacity

	Original Estimate £'000	Latest Approved £'000	Final Cost £'000	Variance £'000
The Hill - permanent strengthening to increase capacity	450	245	241	-4
On street parking - Elmfield Road & Elmfield Park area	10	25	25	0
Mitre close surface car park	50	130	128	-2
Conversion of St Blaise car park to public car park at weekends	10	20	23	3
Total	<u><u>520</u></u>	<u><u>420</u></u>	<u><u>417</u></u>	<u><u>-3</u></u>
Funding				
Capital receipts	520	360		
TfL LiP funding	0	60		
Total funding	<u><u>520</u></u>	<u><u>420</u></u>		

5.3 Overall the two schemes came in £13k below the latest approved capital estimate and this balance will be returned to capital receipts.

Non-Applicable Sections:	Personnel & Legal implications
Background Documents: (Access via Contact Officer)	ES12077 - Bromley Town Centre – Increasing Parking Capacity ES10127 – The Hill remedial strengthening works

Report No.
ES16005

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 2 February 2016

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

Title: FORWARD WORK PROGRAMME, MATTERS ARISING, AND CONTRACTS REGISTER

Contact Officer: Alastair Baillie, Environment Development Manager
Tel: 020 8313 4915 E-mail: alastair.baillie@bromley.gov.uk

Chief Officer: Nigel Davies, Executive Director of Environment & Community Services

Ward: Borough Wide

1. Reason for report

This report sets out information relating to the Committee's future business and key contracts including:

- Environment PDS's Forward Work Programme
- Progress on requests made at previous meetings and
- Environment Portfolio contracts' summary

2. **RECOMMENDATIONS**

2.1 **That the Committee reviews and comments on:**

- (a) **Forward Work Programme (Appendix 1);**
- (b) **Progress concerning Committee requests (Appendix 2); and**
- (c) **Environment Portfolio contract summary (Appendix 3)**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Environment Portfolio 2015/16 approved budget
 4. Total current budget for this head: £33.1m, and £4.89m of TfL funding
 5. Source of funding: 2015/16 revenue budget and TfL funding
-

Staff

1. Number of staff (current and additional): 157fte
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Whole borough
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment Portfolio's Forward Work Programme at the time of writing. The Programme identifies: the provisional report title; the lead division; and Committee's role. The Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate.
- 3.2 Other reports may come into the programme as schemes may be brought forward or there may be references from other Committees, the Portfolio Holder or the Executive.

Previous Requests by the Committee

- 3.3 **Appendix 2** provides a progress update on requests previously made by the Committee. This list is checked after each Committee meeting so that outstanding issues can be addressed at an early stage.

Contracts Register Summary

- 3.4 **Appendix 3** sets out a summary of Environment Portfolio contracts where the total contract value (e.g. duration in years multiplied by the annual value) is greater than £50k.
- 3.5 To help Members, contracts are categorised by service and the current expiry dates are in bold. Further information is provided for Committee in the notes column.
- 3.6 More detailed contract information is contained in the Contract Monitoring Summaries presented to Members in July 2015 (ES 15038). These summaries are currently being updated to reflect the new Council-wide approach developed by the Commissioning Board and E&R PDS Contracts Working Group – based on the approach developed in E&CS.

4. POLICY IMPLICATIONS

- 4.1 PDS Committees are responsible for developing their own Forward Work Programmes (see Appendix 1)
- 4.2. The activities in this report reflect the priorities and aims set out the Environment Portfolio Plan 2015-18 and Building a Better Bromley's 'Quality Environment' aspiration.

Non-Applicable Sections:	Financial, Legal and Personnel
Background Documents: (Access via Contact Officer)	Environment PDS Committee agendas and minutes: 2006/07 to 2015/16

APPENDIX 1

ENVIRONMENT PDS COMMITTEE: FORWARD WORK PROGRAMME: FUTURE MEETINGS

15 March 2016	Division	Action
Forward Work Programme, Matters Arising from Previous Meetings and Contracts Register	E&CS	PDS Committee
Budget Monitoring 2015/16	Finance	For pre-decision scrutiny
Plawsfield Road – Second Resolution	Transport & Highways	For pre-decision scrutiny
Arboricultural Strategy and Staffing	Streetscene & Greenspace	For pre-decision scrutiny
Waste Contract – Veolia	Streetscene & Greenspace	PDS Committee
Depot Security	Streetscene & Greenspace	For pre-decision scrutiny

APPENDIX 2

ENVIRONMENT PDS COMMITTEE: PROGRESS REPORT ON PREVIOUS REQUESTS

Committee Date	Committee Request	Progress
17.03.15	<p><i>Bromley Biodiversity Plan 2015–2020 (ES15027)</i></p> <p>Officers agreed to consider outlining in more depth matters concerned with notifiable weeds and their control e.g. Japanese Knotweed</p>	<p>An internal review of the Biodiversity Plan is currently being completed and a formal stakeholder consultation will take place starting in February 2016. It is anticipated that the Plan, which will include a new appendix on invasive species, will be published in September 2016.</p>
24.11.15	<p>Members agreed that the Committee's meeting on 15 March 2016 would include attendance by Veolia as the Council's contractor for waste collection</p>	<p>Scrutiny item on March 2016 draft Agenda (see Appendix 1 to this report)</p>
24.11.15	<p>It was agreed that a working group of the Committee be established to consider design of the new environmental services contract with recommendations feeding into a gateway one report. The Chairman referred to a meeting of the group in January 2016 and it was agreed that the Group's membership would comprise the Chairman, Cllr Chris Pierce, Cllr Catherine Rideout and Cllr Sarah Phillips</p>	<p>To be arranged</p>

APPENDIX 3

ENVIRONMENT PDS COMMITTEE: CONTRACTS REGISTER SUMMARY (current expiry dates in **bold**)

Contract (Officer / Register No.)	Start Date (Core Contract)	End Date (Core Contract)	Extension / Waiver	Contractor(s)	Contract Value + Extension Value (£)	2015/16 Projected Spend (£)	Environment PDS Notes
Streetscene & Greenspace (Dan Jones)							
<i>Parks & Greenspace (Robert Schembri)</i>							
Grounds Maintenance (inc. Wholly Managed Parks service) (Rob. Schembri / 11545)	01.01.08	31.12.17	Extended to 31.03.19	The Landscape Group Ltd.	26.1m +3.7m	2,818,090	Extension to GM Contract to 31.03.19 to align with related contracts
					6.79m	1,494,800	Variation to Contract for Wholly Managed Parks Service ES15021 – 17.03.15 - includes novated contracts for Soft Landscaping and Playground Maintenance
Arboriculture (Julian Fowgies / 016267)	18.07.08	17.07.17	n/a	Gristwood & Toms Ltd.	5.12m	503,990	
<i>Area Management (Peter McCreedy)</i>							
Street Environment Contract	29.03.12	28.03.17	Extended to 28.03.19	Kier (street cleansing)	16,650,000 +6,687,340	3,343,670	Street Cleansing contract extension taken (two years) ES15045 – 07.07.15 (Part 2)
(Pete McCreedy / 037023 037025 037022)	29.03.12	28.03.17	Extended to 28.03.19	Community Clean (graffiti removal)	1,221,800 + 490,000	248,020	Graffiti Removal contract extension taken (two years) ES15071 – 30.09.15 (Part 2)
	29.03.12	28.03.17	Extended to 28.03.19	Veolia (gully cleansing)	1,463,538 + 594,180	297,090	Gully Cleansing contract extension taken (two years) ES15078 – 24.11.15 (Part 2) Public Toilet lot (037024) terminated 31/03/15 (for CTS)
<i>Enforcement & Street Regulation (Toby Smith)</i>							
Parks Security (Toby Smith / 025902)	01.04.10	31.03.20	n/a	Ward Security	4.13m	489,170	CPI applicable Now includes Street Litter Enforcement ES16003 on this agenda considers more effective use of Parks Security officers for street enforcement activity

Contract (Officer / Register No.)	Start Date (Core Contract)	End Date (Core Contract)	Extension / Waiver	Contractor(s)	Contract Value + Extension Value (£)	2015/16 Projected Spend (£)	Environment PDS Notes
Waste Services (John Woodruff)							
Waste Collection (John Woodruff / 11525)	01.11.01	31.03.19	First extension to 2016. Second extension to 2019	Veolia Environmental Services UK Ltd.	37.3m +64.6m +26.1m	8,544,070	First extension (2007) to align with Disposal contract ELS07130 – 28.08.07 (Part 2) Second extension (2011) to realise service efficiencies
Waste Disposal (John Woodruff / 11526)	24.02.02	31.03.19	Extended to March 2019	Veolia Environmental Services UK Ltd.	160.5m +27.5m	12,055,140	Contract extended (in 2011) to realise service efficiencies
Coney Hill Landfill Site Monitoring (John Woodruff / 030220)	28.07.10	27.07.17	n/a	Enitial	969,500	136,200	
Transport & Highways (Paul Symonds)							
Depot / Transport Operations (Paul Chilton)							
Council Fleet Hire (Procurement of Fleet Cars & Light Commercial Vehicles) (Paul Chilton)	06.11.15	05.11.18	Extension available (by CCS) for one year	Crown Commercial Services (CCS) Vehicle Leasing Framework (various suppliers)	247,000	70,950	Replaces former London Hire Ltd contract (11551): ES15050 – 07.07.15 (Part 2)
Vehicle Maintenance & Repair (inc. Lease Cars) (Paul Chilton / 024737)	06.04.10	05.04.17	Option to extend for two years (authority delegated to ED E&CS)	Kent County Council (Commercial Trading Services)	938,000 (130,000)	107,960 (57,000)	Contract spend now includes estimate of Lease Car bodywork repairs (see Report ES15016 – 17.03.15) Option to extend for two years from 06/04/17 to 05/04/19
Supply of Contract Hire (Lease) Cars (Paul Chilton)	16.05.15	15.05.18	Option to extend to for one year 15.05.19	Crown Commercial Service: Vehicle Lease Framework	1.63m	547,090	New Contract (Executive Report ES15012 – 24.03.15 Part 2): Term 3 years plus 1 year optional extension
Depot Security (Paul Chilton / 030099)	01.04.10	31.03.15	Extended to 31.03.17	Sight & Sound Security	625,000 + 280,000	150,470	Contract term 5+2 years. Two year extension agreed. Most costs recharged to contractors

Contract (Officer / Register No.)	Start Date (Core Contract)	End Date (Core Contract)	Extension / Waiver	Contractor(s)	Contract Value + Extension Value (£)	2015/16 Projected Spend (£)	Environment PDS Notes
<i>Highways (Garry Warner)</i>							
Transportation Consultancy (Paul Redman)	01.04.15	31.10.15	31.03.16	AECOM	90,000 + 80,000	170,000	Committee agreed extension to negotiated interim arrangement ES15048 – 07.07.15 Delay to TfL Multidisciplinary Framework means LBB now seeking authority to use HCA Multi-disciplinary Panel Contract (Delegated Authority) for one year to 31.03.17
Street Lighting Maintenance & Improvements (Paul Redman / 049757)	01.04.13	31.03.23	Option for 1 year extension	Kier (MG) Ltd	8.45m + 8.5m over three years (invest to save)	752,870 (revenue) 1.635m (capital)	Contract value supplemented by £8.5m over three years via Invest-to-Save programme
Street Works (NRSWA) (Garry Warner / 049756)	01.04.13	31.03.16	Extended to 31.03.17	B&J Enterprises of Kent	871,920 + 300k	296,180	Original 3 year term extended by 1 year (ES15018 – 07.07.15 Part 2) with option for further 1 year extension without going to committee
Highway Maintenance – Minor & Reactive (Pete McCready / 025400)	01.07.10	30.06.17	Option for 1 year extension	O'Rourke Construction & Surfacing Ltd.	17m	2,854,210	One year extension by delegated authority available. Budget increases with BCIS indices. Contract value changes as subject to external funding (e.g. TfL and DfT)
Highway Maintenance – Major (Garry Warner / 025399)	01.10.10	30.06.17	Option for 1 year extension	FM Conway Ltd.	26m	4,066,600	One year extension by delegated authority available. Budget increases with BCIS indices. Contract value changes as subject to external funding (e.g. TfL and DfT).
CONFIRM (Tommy Keys)	01.07.00	01.07.16	Renewed annually	Pitney Bowes Software	300k	60,000	Software Licence used for managing a variety of services. Initial purchase in 2000. Annual maintenance and support cost. TCV determined using 5-year rule.

Contract (Officer / Register No.)	Start Date (Core Contract)	End Date (Core Contract)	Extension / Waiver	Contractor(s)	Contract Value + Extension Value (£)	2015/16 Projected Spend (£)	Environment PDS Notes
Parking (Ben Stephens)							
Parking Enforcement (Ben Stephens / 11528)	01.10.06	30.09.11	Extended to 30.09.16	Indigo (formerly Vinci Park Services UK Ltd.)	23.2m (inc. extension)	2,481,460	Currently tendering new joint contract ES15020 – 17.03.14 to commence Oct. 2016. Tender report to be presented to PDS prior to May 2016 Executive
Parking ICT (Ben Stephens)	01.04.13	30.09.16	n/a	ICES Ltd.	238,000	81,600	Shared ICT service with LB Bexley (costs are LB Bromley only). Becomes part of proposed Joint Parking contract
Parking Bailiff Services (Ben Stephens)	01.04.14	30.09.16	n/a	JBW Judicial Services Phoenix Commercial Collections Newlyn plc	625k (estimated income - recovered debt excluding Bailiff's fees)	250k est. (estimated income - recovered debt excluding Bailiff's fees)	All Parking contracts co-terminus 30.09.16 Income included in PCN budget Becomes part of proposed Joint Parking contract
Parking Mobile Phone Bookings (Ben Stephens)	17.03.10	16.03.13	Extended to 16.03.15 Extended to 30.09.16	RingGo (Cobalt)	67,000 + 120,000 + 113,000 (total income LBB and contractor)	16,000 (net income LBB only)	Waiver (Feb. 2015) extended contract beyond expiry date (16/03/15) to 30.09.16 (to be co-terminus with other Parking contracts) Becomes part of proposed Joint Parking contract
Transport & Highways (Paul Symonds)							
On-street Poster Sites (inc. lamp columns) (Andrew Rogers)	10.07.01	09.07.16	n/a	Clear Channel	405,000	90,170 (income)	Contract expires 09.07.16. Report (ES15081 – 24.11.15) sets out tendering proposals Agreed to let as Concession Contract – tender documentation being produced
Bus Shelter Poster Sites (Andrew Rogers)	10.07.01	09.07.16	n/a	Transport for London	900,000	90,170 (income)	TfL notified LBB (22.05.15) that the contract and income will terminate on expiry (09.07.16). LBB seeking Counsel's opinion on TfL's position

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