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DATE: 28 October 2016

To: Members of the
ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Councillor William Huntington-Thresher (Chairman)
Councillor Angela Page (Vice-Chairman)
Councillors David Cartwright QFSM, Ian Dunn, Ellie Harmer, Samaris Huntington-Thresher, Terence Nathan, Sarah Phillips, Catherine Rideout and Melanie Stevens

A meeting of the Environment Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 8 NOVEMBER 2016 AT 7.00 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 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 2nd November 2016.

4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 29TH SEPTEMBER 2016 (Pages 5 - 22)

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 2nd November 2016.

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

Scheduled reports to the Environment Portfolio Holder are to be considered for pre-decision scrutiny on matters where the Portfolio Holder is minded to make decisions.

- a BUDGET MONITORING 2016/17** (Pages 23 - 32)
- b ADOPTION OF FIXED PENALTY NOTICES FOR FLY-TIPPING OFFENCES** (Pages 33 - 38)
- c ELMSTEAD LANE (PRIVATE STREETWORKS) - SECOND RESOLUTION**
(Pages 39 - 44)
Chislehurst
- d NORMAN PARK PROPOSED SHARED PATH** (Pages 45 - 50)
Bromley Common and Keston
- e CONGESTION IN CROFTON ROAD: IMPROVEMENTS TO ORPINGTON STATION FORECOURT AND NEARBY HIGHWAY** (Pages 51 - 56)
Orpington and Farnborough and Crofton
- f PROPOSED QUIETWAY ROUTES IN BROMLEY - QUIETWAY DEFINITION PLAN STAGE** (Pages 57 - 76)
Copers Cope/Bromley Town/Penge and Cator

7 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

- a FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - CONEY HILL, OXTED, SURREY CLOSED LANDFILL MONITORING & LEACHATE REMOVAL CONTRACT**
(Pages 77 - 84)

POLICY DEVELOPMENT AND OTHER ITEMS

8 EXPENDITURE ON CONSULTANTS 2015/16 AND 2016/17 (Pages 85 - 98)

9 FORWARD WORK PROGRAMME, MATTERS ARISING AND CONTRACTS REGISTER (Pages 99 - 106)

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 29TH SEPTEMBER 2016 (Pages 107 - 110)

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

Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

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ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 29 September 2016

Present

Councillor William Huntington-Thresher (Chairman)
Councillor Angela Page (Vice-Chairman)
Councillors David Cartwright QFSM, Ian Dunn,
Ellie Harmer, Samaris Huntington-Thresher and
Melanie Stevens

Also Present:

Councillor Colin Smith and Councillor Lydia Buttinger

13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllr Terence Nathan, Cllr Sarah Phillips, and Cllr Catherine Rideout.

14 DECLARATIONS OF INTEREST

There were no declarations.

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

There were no questions to the Committee.

16 PETITION - GREEN GARDEN WASTE

Report CSD16135

A petition with over 400 signatures was received on 14th April 2016 from Carol Jonas on behalf of residents in Biggin Hill and surrounding areas calling for the Council to reconsider the decision to discontinue the Green Garden Waste collection site at Charles Darwin School. Full details of the petition were appended to Report CSD16135. The Portfolio Holder responded to the petition on 20th April 2016, but the petitioners were not satisfied and wished to exercise their right to a hearing before Members.

As the petition had more than 250 verified signatures the lead petitioner or their nominee was entitled, under the Council's Petition Scheme, to address the Committee for up to five minutes. Members could then choose whether or not to recommend any further action.

The Lead Petitioner was not in attendance to address Members. Following a short discussion, the Chairman moved that no further action is taken in response to the petition, seconded by Cllr Page. Comments from Cllr Melanie Stevens (Biggin Hill) were noted so they could be considered when scrutinising the draft Portfolio Plan next year and how the Green Garden Waste service can best evolve going forward within budget constraints.

RESOLVED that no further action be recommended in response to the petition.

17 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH JUNE 2016

The minutes were agreed.

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

Two questions had been received for oral reply with one question received for written reply. Details of the questions and replies are at **Appendix A**.

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

a BUDGET MONITORING 2016/17

Report FSD16054

Based on expenditure and activity levels to 31st May 2016, the latest 2016/17 budget monitoring position for the Environment Portfolio showed a balanced budget.

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.

A Member suggested that the problem of fly-tipping appeared to be worsening and asked if there had been any increase in expenditure as a result. Officers offered to look at relevant figures, including occurrences and tonnages from fly-tipping, and respond.

RESOLVED that the Environment Portfolio Holder be recommended to endorse the latest 2016/17 budget projection for the Environment Portfolio.

b CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2016/17

Report FSD16064

At its meeting on 20th July 2016, the Executive agreed a revised Capital Programme for 2016/17 to 2019/20. Changes in respect of the Environment Portfolio were outlined and a revised programme for the portfolio presented.

Report FSD 16064 also included first quarter spend against the 2016/17 Portfolio Capital Programme budget and comments on individual schemes. Additionally, details of the 2015/16 capital programme outturn for the Portfolio were included. A total of £998k net underspend from 2015/16 was re-phased into 2016/17 and as part of the first quarter monitoring exercise, £2,131k was re-phased from 2016/17 to 2017/18 to reflect revised estimates of when expenditure on the Beckenham Town Centre improvements scheme is likely to be incurred.

RESOLVED that the Portfolio Holder be recommended to note and confirm changes agreed by the Executive on 20th July 2016.

c TFL FUNDED WORK PROGRAMME FOR 2017/18

Report ES16047

Consistent with the Council's Local Implementation Plan (LIP) and a provisional formula allocation of £2.482m Transport for London (TfL) funding for 2017/18, approval was sought to develop a recommended list of detailed schemes for submission to TfL on 28th October 2016. This would be based on a programme of formula-funded projects for 2017/18 as appended to Report ES16047.

Ring-fenced funding would also be available to support other programmes including Local Transport Priorities, Principal Road Maintenance, Bridges and Structures, and the Beckenham Town Centre major scheme.

All schemes would be subject to normal consultation with residents and Ward Members and Portfolio Holder decision.

Cllr David Cartwright (Mottingham and Chislehurst North Ward) noted that there appeared to be more automated bus arrival time indicators at bus stops in neighbouring areas of L B Greenwich and L B Lewisham. Officers would enquire with TfL on the level of bus stop indicators in L B Bromley compared with other boroughs. On the basis that indicators could be sited at stops within areas of greatest bus use, the Portfolio Holder understood there may have been discussion at TfL on financial capping which could have impacted the installation of indicators before L B Bromley had been reached. The Chairman suggested finding some specific examples in the borough where indicators should ideally be sited; alternatively, the matter could be raised at the next Public Transport Liaison meeting.

Cllr Ellie Harmer (Plaistow and Sundridge Ward) also highlighted a problem at Sundridge Park railway station. Cllr Harmer considered the side of the station secluded and poorly lit, the location having become a trouble spot with a drugs problem understood to be present nearby. The station exit was considered dangerous in the dark. Cllr Harmer asked how it might be possible to take her concerns forward so they could be best addressed; dealing with TfL had been difficult and there seemed no staff presence at the station. Officers offered to look into the problem and with further details from Cllr Harmer would take the matter forward.

In response to a question from the Chairman concerning the Borough's Cycling Programme, there was doubt on whether further one-off TfL funding would be available for the programme as its funding stream supporting the (former) Mayor's Cycling Vision had now ceased. However, the proposed programme of formula-funded projects 2017/18 for LIP funding included cycling investment and this would continue. A Cycling Quietway route would be finalised in November 2016 and a further proposed Quietway might also be finalised although it had recently encountered design problems and might not qualify for TfL funding.

RESOLVED that the Portfolio Holder be recommended to agree that:

(1) the programme of schemes for 2017/18, outlined at Enclosure 1 to Report ES16047, be approved for submission to TfL; and

(2) the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, be authorised to make post-submission changes to the programme to reflect necessary changes to priority, potential delays to implementation following detailed design and consultation, or other unforeseen events.

d SEVENOAKS WAY JUNCTION ALTERATION AT MAIN ROAD

Report ES16038

Approval was sought to alter the design of the congestion relief and casualty reduction scheme at the junction of Sevenoaks Way and Main Road as implemented in 2014. There had been a significant increase in the number of vehicles turning right into Main Road, at times blocking north bound through traffic on Sevenoaks Way. With more than three vehicles waiting to turn right, a fourth vehicle protrudes into the path of northbound vehicles, often blocking the junction during peak periods.

Following complaints (from the local Residents Association, Gray's Farm school, and some parents) of no guard railings at the staggered crossing on Sevenoaks Way, south of Main Road, and this appearing to deter some parents from using the crossing and walking their children to school, it was proposed to remove the crossing and replace it with a straight direct crossing. By removing the central island for the staggered crossing the carriageway

would then be widened to create two northbound lanes and the new crossing would also remove parental concern on waiting in the centre of a busy road.

Since Report ES16038 had been drafted, Ward Member comments supporting the proposals had been received. In commenting on the scheme, Cllr Page (Cray Valley East Ward Member in addition to Committee Vice-Chairman) offered her full support for the proposals. Cllr Page added that the double yellow lines along Main Road appeared not to extend far enough back to enable the filter to work properly. As such, officers would look to incorporate measures in the amended scheme design to accommodate Cllr Page's comments.

RESOLVED that the Environment Portfolio Holder be recommended to:

(1) approve the junction alterations at the location, as per plan 11245-301;

(2) delegate to the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, authority to approve the scheme's detailed design; and

(3) agree that the scheme cost of £74k be funded from the TfL LIP budget for Congestion Relief Schemes for 2016/17.

e **PENGE PARKING REVIEW**

Report ES16046

Following concerns from residents and Ward Members, a number of Penge roads have been identified with parking problems and informal consultation was undertaken on the level of support for local permit parking. A parking scheme for a road would only be considered where a majority of residents in the road considered it had a parking problem or might be adversely affected by a proposed scheme nearby.

The consultation indicated that a majority of residents in a number of roads supported permit parking (i.e. Crampton Road, Kingswood Road, Phoenix Road, Lucas Road, Southley Street, Raleigh Road, Cottingham Road, Kingsdale Road and Kenilworth Road) and to progress a parking scheme it was intended to formally consult residents in those roads, particularly as a petition against any form of permit parking for a number of the roads had been received in 2011. Formal consultation would detail proposed changes, costs, Controlled Parking Zone times, location of bays, waiting restrictions (yellow lines) and local amendments for the scheme's objectives.

For a number of other roads across the area, informal consultation indicated conflicting views on the need for permit parking, including a small majority against in St Johns Road, Wordsworth Road, and Royston Road, and a small majority supportive in Station Road, Torr Road, and Clevedon Road. Views from Barsons Close residents indicated an equal number in support and

against. Further consultation would include a number of such roads providing mixed feedback; any scheme might directly impact residents and cause displacement, creating other issues that could impact views.

Parking permits are not supported by residents of Penge Lane, Mosslea Road, Queen Adelaide Road, Montrave Road, Westbury Road and parts of the High Street, Penge as few parking problems are experienced. The roads would therefore be excluded from any scheme at this time.

A scheme would also need to consider other road users given the close proximity of Penge High Street and ensure that commuter parking is not displaced to other roads. As a result, additional Pay and Display parking is likely to be needed.

Welcoming the review, and supporting recommendations in Report ES16046, Cllr Peter Fookes (Penge and Cator) highlighted the level of consultation response, preferring to see a higher level of feedback in future consultations. Thanking officers for work to date, Cllr Kevin Brooks (Penge and Cator) highlighted that not all residents in the area were aware of the likely £80 cost of a parking permit operating in excess of four hours or for all day use.

Members were advised that the consultation questionnaire was bland in order to gauge views on whether parking is a problem in Penge roads. Should a majority of residents in a road consider parking a problem, more detail on a proposed scheme could be provided in a second, more formal, consultation. Historically, response levels to consultations had been low, and a response rate above 20% was considered reasonable. The rate of response had not improved significantly with online consultation. The Portfolio Holder welcomed any Ward Member input on the wording of questions for the second consultation and a further report would be brought to the Portfolio Holder via the Committee following the further consultation.

A Member questioned whether the roads listed at paragraph 4.7 of Report ES16046 should be excluded from any scheme design as they appeared to be in the centre of the proposed scheme area. For residents in roads not expressing parking concerns, the Portfolio Holder suggested a further communication listing roads where it was intended to proceed with a scheme and highlighting the potential for parking displacement. The Head of Traffic and Road Safety saw no difficulty in going back to residents on this basis. The Portfolio Holder felt that a scheme should be progressed in roads such as Kenilworth Road where there is a clear majority in support. But in other cases with a small majority/minority, the Portfolio Holder implied that residents should be approached again as there might be specific reasons for the views of residents e.g. possible parking in Royston Road associated with the nearby Citroen dealership. Although this would amount to a re-consultation, the Chairman suggested that no scheme plans are drawn up for roads having no overall support e.g. those roads at paragraph 4.7 of report ES16046 but should there be parts of such roads where residents would like a permit scheme it was suggested that this be considered.

RESOLVED that the Portfolio Holder be recommended to agree that:

(1) Crampton Road, Kingswood Road, Phoenix Road, Lucas Road, Cottingham Road, Kingsdale Road, Southey Street and Raleigh Road be further consulted on the possibility of a Controlled Parking Zone for the area with the required plans showing the proposed changes;

(2) Torr Road, Wordsworth Road, St Johns Road, Station Road, Barsons Close and Lucas Road are also further consulted with appropriate plans on the possibility of a Controlled Parking Zone / permit parking scheme being implemented;

(3) Clevedon Road and Royston Road be further consulted on the possibility of a permit parking scheme also being implemented, given the likely introduction of a Controlled Parking Zone to Kenilworth Road and other adjacent roads within the area;

(4) any minor adjustments to the consultation to be delegated to the Executive Director of Environment & Community Services with the input of Ward Members and the agreement of the Portfolio Holder; and

(5) further to the formal consultation to be carried out, any scheme suggested for implementation be scrutinised by the Environment PDS Committee.

f ELMSTEAD LANE (PRIVATE STREET WORKS) - FIRST RESOLUTION

Report ES16018

Footfall is high along the eastern footway of Elmstead Lane, between its junction with Walden Road and Grange Drive, due to the proximity of Elmstead Woods railway station, a school, and a bus stop. Currently, the footway is not made up to adoption standards and the Council is not responsible for its maintenance and repair. To adopt and make-up the footway, a First Resolution was sought under the Private Street Works Code, covered by the Highways Act 1980.

The Council originally proposed to construct a footway on the basis that it fell within the corridor of maintainable highway. This was challenged by owners of premises fronting Elmstead Lane but subsequently it was understood that all but one of the owner/occupiers of the eight properties fronting Elmstead Lane between Walden Road and Grange Drive accepted the necessity of a new, paved footway. In view of the challenge to the status of the land for the footway and ongoing opposition from an owner of one of the properties, legal advice referred to action under the Private Street Works Code as the most appropriate approach in the circumstances. This would allow the Council to carry out works in a street not adopted as highway and would enable an owner to raise an objection to the Council's proposals on specific grounds contained in s.208 of the Highways Act 1980.

S.236 of the Highways Act 1980 permits the Council, as the Street Works Authority, to resolve to bear the whole of the cost of the street works, rather than recharge the whole or a portion of the cost to the frontage owners. In this instance, it was proposed to use Section 106 funding in respect of the Ravensbourne College development (provided to improve the footway area between Walden Road and Grange Drive, including the alighting point at the bus stop) for the cost of the works at £20k.

Members supported the recommendations in Report ES16018. It was intended to bring the Second Resolution for Portfolio Holder approval via the Committee's meeting on 8th November 2016.

RESOLVED that the Portfolio Holder be recommended to:

- (1) approve the layout of a footway on the eastern side of Elmstead Lane, between Walden Road and the northern boundary of number 36 Elmstead Lane, as shown on drawing number 11429-03 Rev A;**
- (2) approve the layout of a footway on the eastern side of Elmstead Lane, between the northern boundary of number 36 to the junction with Grange Drive, as shown on drawing number 11429-05;**
- (3) make a First Resolution under S205 (1) of the Highways Act 1980 in respect of Elmstead Lane as follows –**

The Council do hereby declare that the eastern footway of Elmstead Lane, between the junctions with Walden Road and Grange Drive is not levelled, paved, metalled, flagged, channelled, made good and lighted to its satisfaction and therefore resolves to execute street works therein, under the provisions of the Private Street Works Code, as set out in the Highway Act 1980.

Schedule of works

Part 1 - From the street junction with Walden Road, along the eastern side of the street to the northern boundary of number 36 Elmstead Lane, all as more particularly shown on drawing number 11429-03 Rev A.

Part 2 – From the northern boundary of number 36 Elmstead Lane, to the street junction with Grange Drive, all as more particularly shown on drawing number 11429-05.

g INSTALLATION OF A PLAY AREA IN QUEENS GARDENS

Report ES16044

Following construction of the new restaurant terrace alongside Queens Gardens, Bromley, proposals were outlined for a new play area to replace the

former maze at the Gardens. Intu had provided a sum of £60k which would be used to install the play area, including design, purchase and installation of play equipment, fencing and landscaping.

Following consultations with Intu Bromley and Ward Members, a rustic/naturalistic space was proposed to produce an imaginative and functional play space. Design and Build tenders had been sought to develop the project site with the aims of the project being:

- to provide an imaginative, natural and coordinated play experience for children and young people within an existing public open space;
- to create a play space that will please, excite, challenge and stimulate children's imagination and senses, utilising the play space as well as the surrounding environment; and
- to promote positive attitudes to children and young people in the community through play opportunities and providing a safe environment for play.

In discussion, Members were handed design images for the play area. It was the intention to use synthetic grass which would significantly help to protect the nearby restaurants from mud being walked on to floor areas during winter months.

Members supported the recommendation in Report ES16044.

RESOLVED that the Portfolio Holder be recommended to agree the installation of a new play area in place of the former maze at Queen's Gardens, Bromley, funded from Intu's £60k donation.

20 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

a HIGHWAYS INVESTMENT

Report ES16048

Members considered alternative funding arrangements for highways maintenance.

Planned highways maintenance reduced reactive maintenance, improved value for money and customer satisfaction, reduced unplanned network disruption, and contributed to a reduced level of damage claims. As carriageways deteriorate through weathering and traffic, the requirement for protective or structural maintenance could be predicted with some accuracy.

Sustained annual investment had helped to keep the principal (A) road network in good condition. The non-principal (B/C) network had also been a revenue funding priority in recent years having a condition indicator of 3%. However, the unclassified road network had a road condition indicator of 17%.

Footways were in a better structural condition with the main causes of deterioration - root damage from street trees and over-running vehicles - both being effectively managed through reactive and minor works.

Although funding through revenue budgets had allowed non-principal and unclassified roads to be maintained in a stable condition, it had been insufficient for improvement so that expenditure on reactive works could reduce. Roads with the highest priority had been put forward for planned works programmes in accordance with expected budget provision.

Recent benchmarking with neighbouring boroughs showed that prices within the Council's current Major Works contract for planned highway maintenance projects are at least 28% lower than similar recently awarded contracts. The Council's contract has recently been extended to June 2018 and contract prices were anticipated to increase when the contract is re-tendered.

To fund improvement works during the next two years and allow conditions to significantly improve in the short term using existing contract prices, £11.8m of upfront funding was proposed for release from capital receipts. The funding would allow revenue expenditure to reduce by £2.5m per annum for five years from 2017/18, at a total of £12.5m (£11.9m from planned works and £0.6m from reactive maintenance). This would be partly offset by a total reduction in treasury management income of some £167k over the five year period. After five years, the benefits of upfront funding would be reviewed and a decision taken on whether future funding is delivered from capital receipts (subject to future availability) or from revenue budgets.

The latest treatment survey suggested that future investment was best focussed on carriageway maintenance to obtain long-term benefits, with footway maintenance continuing to rely on reactive and minor works funding.

A proposed Working Group of the Committee would agree service levels and treatment options. Future work programmes funded by the investment would then be considered by the Portfolio Holder following the Committee's scrutiny.

In discussion, it was confirmed that treatment priorities would normally depend on the extent of a road's use. Cllr Samaris Huntington-Thresher (Chelsfield and Pratts Bottom) referred to a high number of unclassified roads in her ward, suggesting they might benefit from surface dressing. However, some surface dressings were not durable and could only be considered short term solutions; consideration of various treatment options could be considered by the Working Group. Given the current contract costs (and a reduced level of reactive maintenance in future), savings would accrue by undertaking the works from next year. The Portfolio Holder felt the recommendations made financial sense given a limited return on investment elsewhere. A further Highways report would be presented to the Committee's next meeting on 8th November 2016.

Roads can be resurfaced quickly and officers would look to co-ordinate improvement works with emergency services to minimise disruption for road users. Member input would be valued on whether it was now considered necessary to treat a number of cul-de-sacs in the borough. Closes had previously been treated with surface dressing using funds from the reactive maintenance budget and it was necessary for Members to consider where a change was needed to the types of roads considered for treatment. If part road treatment was considered, a Member suggested treating the whole road for longer term savings should the remaining part need treatment in a further three to four years.

Members supported the recommendations to the Executive.

RESOLVED that Executive be recommended to:

(1) approve capital funding of £11.8m for investment in planned highway maintenance, to be funded from capital receipts, and to add the scheme to the Capital Programme, subject to approval by Full Council; and

(2) subject to the above approval, the revenue budget for highways works would reduce by £2.5m per annum for the period 2017/18 to 2021/22, partly offset by an estimated reduction in treasury management income of £167k over the five year period.

21 FORWARD WORK PROGRAMME, MATTERS ARISING AND CONTRACTS REGISTER

Report ES16042

Members considered the Committee's Forward Work Programme and progress on requests made at previous meetings.

Details of Environment contracts from the Corporate Contract Register were also provided (as presented to the Contracts Sub-committee meeting on 24th August 2016) along with a summary of contracts having a total value greater than £50k (i.e. duration in years multiplied by annual value). The summary also covered changes since the Contract Register was produced along with other relevant information.

The On-Street Posters contract was now for tender with feedback due in mid-November. The position had also progressed for all other Portfolio contracts having a Red or Amber rating in August. A gate report for monitoring the landfill site at Coney Hill, Oxsted, would be presented to the Committee's next meeting.

Concerning the outcome of tendering for Parking Services, officers were looking to present a report in November. If it was not possible to report to the Committee's next meeting, a report could be considered by the Executive and

Resources PDS Committee on 23rd November 2016 with Environment PDS Members invited to the meeting.

As it was not possible for the Portfolio Holder to attend the Committee's next meeting scheduled for 8th November 2016, consideration was given to moving the meeting to 16th November 2016. However, as at least three Members were unable to make this date it was agreed to proceed with the original 8th November date.

Three Working Groups were established by the Committee at its previous meeting to cover Street Scene, Highways and Footways and Congestion. Memberships for the Street Scene and Highways/Footways Working Groups were confirmed and it was agreed that the Street Scene Working Group would meet on 11th October 2016 at 5pm and 25th October 2016 at 6pm. The Highways/Footways Group would meet after October followed by meetings of the Congestion Working Group.

RESOLVED that:

- (1) the Forward Work Programme be noted;**
- (2) progress concerning previous Committee requests be noted;**
- (3) the Corporate Contract Register extract and commentary related to Environment Portfolio contracts be noted;**
- (4) membership of the Street Scene Working Group comprise –**
Cllr Ian Dunn, Cllr William Huntington-Thresher, Cllr Chris Pearce (Non-Committee Member), Cllr Sarah Phillips and Cllr Catherine Rideout (membership of the group would also remain open to other Committee Members);
- (5) membership of the Highways/Footways Working Group comprise –**
Cllr David Cartwright, Cllr Ian Dunn, Cllr Samaris Huntington-Thresher, Cllr William Huntington-Thresher, Cllr Angela Page and Cllr Melanie Stevens.

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

23 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH JUNE 2016

The minutes were agreed.

24 PRE-DECISION SCRUTINY OF A PART 2 REPORT TO THE ENVIRONMENT PORTFOLIO HOLDER

a SECTION 106 AGREEMENTS UPDATE: HIGHWAYS, TRANSPORTATION AND LANDSCAPES

Report ES16026

An update was provided on Section 106 (S106) Agreements where funding related to schemes involving highways, transportation mitigation, and landscape management and maintenance.

The Executive and Resources PDS Committee had previously asked for such reports to be presented to PDS Committees.

The Chairman noted that sometimes S106 agreements can be tightly worded, not allowing for any subsequent change in plans for highway schemes, and it was agreed to raise this with the Development Control Committee.

Members resolved to note progress in the use of funds received from S106 agreements along with S106 funds which were awaited. Recommendations were also made for the Executive Director of Environment and Community Services to have delegated authority for expenditure of S106 funds up to £20k; that S106 funds be used for suitable schemes that had or were being developed (tabled within Report ES16026); and that certain other funds tabled within Report ES16026 be earmarked for potential return to developers.

25 PRE-DECISION SCRUTINY OF A PART 2 REPORT TO THE EXECUTIVE

a FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - ARBORICULTURAL MAINTENANCE CONTRACT 2017-2019

Report ES16049

Procurement options were presented for arboriculture services to maintain the Council's tree stock across the borough. The current contract expired in July 2017.

The Meeting ended at 8.35 pm

Chairman

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**QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL
REPLY FROM MR RUPERT MORRIS**

1. Five years ago 77% of residents of Wordsworth Road opposed any scheme for their road. In this year's survey only 43% wanted a scheme. With no mandate for a scheme, can we ask for Wordsworth Road to be taken out and treated like Penge Lane and Queen Adelaide?

Reply

Subject to possible further thoughts emerging later this evening, Southey Street and Raleigh Street will be approved for inclusion within the emerging Penge Controlled Parking Zone.

If that is confirmed, residents of Wordsworth Road would then be advised accordingly and asked whether in light of the changed facts on the ground, similarly the risk of additional displaced parking the change would likely cause them, they wished to re-consider their original position.

The Council will respect that expressed opinion, whatever it might be, and a subsequent decision as to whether Wordsworth Road itself would join the scheme too, will be based solely on the majority of wishes expressed in response to that consultation.

Supplementary Question

Noting specific road by road consultation results outlined in Report ES16046 (to be later considered by Members during the meeting), Mr Morris sought confirmation that of all roads listed in the consultation results, Wordsworth Road secured the highest number of residents (at 21) expressing opposition to permit parking in their road, so indicating the strongest level of opposition to such a scheme for a road in the area of consultation.

Reply

The Portfolio Holder confirmed that Wordsworth Road was the most strongly opposed road to a parking permit scheme.

2. In Wordsworth Road we don't have a parking problem, apart from Friday am when worshippers are attending the mosque for prayers. We fear the scheme will create a parking problem if introduced into neighbouring roads. Can you reassure residents that it is not the intention to transfer the problem?

Reply

I would respectfully refer you to my previous response. There will almost certainly be displacement of parking into Wordsworth Road, were residents living there to vote against joining the scheme being implemented in neighbouring roads.

Supplementary Question

Mr Morris thought there would not be that much displacement, taking account of low kerbs in reaching his conclusion.

Reply

The Portfolio Holder confirmed that ultimately it would be a choice by local residents. If a majority wanted assistance, the Council would provide support and any displacement would be managed by permit parking.

QUESTION TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY FROM TRACY SPEECHLEY

I would like to pose a question regarding the dangerous junction where Parish Lane meets Lennard Road. This is in no way linked to the accident there recently. I have not put a question forward before, however I would like the Council to review the junction with regards to the safety aspect which has been raised on numerous occasions over the years.

1. What traffic calming measures are available which could facilitate the following:

- Reduction of speeding on Lennard Road & Parish Lane;
- Poor visibility when pulling out from Parish Lane onto Lennard Road.

Reply

It is important to note that investment in any traffic calming engineering works, is strictly driven by the number of recurring personal injury related accidents happening at any given location to ensure maximum return is made on the limited public monies provided for such measures.

To that end, prior to the tragic crime committed locally on 31st August, I am advised that there have thankfully only been 2 personal injury accidents at this junction since 2011 (in January and February 2016), which would in all candour exclude it from any list requiring early engineering intervention.

To answer your specific questions:

1. Were speeding assessed to be an issue on either road, the Council could provide additional signage (either rotational posters or Vehicle Activated Signs (VAS). Furthermore, if either road were deemed to be a 'Ward Priority' by the local Safer Neighbourhood Panel and Team, it could then benefit from periodic spot checks enforcement by the Police.

2. Save possible future redevelopment of either property most adjacent to the junction, the only obvious opportunity to improve the sightline(s) would be to build out the entrance by increasing the area of what is currently pavement.

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Report No.
FSD 16071

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **Environment Portfolio Holder**

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

Date: **8th November 2016**

Decision Type: Non-Urgent Executive Non-Key

Title: **BUDGET MONITORING 2016/17**

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

Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

This report provides an update of the latest budget monitoring position for 2016/17 for the Environment Portfolio, based on expenditure and activity levels up to 30th September 2016. This shows an under spend of Cr £294k.

2. **RECOMMENDATION(S)**

That the Environment Portfolio Holder:

2.1 **Endorses the latest 2016/17 budget projection for the Environment Portfolio.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Corporate Policy

1. Policy Status: Existing Policy Sound financial management
 2. BBB Priority: Excellent Council Quality Environment
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: All Environment Portfolio Budgets
 4. Total current budget for this head: £39.177m
 5. Source of funding: Existing revenue budgets 2016/17
-

Personnel

1. Number of staff (current and additional): 143 fte
 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: Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The services covered in this report affect all Council Taxpayers, Business Ratepayers, those who owe general income to the Council, all staff, Members and Pensioners.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The 2016/17 projected outturn is detailed in Appendix 1. This forecasts the projected spend for each division compared to the latest approved budget, and identifies in full the reasons for any variances.
- 3.2 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1. Budget holders have full responsibility for those budgets classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control. “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service. As such, any variations arising are shown as “non-controllable” within services but “controllable” within the Resources Portfolio. Other examples include cross departmental recharges and capital financing costs. This approach, which is reflected in financial monitoring reports to budget holders, should ensure clearer accountability by identifying variations within the service that controls financial performance. Members should specifically refer to the “controllable” budget variations relating to portfolios in considering financial performance. These variations will include the costs related to the recession.

4. POLICY IMPLICATIONS

- 4.1 The Resources Portfolio Plan includes the aim of effective monitoring and control of expenditure within budget and includes the target that each service department will spend within its own budget.
- 4.2 The four year financial forecast report highlights the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2016/17 to minimise the risk of compounding financial pressures in future years.
- 4.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

5. FINANCIAL IMPLICATIONS

- 5.1 The main variations compared to the last reported budget monitoring report are as follows: -

	Since 31.5.16
	£'000
Green garden waste tonnage disposal	90
Residual disposal costs	92
Income from recycled paper	-52
Other variations within waste services	17
Income from bus lane contraventions	-560
on and off street parking income	155
Water rates bills for Crystal Palace Park	70
Savings from the mail delivery service	-33
Income from skip & street trader licences and market stalls	-35
NRSWA income	25
Other minor variations across the Portfolio	3
	<hr/> -228 <hr/>

- 5.2 Although the overall budget shows an under spend of Cr £294k, the controllable budget for the Environment Portfolio is projected to be under spent by Cr £228k at the year-end based on the

financial information available to 30th September 2016. Within this projection there are variations which are detailed in Appendix 1 and summarised below.

Street Scene & Green Space (Dr £9k)

- 5.3 Backdated water rates bills for Crystal Palace Park are expected to be Dr £70k above budget.
- 5.4 Extra income is projected for skip and street trading licences as well as from market stalls totalling Cr £35k, due to increased activity.
- 5.5 Increased trade waste delivered activity has resulted in additional costs of £200k due to the increased tonnage. This has been offset by additional income of Cr £200k generated as a direct consequence of this extra tonnage.
- 5.6 Increases in green garden waste and household tonnage have resulted in extra disposal costs of Dr £120k. This is offset by reductions in the disposal of detritus and additional income from recycled paper, Cr £108k.
- 5.7 Other minor variations across waste services total Cr £5k.
- 5.8 As reported in the TFM report to the Executive in July 2016, there are part year savings for the mail delivery service of Cr £33k.

Parking (Cr £271k)

- 5.9 Based on the number of bus lane contraventions until 30 September 2016, additional income of Cr £570k is projected.
- 5.10 A net deficit of Dr £220k is projected for on and off street parking income mainly due to the staggered implementation of additional pay and display parking spaces as each proposal has required consultation with residents, traders and Ward Members before they can become operational.
- 5.11 Due to delays in introducing the automated redeployable cameras, additional costs have been incurred for CCTV staff Dr £63k and there is also a net deficit of income projected of Dr £66k for PCNs. These overspends are partly offset by savings from not employing the extra CEOs on street for part of the year.
- 5.12 Other variations within the Parking Service total Cr £10k.

Transport & Highways (Dr £34k)

- 5.13 There are projected income deficits from NRSWA of Dr £25k and from advertising on lamp columns, Dr £9k.

5.14 The table below summarises the main variances: -

Summary of Major Variations	£'000
Additional net costs for waste disposal contract costs	282
Trade waste delivered income	Cr 200
Other variations in income -recycled paper and trade waste collections	Cr 75
Income from off-street and on-street parking	220
CCTV staff costs	63
Net increase of income from bus lane and parking enforcement	Cr 544
Backlog of water rates for Crystal Palace Park	70
Savings from the mail delivery service	Cr 33
Other minor variations across the Portfolio	Cr 11
	<u>Cr 228</u>

Non-Applicable Sections:	Legal, Personnel Procurement Implications and Impact on Vulnerable Adults & Children
Background Documents: (Access via Contact Officer)	2016/17 budget monitoring files within E&CS Finance section

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2015/16 Actuals £'000	Service Areas	2016/17 Original Budget £'000	2016/17 Latest Approved £'000	2016/17 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	ENVIRONMENT PORTFOLIO							
	Street Scene & Green Spaces							
5,445	Parks and Green Spaces	5,109	5,091	5,161	70	1	0	0
417	Street Regulation and Enforcement incl markets	386	364	329	Cr 35	2	0	0
17,599	Waste Services	17,206	17,206	17,213	7	3	Cr 140	0
3,891	Street Environment	4,181	4,181	4,181	0		0	0
808	Management and Contract Support	781	781	781	0		0	0
629	Transport Operations and Depot Management	811	791	758	Cr 33	4	0	0
280	Trees	683	723	723			0	0
29,069		29,157	29,137	29,146	9		Cr 140	
	Parking Services							
Cr 7,455	Parking	Cr 7,041	Cr 6,775	Cr 7,046	Cr 271	5-9	140	0
Cr 7,455		Cr 7,041	Cr 6,775	Cr 7,046	Cr 271		140	0
	Transport & Highways							
112	Traffic & Road Safety	206	206	206	0	10	0	0
10,035	Highways (including London Permit Scheme)	8,881	9,134	9,168	34	11	0	0
10,147		9,087	9,340	9,374	34		0	0
31,761	TOTAL CONTROLLABLE	31,203	31,702	31,474	Cr 228		0	0
8,075	TOTAL NON-CONTROLLABLE	5,299	5,434	5,368	Cr 66	12	0	0
2,429	TOTAL EXCLUDED RECHARGES	2,041	2,041	2,041	0		0	0
42,265	PORTFOLIO TOTAL	38,543	39,177	38,883	Cr 294		0	0

Reconciliation of Latest Approved Budget £'000

Original Budget 2016/17	38,543
Transfer of budget for staffing back to SEN - Education S/E 884.	Cr 20
Parking carry forward re automated bus lane and non- bus lane cameras	306
WEEE Grant Income	Cr 13
WEEE Grant Expenditure	13
Drainage Water Grant Income	Cr 69
Drainage Water Grant Expenditure	69
Lead Local Flood grant	213
Repairs and Maintenance	135
Latest Approved Budget for 2016/17	<u>39,177</u>

REASONS FOR VARIATIONS**1. Parks and Green Spaces Dr £70k**

There is currently a projected overspend of £70k for water charges at Crystal Palace, due to the receipt of several amended backdated bills based on actual meter readings. To date, bills have only been received up to mid- December 2015 and officers are working closely with Thames Water to investigate the reason for the large variation between estimated and actual readings as well as to obtain the most up to date bills.

2. Street Regulation and Enforcement incl markets Cr £35k

Surplus income of £25k is projected for Market Charges and Street Trading Licences due to additional street traders being taken on and specialist markets being run. In addition income from Skip Licences is expected to be Cr £10k higher than budget due to increased activity.

3. Waste Services Dr £7k

Disposal tonnages from increased trade waste delivered activity are projected to be around 1,400 tonnes above budget resulting in an overspend of Dr £200k. For information, there has been an additional 590 tonnes at the weighbridges for the first five months of the year compared to the same period in 2015-16.

As a direct consequence of the extra tonnage described above, the projected additional income generated from trade waste delivered is Cr £200k which offsets the disposal overspend from weighbridge tonnage.

Green Garden Waste disposal tonnage is projected to generate an overspend of around £90k. Tonnage is above the 2015/16 levels by 1,630 tonnes for the same period. The annual figure is expected to be 17,170 tonnes, which is 2,500 above the 2015/16 tonnage.

For other residual tonnage, there is a projected overspend of Dr £30k.

Within paper recycling income, there is a projected surplus of Cr £70k as tonnage is expected to be 1,040 tonnes above budget.

The projected reduction in detritus tonnage has resulted in a potential underspend of Cr £38k for disposal costs.

As a result of a reduction in trade waste collected customers and an increase in the number of smaller containers a shortfall of income is projected of Dr £20k.

After allowing for the purchase and delivery cost of containers for the increase in customers, as well as investment in an IT monitoring system, there is a net variation of Cr £25k for green garden waste services.

Summary of overall variations within Waste Services	£'000
Waste disposal tonnages - other residual tonnage	30
Waste disposal tonnages - Trade Waste Delivered	200
Waste disposal tonnages - Green Garden Waste	90
Surplus trade waste delivered income	Cr 200
Paper recycling income	Cr 70
Disposal of detritus tonnage	Cr 38
Trade waste collected income	20
Green Garden Waste Services	Cr 25
Total variation for Waste Services	<u><u>7</u></u>

4. Transport Operations and Depot Management Cr £33k

Due to a part year savings achieved on the Mail Delivery Service as reported to the Executive on 20th July 2016, there is a projected underspend of £33k.

5. Income from Bus Lane Contraventions Cr £570k

The introduction of the automated cameras had been delayed, however they have now gone live except for one which should be fully operational from October 2016. Based on the number of contraventions that occurred up until 30th September 2016, additional income of Cr £570k is projected for the year. This figure could increase if compliance is slower than anticipated.

6. Off Street Car Parking Cr £0k

From actual income to September 2016, there is no overall variation projected for Off Street Parking income. There is an expected deficit of £40k for the Hill MSCP and an estimated deficit of £20k from the Civic which is offset by additional projected income of Cr £60k from surface car parks.

Summary of variations within Off Street Car Parking	£'000
Off Street Car Parking income - multi-storey car parks	60
Off Street Car Parking income - other surface car parks	Cr 60
Total variations within Off Street Parking	<u><u>0</u></u>

7. On Street Car Parking Dr £246k

Based on actual income to 30th September 2016 there is a projected net deficit of around £220k for On Street Parking. A number of sites have been identified where additional Pay and Display parking bays can be installed borough wide. This includes shopping parades to assist the turnover of parking on street and roads in close proximity to railway stations, where unrestricted parking is currently creating parking issues and displacement. As agreed, if all sites were progressed as proposed, it is likely to generate an approximate £350k per annum. Each proposal has been and will be subject to consultation with Ward Members and the directly affected residents/traders, so full implementation has not been possible by 1st April 2016. Taking into account the income to September 2016, the new spaces operational to date 2016, it is projected that there will be a shortfall of income from in On Street Parking of £220k in 2016/17 with no full year variation from 2017/18 onwards.

Due to the introduction of new £1 coins and £5 polymer notes, all the parking income machines will need to be upgraded at an estimated cost of Dr £78k. This is to be funded from the Equipment replacement budget of £52k. The remaining £26k will be funded by a saving on the Enforcement Equipment budget of Cr £26k shown below. These machines are for both On Street and Off Street parking.

8. Car Parking Enforcement Dr £63k

Based on the activity levels up to September 2016, there is a projected net deficit of Dr £50k from PCNs issued by Indigo Park due to a reduction in contraventions because of staff sickness, leave and training in April 2016. There was a delay in employing the 4 additional CEOs on street due to difficulties in staff recruitment however these staff are now in post with a part year underspend Cr £40k. The numbers will be closely monitored over the next few months.

Due to delays in introducing the automated cameras which were not fully operational until July 2016, a net deficit of Dr £16k is projected based on the number of contraventions to 30th September 2016. Automatic cameras have been set up outside schools and since compliance has increased at these locations there is a projected deficit in income Dr £32k. CCTV staff were given notice mid-June 2016 and the additional cost of their salaries is Dr £53k. It should be noted that the CCTV staff were also responsible for monitoring the bus lanes prior to the introduction of the re-deployable bus lane cameras. The additional staffing cost of the Mobile car driver is £10k for 2016/17.

In order to meet the costs of upgrading the parking income machines, a saving of Cr £26k from the enforcement equipment budget will be used.

Summary of variations within Car Parking Enforcement	£'000
PCNs issued by wardens	50
CCTV Salaries	53
Mobile driver salary	10
PCNs issued by mobile cars cameras	Cr 16
PCNs issued by automatic cameras at schools	32
Enforcement equipment replacement budget	Cr 26
Budgets not required for additional CEOs etc	Cr 40
Total variations within Car Parking Enforcement	63

9. Permit Parking Cr £10k

Based on income and expenditure to the end of September 2016, it is projected that there will be net additional income of £10k.

Summary of overall variations within Parking:	£'000
Bus Routes Enforcement	Cr 570
Off Street Car Parking	0
On Street Car Parking	220
On/Off Street Car Parking - upgrade machines for changes in currency	26
Enforcement - Equipment budget	Cr 26
Car Parking Enforcement	89
Permit Parking	Cr 10
Total variation for Parking	Cr 271

10. Traffic and Road Safety £0k

There is a projected underspend of Cr £34k on TfL funded salaries due to vacancies which is offset by a corresponding reduction in capital salary recharges of Dr £34k. Although there is no overall effect on revenue, it will increase the capital funding available for implementation of TfL funded schemes.

11. Highways (Including London Permit Scheme) Dr £34k

Within NRSWA income, there is a projected income deficit of Dr £25k. This is partly the result of improving performance by utility companies in the area of defect notices, which has resulted in lower charges raised by the Council.

There is a projected underachievement of advertising income in 2016/17 of Dr £9k should the contract for the advertising on street columns is not let in early 2017 when the current contract extension comes to an end.

From activity to date there is a projected overspend of £20k on Highways Maintenance which is partly offset by Cr £20k from an underspend on Salaries due to vacancies.

Summary of Variations - Highways (Including London Permit Scheme)	£'000
NRSWA Income	25
Street Lighting - advertising income	9
Highways Maintenance	20
Street Lighting - salaries	Cr 20
Total Projected variations for NRSWA Income	<u>34</u>

12. Non-controllable Cr £66k

Within property rental income budgets, there is projected surplus income of Cr £66k. Property division are accountable for these variations.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, the following waiver for contract values over £50k has been actioned:

- 1) £30,000 continue using framework to provide Highways consultancy, extension of one year; cumulative value £194,000.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, the following virements have been actioned:

- 1) Virement of £40k from Parking Off Street income to Highways Maintenance.
- 2) Virement of £15k from Market charges income and £10k from Street Traders licences income to Tree Maintenance.

Report No.
ES16050

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 8th November 2016

Decision Type: Non Urgent Executive Non Key

Title: **ADOPTION OF FIXED PENALTY NOTICES FOR FLY-TIPPING OFFENCES**

Contact Officer: Toby Smith, Enforcement Manager, Neighbourhood Management
E-mail: Toby.Smith@bromley.gov.uk John Bosley, Head of Neighbourhood Management Email ; John.Bosley@bromley.gov.uk

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

Ward: All Wards

1. Reason for report

Regulations introduced on 9 May 2016 granted Local Authorities the power to issue fixed penalty notices (FPNs) for contraventions of section 33 (1)(a) of the *Environmental Protection Act 1990 (EPA)* concerning fly-tipping. This report sets out the case for introducing FPNs in Bromley and recommends the level of FPN is set at £400 with no early payment discount.

2. **RECOMMENDATIONS**

That the Environment Portfolio Holder:

- 2.1 Approves the introduction of FPNs for fly-tipping offences within the borough.
- 2.2 Agrees to set the level at £400 per penalty notice and agrees not to offer a discount for early payment.
- 2.3 Agrees to delegate authority to the Executive Director of Environment & Community Services regarding authorising appropriate officers to issue fixed penalty notices (FPNs), under section 33ZA of the Environmental Protection Act 1990 (EPA), to persons whom the officer has reason to believe have committed a small scale fly tipping offence.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The ability to issue FPN's for fly tipping on the public highway should have a positive impact on the health and well being on vulnerable adults and Children.
-

Corporate Policy

1. Policy Status: Not Applicable Existing Policy New Policy: Further Details
 2. BBB Priority: Quality Environment, Safer Bromley,;
-

Financial

1. Cost of proposal: Net nil as the income generated from the FPN's covers the estimated additional cost of administration.
 2. Ongoing costs: Estimated net nil
 3. Budget head/performance centre: Street Regulation & Enforcement
 4. Total current budget for this head: £353k
 5. Source of funding: Existing revenue budget for 2016/17
-

Staff

1. Number of staff (current and additional): 7
 2. If from existing staff resources, number of staff hours: 210 hrs (30 FPN's x 7hrs)
-

Legal

1. Legal Requirement: Fixed Penalty Notices may now be issued in respect of offences committed contrary to Section 33 of the Environmental Protection Act 1990 Regulation 9 of the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications: N/A
-

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 Fly-tipping, that is the illegal and unauthorised dumping of waste, is a significant problem to local communities and a risk to the environment. It is a drain on council resources and undermines legitimate waste businesses, where unscrupulous operators undercut those that operate within the law. Numbers of reported incidents have been on the increase in recent years in Bromley:

Year	Number of Incidents
2011/12	2,180
2012/13	2,495
2013/14	2,681
2014/15	3,377
2015/16	3,343

3.2 Committee report [ES16017](#) (2 March 2016), set out details of the £250k fund released by Members to develop fly-tipping and envirocrime initiatives. Since then, Officers have developed a number of projects aimed at reducing and tackling fly-tipping incidents, e.g. through using enforcement & surveillance, communications campaigns and the installation of barriers.

3.3 Section 33(1)(a) of the Environmental Protection Act 1990 creates the offence of depositing controlled waste or knowingly permitting controlled waste to be deposited on any land unless the person has a valid permit. A person found to have contravened this provision is liable to prosecution. However, prosecutions are time consuming and expensive to pursue for both local authorities and magistrate's courts, and even if prosecutions are successful, full costs are not always granted or recovered.

3.4 From 9 May 2016, it has been possible for local authorities to introduce FPNs for fly-tipping under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016, which amend section 33 of the Environmental Protection Act 1990. The Regulations introduce new powers for local authorities to issue FPNs for small scale fly-tipping, providing Councils with an alternative remedy to prosecutions.

3.5 This change provides local authorities with a more immediate, efficient and proportionate response to fly-tipping, and the introduction of these FPNs would provide an additional tool for LB Bromley to tackle fly-tipping. The new fixed penalty notices for small scale fly tipping will not be appropriate for operators in the waste management industry, repeat offenders or those responsible for large-scale fly tipping, or the fly tipping of hazardous waste.

3.6 The London Councils Transport and Environment Committee (TEC) [recommended on June 16th 2016](#) a maximum FPN of £400 for fly-tipping; each borough can decide what level of discount, if any, should be granted for early payment of the fine.

3.7 LB Bromley is permitted to set its own penalty levels within the limits set by government i.e. between £150 and £400, as well as any discount criteria, as shown in the table below:

Offence	Default penalty	Minimum full penalty	Maximum full penalty	Minimum discounted penalty
Fly-tipping	£200	£150	£400	£120

See [Government Guidance on Fixed penalty notices: issuing and enforcement by councils](#)

- 3.8 The statutory minimum fine is £200 with an early payment discount of £120 if paid within 14 days .Officers consider that imposing the maximum £400 fine, with no early-payment discount, would have the greatest deterrent effect. The intention is that this will lead to a decrease in the number of small scale fly-tipping incidents in Bromley, helping the borough remain clean and safe.The control of fly tipping is the responsibility of Street Scene and Greenspace Division ‘s enforcement team . The issuing of the FPN’s would be undertaken by the Council’s enforcement team and the current security contractor (Ward Security).
- 3.9 It is also recommended that delegated authority is awarded to the Executive Director of Environment & Community Services to delegate authority to appropriate officers to issue fixed penalty notices (FPNs), including LB Bromley Street Enforcement Officers and *Ward Security* Officers.
- 3.10 In accordance with the Environmental Protection Act 1990 and the new supporting Regulations, the income received by Local Authorities from FPN’s should be spent on functions relating to litter, dog fouling and cleansing. It is not to be used as a means of generating income for other uses.
- 3.11 The Council’s Parks Security and Street Enforcement Contractor, Ward Security, currently issue FPNs for other Environmental offences, and the admin costs and methods of recovery are intended to be the same as what is currently in place. Failure to pay an FPN within 14 days will lead to cases being referred to the LB Bromley Legal team.
- 3.12 The estimated annual number of FPNs that may be issued for fly-tipping is 30. At this stage it is not expected to generate a surplus of income as the income received is estimated to cover the additional administration costs for street regulation and enforcement, finance and legal.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

No negative impact expected.

5. POLICY IMPLICATIONS

5.1 Building a Better Bromley.

5.2 The Environment Portfolio Plan 2016 -19 Identifies that the quality of the street scene- especially its cleanliness - continues to be a priority for the Council and residents alike.

6. FINANCIAL IMPLICATIONS

6.1 The estimated income from the issue of the FPNs will cover the additional estimated cost of administration, monitoring and prosecutions as shown in the table below: -

	£
Estimated incomde generated by the 30 FPNs at current recovery rate	-7,400
Estimated additional costs for administration, monitoring & legal	7,400
Net additional cost/income	0

7. LEGAL IMPLICATIONS

- 7.1 These penalties have been introduced by Defra nationally in England, as amendments to section 33 of the Environmental Protection Act 1990 (See [Unauthorised Deposit of Waste \(Fixed Penalties\) Regulations 2016](#)).

8. PERSONNEL IMPLICATIONS

- 8.1 The introduction and issuing of the new fixed penalties for small scale fly-tipping will be achieved within existing resources.

Non-Applicable Sections:	Procurement Implications
Background Documents: (Access via Contact Officer)	<ul style="list-style-type: none">• Environment Portfolio Plan 2016/19• The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 - http://www.legislation.gov.uk/uksi/2016/334/contents/made• Explanatory Memorandum to The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 - http://www.legislation.gov.uk/uksi/2016/334/memorandum/contents• The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 Department for Environment, Food and Rural Affairs Regulatory Policy Committee - http://www.legislation.gov.uk/uksi/2016/334/pdfs/uksiod_20160334_en_001.pdf• The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 Validation Impact Assessment - http://www.legislation.gov.uk/uksi/2016/334/pdfs/uksiod_20160334_en.pdf

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Report No.
ES16028

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 8th November 2016

Decision Type: Non-Urgent Executive Non-Key

Title: **ELMSTEAD LANE (PRIVATE STREETWORKS) - SECOND RESOLUTION**

Contact Officer: Laura Squires, Traffic Engineer
Tel: 020 8313 4231 E-mail: Laura.Squires@Bromley.gov.uk

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

Ward: Chislehurst

1. Reason for report

To obtain a Resolution of Approval under the Private Street Works Code contained in the Highways Act 1980, in respect of the making up and adoption of the eastern footway of Elmstead Lane, between Walden Road to the north, and Grange Drive.

2. **RECOMMENDATION(S)**

2.1 That the specification, plan, sections, estimate and provisional apportionment now submitted by the Executive Director of Environment and Community Services, in respect of the scheme approved by the Environment Portfolio Holder on 18th October 2016, be approved without modification and:-

2.2 That the Portfolio Holder further resolves that the Council bears the whole of the cost of the works, which will be met from funding provided by Section 106 funding and Transport for London under the provisions of Section 236(1) of the Highways Act 1980.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost £33.8k
 2. Ongoing costs: Future maintenance costs will be met from existing highway maintenance budgets
 3. Budget head/performance centre: Section 106 funds (£20k)
Station Access Schemes (£13.8k)
 4. Total current budget for this head: £20k and £15k
 5. Source of funding: Section 106 funds from the Ravensbourne College development;
TfL LIP 2016/17 budget for Station Access Schemes
-

Staff

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 50
-

Legal

1. Legal Requirement: Statutory Requirement: Should a scheme proceed under the Private Street Works Code then the procedure is set out in the Highways Act 1980.
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All users of the footway in Elmstead Lane.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillor's comments: Cllr Boughey has reported that the Ward councillors had no objections. Cllr Payne expressed support for this proposal. Cllr Bosshard is supportive of the Scheme. Any other comments received will be reported to Members.

3. COMMENTARY

- 3.1 Following the Environment PDS Committee on 29th September 2016, the Environment Portfolio Holder received a report regarding the use and condition of the footway on the eastern side of Elmstead Lane between its junction with Walden Road to the north and Grange Drive. The footway has not been made up and adopted as a highway maintainable at the public expense.
- 3.2 For some years the Council has sought to provide the public with safer and continuous footways across the Borough, whenever appropriate. In this case footfall is high on the eastern side of Elmstead Lane between Walden Road and Grange Drive due to the proximity to the Elmstead Woods railway station, a school and the presence of a bus stop.
- 3.3 To enable the street to become highway maintainable at public expense, the Council needs to adopt it. The Council will only do this following improvement to the appropriate standards. The improvement works may be carried out under the provisions of the Private Street Works Code, but for this to occur the Council has to make two distinct resolutions: a First Resolution giving details of those aspects of the street with which it is dissatisfied; and a further resolution, a Resolution of Approval. This resolution approves details of the works required to bring the street up to a suitable standard, an estimate of the costs of such works and a provisional apportionment of these costs amongst the owners of the premises fronting the street, which includes adjoining and abutting.
- 3.4 The Portfolio Holder made a First Resolution under Section 205(1) of the Highways Act 1980, following the Environment PDS Committee on 29th September 2016. The appropriate documents under Section 205(3) Highways Act have now been prepared to enable the Resolution of Approval to be made and these documents will be available for inspection at the meeting of the Committee. This enables the Provisional Apportionment, which contains details of property ownerships, to be as up to date as possible.

4. POLICY IMPLICATIONS

- 4.1 Policy T14 of the Unitary Development Plan (UDP) adopted in July 2006 says that un-adopted highways will normally be considered for making-up and adoption, as resources permit, following a referendum. The referendum is not part of the statutory procedure however, and in exceptional circumstances, can be dispensed with.
- 4.2 In this case, where there is a clear demand for the Council to take action and it is not proposed that the cost of making up the footway will be charged to the frontage owners, it is recommended that a referendum is not conducted.
- 4.3 The draft Environment Portfolio Plan 16-19 includes the aim “to reduce congestion and greenhouse gas emissions by promoting cycling, walking and public transport journeys”, which this report addresses in respect of the proposed footway in Elmstead Lane.

5. FINANCIAL IMPLICATIONS

- 5.1 Further to the First Resolution, under Section 205(3) of the Highways Act 1980 detailed designs with any necessary plans and sections and a specification of the street works referred to in the Resolution has been undertaken, and an estimate of the probable expenses of the works has been obtained, totalling £33.8k.
- 5.2 The estimated cost of the works for Part 1 (eastern side of Elmstead Lane, between Walden Road and the northern boundary of number 36 Elmstead Lane) is £25,600.
- 5.3 The estimated cost of the works for Part 2 (the eastern side of Elmstead Lane, between the northern boundary of No. 36 Elmstead Lane to the junction with Grange Drive) is £8,200.

- 5.4 £20k will be funded from the Section 106 funds from the Ravensbourne College development to improve the footway area between Walden Road and Grange Drive, including the alighting point at the bus stop. The remaining £13.8k will be funded from the TfL LIP budget for Station Access Schemes which has an uncommitted balance of £15k.
- 5.5 The Council will bear the whole of the expenses of the street works under the provisions of Section 236(1) of the Highways Act 1980. Where an authority so resolves to bear the whole of the expenses of the street works, the liabilities of the owners of premises in respect of those expenses are to be treated as discharged accordingly.
- 5.6 As set out in the Agreement, the Section 106 contribution must be spent before the 5th anniversary of the payment, otherwise any unspent monies must be returned to the developer.
- 5.7 Future maintenance costs of the footpath will be contained within existing highway maintenance budgets.
- 5.8 It should be noted that all Private Street Works include an amount of 15% of the estimated construction costs to cover staff time associated with the administration and supervision of the works. This cost is included in the total cost of the scheme.

6. LEGAL IMPLICATIONS

- 6.1 Should a Resolution of Approval be passed, under Section 205(5) of the Highways Act a notice must be drawn up containing the following particulars:—
- (i) a statement that the street works authority have resolved to execute street works in the private street in question;
 - (ii) the address of the offices of the authority at which a copy of the resolution of approval, and the approved documents or copies of them certified by the proper officer, may be inspected, and the times at which, and the period during which, they may be inspected; and
 - (iii) a statement that an owner of premises liable to be charged with any part of the expenses of executing the street works may object to the proposal to execute the works, giving the period during which such objection may be made.

The notice must be published within the provisions of Section 205(5)(a)(b) and (c). Within one month from the date of the first publication of the notice, under Section 205(5)(a) an owner of premises shown in the provisional apportionment of expenses as liable to be charged with any part of the expenses of executing street works with respect to a private street or a part of a private street, may, by notice to the Council, object to their proposals under Section 208(1) of the Highways Act 1980, on any of the following grounds:

- (a) that the alleged private street is not a private street or, as the case may be, that the alleged part of a private street is not a part of a private street;
- (b) that there has been some material informality, defect or error in, or in respect of, the resolution, notice, plans, sections or estimate;
- (c) that the proposed works are insufficient or unreasonable;
- (d) that the estimated expenses of the proposed works are excessive;
- (e) that any premises ought to be excluded from or inserted in the provisional apportionment;

- (f) that the provisional apportionment is incorrect in respect of some matter of fact to be specified in the objection or, where the provisional apportionment is made with regard to other considerations than frontage, in respect of the degree of benefit to be derived by any premises, or of the amount or value of any work already done by the owner or occupier of premises.

If any objections should be received and are not withdrawn, the Council may apply to the Magistrates Court for the objections to be heard and determined.

- 6.2 As anticipated at first resolution stage, the estimated cost per meter frontage of making up the footway between the northern boundary of No. 36 Elmstead Lane to the junction with Grange Drive is higher than elsewhere. It is therefore necessary to consider the scheme in 2 parts in order to avoid an objection under Section 208(1)(b).
- 6.3 After street works have been executed in a private street, Section 228 of the Highways Act 1980 permits the Council to adopt the street by means of notices displayed in the street for a period of one month.
- 6.4 During the period that the Section 228 notices are displayed, the owner(s) of the street is/are able to object to its adoption as a highway maintainable at the public expense. In this case, the Council is able to apply to the Magistrates Court for an Order overruling the objection.
- 6.5 On the expiration of one month from the day on which the notices are first so displayed the street shall, subject to any objections being received and determined or abandoned by the objectors, become a highway maintainable at the public expense.

Non-Applicable Sections:	Procurement and Impact on Vulnerable Adults and Children Implications
Background Documents: (Access via Contact Officer)	ES16018 - Elmstead Lane (Private Street Works) – First Resolution, report to Environment PDS Committee, 29 th September 2016

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Report No.
ES16056

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **Environment Portfolio Holder**

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

Date: **8th November 2016**

Decision Type: Non-Urgent Executive Non-Key

Title: **NORMAN PARK PROPOSED SHARED PATH**

Contact Officer: Jenny Carne, Traffic Engineer
Tel: 020 8313 4482 E-mail: jenny.carne@bromley.gov.uk

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

Ward: Bromley Common & Keston

1. Reason for report

To seek approval for the continuation of a shared path in Norman Park between the two car parks to result in the completion of a fully shared path around the Park, avoiding the need for walkers, runners and cyclists to pass through areas where vehicles are manoeuvring.

2. **RECOMMENDATIONS**

That the Environment Portfolio Holder approves:

- 2.1 **Construction of the proposed new section of shared path in Norman Park between the two car parks as shown in the drawing in Appendix A, thereby enabling completion of the shared path around the park.**
- 2.2 **The provision of five cycle stands and a repair station/pump adjacent to the proposed refurbished and extended Norman Park Lodge to create a cycle hub.**

Corporate Policy

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

Financial

1. Cost of proposal: £35k
 2. Ongoing costs: some minor resurfacing may be required in around 10 years' time as part of the maintenance of the path to ensure it remains safe and fit for purpose.
 3. Budget head/performance centre: TfL LIP Funding
 4. Total current budget for this head: £106k
 5. Source of funding: TfL LIP budget for Walking Schemes and the Borough Cycling Programme budget for Cycle Parking
-

Personnel

1. Number of staff (current and additional): No additional FTE will be required as a result of this project.
 2. If from existing staff resources, number of staff hours: 20 hours anticipated to be required to finalise the drawings, raise orders, meet with contractors and check the implementation once completed.
-

Legal

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

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): A few thousand park users are expected to benefit per week (please refer to 3.5 and 3.7 for further details).
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments:
Cllr Michael responded stating that the proposed works sound very positive overall and it is more logical to place the gate nearer to the junction with Hook Farm Road. Cllr Michael is sorry to lose trees but if there is going to be new tree planting around the new path then that should be sufficient to compensate for any loss.

3. COMMENTARY

- 3.1 Currently Norman Park has a shared path for walkers and cyclists around its perimeter, which until earlier in 2016 terminated at each end of the two car parks within the Park. At both locations, pedestrians and cyclists were forced to mix with moving and parked vehicles and had to walk and cycle through the car park. This created conflict issues and safety concerns for both non-motorised users and vehicles.
- 3.2 During 2016 the Council created a shared path in the Hayes Lane car park which linked to both sides of the existing path, involving the conversion of a section of the car park to a three metre shared facility for pedestrians and cyclists, segregated from the car park by a kerb and bollards. This is working well for all park users and did not require any loss of parking from the car park. This section was the first phase of the proposal to provide a complete shared path around the park. The second and final phase, which is the subject of this report, will provide a new facility to bypass the northern car park, enabling the creation of the complete route without the need for walkers or cyclists to have to pass through a car park at all.
- 3.3 Two options were assessed regarding the proposed new path at the Bromley Common side of the park, but in order to prevent any loss of car parking or potential conflict with the collection from the large recycling bin area, only one proposal has been progressed. Please see Fig. 1 for a layout drawing of the preferred option.
- 3.4 The preferred option would see the path diverted to the south past the Old Barn on an existing tarmacked area from which the new 3m wide path would commence. The new path would be routed around the wooded copse area located at the southern perimeter of the car park, where a desire line has been established in the grass by walkers and runners. The path would then continue parallel to the existing access road and re-join the existing path outside the Lodge.
- 3.5 It is proposed to move the existing gate at The Lodge further forward towards Hook Farm Road, to provide better access and to complete the segregation by removing any conflict with parked and moving vehicles in this area. These proposals have been developed in conjunction with Id Verde (formerly The Landscape Group) who currently manage the site.
- 3.6 Although this proposal avoids any loss of marked parking bays in the car park, the relocation of the gate would remove space where currently up to 7 vehicles are parked during the week, alongside The Lodge. However, this gate, and subsequent removal of parking, would need to be relocated regardless of the path due to the refurbishment and extension of Norman Park Lodge, to allow for access, deliveries and outdoor uses.
- 3.7 The proposals would also require the removal of approximately four small trees near to the car park but this would be compensated by new tree planting around the new path which would be designed by Id Verde for the forthcoming tree planting season..
- 3.8 As well as providing a safe conflict free path for local users walking and cycling, the shared path will provide significant benefit to the 600 or so Park Run participants and 120 Junior Park Run participants who use it every Saturday and Sunday respectively. British Cycling's Sunday rides participants and the Council's Road Safety team's weekly cycle training sessions will also benefit from this safer environment.
- 3.9 The shared path will therefore provide a significant benefit to in excess of 2000 park users every week and is therefore thought to provide good value for money and be a beneficial facility for Bromley residents.
- 3.10 By allowing park users to remain on the path and therefore avoiding potential conflict with vehicles, the new path will also prevent erosion of the grass during wet weather.

3.11 The concept of the shared path has received strong support from the Friends of Norman Park and in the past year Id Verde have received requests for the segregation from representatives of the following park user groups:

- LBB cycling sessions
- Bromley Veteran Runners
- Blackheath & Bromley Harriers
- Parkrun
- Junior parkrun
- British Cycling
- Zero to Hero Running Group
- Athletics club
- BEA (children’s athletics club)
- Ride to Rio event
- Petts Wood Runners
- Mencap
- Beckenham Running Club

3.12 It is also proposed to provide five cycle stands, a repair station and pump adjacent to the proposed refurbished and extended Norman Park Lodge, to create a cycle hub. Please see Appendix A.

4. POLICY IMPLICATIONS

4.1 The Environment Portfolio Plan 2016-19 includes the following key outcomes through Enhancing Bromley’s Parks and Green Spaces:

- Develop and maintain paths, infrastructure and other hard landscaping features in parks, open spaces and the countryside so they remain safe and usable
- Contribute to improving residents’ health by supporting park users, sports activity providers, allotment holders and other partners.

5. FINANCIAL IMPLICATIONS

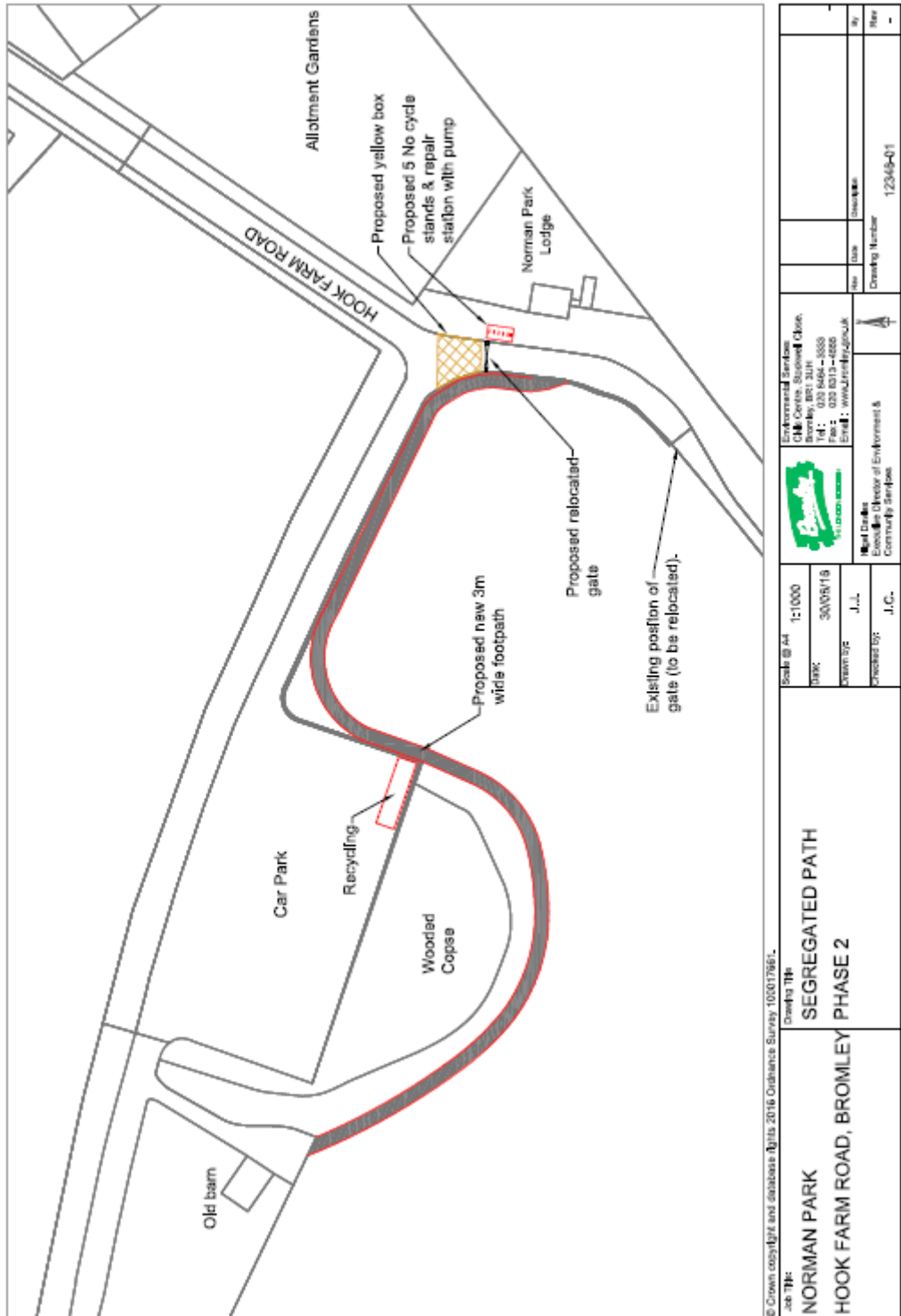
5.1 The estimated cost of the project is expected to be £35k

5.2 The costs will be part funded from both the TfL LIP budget for Walking Schemes which has an uncommitted balance of £53k as well as the Borough Cycle Programme budget for Cycle Parking which has an uncommitted balance of £53k.

5.3 Minor resurfacing of the path may be required in about 10 years’ time which will be met from within existing budgets.

Non-Applicable Sections:	Impact on Vulnerable Children and Adults, Personnel, Legal and Procurement Implications
Background Documents: (Access via Contact Officer)	

Fig. 1 Proposed Norman Park Pedestrian/Cycle Segregated Path – Phase 2



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Report No.
ES16057

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 8th November 2016

Decision Type: Non-Urgent Executive Non-Key

Title: CONGESTION IN CROFTON ROAD: IMPROVEMENTS TO ORPINGTON STATION FORECOURT AND NEARBY HIGHWAY

Contact Officer: David Bond, Transport Planning & Traffic Engineering Manager
Tel: 020 8313 4555 E-mail: David.Bond@bromley.gov.uk

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

Ward: Farnborough and Crofton; Orpington

1. Reason for report

This report provides an update on a report that was presented to this Committee on 4th November 2014 that requested approval for the S106 allocation from the Tesco development in Earls Way, Orpington to be used for access and bus stop improvements as part of the Orpington Station car park and forecourt scheme. It recommends that the previous decision to install a bus lay-by is rescinded, that other measures are installed to ease congestion outside the station and that further investigations are carried out regarding other possible congestion measures on this route.

2. **RECOMMENDATIONS**

The Environment Portfolio Holder is recommended to agree that:

- 2.1 Due to the high cost of the service diversions to provide a bus lay-by and other associated enhancements that the bus stop improvement outside Orpington Station should not proceed as previously agreed (ES14075).
- 2.2 The S106 funds, Borough Cycling Programme and LIP cycling/walking funds are used to improve the Station forecourt, reduce the impact of traffic queuing to enter the Station having a knock-on effect on Crofton Road and for the provision of new high quality cycle parking for 60 bicycles alongside other improvements to cycle parking.
- 2.3 Further investigations are undertaken regarding possible changes to Station Road to address the issues associated with congestion resulting from queueing from the Tower Road/View Road junction.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The scheme will benefit all highway users.
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost, £120k
 2. Ongoing costs: Maintenance of the Station forecourt and cycle facilities will be paid for by Southeastern railway and their successors.
 3. Budget head/performance centre: S106, 2016/17 TfL BCP (Borough Cycling Programme) and 2016/17 LIP allocation for Cycling and Walking
 4. Total current budget for this head: £82k, £25k and £169k
 5. Source of funding: S106 allocation from the Tesco, Earls Way development, TfL BCP funding for 2016/17 and 2016/17 LIP budget for Cycling and Walking
-

Personnel

1. Number of staff (current and additional):2
 2. If from existing staff resources, number of staff hours:40
-

Legal

1. Legal Requirement: None: Further Details
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): the proposal will benefit all road users in the vicinity of the Station and will assist with the freer flow of traffic, better safety and management of the Station forecourt, and by improving the quality and number of cycle parking spaces will encourage an increase in the number of cycling trips to the Station and reduce the number of car journeys.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: To follow

3. COMMENTARY

- 3.1 In November 2014 the recommendations made to ES PDS Committee were approved by the Portfolio Holder, regarding changes to the bus stop arrangements outside Orpington Railway Station (ES14075). The existing bus stop outside the Station requires buses to stop on the main carriageway, which can result in congestion and the proposal to provide a bus lay-by would assist with the free flow of traffic.
- 3.2 Following the approval, work commenced in 2015 to move the scheme forward. During the detailed design stage it became apparent that the costs associated with diverting statutory undertakers' facilities would be far higher than predicted. The Council was made aware that the BT chamber within the current footway would have to be lowered as part of the works at a cost of approximately £145k. This is believed to be disproportionate to the overall scheme cost and predicted benefits.
- 3.3 Evidence from a more recent review of the area appears to show that a stationary bus or buses at peak times are not the only cause of traffic delays. Congestion seems to be as a result of the poorly managed forecourt causing delays to traffic entering the station with a consequent impact upon through traffic on Crofton Road, queuing from the junction at Tower Road/Hill View Road, to the east of the Station and from the Pelican crossing by The Maxwell public house.
- 3.4 A separate study is now underway to examine what improvements can be made in Station Road to the east of the bridge and in particular at the Tower Road/Hill View Road junction to ease congestion and the outcome of that work will be reported to Members in due course.
- 3.5 Since the original proposal for the bus stop improvements was presented, the current poor layout of the existing forecourt has become apparent. The lack of clearly defined crossing points and pick-up and drop off bays creates chaotic and poorly disciplined movements and increased pedestrian/vehicle conflict which has become more apparent and exacerbated since the additional deck was added in the Station car park in 2014.
- 3.6 At the recent September PDS Committee meeting a report detailing the current status of all S106 agreements was presented, including the use of the sum from the Orpington, Tesco development, of £81,977, *'to be used to improve bus stop facilities and relieve congestion linked to increased car parking at Orpington Station, as reported to ES PDS on 01.10.13 (ES12023). A re-design of Orpington Station forecourt has been prepared to better manage vehicle movements to and from the car park, pedestrian movements and provide new cycle parking'*. The Recommendations in the report were agreed, *'to use the S106 funds to meet the costs relating to the schemes identified within Table 1'*.
- 3.7 The latest design (see Enclosure 1), whilst retaining the bus stop in its current position, has now been broadened to fully encompass the Station forecourt and will include the following improvements;
- changes to the existing right turn lane into the station
 - addition of 'Keep Clear' markings to try and prevent through traffic blocking across the right turn lane which, in turn, can result in traffic blocking westbound traffic
 - the separation of the taxi rank and pick-up and drop off bays within the forecourt
 - the provision of high quality secure cycle parking within the forecourt
 - new crossings within the forecourt to better manage safe pedestrian movements

- a layout which will also better manage traffic movements around the forecourt and thereby help reduce delays and congestion in Crofton Road in the vicinity of the Station.
- 3.8 It is therefore recommended that the creation of an inset bus layby is not taken forward, but that other improvements within and immediately outside the station forecourt are introduced, in order to reduce congestion in Crofton Road and to also add benefits to residents using Orpington Station.
- 3.9 It is worthy of note that between 2011/12 and 2014/15, passenger usage of the Station has increased by 17.8% and with general growth across the railways, nationally, the upward trend is likely to continue, hence the need to improve interchange facilities at stations such as Orpington.
- 3.10 Southeastern Railway supports the proposed improvements as does Orpington First.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

A safer environment will benefit all users of the Station.

5. POLICY IMPLICATIONS

- 5.1 The Environment Portfolio Plan 2014/17 includes a specific commitment to, 'Work with Southeastern and Network Rail to improve parking at Orpington rail station, increasing capacity and improving access'.
- 5.2 In 'Building a Better Bromley 2020 Vision – Quality Environment', two stated issues to be tackled are: (i) Promoting safe parking provision; and (ii) Improving the road network for all users

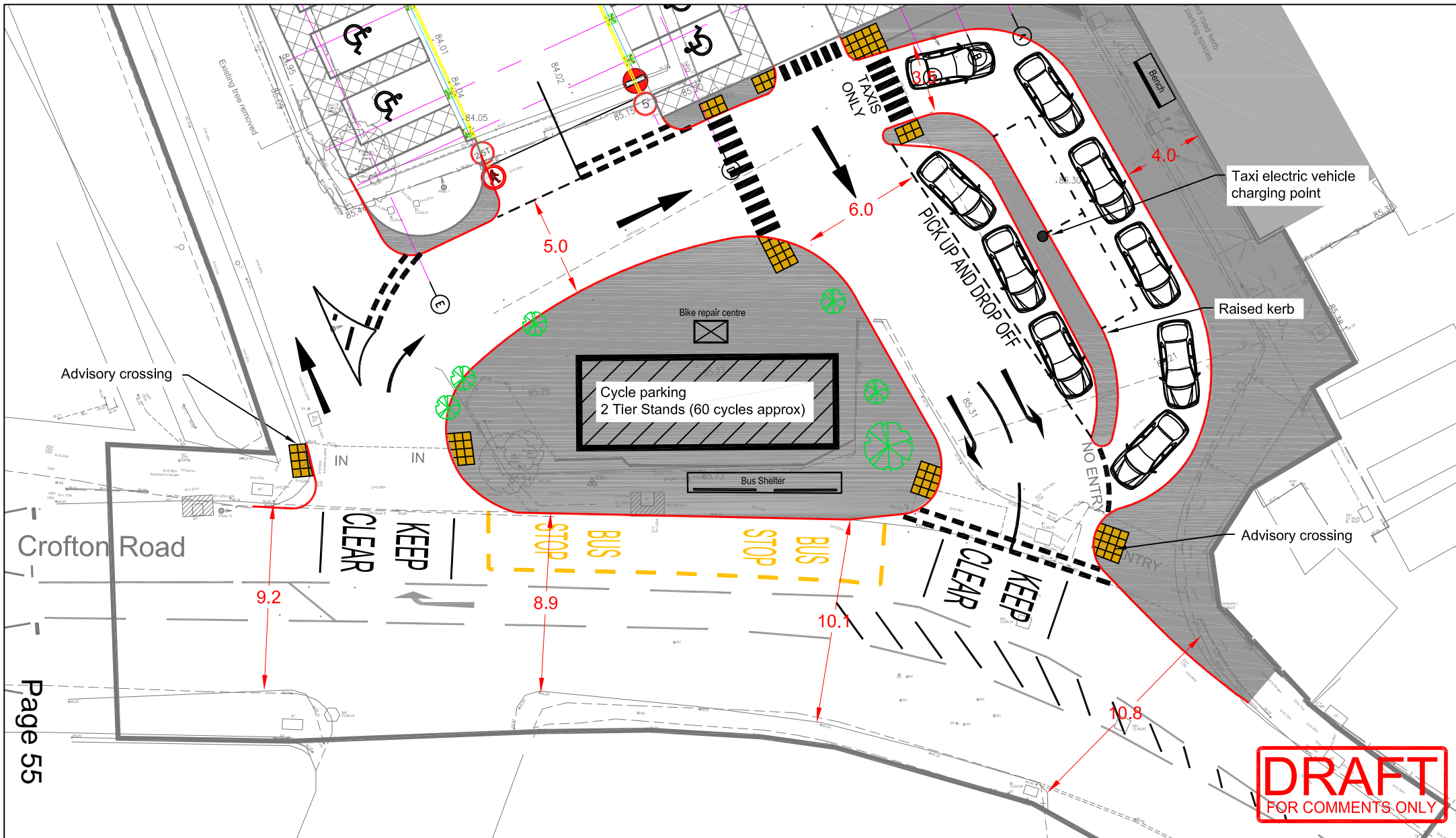
6. FINANCIAL IMPLICATIONS

- 6.1 The estimated total cost of the proposal is £120k with £25k funded from 2016/17 BCP programme and £13k funded from the 2016/17 LIP budget for Cycling and Walking, which have uncommitted balances of £25k and £169k respectively, along with £82k from the S106 funds from Orpington Tesco development.
- 6.2 Normally funds for bus stop improvements would be passed to TfL and whilst it is still proposed to carry out some improvements to the bus stop and markings in the main road immediately outside the Station there is a risk that if the money is not spent that TfL may ask for those funds to be handed to them. That risk will be mitigated if an improvement at the bus stop is implemented which will still allow the Council to achieve the wider scheme with additional funds from the LIP budget for the new cycle hub.

7. LEGAL IMPLICATIONS



- 7.1 The works will involve working on third party land, i.e. within the control of the train operating company, Southeastern. As they have given their support for the proposals there is unlikely to be any issue with regard to formal agreements and working consents between Southeastern and the Council.

Non-Applicable Sections:	Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	ORPINGTON RAILWAY STATION: IMPROVED ACCESS AND BUS STOP ENHANCEMENT (ES14075) 04/11/2014



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Job Title: CONGESTION IN CROFTON RD ORPINGTON	Drawing Title: IMPROVEMENTS TO ORPINGTON STATION FORECOURT AND NEARBY HIGHWAY	Scale @ A4 1:250		Environmental Services Civic Centre, Stockwell Close, Bromley, BR1 3UH Tel : 020 8464 - 3333 Fax : 020 8313 - 4555 Email : www.bromley.gov.uk	Rev B	03.10.16	Minor amendments.	J.J.
		Date: 17/03/16			Rev A	26.07.16	Forecourt proposal redrawn.	J.J.
Drawn by: J.J.		Checked by: D.B.	Nigel Davies Executive Director of Environment & Community Services		Rev	Date	Description	By
					Drawing Number	11745-07	Rev B	

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Report No.
ES16059

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

Executive

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

Date: 8th November 2016

Decision Type: Non-Urgent Executive Non-Key

Title: PROPOSED QUIETWAY ROUTES IN BROMLEY - QUIETWAY DEFINITION PLAN STAGE

Contact Officer: Alexander Baldwin-Smith, Assistant Transport Planner
E-mail: Alexander.Baldwin-Smith@bromley.gov.uk
Tel: 020 8464 3333 ext.3566

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

Ward: Lower Sydenham to Bromley Town Centre Route: Copers Cope and Bromley Town
Greenwich to Kent House Route: Penge & Cator

1. Reason for report

- 1.1 To inform the Committee of progress to date regarding the proposed Quietway routes since initial discussions in late 2014 and to seek approval from the Environment Portfolio Holder of the proposed Quietway routes to enable Council officers and TfL's delivery partners, Sustrans, to progress to the detailed design and implementation stages of the project.
- 1.2 Should the Portfolio Holder for the Environment endorse the proposed routes to enable Officers to sign-off the Quietways Definition Plan (QDP), TfL will be able to make a final judgment on whether to release funding for the schemes. The Environment Portfolio Holder and Ward Members will be kept informed of progress and Members will be consulted on the detailed design of interventions through the usual channels as with any Council Highways scheme.
- 1.3 If further routes are brought forward by TfL these will be brought to the Committee for consideration and approval by the Environment Portfolio Holder.

2. **RECOMMENDATIONS**

- 2.1 The PDS committee is asked to consider the proposals and provide comment.

The Environment Portfolio Holder is asked to:

- 2.2 Endorse the proposed Quietway cycle route from Lower Sydenham to Bromley and the proposed interventions.
- 2.3 Endorse the proposed Quietway cycle route from Lower Sydenham to Kent House Station and the proposed interventions.
- 2.4 Authorise the Executive Director of Environment and Community Services to sign off the QDP to enable TfL to formally review the proposals and make a final decision on whether to proceed with funding the routes.
- 2.5 Permit Council officers (assuming TfL approval for the Quietway as proposed in the QDP is granted) to begin an informal consultation with relevant stakeholders on the proposed interventions in early 2017 which is expected to take up to three months.

The Executive is asked to:

- 2.6 Agree to add the provisional scheme for the proposed Quietway Cycle Routes in Bromley to the Capital Programme, at an estimated cost of £862.5k, to be fully funded by TfL.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Routes are designed to be accessible to those cyclists requiring recumbent cycles or specialist cycles for people with disabilities. The routes will also provide greater opportunities to cycle for less confident individuals including older people and children. There are not thought to be any negative impact on vulnerable adults and children.
-

Corporate Policy

1. Policy Status: Not Applicable: Further Details
 2. BBB Priority: Quality Environment Safer Bromley Supporting Independence:
-

Financial

1. Cost of proposal: Estimated Cost of proposed Quietway routes: £862.5k
 2. Ongoing costs: Less than £200 per annum additional cost maintaining the new Quietway cycle routes, funded by TFL LIP monies
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: To be confirmed, following detailed design and approval by TfL
 5. Source of funding: TfL budget for Quietways
-

Personnel

1. Number of staff (current and additional): 2 existing members of staff will work on the project; there may be a need to use agency staff on a short term basis to process the consultation responses.
 2. If from existing staff resources, number of staff hours: is predicted to be 1404 for both routes until December 2018, all rechargeable to TfL.
-

Legal

1. Legal Requirement: None:
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications: None are anticipated and it is expected that the interventions will be constructed by the Council's term contractors for Highway projects
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Over 800 cyclists are expected to use the route each day. This route will contribute to a wider network that is likely to benefit cyclists making journeys across London, so the total number of beneficiaries is likely to be higher than this. Safe cycle routes are likely to encourage more trips by bicycle therefore motorists are also likely to benefit from a reduction in the number of cars on the roads reducing

congestion as well as freeing up capacity for public transport. Pedestrians are also likely to benefit from the improvements made to footway surfacing and the crossing facilities at some of the junctions along the proposed Quietway routes.

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Any comments received will be presented at the meeting

3. COMMENTARY

Quietways programme introduction

- 3.1 Quietways are cycle routes primarily on lightly trafficked back streets, through parks and alongside waterways providing quieter routes away from main roads designed to appeal, particularly, to new and inexperienced cyclists, but should be popular with all cyclists because of their high-quality.
- 3.2 They were a key part of the previous Mayor of London's vision for cycling and the current Mayor of London Sadiq Khan, has expressed his continued support for them. They are to be delivered in partnership with the London Boroughs.
- 3.3 Importantly, Quietways are not the same as Cycle Superhighways, as they do not reallocate significant amounts of road space to cyclists to create segregated routes as this is not normally required due to the low traffic volumes on the roads they primarily use. However, some limited segregation (including high-quality shared facilities with pedestrians) may be required where routes have to use or connect with other routes on busy roads.
- 3.4 Interventions to create safe Quietway routes can include markings to make motorists aware of the potential presence of cyclists, contra-flow cycle lanes (two-way cycling on otherwise one-way streets) which may include segregation and improved surface quality and lighting. Where routes cross busy roads, safe direct crossing facilities can be provided, for example parallel zebra crossings.
- 3.5 Quietway designs can be such that they make a positive contribution to the appearance of an area for all users including those who never intend to cycle.
- 3.6 To date the Waterloo-Greenwich Quietway has been delivered with a number of other routes expected to be completed soon. Bromley's proposed Quietways are intended for delivery as part of phase 2.2 planned for implementation between 2017 and 2018.

Quietways in Bromley

Please see appendix 1 for a high level map of proposed Quietway routes in Bromley

- 3.7 At present TfL plans to deliver two Quietways in Bromley; from Lower Sydenham to Bromley town centre as part of phase 2.2. This route will join-up with the proposed Greenwich to Kent House Station route just outside the Borough boundary on Waterlink Way in Lewisham. The second route will be the section of the Greenwich to Kent House Station route from Lower Sydenham Station to Kent House Station.
- 3.8 The routes are still at a feasibility stage with officers having worked with TfL and their delivery partner Sustrans to produce a list of proposed interventions and costings to include in the Quietway Definition Plans (QDPs) for each route. This document acts as a feasibility study to inform which routes are of sufficient quality, benefit and value that enables informed funding decisions to be made by TfL, as the project sponsor.
- 3.9 Whilst officers have taken advice from TfL to propose interventions in the QDP which are thought to be suitable, Members are asked to remember that PDS support for and Environment Portfolio Holder approval of these proposals does not guarantee that TfL will necessarily fund them if the route does not meet the level of quality that TfL are aspiring to for Quietways when assessed at the Sponsor's review. In recommending the proposed interventions, Officers have been mindful of Portfolio Holder and Member priorities and have asked that interventions are

appropriate for the Borough. Ward Member views on the proposals have been sought and complex interventions have been designed to concept stage, however detailed designs have not yet been produced to avoid waste of resource if the proposals do not proceed. If progressed, the Environment Portfolio Holder and Ward Members will be consulted throughout the detailed design process.

- 3.10 Once TfL has made their decision about whether to fund the implementation of the route, the Council will then be able to undertake informal consultation with relevant stakeholders about the proposed interventions. Further Member and public consultation will take place on the details of the interventions when appropriate during the design process prior to implementation, including statutory consultation where necessary.
- 3.11 In 2014, following consultation with Members and a meeting with the former Cycling Commissioner, Andrew Gilligan, and Officers asked that TfL consider the following routes for implementation in the Borough:
- Orpington to Canary Wharf via Greenwich
 - Penge East to Honor Oak Park
 - Lower Sydenham to Bickley via Bromley town centre
 - Greenwich foot tunnel to Croydon via Ladywell and Catford
 - Orpington to Croydon
- 3.12 On 9th October 2014, Mr Gilligan wrote to the Deputy Leader of the Council and Environment Portfolio Holder for Environment to confirm the prioritisation of routes for Bromley as follows:
- A Quietway route from Orpington to Canary Wharf
 - A Quietway route from East Croydon to Catford
 - A Quietway route from Bromley to Lower Sydenham, to link with the East-Croydon to Catford route
 - A Quietway link from Bromley to Petts Wood, to link with the route to Orpington
- 3.13 In his response to this letter of 25th November, the Environment Portfolio Holder for expressed concern that despite Bromley's 'high aspirations for cycling in the borough the continuing lack of investment making its way to the Borough makes it very difficult to be able to deliver any meaningful, tangible improvements for cyclists.'
- 3.14 Further correspondence was received from Mr Gilligan on 12th March 2016 in response to the Environment Portfolio Holder's letter of 25th November. This letter confirmed that Bromley Town Centre Lower Sydenham and Croydon Town Centre to Greenwich via New Beckenham routes would be funded as part of phase 2 of the Quietways programme. Correspondence with the Commissioner after this date has been limited to other areas of concern and aspirations for the Borough.
- 3.15 Subsequently, Officers have been working with TfL's delivery partner for Quietways, Sustrans, to scope out the works required to bring the proposed route up to Quietway standard. Council Officers have impressed upon Sustrans the need for interventions that represent good value for money and are appropriate for Bromley.

- 3.16 The proposed routes to be progressed during this phase of Quietways were chosen using a tried and tested methodology developed by TfL which considers where routes are going, i.e. what places of interest they connect with and which trip generators they serve. They also consider the likelihood of the residents of the areas they serve being encouraged to cycle more as a result of the new route and the economic benefit this will bring to those areas.
- 3.17 Other routes in the Borough may be considered at a later stage when additional funding becomes available. Any further routes and extensions to those currently proposed is possible and more likely to gain funding from TfL after efficient and successful delivery of the currently proposed routes. Further routes could include the extension of the Lower Sydenham- Bromley route to Petts Wood, or the Greenwich to Kent House route to East Croydon.
- 3.18 This report provides details of the proposed routes and interventions required to bring them up to the required Quietway cycle route standard. Where an intervention is particularly complex, concept designs have been provided as appendices to this report. These have been funded by TfL and it is not possible to provide drawings for all smaller interventions at this stage due to budgetary constraints.

Benefits of the routes

- 3.19 The proposed routes will offer significant benefits to cyclists in the Borough without any cost to the Authority.
- 3.20 In Bromley the cycling mode share has increased from 0.8% between 2010/11 and 2012/13 to 1.3% between 2011/12 and 2013/14. Given the London average trends, this demand can be expected to increase and with it the need to develop high quality safe cycle infrastructure to cater for cyclists living and working in the Borough.
- 3.21 Encouraging more cycle journeys through high quality infrastructure, also frees up capacity for those who choose to use other modes including the car. It is important to note that if everyone who currently commutes to Central London by bike travelled by car it would result in between 28,000 and 36,000 extra cars on the roads in Zone 1 in the morning rush hour or would require an additional 42 trains on the Underground. Therefore in Bromley, these proposed routes should free up road space and capacity on public transport for residents who do not want to cycle.
- 3.22 Those living along the Lower Sydenham to Bromley route are thought to have a high propensity to cycle and therefore, the provision of a high quality cycle route passing a number of railway stations in the Borough should prove popular with these residents and is likely to be a well-used route. This route should therefore contribute to increasing the cycling mode share in the Borough in addition to increasing the rates of cycle to rail trips, a particular Borough aspiration for cycling.
- 3.23 The route from Greenwich to Kent House route via Lower Sydenham will also provide an important link between railway stations on different lines in the Borough encouraging greater uptake of cycle to rail. From the Council's perspective this route importantly links up with the Lower Sydenham to Bromley route, just north of Lower Sydenham station and therefore provides residents living in Bromley town centre and Beckenham with a high-quality cycle route to other parts of South East London. Outside of the Borough, the route to Greenwich will link to the Greenwich – Bexleyheath Quietway and runs close to the Waterloo – Greenwich Quietway (Q1) which cyclists from Bromley could easily link to should they wish to.

- 3.24 In addition to the benefits for cyclists, both routes will also benefit pedestrians with improved crossing facilities and, possibly, surface quality at key points along the routes.
- 3.25 Large sections of both routes are based on existing London Cycle Network routes in the Borough, therefore the investment from the Quietways programme will benefit all users of existing routes and enable LBB to upgrade these routes at no cost to the authority, notably Kangley Bridge Road on the route from Greenwich to Kent House.
- 3.26 Improving the condition of Kangley Bridge Road will provide the Borough with the opportunity to implement a Pay & Display/Business Parking scheme in Kangley Bridge Road which could generate annual revenues for the Borough.
- 3.27 Transport for London will not provide funding to displace day to day expenditure by the Council. However, where interventions are required to bring the routes up to Quietway standard the Council will see improvements to their assets and may see a slight reduction in revenue expenditure (e.g. from new lighting or repairs to surfacing).
- 3.28 If well designed the interventions in Bromley can make a positive contribution to the streetscape of the areas the route passes through notably Kangley Bridge Road, possibly through the use of high-quality surface materials, better lighting and cleansing, all funded by the scheme. The already completed Waterloo – Greenwich Quietway 1 has made a significant improvement to the appearance of the areas it passes through, for example ensuring that previously run-down pockets of land are cleaned and better lit.

Proposed new route: Lower Sydenham to Bromley Town Centre – route description

Please see appendix 2 for map of proposed Lower Sydenham to Bromley Town Centre

- 3.29 In the Borough, the route begins, adjacent to Lower Sydenham Station in Worsley Bridge Road. The section of Worsley Bridge Road between the River Pool and the junction with Copers Cope Road would benefit from segregating cyclists from motorised traffic. This is proposed to be achieved by moving the kerb back on the north side of the road to create a section of stepped cycle track for cyclists travelling towards Bromley. The track is likely to enable the Borough to upgrade the lighting along this section of road to LEDs in addition to resurfacing the footway at no cost to the authority. Segregating cyclists from this busy road will not only improve safety but will prevent slow moving cyclists from impacting on traffic-flow. As an optional extra, to segregate cyclists heading towards Lower Sydenham station, a shared or lightly segregated path on the south side of the road is also being proposed, whilst officers believe that this facility would be of benefit for all road users in this location, although the inclusion of this intervention in the Quietway is not yet approved by TfL.
- 3.30 The route then turns right into Copers Cope Road and continues until turning left into Park Road.
- 3.31 For northbound cyclists (i.e. those turning right from Park Road onto Copers Cope Road) measures to improve visibility and the installation of an island are recommended, some of those being part of the Copers Cope Road safety scheme agreed by Members in June 2016.
- 3.32 At the end of Park Road, the route crosses Southend Road. To make the crossing safe for cyclists and to improve the crossing for pedestrians, including the large number of children who use this road, it is proposed to install a parallel zebra crossing to the south of the junction. This facility will be utilised for both south and northbound cyclists. A crossing here has previously been requested by residents and by a Ward Member. Please see appendix 4 for the concept design.

- 3.33 The route continues along Foxgrove Road and Crab Hill, before turning right onto Ravensbourne Avenue. At the signalised junction with Beckenham Lane, by Shortlands Station, the route continues straight onto Station Road and then Queen's Mead Road, before turning right into Bromley Gardens.
- 3.34 At the end of Ridley Road, the route will take the existing, although narrow, footpath to Ravensbourne Road. Cycling is not currently allowed along this footpath so to open it up to cyclists, a dropped kerb will be required at the end of Ridley Road leading to the path. Cutting back vegetation would provide additional width for both pedestrians and cyclists and measures to reduce cycle speed at the approach from Ravensbourne Road would be required, and will be determined as the designs progress.
- 3.35 The route then continues along Ravensbourne Road, which will need to have a cycle contra-flow facility to allow for cycling in each direction and officers are investigating design options to avoid loss of car parking.
- 3.36 At present the proposed route then ends in Bromley town centre, although future extensions to make the route more useful to other Borough residents are possible once this initial phase is successfully completed. Officers will continue to lobby TfL to fund extensions when suitable opportunities to gain funding arise.

Proposed new route: Greenwich to Kent House Station route description

Please see appendix 3 for map of proposed Greenwich to Kent House Station Quietway in Bromley

- 3.37 The route begins near Lower Sydenham station on the existing off-street Waterlink Way running adjacent to the Hayes railway line. At Lower Sydenham station, the route then turns right into Westerly Crescent and then left into Kangley Bridge Road.
- 3.38 Kangley Bridge Road will require a segregated path for cyclists given the large number of HGVs and heavy parking, much of which appears to be associated with the car repair company located in the road. To minimise the loss of parking it is proposed to widen the eastern footway by approximately 1 metre to create a high quality shared path. To improve the visibility of pedestrians and cyclists to HGVs turning into the commercial premises, it is proposed to use 'at any time' waiting restrictions at key points in the road and could be combined with a Pay and Display scheme to generate revenue for the Council.
- 3.39 Parking is currently unrestricted along the length of Kangley Bridge Road and in order to accommodate a wider footway and provide sufficient room for large vehicles to use the road, it is necessary for the parking arrangements to be formalised. This will reduce the available road space for general car parking. However, the space currently available is largely inefficiently used, particularly at the southern end of Kangley Bridge Road and the parking in the road at present is not thought to be by local residents. Instead it appears to be primarily associated with the businesses in the road with a number of vehicles either damaged awaiting repair or part-way through repair parked in the road, likely to be associated with the repair garage. Where trees have to be removed, it is intended to plant suitable replacements, details of which will be finalised at the detailed design stage.
- 3.40 Subject to detailed design, the proposed formalisation and P&D parking associated with the shared path could provide the council with potential parking income from pay and display and business permits if the scheme were to proceed. Please see appendix 5 for the concept design.
- 3.41 This shared path would be an extension of the existing Waterlink Way and make a significant improvement to this popular Greenway in the Borough. At the end of Kangley Bridge Road, the route turns left onto Waterlink Way continuing to the exit of the path onto Lennard Road.

- 3.42 Waterlink Way will require some upgrading, to improve the surface, cutting back of vegetation along River Pool path between Kangley Bridge Road and Lennard Road and possibly upgrading the existing lighting to efficient LEDs, reducing running costs for the borough. The Quietway programme will therefore allow TfL capital to be spent on improving a Borough resource at no cost to the Council. At the junction of the River Pool path with Lennard Road it may be necessary to add 5/6m of full time parking restrictions or hatching to improve visibility for pedestrians and cyclists crossing Lennard Road and it is not thought that this will have a negative impact on residents.
- 3.43 The route then crosses Lennard Road and continues along Waterlink Way through Cator Park. To enable the route to be safe and secure 24 hours a day, Cator Park will require some limited lighting which could be provided by LED lighting of an appropriate design which would minimise on-going energy and maintenance costs. It is thought that the lighting can be installed under Permitted Development rights of the Authority. It is also proposed to widen the existing path slightly to provide more space for cyclists and pedestrians to comfortably and safely share the facility. Some limited widening of the path maybe required to remove pinch-points for pedestrians and cyclists.
- 3.44 The route then exits Cator Park and continues on Kings Hall Road until turning and then terminating in Kent House Station Approach.
- 3.45 There are however two options for crossing Kings Hall Road. Firstly to exit Cator Park onto Aldersmead Road continuing to the junction of Aldersmead with Kent House Road. This would be likely to involve tightening the Aldersmead Road radii at the junction with Kent House Road and installing new refuge islands to assist both cyclists and pedestrians with crossing. The second option, which Council officers have tended to favour, would be to continue the route along the Cator Park shared path until it meets Kent House Road where it can use the existing crossing facility provided as part of the LCN. There is however the option of upgrading the pedestrian and cyclist crossing here perhaps by moving the existing pedestrian refuge island to this location from slightly further along Kings Hall Road, this would be looked into in more detail at the detailed design stage for the route
- 3.46 It may also be possible to install new cycle parking facilities at Kent House Station as part of Quietways Programme. This would be a major improvement for passengers using the station because the existing cycle parking is often either full or indeed over capacity, highlighting the demand there is to cycle to Kent House Station.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Routes are designed to be accessible for all including those cyclists requiring recumbent cycles or disability bikes. There is not thought to have any adverse impact on Vulnerable Adults and Children.

5. POLICY IMPLICATIONS

- 5.1 This proposal supports outcome 5 of the 2016-19 Environment Portfolio Plan to Improving Travel, Transport & Parking by working:

- To improve the road network and journey-time reliability for all users
- To improve 'connectivity' (getting to places you couldn't previously reach easily) and 'integration' (linking different modes of transport)
- To reduce congestion and greenhouse gas emissions by promoting cycling, walking and public transport journeys
- To promote safer travel, and reduce the number and severity of road accidents

- To provide accessible, affordable, fair and effective parking services

6. FINANCIAL IMPLICATIONS

- 6.1 This report is requesting endorsement of the two proposed Quietway cycle routes within Bromley and for the Executive to add the provision scheme totalling £862.5k to the capital programme.
- 6.2 The estimated cost of the schemes will be fully funded by TfL. This includes funding for the LB Bromley project management staff time and design costs. The estimated cost of each of the Cycle Quietway routes is shown below: -

Quietway Cycle Routes	£'000
Greenwich to Kent House Station route	434.7
Lower Sydenham to Bromley Town Centre route	427.8
Total cost of the Quietway Cycle Routes scheme	<u>862.5</u>

- 6.3 At this stage the projects are at the 'Definition Plan' stage and are subject to an evaluation by TfL to assess whether or not the proposed routes represent quality and best value. Should TfL approve both schemes, a detailed design will be prepared to ascertain the full costs of implementation. Should the costs be significantly different from the £862.5k, a further report will be brought back to Members with full details of the costs and funding, otherwise confirmation of costs and funding will be included in a future Quarterly Capital Programme monitoring report.
- 6.4 Both proposed routes use significant sections of existing London Cycle Network Routes, therefore the cost of maintenance is not anticipated to be significantly higher than at present for cycle routes in the Borough. The work to maintain cycle routes includes surface repairs, and based on current maintenance budgets, the additional mile of cycle route in addition to the LCN that the Quietways add will cost less than £200 per annum to maintain. This is currently funded from the Local Implementation Plan Cycle and Walking route maintenance budget.
- 6.5 The proposed capital expenditure for some locations within the Quietways, will reduce the call on revenue maintenance funding in the medium term as the assets will be renewed earlier than would otherwise be possible.
- 6.6 There is also the potential to introduce parking schemes at some locations along the route which could generate additional parking income.

7. PERSONNEL IMPLICATIONS

- 7.1 Transport and Highways already employs staff who are able to project manage the design and delivery of Quietways. The members of staff undertaking these functions are funded via TfL's annual Local Implementation Plan budget at no cost to the Authority.
- 7.2 It is not anticipated that there will be any impact of FTE as a result of these proposals.
- 7.3 Whilst it is anticipated that the detailed design work will be shared between Council staff and Sustrans, the precise assignment of work has yet to be agreed but it is not anticipated that additional resources will be required to carry out the works.
- 7.4 Given the volume of responses expected as part of the consultation exercise required for the route in its entirety, it is likely that the Council will need to take on some additional contract staff

to process the consultation responses from stakeholders. These staff would simply be employed on an agency basis for approximately three or four weeks and would be funded from the Quietways budget, with no impact on the Authority.

8. LEGAL IMPLICATIONS

- 8.1 On the Lower Sydenham to Bromley Quietway, the footpath between Ridley Road and Ringers Road (Footpath 74) on which cycling is currently prohibited due to its designation as a Public Right of Way, will require cycling to be allowed along it as part of the Quietway route.
- 8.2 The Council can, through a conversion order, convert a Public Right of Way to a cycle track that would then be available to both pedestrians and cyclists. The Cycle Track Regulations 1984 specify the procedure to be followed when conversion orders are made. DoT Circular Roads 1/1986 describes the provisions of the Act and Regulations in detail and advises local authorities on the use of those powers
- 8.3 Bye-laws may also need to be repealed to allow for cycling along this footpath but due to the time-consuming nature of the investigative work required these will be investigated subsequent to approvals being given for the route by the Environment Portfolio Holder and TfL.

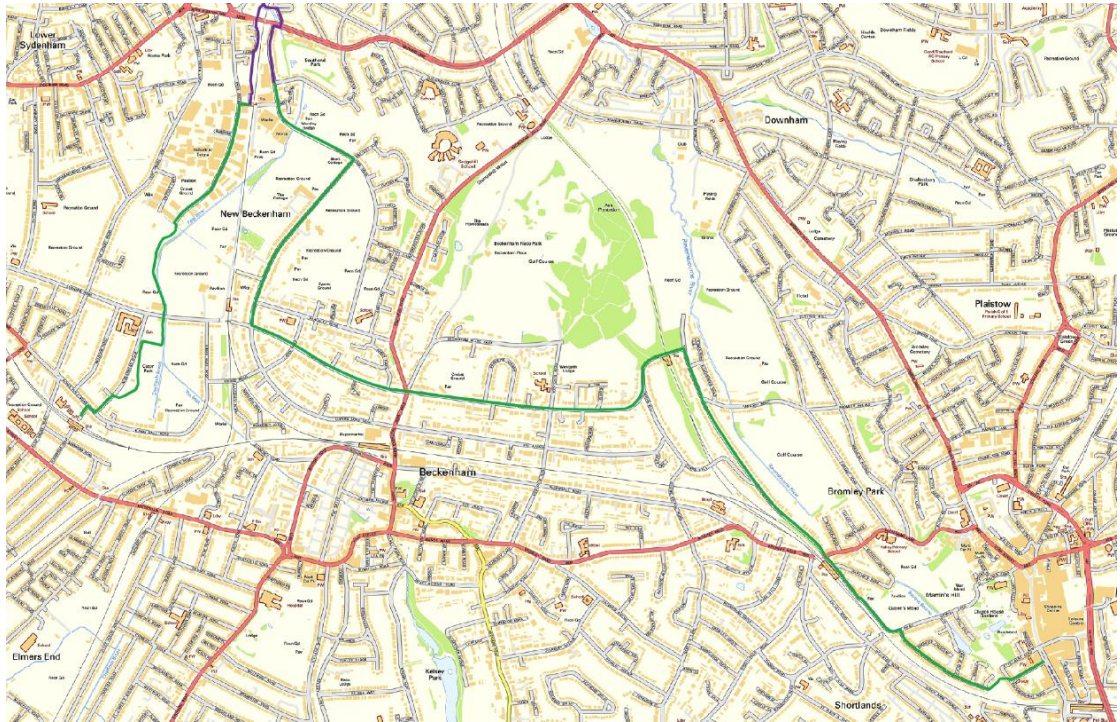
9. PROCUREMENT IMPLICATIONS

- 9.1 It is anticipated that the construction work will be undertaken by the Council's term contractors, so no procurement implications are expected, the scale of works being within the threshold.

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

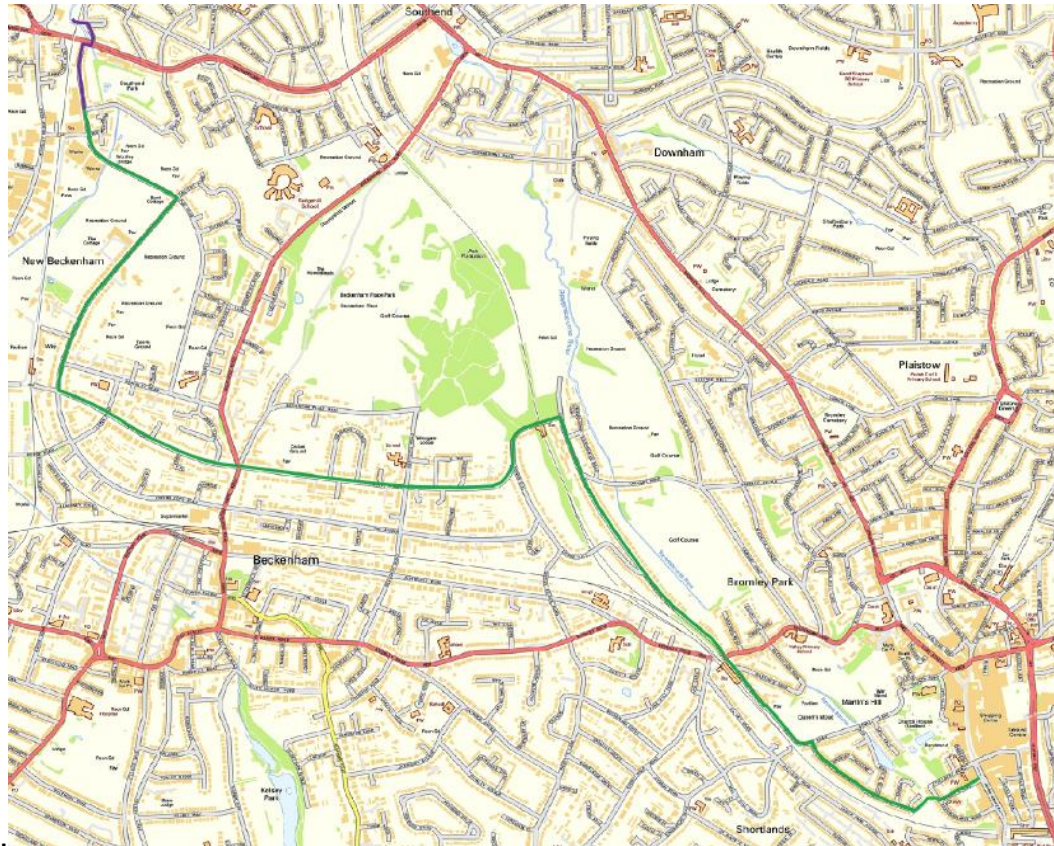
Appendix 1- map of proposed Quietways in Bromley-

Please note, that the green lines show proposed Quietway routes in LB Bromley and the purple lines represent Quietways outside of the borough.



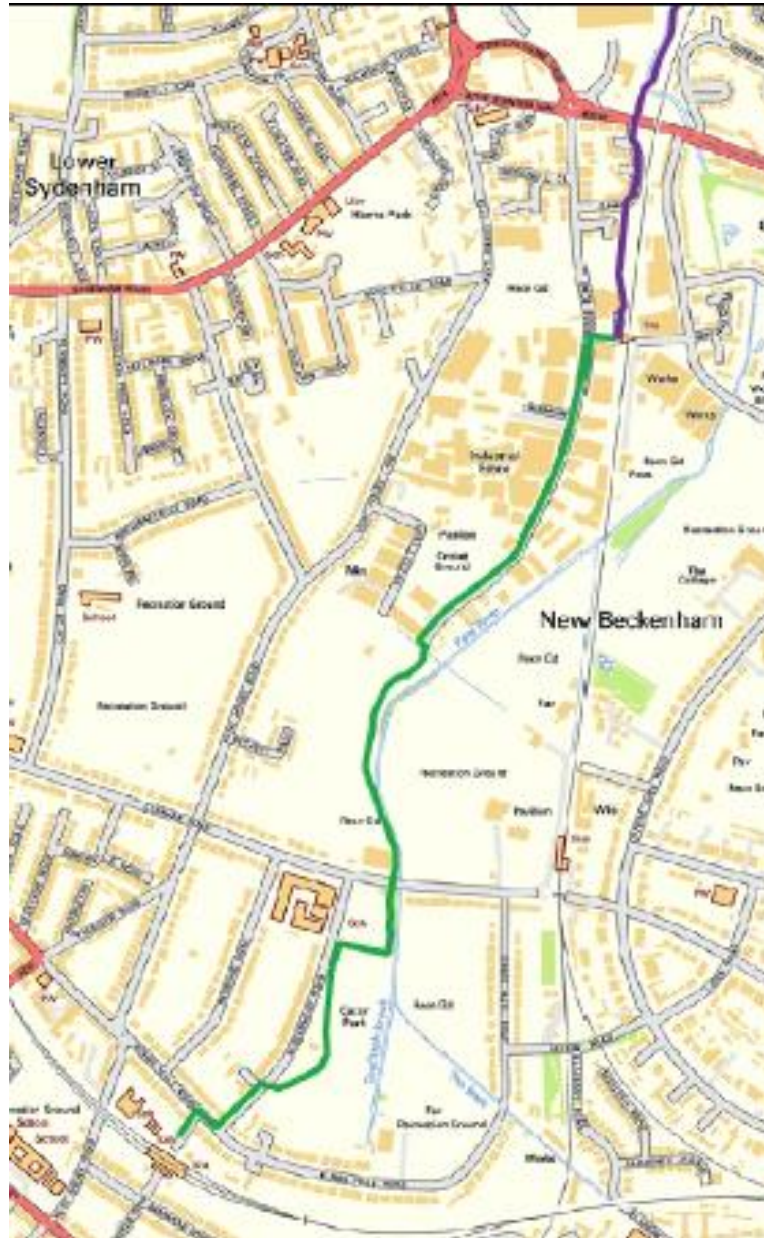
Appendix 2- map of proposed Lower Sydenham to Bromley Town Centre Quietway

Please note, that the green line show the proposed Quietway route in LB Bromley and the purple line represents the route outside of the borough.

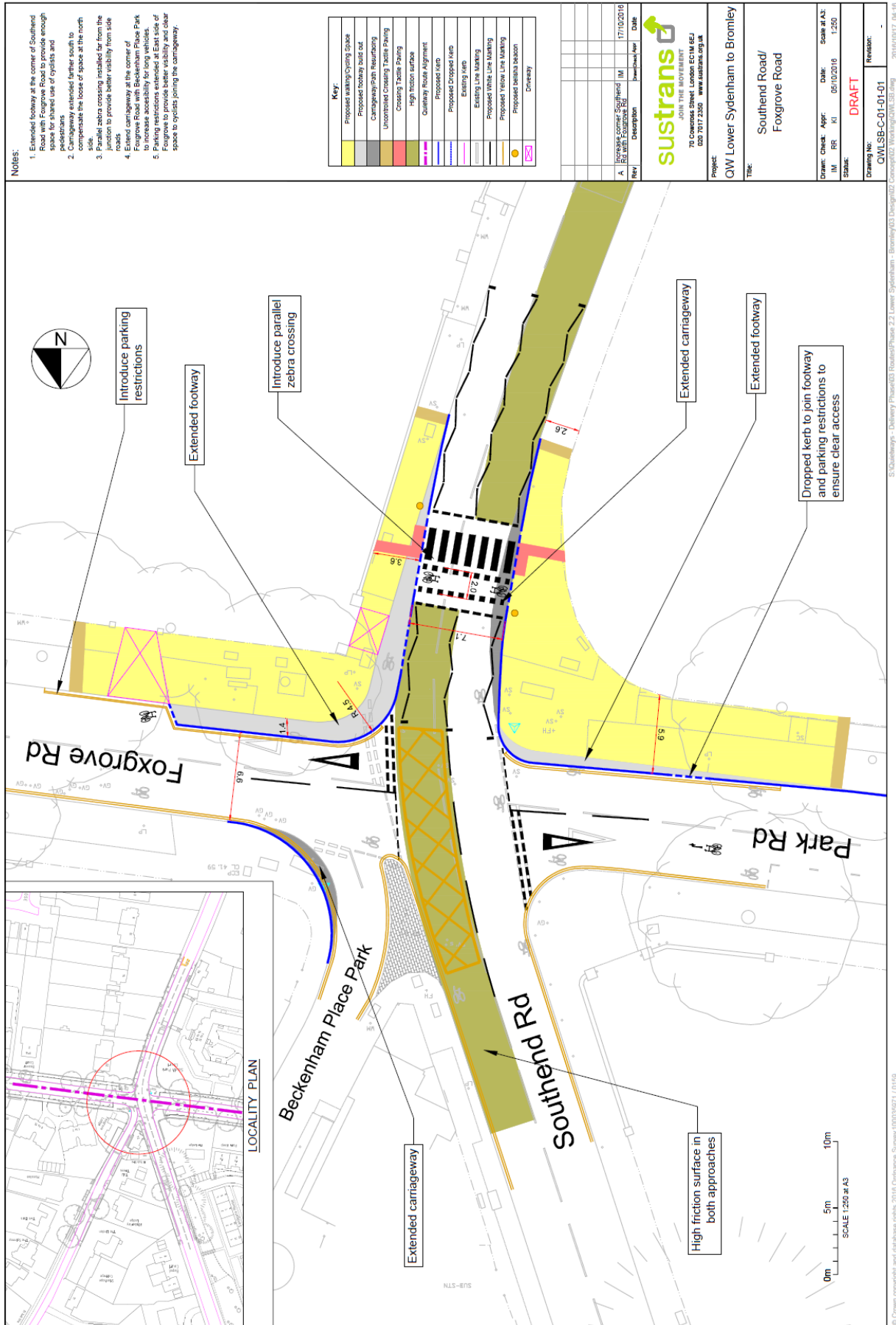


Appendix 3- map of proposed Greenwich to Kent House Station Quietway in Bromley

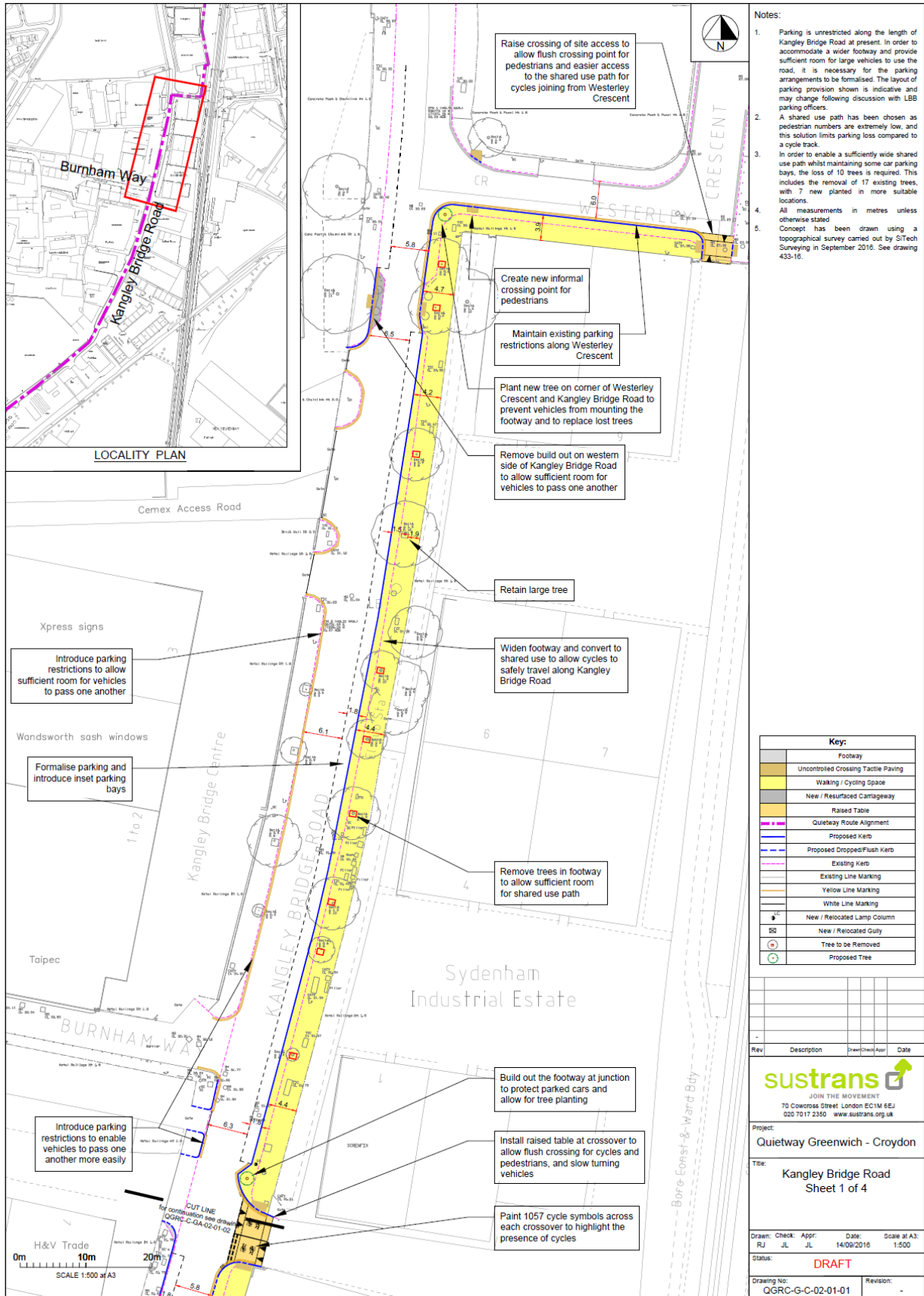
Please note, that the green line show the proposed Quietway route in LB Bromley and the purple line represents the route outside of the borough.



Appendix 4 – Proposed Parallel Zebra Crossing on Southend Road, Copers Cope



Appendix 5 – Proposed Kangley Bridge Road Shared Path



- Notes:
1. Parking is unrestricted along the length of Kangley Bridge Road at present. In order to accommodate a wider footway and provide sufficient room for large vehicles to use the road, it is necessary for the parking arrangements to be formalised. The layout of parking provision shown is indicative and may change following discussion with LBB parking officers.
 2. A shared use path has been chosen as pedestrian numbers are extremely low, and this solution limits parking loss compared to a cycle track.
 3. In order to enable a sufficiently wide shared use path whilst maintaining some car parking bays, the loss of 10 trees is required. This includes the removal of 17 existing trees, with 7 new planted in more suitable locations.
 4. All measurements in metres unless otherwise stated.
 5. Concept has been drawn using a topographical survey carried out by SItTech Surveying in September 2016. See drawing 433-16.

Key:	
[Yellow Box]	Footway
[Yellow Box with Dashed Border]	Uncontrolled Crossing Tactile Paving
[Yellow Box with Dotted Border]	Walking / Cycling Space
[Yellow Box with Solid Border]	New / Resurfaced Carriageway
[Yellow Box with Dashed Border]	Raised Table
[Yellow Box with Dotted Border]	Quietway Route Alignment
[Blue Box]	Proposed Kerb
[Blue Box with Dashed Border]	Proposed Dropped/Flush Kerb
[Red Box]	Existing Kerb
[Red Box with Dashed Border]	Existing Line Marking
[Red Box with Dotted Border]	Yellow Line Marking
[Red Box with Solid Border]	White Line Marking
[Green Arrow]	New / Relocated Lamp Column
[Red Square]	New / Relocated Gully
[Red Circle]	Tree to be Removed
[Green Circle]	Proposed Tree

Rev	Description	Drawn	Checked	Appr	Date

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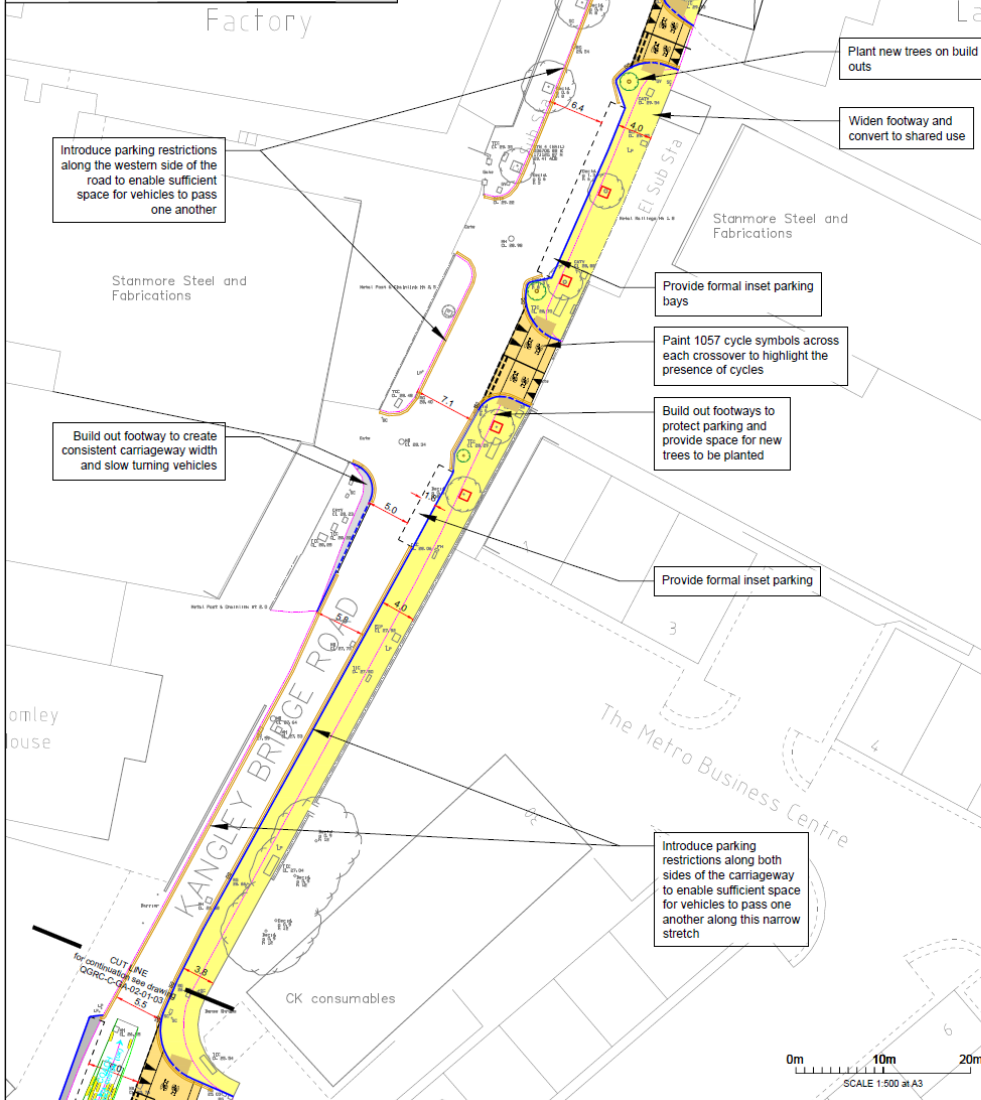
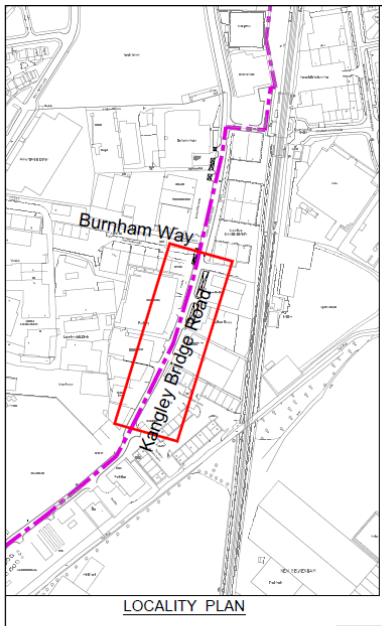
Project:
Quietway Greenwich - Croydon

Title:
Kangley Bridge Road
Sheet 1 of 4

Drawn: Check: Appr: Date: Scale at A3:
RJ JL JL 14/09/2016 1:500

Status:
DRAFT

Drawing No: Revision:
QGRC-G-C-02-01-01 -



- Notes:
1. Parking is unrestricted along the length of Kangley Bridge Road at present. In order to accommodate a wider footway and provide sufficient room for large vehicles to use the road, it is necessary for the parking arrangements to be formalised. The layout of parking provision shown is indicative and may change following discussion with LBB parking officers.
 2. A shared use path has been chosen as pedestrian numbers are extremely low, and this solution limits parking loss compared to a cycle track.
 3. In order to enable a sufficiently wide shared use path whilst maintaining some car parking bays, the loss of 10 trees is required. This includes the removal of 17 existing trees, with 7 new planted in more suitable locations.
 4. All measurements in metres unless otherwise stated.
 5. Concept has been drawn using a topographical survey carried out by SITech Surveying in September 2016. See drawing 433-16.

Key:

[Yellow Box]	Footway
[Grey Box]	Uncontrolled Crossing Tactile Paving
[Blue Box]	Walking / Cycling Space
[Red Box]	New / Resurfaced Carriageway
[Red Box]	Raised Table
[Blue Line]	Quietway Route Alignment
[Blue Line]	Proposed Kerb
[Blue Line]	Proposed Dropped/Flush Kerb
[Blue Line]	Existing Kerb
[Blue Line]	Existing Line Marking
[Blue Line]	Yellow Line Marking
[Blue Line]	White Line Marking
[Green Circle]	New / Relocated Lamp Column
[Green Circle]	New / Relocated Gully
[Red Circle]	Tree to be Removed
[Green Circle]	Proposed Tree

Rev	Description	Drawn	Checked	Date

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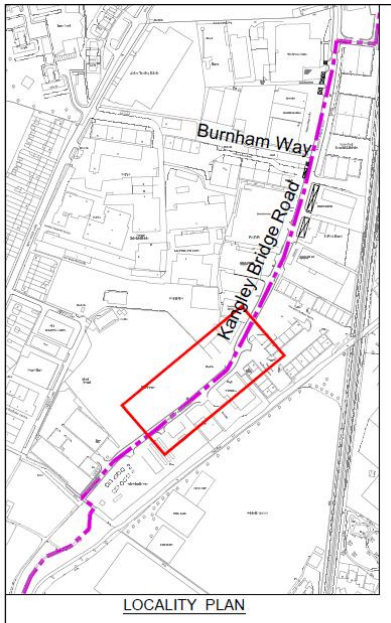
Project:
Quietway Greenwich - Croydon

Title:
Kangley Bridge Road
Sheet 2 of 4

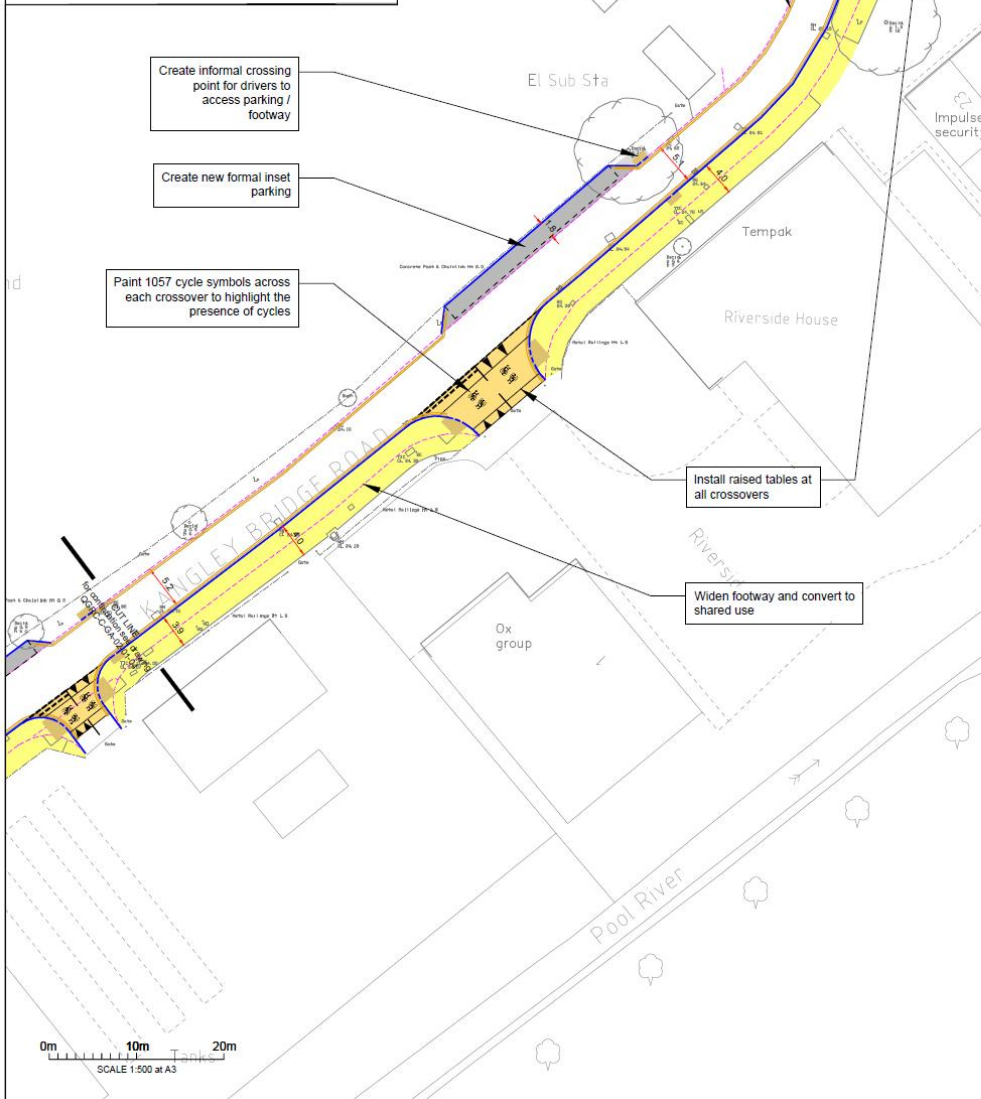
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Status: **DRAFT**

Drawing No: QGRC-G-C-02-01-02 Revision: -



LOCALITY PLAN



- Notes:
1. Parking is unrestricted along the length of Kangley Bridge Road at present. In order to accommodate a wider footway and provide sufficient room for large vehicles to use the road, it is necessary for the parking arrangements to be formalised. The layout of parking provision shown is indicative and may change following discussion with LBB parking officers.
 2. A shared use path has been chosen as pedestrian numbers are extremely low, and this solution limits parking loss compared to a cycle track.
 3. In order to enable a sufficiently wide shared use path whilst maintaining some car parking bays, the loss of 10 trees is required. This includes the removal of 17 existing trees, with 7 new planted in more suitable locations.
 4. All measurements in metres unless otherwise stated.
 5. Concept has been drawn using a topographical survey carried out by SiTech Surveying in September 2016. See drawing 435-16.

Key:

[Grey]	Footway
[Yellow]	Uncontrolled Crossing Tactile Paving
[Orange]	Walking / Cycling Space
[Light Orange]	New / Resurfaced Carriageway
[Dark Orange]	Raised Table
[Blue]	Quietway Route Alignment
[Red]	Proposed Kerb
[Blue]	Proposed Dropped / Flush Kerb
[Dotted]	Existing Kerb
[Dotted]	Existing Line Marking
[Yellow]	Yellow Line Marking
[White]	White Line Marking
[S]	New / Relocated Gully

Rev	Description	Drawn	Checked	Appr	Date

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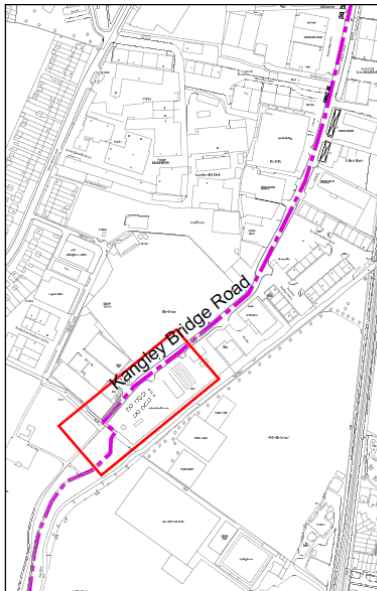
Project:
Quietway Greenwich - Croydon

Title:
Kangley Bridge Road
Sheet 3 of 4

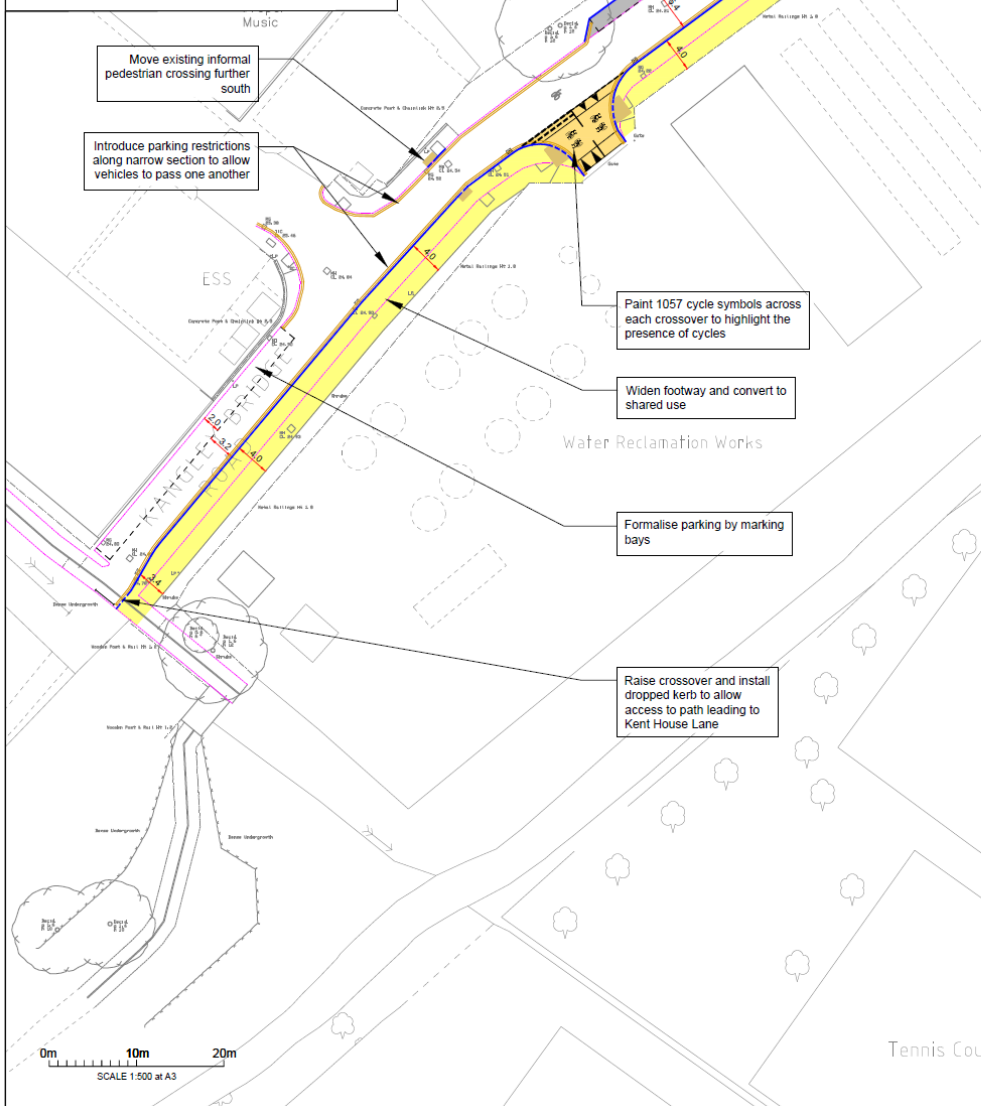
Drawn: Check: Appr: Date: Scale at A3:
RJ JL JL 14/09/2016 1:500

Status: **DRAFT**

Drawing No: QGRC-G-C-02-01-03 Revision: -



LOCALITY PLAN



0m 10m 20m
SCALE 1:500 at A3



- Notes:
1. Parking is unrestricted along the length of Kingley Bridge Road at present. In order to accommodate a wider footway and provide sufficient room for large vehicles to use the road, it is necessary for the parking arrangements to be formalised. The layout of parking provision shown is indicative and may change following discussion with LBD parking officers.
 2. A shared use path has been chosen as pedestrian numbers are extremely low, and this solution limits parking loss compared to a cycle track.
 3. In order to enable a sufficiently wide shared use path whilst maintaining some car parking bays, the loss of 10 trees is required. This includes the removal of 17 existing trees, with 7 new planted in more suitable locations.
 4. All measurements in metres unless otherwise stated.
 5. Concept has been drawn using a topographical survey carried out by SiTech Surveying in September 2016. See drawing 433-16.

Key:

[Symbol]	Footway
[Symbol]	Uncontrolled Crossing Tactile Paving
[Symbol]	Walking / Cycling Space
[Symbol]	New / Resurfaced Camberway
[Symbol]	Raised Table
[Symbol]	Quietway Route Alignment
[Symbol]	Proposed Kerb
[Symbol]	Proposed Dropped / Flush Kerb
[Symbol]	Existing Kerb
[Symbol]	Existing Line Marking
[Symbol]	Yellow Line Marking
[Symbol]	White Line Marking
[Symbol]	New / Relocated Gully

Rev	Description	Drawn	Check	Appr	Date

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Project:
Quietway Greenwich - Croydon

Title:
Kingley Bridge Road
Sheet 4 of 4

Drawn: Check: Appr: Date: Scale at A3:
RJ JL JL 14/09/2016 1:500

Status: **DRAFT**

Drawing No: QGRC-G-C-02-01-04 Revision: -

Report No.
ES16054

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Executive

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

Date: 8th November 2016

Decision Type: Non-Urgent Executive Non-Key

Title: **FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - CONEY HILL, OXTED, SURREY CLOSED LANDFILL MONITORING & LEACHATE REMOVAL CONTRACT**

Contact Officer: John Woodruff, Strategic Commissioner - Waste
Tel: 020 8313 4910 E-mail: john.woodruff@bromley.gov.uk

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

Ward: N/A

1. REASON FOR REPORT

- 1.1 Coney Hill, Oxted, Surrey is a closed landfill site, the maintenance, monitoring and aftercare of which was assigned to LB Bromley in 1986 by the London Residuary Body, following the abolition of the Greater London Council.
- 1.2 As LB Bromley does not have the in-house expertise necessary to carry out these specialist functions (including a requirement to appropriately dispose of the liquid leachate), this activity has been let to external contractors since the site was assigned to LB Bromley. The current contractor, Initial Projects Ltd (trading as Enitial), was awarded the contract for a seven year term commencing on 28 July 2010 and expiring on 27 July 2017.
- 1.3 In line with the Council's revised Corporate Procedure Rules, this report outlines the procurement strategy involved in tendering these specialist functions to an external provider.
- 1.4 It is proposed to let the contract for another seven year period, with the option of a three year extension and then an option to extend for a further 2 years (following a best value review).

2. RECOMMENDATION

- 2.1 The Executive agrees to the procurement strategy set out in this report.
- 2.2 The Executive agrees to delegate the decision to the Executive Director of ECS in consultation with the Portfolio Holder the authority to extend the contract if necessary.

Corporate Policy

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

Financial

1. Cost of proposal: Estimated total contract value of £1.643m
 2. Ongoing costs: Recurring cost. £136,880 per annum
 3. Budget head/performance centre: Waste Services
 4. Total current budget for this head: £136,880
 5. Source of funding: Existing revenue budget for 2016/17
-

Staff

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

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Effectively, LB Bromley is the sole customer
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Coney Hill is a closed landfill site, the maintenance, monitoring and aftercare of which was assigned to LB Bromley in 1986 by the London Residuary Body following the abolition of the GLC. The site accepts no waste and has been capped, but generates landfill gas and leachate gas the waste gradually biodegrades. The site is equipped with a network of pipes to draw-off the landfill gas, which is currently flared. There is also a network of pipes to draw-off the liquid leachate to a central lagoon, from where it is tankered to an appropriate disposal facility.
- 3.2 There is also a network of gas and water monitoring boreholes outside the site boundary, to demonstrate that there is no leakage of the site's contents into the surrounding environment.
- 3.3 There is an on-going requirement to monitor the pipeline networks and monitoring equipment to ensure they operate appropriately, to maintain the equipment, and repair it as necessary. There is also a requirement to tanker the leachate to an appropriate disposal facility. The results of the monitoring are analysed to ensure they conform with the appropriate legislation and appropriate action taken if this is not the case.
- 3.4 LB Bromley does not have the in-house expertise to carry out these specialist functions. The activity has therefore been let to external contractors since the site was assigned to LB Bromley. The current contractor is Enitial, which has carried out this function since 1999.
- 3.5 The tankering and disposal of the liquid leachate at appropriate disposal facilities is the responsibility of the contractor.
- 3.6 The site is located at Coney Hill landfill site, Barrow Green Road, Oxted, Surrey. LB Bromley used this site for the disposal of waste, through the GLC, in its role as Waste Authority. When the GLC was abolished, the London Residuary Body dispersed the responsibility for waste management sites (incinerators, Civic Amenity sites, waste transfer stations, depots, etc) to the boroughs. As a major user of the Coney Hill landfill site, responsibility for the aftercare of the site was passed to LB Bromley. This was confirmed through "the Parsons Agreement", an agreement dated 26 November 1980 originally made between the GLC and Messrs Parsons (the site owners), as amended by an agreement dated 22 July 1986 made between LB Bromley and Messrs Parsons. There is also a Licence Agreement (dated 8 September 1992) and a Deed of Rectification (dated 18 June 1993) made between these parties.
- 3.7 The site is also covered by "the ESWC Agreement" (dated 30 January 1981) between the Greater London Council and East Surrey Water Company (again, the rights and obligations of the Greater London Council have since been assigned to the Council).
- 3.8 The Environment Agency monitors the site to ensure it complies with appropriate environmental legislation, and that the material within the site remains contained and is not having an adverse effect on the surrounding environment. Environmental legislation may change over time, which could lead to a requirement for additional facilities to be added.
- 3.9 Current estimates, based on analysis by the current contractor, suggest that gas and leachate management and extraction will be required for a further 25 year period; volumes will reduce during this period, eventually falling to a minimal level. Once the site is confirmed as effectively inert, then LB Bromley's responsibility will be fully discharged.

4. SERVICE PROFILE / DATA ANALYSIS

- 4.1 The current contract specifications are based on a robust, auditable schedule of works submitted by the contractor. This schedule identifies all the procedures and working practices to be adopted in fulfilling the various monitoring, maintenance and leachate & gas removal requirements required by legislation and Environment Agency guidance. It also includes a

proposed emergency action plan, including how it will be activated if and when recorded data falls outside prescribed maximum gas or leachate concentration values, or when gas or leachate management control measures are observed to have failed.

- 4.2 Expected servicing schedules for all equipment used in meeting the required environmental controls for the site are also be specified. The Contractor is responsible for ensuring the proper function of both the Council's and its own equipment at the Coney Hill Site.
- 4.3 The condition of the pipework and equipment will be reviewed prior to the tendering exercise to establish whether any additional equipment replacement costs need to be included in the specification (over the seven / ten / twelve years of the contract).
- 4.4 A monthly report is provided to the Council detailing all monitoring results, exception reports for variance from normal results, and actions and timescales for remedial works. A six-monthly summary of all monitoring results is also provided to the Council, which is shared with the Environment Agency.

5. CUSTOMER PROFILE

- 5.1 The site is situated in Barrow Green Road, Oxted, Surrey. For the purposes of this service, LB Bromley is effectively the sole customer.

6. MARKET CONSIDERATIONS

- 6.1 Closed landfill management is a specialised, heavily regulated function. Service providers are identifiable through contacts with other authorities utilising similar services. Other contacts are available through National Association of Waste Disposal Officers (NAWDO) and the Chartered Institute of Waste Management (CIWEM). The term of the contract will be 7 years, with options to extend by 3 years, and then a further 2 year extension. The initial length is to ensure that reductions in the volumes of leachate and landfill gas generated by the site can be analysed over time, with the assumption these costs will fall over time. The two extension options are to allow for the option of this contract to be made co-terminous with the wider bundle of Environment contracts being let in 2019.
- 6.2 Due to the specialist nature of the services required, and the remote location of the site (in relation to Bromley), local procurement options will be considered (including encouraging SME and allowable Local Contracting considerations and social enterprise procurement) but are unlikely to be an option.

7. STAKEHOLDER CONSULTATION

- 7.1 Due to the nature of the service, no consultation is proposed.

8. SUSTAINABILITY / IMPACT ASSESSMENTS

- 8.1 The general management of the site focuses on minimising and controlling the environmental impact of the on-going biological degradation of the waste and the associated emissions generated. Without appropriate controls and processes, these emissions, primarily liquid leachate and landfill gas (methane), could contaminate groundwater, aquifers or the ground surrounding the site.
- 8.2 Any potential sustainability impact would involve options to develop a waste-to-energy plant, able to generate electricity from the landfill gas generated by the site. Since this is currently burnt off, this would represent a major improvement in the site's carbon footprint. However, analysis of current gas levels suggest this would be unlikely to be a cost-effective option.
- 8.3 The major environmental risk is failure by the Contractor to monitor the site appropriately, leading to potential contamination of the surrounding environment. A crucial element of the selection criteria will be the provision of a robust, auditable schedule of works by the contractor (to mitigate the risk). This schedule should not only identify all the procedures and working

practices to be adopted in fulfilling the various monitoring, maintenance and leachate & gas removal requirements, but should also include a proposed emergency action plan, including how it will be activated if and when recorded data falls outside prescribed maximum gas or leachate concentration values, or when gas or leachate management control measures are observed to have failed. Expected servicing schedules for all equipment to be used in meeting the required environmental controls for the site should be specified. The Contractor is responsible for ensuring the proper functioning of both the Council's and its own equipment.

- 8.4 Since the primary evaluation criteria will be the tenderer's experience and competence in controlling site emissions, this decision has been judged to have no or a very small impact on local people and communities.

9. OUTLINE PROCUREMENT STRATEGY & CONTRACTING PROPOSALS

9.1 Estimated Total Contract Value

Total potential total contract value is £1,642,560, including both extensions.

9.2 Other Associated Costs

None (unless the proposed infrastructure audit identifies any significant equipment or pipework which may have to be replaced during the life of the contract)

9.3 Contract Period

7 years, with the option of a 3 year extension (following a best value review), followed by the option of a further 2 year extension – that is 28 July 2017 to 27 July 2024 (or 2026, or 2028). The option of an extension provides the potential opportunity for this contract to be aligned with the wider package of environmental contracts in the future.

9.4 Advertisement

Following approval by the Executive, an advertisement summarising the specification will be placed in the OJEU inviting expressions of interest.

9.5 Procurement Route

The contract will be tendered through a two-part restricted process.

9.6 Contract Documentation

The specifications and conditions of contract will reflect those currently applying. The Instructions to Tender, evaluation criteria, and contract document production responsibilities will be agreed with Finance, L&DS and Procurement.

Evaluation

- 9.7 The evaluation criteria used to select a supplier will be based on a 60/40 price/quality split.

- 9.8 The evaluation criteria that will be used to award the contract will be:

1. Understanding of and compliance with all specifications
2. Commitment of sufficient resources to ensure compliance
3. Whole-life contract cost
4. Other quality criteria

- 9.9 Compliance with 1 & 2 are an absolute (pass/fail) requirement. Price will, therefore, be the primary evaluation metric with whole-life contract cost being assessed including a cost-benefit analysis of any proposals for such innovations, including assessment of the potential long-term return on investment, and any potential financial risk to the council .

9.10 The quality criteria include the following issues:

- a. Experience of the management of similar sites
- b. Experience of the type of gas and leachate networks installed at the site
- c. Clean record with regard to compliance notices from Environment Agency and HSE
- d. Access to appropriate liquid leachate disposal sites
- e. Sufficiency of skilled monitoring staff
- f. Understanding of current and potential legislation and its impact on the site
- g. Imaginative options which may reduce either the environmental or financial impact of the site's ongoing maintenance.

10. POLICY CONSIDERATIONS

10.1 The proposed Contract supports a number of ambitions expressed in Building a Better Bromley. "A quality environment - we aim to maintain and enhance the local environment in which people live and work, and provide a high quality of life for all." Building a Better Bromley also contains specific commitments to "further improve our recycling facilities" and to work with the public to minimise the rate of increase in waste generated. The Environment Portfolio Plan also contains specific commitments to improve and enhance recycling facilities, including expanding the range of services currently provided.

10.2 The management of landfill gas at permitted landfills is covered by three pieces of European legislation:

- Waste Framework Directive (75/442/EEC as amended)
- Landfill Directive (1999/31/EC)
- Integrated Pollution Prevention and Control (IPPC) Directive (96/61/EC).

For permitted landfills in England and Wales, these Directives are implemented by the Landfill (England and Wales) Regulations 2002 and the Pollution Prevention and Control (England and Wales) Regulations 2000, both of which were made under the Pollution Prevention and Control (PPC) Act 1999. Officers are not aware of any proposals for change or enhancement to these regulations.

11. FINANCIAL CONSIDERATIONS

11.1 Analysis of the current contract specifications indicates that there should not be any major changes in the monitoring element of the Contract. The current budget for this element is £64k per annum.

11.2 The leachate removal element has been affected by the European Landfill Directive, which led to the introduction of the Landfill Tax. However, the removal of the Landfill Tax escalator (replaced by an annual inflation-based increase) has led to stable pricing for the disposal cost of this liquid hazardous waste. The current budget for this element is £73k per annum.

11.3 The proposed contract period is for 7 years, with the option of two extension periods, the first for 3 years, and then an option to extend for a further 2 years. The options of the extensions

provides the potential opportunity for this contract to be aligned with the wider package of environmental contracts in the future.

11.4 The estimated total cost of the contract over the proposed contract period of 12 years, (including the two extension periods) is £1.643m.

11.5 An infrastructure survey will be undertaken to identify whether any capital costs are likely to be incurred over the term of the contract.

12. PERSONNEL CONSIDERATIONS

12.1 There are no internal staffing implications. The current contractor has indicated that all staff involved with the current contract would be transferred to other duties, so no TUPE considerations are expected, although full confirmation of this will be sought before the evaluation process commences.

13. LEGAL CONSIDERATIONS

13.1 The monitoring and control of the environmental impact of closed landfill sites is closely controlled by the Environment Agency. The contract specifications will incorporate all control elements, monitoring schedules and reporting requirements required by the EA under current legislation.

13.2 Legal & Democratic Services will assist in the preparation of the Invitation To Tender, the Specifications and the Conditions of Contract.

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

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Report No.
CSD16148

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 8th November 2016

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

Title: EXPENDITURE ON CONSULTANTS 2015/16 AND 2016/17

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 At its meeting on 7th September 2016, the Executive and Resources PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue (appendix 2) and capital (appendix 3) budgets. The Committee requested that the report be considered by all PDS Committees.
-

2. **RECOMMENDATION**

That the Committee considers the information about expenditure on consultants relating to the Environment Portfolio contained in the attached report, and considers whether any further scrutiny is required.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: One –off expenditure met from within existing budgets
 3. Budget head/performance centre: Consultants
 4. Total current budget for this head: N/A
 5. Source of funding: Existing revenue and capital budgets
-

Personnel

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

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Revenue expenditure on consultants in the Environment Portfolio is set out in Appendix 2, and is focussed on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £183,294 in 2015/16 and £14,560 in 2016/17 to date.
- 3.2 Capital expenditure on consultants in the Environment Portfolio is set out in Appendix 3, broken down into expenditure on architects and multi-disciplinary/other consultants with expenditure in 2015/16 amounting to £200,869.02 and expenditure for the first quarter of 2016/17 amounting to £2,979.34.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

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Report No.
FSD16053

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 7 September 2016

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

Title: EXPENDITURE ON CONSULTANTS 2015/16 AND 2016/17

Contact Officer: Claire Martin, Head of Finance
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk
David Bradshaw, Head of Finance
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk
Tracey Pearson, Chief Accountant
Tel: 020 8313 4323 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: N/A

1. Reason for report

Members of ER PDS requested a full report on Consultant expenditure be submitted each year. Officers have therefore looked at total expenditure in 2015/16 and expenditure to date for 2016/17 for both Revenue and Capital Budgets.

2. RECOMMENDATIONS

Members to:-

2.1 Note the overall expenditure on Consultants as set out in this report.

2.2 Refer this report onto individual PDS Committees for further consideration

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Not Applicable:
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: All one-off expenditure met from allocated budgets
 3. Budget head/performance centre: Consultants
 4. Total current budget for this head: £N/A
 5. Source of funding: Revenue & Capital
-

Staff

1. Number of staff (current and additional): N/A – one-off costs
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 ER PDS members requested information on the Councils expenditure on Consultants be reported each year. To do this officers have looked at the total expenditure in 2015/16 and also the expenditure for this financial year as at the end of June 2016. This work covered both Revenue and Capital expenditure.
- 3.2 The basic reason for the use of consultants is that at times the Council requires that specialised work is undertaken for specific projects. This is particularly valid when consultants are engaged to work on large scale projects. For completeness expenditure on Architects, Engineers, Surveyors and other consultants commissioned to work on Capital Projects have been included as these generally meet the definition of one-off projects. Proposed expenditure on Capital Projects will have been approved by Executive before being included in the Capital Programme.
- 3.3 The Councils Contract Procedure rules sets out the procurement process to be followed when appointing a consultant and there is also guidance available to staff about what needs to be included in the formal agreement when engaging a consultant, which as a minimum needs to confirm the overall cost, project deliverables, clear brief and reporting arrangements. Appendix 1 provides this in more detail.
- 3.4 There is an element of subjectivity as to what constitutes a “consultant” as a number of services could fall within this definition, however it is generally defined as “a person brought into the Council to carry out a specific job” which is not on-going. For the purposes of this report expenditure on medical fees, counsel and legal fees have been excluded as these are considered to be professional fees rather than consultants.
- 3.5 In looking at consultants, members need to be minded that officers will use them to carry out work on the Council’s behalf when:-
- There is no one internally with the relevant skills or experience
 - There is no capacity/resources available to undertake this work
 - Specialist skills are required
- 3.6 It is important when recruiting a consultant that the project brief sets out the reasons for the use of consultant, that officers have consider any alternative options and also to evaluate the effectiveness of the work undertaken by consultants within the authority.
- 3.7 The benefit of employing consultants is that the Council makes a saving in relation to employer National Insurance and pension contribution. Also in employing consultants the Council is under no obligation to pay consultants for days when they are not working for the Council e.g. sickness and holiday and they are only engaged for a specific period of time – however offsetting this is that these staff are often more expensive.
- 3.8 The risk in not using consultants is that the Council would have to recruit a more substantial and specialised workforce at a greater expense.
- 3.9 This report provides a detailed breakdown of all costs officers believe are consultants, broken down over Portfolio’s and service areas. This is shown in Appendix 2 (revenue) and Appendix 3 (capital). It also examines the procurement arrangements associated with engaging the consultants as part of that process.

4. FINANCIAL IMPLICATIONS

- 4.1 Included in the body of the report.

5. LEGAL IMPLICATIONS

- 5.1 There is a considerable amount of legislation affording specific employment rights such as paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal, to name but a few to employees. Self-employed consultants, on the other hand, are not entitled to these enhanced statutory rights or protections.
- 5.2 In addition to statutory rights, an employer/employee relationship also implies a duty of trust and confidence between the parties concerned and suggests that neither should act in such a way as to undermine it. This notion introduces the idea of reasonableness into the way in which employers treat their employees. But the relationship between an organisation and a self-employed consultant does not have the same implied duties, with the consultant's protection relying largely on the contractual terms in place.
- 5.3 Describing a role as a consultant will not provide a definitive position and as a starting point, there are three key areas that should be evaluated:
- (i) a requirement for personal service
 - (ii) the existence of mutuality of obligation
 - (iii) the level of control that the council has over an individual.
- 5.3.1 **Personal service** - Is the individual personally required to perform services for the company? An employee is someone who is employed under a contract of service, that is, a contract that requires them to personally turn up for work and carry out the duties requested of them. A consultant, on the other hand, is engaged under a contract for services, that is, a contract under which they agree to provide the company with particular services. But, while they are obliged to ensure that these services are provided, they are not necessarily required to carry out the work personally.
- 5.3.2 **Mutuality of obligation** - Are employers obliged to offer individuals work under their agreed contract? Equally, if an employer offers an individual work, are they obliged to accept it? If they are, it could indicate an employment relationship.
- 5.3.3 **Control** - How much control does the employer have over an individual? Who decides what work needs to be done, how it should be done and when?
- 5.4 HMRC uses different, albeit similar, criteria when determining individual's employment status or otherwise. This means that an individual could be considered an employee for tax purposes and yet remain a consultant from an employment perspective. As stated above the process of engaging consultants is being tightened with the appropriate checks and balances. These will reduce or eliminate the obvious employment law risks including the accrual of the statutory protection rights set out in para 5.1 above. HR advice should be sought to ensure that each assignment/engagement is not likely to give rise to employment or "contract of services.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Held in finance teams

CONSULTANT

Coding for Consultants/Agency/Temp Staff

The difference between agency/temporary staff and consultants is often confused and wrongly coded on Oracle. For clarity the difference is explained below:-

➤ Agency staff – Revenue Funded (0104)*

People appointed to cover vacant posts – and paid either by LBB or via comensera. Anyone that we employ but we pay as a company will need to be separately identified and for the purposes of LBB classified as working under a consultancy basis (see below).

➤ Temporary Staff – Revenue Funded (0104)*

People that are employed for less than 3 months to do a specific urgent piece of work, where no post exists, so a supernumerary post is allocated and virement rules apply. Once the post exceeds 3 months a post creation form will need to be set up (back dated to when the post commenced working with the council) and justification and funding identified.

➤ Consultants – Revenue/Capital (1708)**

Consultants should be used to undertake one-off projects, where there is no one internally with the relevant skills. There should be transparency around funding of the post which should be on a fixed fee and clear deliverable, which should be reviewed at the end of the project.

* 0104 codes – there may be a basket of temporary codes so please check the FCB

** 1708 codes – unless there is a good reason, at all times this is the code that should be used.

In general terms a **Consultant** is viewed as being: -

Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, which brings specialist skills or knowledge to the role, and where the council has no ready access to employees with the skills, experience or capacity to undertake the work.

A Consultant should be engaged on a fixed price contract and would not normally be employed on a day rate (this will ensure VFM).

Further details on these requirements and advice on the employment of Consultants can be found in the Council's Contract Procedure Rules (CPR 8.1 & 8.5) and the accompanying Practice Notes /Contract Document on the employment of Consultants, which can be found in the Procurement Toolkit.

Employing the Consultant

Audit Commission research has indicated that most consultancy work was not usually let on the basis of lowest price, although few authorities held records to justify their decisions. You must always take account of the available budget.

You should prepare a formal agreement before a consultancy assignment commences. This may range from a letter to a formal legal contract. As a minimum the agreement should:

- confirm agreed total costs (fixed price arrangements are usually preferable),
- description of all project deliverables
- make reference to the brief
- make reference to the consultant's submission
- confirm invoicing and payment arrangements
- set out termination and arbitration arrangements
- set out reporting arrangements

You must also ensure that sufficient provision is made for any necessary Insurances and Indemnities required to protect the Council's position. This includes a need to establish the tax position of the Consultant to ensure payments made under any commission placed are correctly treated.

Requirement for a Consultant

The initial requirements around the commissioning of Consultancy Services should include consideration of how service requirements are met and other approaches which might be used. For example can the requirement be met through the completion of work via Agency Staff, the employment of an interim manager (via a direct/temporary contract of employment with the Council), or Secondment arrangements. Only once the best "fit" has been identified should work be commissioned. The arrangement should also be subject to periodic review as, for example, an initial urgent requirement placed with a Consultant might not be better completed at a later date via a temporary contract of employment

There needs to be a clear **accountable** officer responsible for commissioning the consultants work, who monitors progress and delivery and ensures VFM is delivered at all times. The consultant would not normally manage any staff directly or be responsible for authorising spend.

Procurement – Competition Requirements (contract procedure rule 8.1) now incorporates the tender procedures for consultants with effect from September 2016.

8.1 Procurement – Competition Requirements

8.1.1 Where the Estimated Cost or Value for a purchase is within the limits identified in the in the first column below, the Award Procedure in the second column must be followed. Shortlisting shall be done by the persons specified in the third column.

Estimated Cost (or Value)	Tender procedure	Shortlisting
Up to £5,000 (£25,000 for Consultancy Services)	One oral Quotation (confirmed in writing where the Estimated Cost or Value exceeds £1,000) using the Using the Council's "Local Rules" Process where possible and other Approved Lists where Authorised	Officer
£5,000 - up to £25,000	3 written Quotations using the Council's "Local Rules" Process where possible and other lists as Agreed with the Head of Procurement.	Officer
£25,000 – £100,000	Request for Quotation using the Council's "Local Rules" Process where possible and other lists as Agreed with the Head of Procurement., to at least 3 and no more than 6 Candidates. If for whatever reason, a Request for Quotation is made using a Public Advertisement, the opportunity must also be included on "Contract Finder", with all Suitable Candidates responding, being considered. In both cases use must be made of the Council's E Procurement System, unless otherwise agreed by the Head of Procurement.	Officer and Line Manager
£100,000 up to the EU Threshold for Supplies and Services (applies to all activities)	Invitation to Tender making use of a Public Advertisement. The opportunity must also be included on "Contract Finder", with all Suitable Candidates responding, being considered. No Prior Qualification process is permitted Use must be made of the Council's E Procurement System, unless otherwise agreed by the Head of Procurement.	Officer, HOS and Head of Procurement, Head of Finance
Above EU Threshold for Supplies and Services (applies to all activities) and / or £500,000 arrangements.	The appropriate EU / Public Contract Procedure or, where this does not apply, Invitation to Tender by an Appropriate Notice /Advertisement to at least five and no more than eight Candidate.	As above + in Consultation with the Director of Corporate Services and Customer Services and Director of Finance – see Rules 7.2.3 & 8.1.4

Note – Where an intended arrangement is for the provision of Consultancy Type Service, including those for Construction related activity and the estimated value of the intended arrangement is above **£50,000** the relevant Portfolio Holder will be Formally Consulted on the intended action and contracting arrangements to be used.

8.1.2 Where it can be demonstrated that there are insufficient suitably qualified Candidates to meet the competition requirement, all suitably qualified Candidates must be invited.

8.1.3 An Officer must not enter into separate contracts nor select a method of calculating the Total Value in order to minimise the application of these Contract Procedure Rules or the Public Contract Regulations.

8.1.4 Where a Public Contract Regulations 2015 applies, the Officer shall discuss with the Head of Procurement and Consult with the Director of Corporate Services and Director of Finance to determine the arrangements to be used for the completion of the Procurement. In any case the Final Contract Documentation shall be available for viewing, via the internet, from the date of publication of any required Contract Notice, unless otherwise agreed.

8.5 The Appointment of Consultants to Provide Services

8.5.1 Consultant architects, engineers, surveyors and other professional Consultants shall be selected and commissions awarded in accordance with the procedures detailed within these Contract Procedure Rules as outlined above.

8.5.2 The engagement of a Consultant shall follow the preparation of a brief that adequately describes the scope of the services to be provided and shall be subject to completion of a formal letter or contract of appointment, using the Council's Standard Form of Consultancy Contract, unless otherwise agreed by the Director of Corporate Services.

8.5.3 Records of Consultancy appointments shall be kept in accordance with Rule 6.

8.5.4 Consultants shall be required to provide evidence of, and maintain professional indemnity insurance policies to the satisfaction of the relevant Head of Finance for the periods specified in the relevant agreement. The officer commissioning the employment of a Consultant and/or responsible for the Approval of their employment shall ensure that the Consultants tax arrangements or company structure are properly considered and do not result in any tax liability to the Authority.

Category / Supplier Name	Division/Serv. Area	15-16 £	16-17 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
One-off specialist advice, no one with relevant specialist skills							
B M LTD	Street Scene & Green Space	9,000	6,000	Completion of project management support re: negotiations on Parks Contract Variation.	Single quote under CPR 8.5.1	1	
One-off specialist work total		9,000	6,000				
Insufficient in-house skills / resources							
AECOM	Transport & Highways	154,099	4,560	Highway design and construction consultancy services from framework as agreed by Members and revised extension and tender exercise 10.6.16.	Part of Framework under Section 23.7 CPR Extension 11.4.16. 1 year contract award 10.6.15 estimated annual value of £400k.	1	16/06/2010, 17/04/2012 & 07/07/2015
METIS	Transport & Highways	4,950	0	Highway Footway scoping exercise.	Metis Consultants (Directors Waiver, dated 16/2/15)	1	
B M LTD	Street Scene & Green Space	0	4,000	Review of process and procedures of in-house Highways Team.	Single quote under CPR 8.5.1	1	
DTZ	Street Scene & Green Space	7,500	0	Professional services and advice re development Crystal Palace Park.	Three quotations sought	3	
THE MORTON PARTNERSHIP LTD	Street Scene & Green Space	7,745	0	Engineering services	Three quotations sought	3	
Insufficient in-house skills total		174,294	8,560				
GRAND TOTAL		183,294	14,560				

Summary of Capital Consultants Cost 2015-16

Supplier Name	ENVIRONMENT PORTFOLIO	Scheme	No. of Quotes	Procurement Procedure followed i.e. Full tendering, Waiver etc..	Procurement reported to Members
Architects					
EAST ARCHITECTURE LANDSCAPE URBAN DESIGN	3,600.00	Beckenham Town Centre Improvements	1	Contract variation in accordance with CPR 23.7	No
Total - Architects	3,600.00				
Multi Disciplinary / Other Consultants					
AECOM LTD	443.00	Biking Boroughs	TfL Framework	TfL Framework (mini tender)	Executive 16/06/10
	104,681.02	Maintenance	TfL Framework	TfL Framework (mini tender)	Executive 16/06/10
	250.00	LIP Formula Funding	TfL Framework	TfL Framework (mini tender)	Executive 16/06/10
	515.00	Bromley Town Centre - increased parking capacity	TfL Framework	TfL Framework (mini tender)	Executive 16/06/10
APPLEYARD & TREW	7,500.00	Beckenham Town Centre Improvements	1	Single written quotation (CPR 8.5.1)	No
ATKINS LTD	10,700.00	LIP Formula Funding	4	mini competition	No
M&S TRAFFIC LTD	12,180.00	LIP Formula Funding	3 requested	mini competition	No
TRL LTD	61,000.00	Flexi Lane (TfL funded)	1	Waiver (only UK supplier) under CPR's 13.1	No
Total - Multi Disciplinary / Other Consultants	197,269.02				
Total Consultants	200,869.02				

Summary of Capital Consultants Cost 2016-17 (Qtr 1)

Supplier Name	ENVIRONMENT PORTFOLIO	Scheme	No. of Quotes	Procurement Procedure followed i.e. Full tendering, Waiver etc..	Procurement reported to Members
Multi disciplinary consultant / Other Consultants					
AECOM LTD	2,429.34	Maintenance	TfL Framework	TfL Framework (mini tender)	Executive 16/06/2010
M&S TRAFFIC LTD	550.00	LIP Formula Funding	3 requested	mini competition	No
Total - Multi disciplinary / Other consultants	2,979.34				
Total Consultants	2,979.34				

Report No.
ES16058

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 8th November 2016

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

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

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

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

Ward: (All Wards);

1. Reason for report

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

- developing the Forward Work Programme
- progressing requests made at previous meetings and
- updating the Environment Portfolio Contract Register

2. **RECOMMENDATION(S)**

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

- (a) the proposed Forward Work Programme (Appendix 1);
- (b) progress concerning previous Committee requests (Appendix 2); and
- (c) the Corporate Contract Register extract and commentary relating to Environment Portfolio contracts (Appendix 3).

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

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 2016/17 approved budget
 4. Total current budget for this head: £31.7m and £5.554m of TfL funding
 5. Source of funding: 2016/17 revenue budget and TfL funding
-

Personnel

1. Number of staff (current and additional): 143 fte
 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
-

Procurement

1. Summary of Procurement Implications: Each department is required to maintain a register of contracts having a total contract value of greater than £50k (Appendix 3) and for Members to be aware of the procurement status of contracts within their Portfolio
-

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: N/A

3. COMMENTARY

Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment Portfolio's Forward Work Programme including: the provisional report title; the lead division; and Committee's role. 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 made by the Committee at previous meetings. This list is checked after each meeting so that outstanding issues can be addressed at an early stage and timely progress made.

Contracts Register Summary

- 3.4 **Appendix 3** deals with Environment Portfolio contracts with a total contract value (e.g. duration in years multiplied by the annual contract value) of greater than £50k. The information is set out both as an extract from the (24 August 2016) Corporate Contract Register and a commentary.
- 3.5 Naturally there have been changes to the status of Environment Portfolio contracts between production of the latest Corporate Contract Register (24 August 2016) and this committee report and these changes are set out in the Appendix 3 commentary.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Environmental Services affect the daily lives of all Bromley residents and tend to be universal in nature - rather than being directed at particular groups within our community. Where vulnerable adults or children may be affected by a proposal or a contract, the issues would be covered in that particular report and not in this overview report unless specific to a new contract.

5. POLICY IMPLICATIONS

- 5.1 PDS Committees are responsible for developing their own Forward Work Programmes and Committee's work programme is set out in Appendix 1.
- 5.2. The activities in this report reflect the priorities and aims set out the Environment Portfolio Plan 2016/19 and Building a Better Bromley's 'Quality Environment' aspiration.

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Environment PDS Committee agendas and minutes: 2006/07 to 2016/17

APPENDIX 1

ENVIRONMENT PDS COMMITTEE FORWARD WORK PROGRAMME: FUTURE MEETINGS

Environment PDS: 24 Jan. 2017	Division	Committee's Role
Forward Work Programme, Matters Arising from Previous Meetings and Contracts Register	E&CS	PDS Committee
Environment Portfolio Plan 2016/17: Half Year Progress Report	E&CS	PDS Committee
The Landscape Group: Contractor Scrutiny / Review	S&G	PDS Committee
Environmental Services Contract: Gate Report	S&G	Pre-decision scrutiny
Draft Budget 2017/18	Finance	PDS Committee
Highways Annual Report (Planned Programme 2107/18)	Transport & Highways	Pre-decision scrutiny
Street Lighting Invest-to-save outturn	Transport & Highways	PDS Committee
Environment PDS: 7 March 2017	Division	Committee's Role
Forward Work Programme, Matters Arising from Previous Meetings and Contracts Register	E&CS	PDS Committee
Budget Monitoring 2016/17	Finance	Pre-decision scrutiny

APPENDIX 2

ENVIRONMENT PDS COMMITTEE PROGRESS REPORT ON PREVIOUS REQUESTS

Date	Committee Request	Progress
7 June 2016	<p>Committee agreed to establish three Member Working Group covering:</p> <ul style="list-style-type: none"> • Streetscene / input to proposed Environmental Services Contract • Traffic Congestion (Angus Culverwell) • Highway & Footway Repairs (Garry Warner) 	<p>Proposals were made at the 29 September PDS meeting.</p> <ul style="list-style-type: none"> • First meeting held: 11 October 2016 • Planned for Q4 • Planned for Q3
7 June 2016	<p>The Chairman requested that The Landscape Group (now known as <i>id verde</i>) should attend Committee for scrutiny in respect of their activity</p>	<p>Scheduled in Forward Work Programme:</p> <p>24 January 2017 PDS meeting</p>
29 Sept. 2016	<p>Officers to enquire with TfL regarding the level of local bus stop information displays compared with other boroughs (<i>Cllr David Cartwright in relation to report ES16047: TfL funded work programme</i>)</p>	<p>Information being researched</p>
29 Sept. 2016	<p>Officers to consider what improvements could be made to the area surrounding Sundridge Park Railway Station, including the exit (<i>Cllr Ellie Harmer in relation to report ES16047: TfL funded work programme</i>)</p>	<p>Information being researched</p>

APPENDIX 3

ENVIRONMENT PDS COMMITTEE CONTRACTS REGISTER SUMMARY

1. Contract Register

- 1.1. Council services are underpinned by contracts and, as a Commissioning Council, it is important these are tendered in accordance with LB Bromley's newly revised (1 September 2016) Contract Procedure Rules and government regulations as appropriate.
- 1.2. A new Council-wide approach to contract reporting has been agreed which involves the entire (£200k plus) Corporate Contract Register being reported to Contracts Sub-committee and for Portfolio extracts of that register being reported to each PDS committee (see appendix).
- 1.3. Contracts Sub-Committee last met to receive the Corporate Contract Register on 24 August 2016. The Environment Portfolio extract of that information was reported to the 29 September 2016 Environment PDS meeting and exactly the same extract is also reported to this meeting.
- 1.4. Contracts Sub-Committee next meets to review the Corporate Contract Register on 2 November 2016 and that information (currently being produced) will be reported to 24 January 2017 Environment PDS meeting.
- 1.5. The appended spreadsheet sets out all relevant Environment Portfolio's contracts. The table below provides a commentary on the current status these contracts, including the number, any changes since the Corporate Contract Register was published (24 August 2016), and an update on contracts ragged as requiring action.
- 1.6. The Contract Monitoring Summaries pioneered by E&CS and the Corporate Contract Register are currently being merged to form a Corporate Contract Database. This Database will be at the heart of the Council's future Commissioning and Procurement activity and will generate alerts and reports, as required, to ensure timely procurement and clear Member reporting.

Status	Contract	Update
Totals	<ul style="list-style-type: none"> • Environment Portfolio: 23 contracts on Corporate Register • E&CS Department: 46 contracts on Corporate Register 	<ul style="list-style-type: none"> • 2 contracts are ragged red (24 August 2016) • 7 contracts are ragged amber (24 August 2016) • 14 contracts do not require procurement action (24 August 2016)
Changes	<ul style="list-style-type: none"> • Waste Disposal Contract (ECS37) 	<ul style="list-style-type: none"> • Total Contract Value to be amended to reflect the clearance of the 'Waste for Fuel' site (Executive Report: ES16041)
Addition	<ul style="list-style-type: none"> • CONFIRM (EMC_40646) 	<ul style="list-style-type: none"> • Software contract to be added to the next Corporate Contract Register update (Contracts Sub-Committee: 2 November 2016)
Red Ragging	<ul style="list-style-type: none"> • On-street Poster Sites (ECS5) 	<ul style="list-style-type: none"> • Tenders received: 17 November 2016 • Decision date: 11 January 2017 Executive meeting • New contract commences: 1 February 2017
Red Ragging	<ul style="list-style-type: none"> • Coney Hill Landfill Site Monitoring (ECS23) 	<ul style="list-style-type: none"> • Procurement Strategy Gate Report (ES16054) • 8 November 2016 Environment PDS • 30 November Executive Decision
Amber Ragging	<ul style="list-style-type: none"> • Street Works Consultancy (ECS7) 	<ul style="list-style-type: none"> • One year extension to 31.03.18 available • Further work required on commissioning business case

Amber Ragging	<ul style="list-style-type: none"> • Vehicle & Plant Maintenance (ECS10) 	<ul style="list-style-type: none"> • Two year extension to 05.04.19 taken under powers delegated to ED E&CS • Waiver reviewed by Commissioning Board: 26 September 2016
Amber Ragging	<ul style="list-style-type: none"> • Parking (ESC16) 	<ul style="list-style-type: none"> • Contract extended to April 2017 • Commissioning Board: 31 October 2016 • Award Report to Executive: 30 November 2016 • New contract commences: 3 April 2017
Amber Ragging	<ul style="list-style-type: none"> • Parking ICT (ESC17) 	<ul style="list-style-type: none"> • Contract extended to April 2017 • Commissioning Board: 31 October 2016 • Award Report to Executive: 30 November 2016 • New contract commences: 3 April 2017
Amber Ragging	<ul style="list-style-type: none"> • Parking Bailiff Services (ESC18) 	<ul style="list-style-type: none"> • Contract extended to April 2017 • Commissioning Board: 31 October 2016 • Award Report to Executive: 30 November 2016 • New contract commences: 3 April 2017
Amber Ragging	<ul style="list-style-type: none"> • Parking Mobile Phone Bookings (ESC19) 	<ul style="list-style-type: none"> • Contract extended to April 2017 • Commissioning Board: 31 October 2016 • Award Report to Executive: 30 November 2016 • New contract commences: 3 April 2017
Amber Ragging	<ul style="list-style-type: none"> • Arboricultural Maintenance (ESC22) 	<ul style="list-style-type: none"> • Procurement Strategy Gate Report (contract extension to 31 March 2016): • Environment PDS meeting: 29 September 2016 • Executive meeting: 18 October 2016

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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