



THE LONDON BOROUGH
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DATE: 27 June 2017

To: Members of the
**RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY
COMMITTEE**

Councillor Michael Rutherford (Chairman)
Councillor Julian Benington (Vice-Chairman)
Councillors Vanessa Allen, Douglas Auld, Nicholas Bennett J.P., Alexa Michael,
Sarah Phillips, Teresa Te and Michael Tickner

Nominated Non-Voting Co-opted Member
Nicolas Weaks, Bromley Youth Council

A meeting of the Renewal and Recreation Policy Development and Scrutiny
Committee will be held at Bromley Civic Centre on **WEDNESDAY 5 JULY 2017 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/>*

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 APPOINTMENT OF CO-OPTED MEMBER (Pages 5 - 8)**
- 3 DECLARATIONS OF INTEREST**

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

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5 pm on Thursday 29 June.

a QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER

b QUESTIONS FOR THE CHAIRMAN OF RENEWAL AND RECREATION PDS COMMITTEE

5 MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 5 APRIL 2017 (Pages 9 - 14)

6 MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES (Pages 15 - 18)

HOLDING THE RENEWAL AND RECREATION PORTFOLIO HOLDER TO ACCOUNT

7 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO REPORTS

Portfolio Holder decisions for pre-decision scrutiny.

a BUDGET MONITORING 2017/18 (Pages 19 - 24)

b PROVISIONAL OUTTURN 2016/17 (Pages 25 - 34)

POLICY DEVELOPMENT AND OTHER ITEMS

8 CRYSTAL PALACE PARK: REGENERATION PLAN

(Report to follow – This report is being prepared for the Executive meeting on 19 July and is, therefore, following Executive Committee timescales. The report will be released to the R&R PDS Committee following completion of the officer review process.)

9 CONTRACT AWARD FOR THE PROVISION OF LIBRARY SERVICES - PART 1

(Report to follow)

10 OPPORTUNITY SITE G - DEVELOPMENT AGREEMENT AND LEASE - PART 1 (Pages 35 - 38)

- 11 **ORPINGTON BUSINESS IMPROVEMENT DISTRICT (BID) PROPOSAL – RENEWAL FOR 2018-2023 - PART 1** (Pages 39 - 86)
- 12 **TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE** (Pages 87 - 94)
- 13 **RENEWAL AND RECREATION PORTFOLIO PLAN** (Pages 95 - 132)
- 14 **PLANNING APPEALS MONITORING REPORT APRIL 2016 TO MARCH 2017** (Pages 133 - 162)
- 15 **PLANNING APPEALS - COSTS 2016-2017** (Pages 163 - 172)
- 16 **ENFORCEMENT MONITORING REPORT (APRIL 2016 TO MARCH 2017)** (Pages 173 - 176)
- 17 **DELEGATED ENFORCEMENT ACTION - APRIL 2016 TO MARCH 2017** (Pages 177 - 190)
- 18 **RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME 2017/18 AND RE-APPOINTMENT OF THE BECKENHAM TOWN CENTRE WORKING GROUP** (Pages 191 - 196)

PART 2 (CLOSED) AGENDA

- 19 **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.

<u>Items of Business</u>	<u>Schedule 12A Description</u>
20 CONTRACT AWARD FOR THE PROVISION OF LIBRARY SERVICES - PART 2 <i>(Report to follow)</i>	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
21 OPPORTUNITY SITE G - DEVELOPMENT AGREEMENT AND LEASE - PART 2 <i>(Report to follow)</i>	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

22 ORPINGTON BUSINESS IMPROVEMENT DISTRICT (BID) PROPOSAL – RENEWAL FOR 2018-2023 - PART 2 (Pages 197 - 212)

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

23 BIGGIN HILL MEMORIAL MUSEUM

Information which is subject to any obligation of confidentiality.

(Report to follow – This report is being prepared for the Executive meeting on 19 July and is, therefore, following Executive Committee timescales. The report will be released to the R&R PDS Committee following completion of the officer review process.)

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Report No.
CSD17078

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **Renewal and Recreation PDS Committee**

Date: **5 July 2017**

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

Title: **APPOINTMENT OF CO-OPTED MEMBER**

Contact Officer: Lisa Thornley, Democratic Services Officer
Tel: 020 8461 7566 E-mail: lisa.thornley@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 Following Andrew Wolckenhaar's resignation from the Committee, the Bromley Youth Council has nominated one of its members for appointment as a non-voting Co-opted Member for 2017/18. In this regard, Members are requested to consider the appointment of Nicolas Weaks.
-

2. **RECOMMENDATION**

- 2.1 **That Nicolas Weaks be appointed as a non-voting Co-opted Member of the Committee for 2017/18 for the consideration of public reports only.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: None

Corporate Policy

1. Policy Status: Existing Policy: Policy Development and Scrutiny Committees are able to appoint non-voting co-opted members to assist them.
 2. BBB Priority: Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £343,810
 5. Source of funding: 2017/18 Revenue Budget
-

Staff

1. Number of staff (current and additional): There are 8 posts (7.27 fte) in the Democratic Services Team
 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
-

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 PDS Committees may appoint non-voting Co-opted Members to assist their work and to allow representation from key groups in the community. Co-opted Members bring their own area of interest and expertise to the work of a PDS Committee and broaden the spectrum of involvement in the scrutiny process. In this respect, the Bromley Youth Council (BYC) is keen to nominate its members to the R&R PDS Committee.
- 3.2 In light of Andrew Wolckenhaar's resignation from the Committee, a nomination has been received from Bromley Youth Council for Nicolas Weaks to be appointed for the 2017/18 Municipal Year as a non-voting co-opted Member for the consideration of public reports only.

Non-Applicable Sections:	Policy/Finance/Legal/Personnel Implications.
Background Documents: (Access via Contact Officer)	

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RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 5 April 2017

Present:

Councillor Michael Rutherford (Chairman)
Councillor Julian Benington (Vice-Chairman)
Councillors Vanessa Allen, Peter Dean, Alexa Michael,
Michael Tickner and Stephen Wells

Also Present:

Councillor Peter Morgan

69 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Douglas Auld and David Jefferys.

70 DECLARATIONS OF INTEREST

The standard declarations of Members were noted as previously reported at the R&R PDS meeting held on 5 July 2016. No further declarations of interest were received.

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

71a QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER

No questions were received.

71b QUESTIONS FOR THE CHAIRMAN OF RENEWAL AND RECREATION PDS COMMITTEE

No questions were received.

72 MINUTES OF THE SPECIAL RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 7 MARCH 2017

RESOLVED that the Minutes of the special meeting held on 7 March 2017 be confirmed and signed as a correct record.

73 MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES

Meeting held on 7 March 2017 - Minute 65 – Proposed Public Realm Project and Market Reorganisation for Bromley High Street

Recommendation 9 – ‘Plans to install a number of 3m x 1.7m electronic advertising boards be reconsidered and reviewed in 2019 when the High Street and Market Square reorganisation is complete.’

The above recommendation had been omitted from the report submitted for consideration by Members of the Council on 10 April 2017. This matter had been drawn to the attention of the Democratic Services Manager for action.

Officers were requested to ensure that Environment Services did not issue advertising award notices until development works were complete. The Assistant Director Culture, Renewal and Recreation reported that an advertising boards contract had been awarded to JCDecaux Ltd who had confirmed they were content to wait. Whilst the contract included provision of units in Bromley High Street, it did not stipulate locations. Further discussions on the number of hoardings would take place with JCDecaux upon completion of the works. Any new advertising proposals would require planning permission at which time, the impact on highways (e.g. public transport movements) would be considered.

JCDecaux had already retendered and been awarded permission for two large hoardings, one of which was located at the corner of Elmfield Road.

Councillor Wells reported that the contract would replace some existing hoardings and further extend others. An income of approximately £19,000 had been projected for this in the Environment and Community Services budget.

Information on the worth and duration of the contract would be sought and circulated to Members.

As this subject was a cross-portfolio activity, it was agreed that the matters above be raised with the Executive Director of Environment and Community Services. Councillor Morgan, Portfolio Holder for R&R, suggested individual parties be responsible for each town centre (including high streets) with income from advertising being put towards provision of services e.g. cleaning, lighting and property.

74 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO REPORTS

74a BUDGET MONITORING 2016/17

Report FSD170032

Members considered the latest budget monitoring position for 2016/17 for the Renewal and Recreation Portfolio based on expenditure and activity levels up to 31 January 2017. The total portfolio budget showed a projected underspend of £388k.

Councillor Benington asked if funds were available for planning appeal costs. He also sought further information on the money set aside for additional temporary planning and enforcement staff. The Assistant Director Culture, Renewal and Recreation confirmed the fund contributed towards the requirement for additional staff to deal with the current volume of work (including a senior planner) and costs for enforcement activity undertaken by outside consultancies. The Portfolio Holder had been involved in discussions with the Chief Planner concerning the terms and conditions and the selection of cases to be put to tenderers.

A planning and enforcement update report (including the matters raised above) would be submitted to the next meeting of the PDS Committee to which the Chief Planner and Enforcement Manager would be invited. This report would also be considered by Members of the Development Control Committee.

Referring to the anticipated decline in the use of the Council's Building Control Services, Councillor Allen asked whether the vacant post within the section would still be required. She also sought information on whether the additional planning costs of £75k contributed towards specialist consultancy advice, appeal costs or both. The Portfolio Holder advised that as developers were not required to use the Council's Building Control services, this could be a reason for the decline in income. The Assistant Director Culture, Renewal and Recreation agreed to contact the Chief Planner in regard to these matters and request that he respond to Members.

It was confirmed that the anticipated £300k underspend for Renewal would be carried forward to the new financial year.

In relation to the projected £115k Planning overspend for employee-related costs, it was confirmed that temporary administrative staff were recruited through Adecco Employment and Recruitment Agency however, it was likely the Chief Planner also employed staff directly on short-term fixed contracts.

The Portfolio Holder considered delays in planning enforcement activity could, in part, be due to the heavy workloads of legal staff. He suggested the Director of Resources be approached in regard to this matter.

The Chief Planner would be requested to provide Members with an update on savings made as a result of the rejected Conquest House planning appeal and the Flamingo Park appeal.

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

74b CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2016/17 AND ANNUAL CAPITAL REVIEW 2017 TO 2021

Report FSD17027

On 8 February 2017, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2016/17 and presenting for approval the new capital schemes in the annual capital review process.

Members of this Committee were requested to consider changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio for the five year period 2016/17 to 2020/21.

In regard to paragraph 3.6 (page 42), it was confirmed that the chillers in the Central Library/Churchill Theatre had become sub-standard and obsolete and needed to be replaced. This did not include the book stacks. The required post-completion report would be submitted to a future meeting of the R&R PDS Committee.

As no reference was made in this report to the Beckenham Improvement Scheme, it was the Assistant Director Culture, Renewal and Recreation's understanding that TFL would be funding the works. He agreed to check this and update Members.

RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive on 8 February 2017.

75 TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE

Report DRR17/022

Members received an update on progress made in delivering the Town Centres Development and Growth Programme.

Councillor Wells reported that whilst a flagpole had been installed outside Beckenham Junction railway station, it was not tall enough to fly the Purple Flag which was a considerable size. He requested that the pole be replaced with something more suitable. Councillor Tickner advised that illumination of the flag should also be considered. It was confirmed that Environment officers would deal with these issues.

RESOLVED that progress on the delivery of the Town Centres Development and Growth Programme be noted.

76 CHAIRMAN'S ANNUAL REPORT 2016/17

Members considered the Chairman's Annual Renewal and Recreation PDS Committee report for the year 2016/17. This was previously provided to the Executive and Resources PDS Committee on 15 March 2017 and would subsequently be considered at a meeting of Full Council on 10 April 2017.

Members agreed this was a good summary of the Committee's activity.

RESOLVED that the Chairman's Annual Renewal and Recreation PDS Committee report for the year 2016/17 be approved.

The meeting ended at 7.38 pm

Chairman

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Report No.
CSD17080

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Renewal and Recreation PDS Committee

Date: 5 July 2017

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

Title: **MATTERS ARISING FROM PREVIOUS MINUTES**

Contact Officer: Lisa Thornley, Democratic Services Officer
Tel: 020 8461 7566 E-mail: lisa.thornley@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

1.1 **Appendix A** updates Members on matters arising from previous meetings.

2. RECOMMENDATION

2.1 The Committee is asked to consider progress on matters arising from previous meetings.

Non-Applicable Sections:	Policy, Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	-

Impact on Vulnerable Adults and Children

1. Summary of Impact: None

Corporate Policy

1. Policy Status: Existing policy. The Committee is regularly updated on matters arising from previous meetings.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £335,590
 5. Source of funding: 2016/17 revenue budget
-

Staff

1. Number of staff (current and additional): There are 8 posts (7.27 fte) in the Democratic Services Team.
 2. If from existing staff resources, number of staff hours: Monitoring the Committee's matters arising can take up to two hours per meeting.
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable. The report does not involve an executive decision
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The report is intended primarily for Members of this Committee.
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Ward Councillor Views

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

PROGRESS ON MATTERS ARISING FROM PREVIOUS MEETINGS

<u>Minute Number/Title</u>	<u>Updates/Feedback Requested</u>	<u>Action By</u>	<u>Current Status</u>
Minute 73 – 05.04.17 Matters Arising from Previous Minutes and Updates	Information on the worth and duration of the advertising boards contract awarded to JCDecaux Ltd be circulated to Members.	Colin Brand/Andrew Rogers	Information given below and action completed.
<u>Information</u> <p>The Council's Contract Register gives a notional income value of £1.76 million over 10 years for the Council's information display units contract award. It should be noted that for any income to be achieved, consents have to be given and this will have a bearing on the income that the Council will receive, with these arrangements being similar to those for the previous contract.</p>			
Minute 74a – 05.04.17 Budget Monitoring 2016/17	Due to the anticipated decline in the use of Building Control Services, will the vacant posts still be required?	Chief Planner	Information given below and action completed.
<u>Information</u> <p>We do not anticipate the use of vacant posts in the short-term but as work is reactive, some contingency should be available. It could also be used for employment of an assistant/trainee BCO for which we have had some enquiries.</p>			
Minute 74a – 05.04.17 Budget Monitoring 2016/17	Do the additional planning costs of £75k contribute towards specialist consultancy advice, appeal costs or both?	Chief Planner	Information given below and action completed.
<u>Information</u> <p>The additional planning costs of £75k do contribute towards specialist consultancy advice such as Urban Design and Ecology, in particular when planning appeals are made. This advice is required for major development proposals at planning application and appeal stage and was used at Conquest House, Bassetts House and the Footzie proposals. The £75k does not include cost awards made against the Council for unreasonable behaviour at planning appeals which is a separate item on the agenda.</p>			

<u>Minute Number/Title</u>	<u>Updates/Feedback Requested</u>	<u>Action By</u>	<u>Current Status</u>																				
Minute 74a – 05.04.17 Budget Monitoring 2016/17	What is the reason for the decline in income for Building Control Services?	Chief Planner	Information given below and action completed.																				
<u>Information</u> Building Control are receiving fewer of the bigger/more complex jobs which command higher fees and some more domestic work is being carried out by the private Approved Inspectors. This is a matter of choice by the developers.																							
Minute 74a – 05.04.17 Budget Monitoring 2016/17	Members to be provided with an update on savings made as a result of the rejected Conquest House planning appeal and the Flamingo Park appeal	Chief Planner	Information given below and action completed.																				
<u>Information</u> There were no reductions in spending arising from the Conquest House appeal as this proceeded to a conclusion. A total of £36.5k was spent on specialist advice. A small amount of expenditure (£2.4k) was incurred on the Flamingo appeal before its withdrawal. The overall costs for consultancy advice on other sites total £36k, bringing the overall total close to £75k.																							
Minute 74b – 05.04.17 Capital Programme Monitoring – 3rd Quarter 2016/17 and Annual Capital Review 2017 to 2021	Check and update members on whether TFL were responsible for funding works re. the Beckenham Improvement Scheme.	Stephen Oliver	Information given below and action completed.																				
<u>Information</u> Beckenham Major Improvements Scheme Funding Breakdown <table border="0" style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 30%;">TfL Contribution</td> <td style="width: 20%; text-align: right;">£2,846,000</td> <td style="width: 10%; text-align: right;">64%</td> <td style="width: 30%;"></td> </tr> <tr> <td>LBB contribution</td> <td style="text-align: right;">£1,145,000</td> <td style="text-align: right;">25%</td> <td></td> </tr> <tr> <td>Principle Road Maintenance</td> <td style="text-align: right;">£ 250,000</td> <td style="text-align: right;">6%</td> <td></td> </tr> <tr> <td>LiP Contribution</td> <td style="text-align: right;"><u>£ 200,000</u></td> <td style="text-align: right;">5%</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;"><u>£4,441,000</u></td> <td></td> <td></td> </tr> </table>				TfL Contribution	£2,846,000	64%		LBB contribution	£1,145,000	25%		Principle Road Maintenance	£ 250,000	6%		LiP Contribution	<u>£ 200,000</u>	5%			<u>£4,441,000</u>		
TfL Contribution	£2,846,000	64%																					
LBB contribution	£1,145,000	25%																					
Principle Road Maintenance	£ 250,000	6%																					
LiP Contribution	<u>£ 200,000</u>	5%																					
	<u>£4,441,000</u>																						

Report No.
FSD170045

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Renewal & Recreation Portfolio Holder

For Pre-decision Scrutiny by the Renewal & Recreation PDS Committee

Date: 5th July 2017

Decision Type: Non-Urgent Executive Non-Key

Title: **BUDGET MONITORING 2017/18**

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

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

Ward: Borough wide

1. Reason for report

This report provides an update of the latest budget monitoring position for 2017/18 for the Renewal and Recreation Portfolio based on expenditure and activity levels up to 31 May 2017. This shows a projected under spend of £42k for the total portfolio budget.

2. **RECOMMENDATION(S)**

2.1 The Portfolio Holder is requested to endorse the latest 2017/18 budget projection for the Renewal & Recreation Portfolio

Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly from this report.
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost Not Applicable
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Renewal & Recreation Portfolio Budgets
 4. Total current budget for this head: £14.35m
 5. Source of funding: Existing revenue budgets 2017/18
-

Personnel

1. Number of staff (current and additional): 208.43ftes
 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: None directly from this report.
-

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 2017/18 projected outturn is detailed in Appendix 1, with a forecast of projected spend for each division compared to the latest approved budget and identifies in full the reason 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. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The 2017/18 budget reflects the financial impact of the Council’s strategies and service plans which impact on all of the Council’s customers and users of our services.

5. POLICY IMPLICATIONS

- 5.1 “Building a Better Bromley” refer to the Council’s intention to remain amongst the lowest Council Tax levels in Outer London and the importance of greater focus on priorities.
- 5.2 The “2017/18 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that budgetary control continues to be exercised in 2017/18 to minimise the risk of compounding financial pressures in future years.
- 5.3 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.

6. FINANCIAL IMPLICATIONS

- 6.1 Although the overall budget shows an under spend of £42k, the controllable budget for the Renewal and Recreation Portfolio is projected to be balanced at the year-end, based on the financial information available as at 31 May 2017.
- 6.2 For Building control, there is a net projected underspend of £50k within the staffing budget due to vacant posts and reduced hours being worked.
- 6.3 There is a projected surplus of income of £45k from pre-application meetings and street name and numbering due to increased demand. This partly offsets a shortfall of income of £50k expected from non-major planning applications, as the volume of applications are lower than budgeted.
- 6.4 There is also a net overspend on staffing within Development Control and the Appeal/ Enforcement teams, mainly relating to agency staff .

6.5 The table below summarises the main variances: -

Summary of Major Variations

£'000

Underspend on Building Control staffing	Cr	50
Income from pre-application meetings & street name & numbering	Cr	45
Income from planning applications		50
Overspend on planning and enforcement staff		45
		<u>0</u>
		<u><u>0</u></u>

Non-Applicable Sections:	Legal, Procurement and Personnel Implications
Background Documents: (Access via Contact Officer)	2017/18 budget monitoring files within ECS Finance section

Renewal and Recreation Budget Monitoring Summary

2016/17 Actuals £'000	Division Service Areas	2017/18 Original Budget £'000	2017/18 Latest Approved £'000	2017/18 Projected Outturn £'000	Variation £'000	Notes	Full Year Effect £'000
	R&R PORTFOLIO						
	Planning						
Cr 3	Building Control	76	76	26	Cr 50	1	0
Cr 144	Land Charges	Cr 129	Cr 129	Cr 129	0	2	0
812	Planning	703	703	753	50		0
1,564	Renewal	785	1,128	1,128	0		0
2,229		1,435	1,778	1,778	0		0
	Recreation						
1,732	Culture	1,675	1,690	1,690	0		0
4,737	Libraries	4,403	4,403	4,403	0		0
263	Town Centre Management & Business Support	180	203	203	0		0
6,732		6,258	6,296	6,296	0		0
8,961	Total Controllable R&R Portfolio	7,693	8,074	8,074	0		0
5,855	TOTAL NON CONTROLLABLE	4,195	4,195	4,153	Cr 42	3	0
2,088	TOTAL EXCLUDED RECHARGES	2,086	2,086	2,086	0		0
16,904	PORTFOLIO TOTAL	13,974	14,355	14,313	Cr 42		0

Reconciliation of Latest Approved Budget

£'000

Original budget 2017/18	13,974
New Homes Bonus TCM	23
New Homes Bonus Regeneration	306
Custom Build & New Burdens grant - expenditure	30
Custom Build & New Burdens grant - income	Cr 30
Local Plan Implementation	37
Inflation adjustment	15
Latest Approved Budget for 2017/18	<u>14,355</u>

REASONS FOR VARIATIONS**1. Building Control Cr £50k**

For the chargeable service, an income deficit of £100k is projected based on actual income for April and May 2017. This is mostly offset by a projected underspend within salaries of £75k arising from reduced hours working / vacancies. In accordance with Building Account Regulations, the net deficit of around £25k will be drawn down from the earmarked reserve for the Building Control Charging Account. The net balance will therefore reduce from Cr £182k to Cr £157k.

Within the non-chargeable service, as a result of delays in not appointing to vacant posts, there is a projected underspend of £50k.

2. Planning Dr £50k

Income from non-major planning applications is below budget for the first two months of the year, and a deficit of around £50k is projected for 2017/18. For information, actual income of £160k was received for April and May 2017 compared with £188k in 2016/17. It should be noted that statutory Planning fees are likely to be increased in the Autumn and therefore this deficit may not arise.

For major applications, £46k has been received as at 31st May, which is £52k lower than for the same period in 2016/17. However because the timing of this income varies from year to year dependent on the number of major applications that are actually received, a balanced budget is projected from these applications at this early stage of the year. This budget will be closely monitored over the next few months.

Currently there is a projected surplus of income of £25k from pre-application meetings due to higher than budgeted activity levels.

Activity within street naming & numberings still high and a surplus of £20k is currently projected.

Across staffing budgets, there is a projected net overspend of £45k, this is mainly related to agency staff within Development Control.

Summary of variations within Planning:

	£'000
Deficit of income from non-major applications	50
Surplus pre-application income	Cr 25
Surplus income Street Naming and Numbering	Cr 20
Additional staffing costs	45
Total variation for planning	<u>50</u>

3. Non-controllable Cr £42k

There is a projected surplus income of £42k within the property rental income budget. 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, no waivers have been actioned:

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, no virements have been actioned.

Report No.
FSD17046

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL & RECREATION PORTFOLIO HOLDER

RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 5th July 2017

Decision Type: Non-Urgent Executive Non-Key

Title: Provisional Outturn 2016/17

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

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

Ward: Borough-wide

1. Reason for report

This report provides the Portfolio Holder with the provisional final outturn position for 2016/17 for the Renewal and Recreation Portfolio. This shows an under spend of £292k for 2016/17.

2. **RECOMMENDATIONS**

That the Portfolio Holder is requested to:

- 2.1 **Endorse the 2016/17 provisional outturn position for the Renewal and Recreation Portfolio.**
- 2.2 **Approve the drawdown of the carry forward sums from 2016/17 held in the Central Contingency, totalling £367k (net of grant income) as detailed in para 5.10.**

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 Renewal and Recreation Portfolio Budgets,
 4. Total current budget for this head: £17.2m
 5. Source of funding: Existing revenue budgets 2016/17
-

Staff

1. Number of staff (current and additional): 211.7ftes
 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
-

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 provisional outturn for the Renewal and Recreation Portfolio shows an under spend of £292k against a controllable budget of £9.253m, representing a 3.16% variation. The detailed variations are shown in Appendix 1 with a summary included in Section 5.
- 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 2017/18.
- 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 total variation for the Renewal and Recreation Portfolio at the year-end is an under spend of £292k. Excluding the carry forward sum of £367k, there was an overspend of £75k, mainly due to a provision of £171k being made, relating to CIL. Some of the major variations are summarised below, with more detail included in Appendix 1.
- 5.2 Within Building Control there is an overall net underspend of £72k, largely due to vacant posts.
- 5.3 Income for planning applications was above budget by £162k and this has been used to fund additional temporary staff within planning and enforcement (£134k). Income from pre-application meetings also exceeded the budget by £52k and there was surplus income of £70k from other income streams including street naming and the 4% CIL administration top-slice.
- 5.4 Additional costs of £78k have been incurred for specialist consultancy advice relating for planning applications and as a direct result of losing planning appeals a net provision of £65k has been made for potential costs relating to compensation claims.
- 5.5 Underspends of £37k and £306k relate to carry forward requests for the Local Plan inspection in public and New Home Bonus projects within Renewal.

- 5.6 £24k of the underspend within Town Centre Management also relates to a carry forward request for New Home Bonus projects.
- 5.7 A shortfall of income within Libraries has more than been offset by an underspend of £71k mainly due to part year vacancies and strike action. Other minor variations across the Portfolio total Cr £6k.
- 5.8 The table below summarises the main variances: -

Variation	£'000
Building Control	Cr 72
Income from planning applications	Cr 162
Planning & enforcement staff	134
Income from pre-application meetings	Cr 52
Othe planning income	Cr 70
Costs re lost appeals & specialist consultancy advice	143
Provision re CIL	171
Borough's Local Plan (C/F Request)	Cr 37
Underspend related to NHB funded work within Renewal (C/F Request)	Cr 306
Underspend related to NHB funded work within TCM (C/F Request)	Cr 24
Shortfall of income within Libraries	60
Underspend within Lbiraries (staffing and running expenses)	Cr 71
Other net variations across the Portfolio	Cr 6
	Cr 292

Carry Forward Requests

- 5.9 The Renewal and Recreation Portfolio Holder is requested to approve the drawdown of the following carry forward sums held in the Central Contingency: -

2016/17 Carry Forward Sums - Request to Drawdown		£
Planning Strategy & Projects - Custom Built Grant	The Custom Build Grant £15,000 and the New burdens funding for the Brownfield register of £14,645 was received in March 16 from DCLG. Due to the late notification of this funding it was not possible to spend it in 2016/17 and it is therefore requested to carry forward this sum to 2017/18.	29,645
Local Plan Implementation	Of the £47k carried-forward from 2015/16 for the Local Plan Implementation, only £10k was spent, and therefore a further carry-forward request is being submitted for £37k so that the costs of the Examination in Public can be met in 2017/18 and to undertake any further evidence work required.	37,427
New Home Bonus - Regeneration	There are 4 NHB top slice revenue projects which secured funding agreed through LEP in 2015/16. These were due to be delivered over 2 years commencing in 2015/16. The 4 projects include: Penge town centre and Orpington town centre (a proportion of which was allocated to TCM and is included in a separate carry forward request), Biggin Hill Technology & Enterprise centre and Lagoon Rd industrial estate refurbishment. At the end of 2016/17 £306,126 of budget had not yet been utilised and a carry forward has been requested so that the associated project work can be completed in 2017/18 as agreed with the GLA.	306,126
New Home Bonus - Town Centre Management	There is an underspend of £23k relating to the two NHB top slice projects within Orpington and Penge, and a request will be submitted to the Executive to carry forward this amount in order to complete the specific projects which will be completed during 2017/18 as agreed with the GLA.	23,446
Total Expenditure		396,644
Grant Income		Cr 29,645
Total (net of Grant Income)		366,999

Non-Applicable Sections:	Legal, Personnel
Background Documents: (Access via Contact Officer)	2016/17 budget monitoring files within ES finance section

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Renewal and Recreation Budget Monitoring Summary

2015/16 Actuals £'000	Division 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
	R&R PORTFOLIO							
	Planning							
Cr 19	Building Control	69	69	Cr 3	Cr 72	1	Cr 55	0
Cr 168	Land Charges	Cr 131	Cr 131	Cr 144	Cr 13	2	Cr 7	0
589	Planning	671	645	812	167	3	35	0
1,568	Renewal	1,888	1,931	1,564	Cr 367		Cr 300	0
1,970		2,497	2,514	2,229	Cr 285		Cr 327	0
	Recreation							
2,192	Culture	1,710	1,698	1,732	34	5	16	0
4,610	Libraries	4,495	4,748	4,737	Cr 11	6	Cr 7	0
263	Town Centre Management & Business Support	251	293	263	Cr 30	7	Cr 35	0
7,065		6,456	6,739	6,732	Cr 7		Cr 26	0
9,035	Total Controllable R&R Portfolio	8,953	9,253	8,961	Cr 292		Cr 353	0
Cr 13,572	TOTAL NON CONTROLLABLE	2,353	5,855	5,855	0		Cr 35	0
2,281	TOTAL EXCLUDED RECHARGES	1,958	2,088	2,088	0		0	0
Cr 2,256	PORTFOLIO TOTAL	13,264	17,196	16,904	Cr 292		Cr 388	0

Reconciliation of Latest Approved Budget

£'000

Original budget 2016/17

13,264

Local Implementation Plan	47
Biggin Hill Memorial Museum	47
Biggin Hill Noise Action Plan	55
New Home Bonus expenditure for Regeneration	182
New Home Bonus expenditure for TCM	42
Transfer Renewal budget to Commissioning	Cr 62
Salary from Culture to Commissioning	Cr 58
Drawdown from Central Contingency (Libraries saving)	250
Merit Awards	17

Latest Approved Budget for 2016/17

13,784

Memorandum Items

Capital Charges 5802	-863
Deferred Charges (REFCUS) 5804	2216
Impairment 5806	1899
Gov Grants Deferred 5807	-109
Insurance	-258
Rent Income	-28
Repairs & Maintenance	45
IAS19 (FRS17)	599
Excluded Recharges	-89
Reported Latest Approved Budget for 2016/17	17,196

REASONS FOR VARIATIONS**1. Building Control Cr £72k**

Within the chargeable account for Building Control, there was an income deficit of £82k. This was more than offset by an underspend within salaries of £142k arising from reduced hours being worked and vacancies. In accordance with Building Account Regulations, the net surplus for 2016/17 of £52k has been carried forward into 2017/18 via the earmarked reserve for the Building Control Charging Account. The cumulative balance on this account is therefore now £182k, taking into consideration the opening balance of £130k at the start of 2016/17.

Within the non-chargeable service, as a result of delays in appointing to vacant posts, there was an underspend of £65k on staffing and a minor overspend of £1k on supplies and services.

2. Land Charges Cr £13k

There was an underspend of £13k mainly due to vacant posts.

3. Planning Dr £167k

Income from non-major planning applications was £146k above budget for 2016/17. For information, actual income received in 2016/17 was £62k higher than for the previous year, largely due to improving economic conditions.

For major applications, £316k was received in 2016/17 which was £16k above budget. Actual income was £7k less than that received for 2015/16.

Surplus income £52k was achieved from pre-application meetings due to higher than budgeted activity levels. For information, this was £2k more than the income received in 2015/16.

Additional income of Cr £32k was achieved within the street naming & numbering service, which was £2k less than that received in the previous year.

Other income was £38k above budget, mainly from the administration top-slice from the CIL monies collected. These monies are used to fund the administration and monitoring of CIL applications.

Additional staffing costs of £134k have been incurred. £102k for planning officers and £32k for planning enforcement staff. This was due to the recruitment of additional temporary staff in order to assist with the current increase in volumes of planning applications and enforcement. These costs have been funded from the additional income.

On average an amount of £2m per annum is invoiced relating to developments with CIL liability within Bromley, on behalf of the Mayor of London. 4% of which is retained to meet the costs of the administration of the CIL. A limited number of cases not originally identified as CIL liable have commenced construction during the last two years, affecting their eligibility to claim exemption to the Levy. Therefore there is the possibility that due to delays, the Council may be required to make payment of up to £171k to TfL. A provision of £171k has therefore been set aside from the 2016/17 revenue account.

As a direct result of losing planning appeals, a net provision has been made for potential costs relating to claims of compensation of £65k.

Additional costs of £78k have been incurred for specialist consultancy advice on planning applications for agriculture and ecology matters, as well as for planning appeals including two major appeals for Conquest House and Flamingo Park. These costs have been funded from additional income.

Other minor variations across the service total Dr £3k.

Summary of variations within Planning:

		£'000
Surplus income from non-major applications	Cr	146
Surplus income from major applications	Cr	16
Surplus pre-application income	Cr	52
Surplus income from street re-naming	Cr	32
Other miscellaneous income	Cr	38
Additional temporary planning staff		102
Additional temporary planning enforcement staff		32
Provision for potential CIL monies owed		171
Appeal costs		65
Consultants costs		78
Other minor variations		3
Total variation for planning		167

4. Renewal Cr £367k

The Town Centre Development Works funded by New Homes Bonus are underspent by £306k and therefore a carry forward request will be made in order to enable the outstanding works to be completed in 2017/18. Formal GLA approval has been obtained for the new profile of spend.

Of the £47k carried-forward from 2016/17 for the Local Plan Implementation, only £10k was spent, and therefore a further carry-forward request will be made at year-end so that the costs of the Examination in Public can be met in 2017/18.

Other minor variations across staffing and running expenses total Cr £24k.

Summary of variations within Renewal:	£'000	
Underspend related to NHB top slice funded work (c/forward request))	Cr	306
Local Plan Implementation (c/forward request to be made to June Exec)	Cr	37
Other minor variations (staffing & running costs)	Cr	24
Total variation for Renewal	Cr	367

5. Culture Dr £34k

There was an overspend of £34k for Culture. £6k of this was for the increase in inflation of 1.3% for the Mytime grant which was above the 0.5% inflation added to the budget. The balance of £28k relates to an overspend on staffing and equipment.

6. Libraries Cr £11k

Shortfall of income of £60k in total. This comprises of a deficit of £14k on income from library fines, a deficit of £37k from activities in libraries, and a deficit of £9k from hall/room lettings. Year on year customers are borrowing fewer items overall which is having an adverse effect on income budgets.

There was an overall underspend of £53k for staffing which was due to a combination of strike action and part year vacancies.

Other minor variations across the service total Cr £18k.

Summary of variations within Libraries:	£'000	
Shortfall of income		60
Underspend on staffing	Cr	53
Other variations (transport, premises & running costs)	Cr	18
Total variation for Libraries	Cr	11

7. Town Centre Management & Business Support Cr £30k

Following the change of focus of the regeneration plan and the change in contractor to Cushman and Wakefield, there was an underspend of Cr £24k on the Orpington town centre scheme which was funded from the New Homes Bonus. A request will be submitted to the Executive to carry forward this amount in order to complete the specific projects. The GLA has agreed the extension of the projects.

There was an overspend of Dr £11k on staffing due to the delay in the deletion of the Town Centre Management post. This was more than offset by additional income of £15k received for promotional space and a net underspend of £2k on supplies and services.

Summary of variations within TCM:	£'000	
Underspend on Orpington TC scheme (carry forward request)	Cr	24
Staffing		11
Additional income	Cr	15
Underspend on supplies and services	Cr	2
Total variation for TCM	Cr	30

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 waivers have been actioned:

- 1) £59k cumulative contract value for internet magazine and newspaper subscriptions for the library service. Extension for one year.
- 2) £110k cumulative contract value for Audio books, eMagazines and Comics Plus subscriptions for the library service. Extension for one year.

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, no virements have been actioned.

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Report No.
DRR17/038/1

London Borough of Bromley

PART 1

Decision Maker: EXECUTIVE FOR PRE-DECISION SCRUTINY BY THE RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 5th July 2017

Decision Type: Non-Urgent Executive Key

Title: OPPORTUNITY SITE G – DEVELOPMENT AGREEMENT AND LEASE

Contact Officer: Kevin Munnely, Head of Renewal
Tel: 020 8313 4582 E-mail: kevin.munnely@bromley.gov.uk
Susan Fraser, Senior Solicitor
Tel: 020 8313 4459 e-mail: susan.fraser@bromley.gov.uk
Michael Watkins, Head of Asset and Investment, Tel 02083134178 e-mail: Michael.Watkins@bromley.gov.uk

Chief Officer: Executive Director of Environment & Community Services

Ward: Bromley Town;

1.0 Reason for report

- 1.1 This report links to the associated report to be considered under Part 2 proceedings at the meeting.
- 1.2 On 8th February 2017, the Executive approved the selection of Countryside Properties (UK) Ltd as the preferred development partner for the next phase of development of Opportunity Site G following a competitive procurement process. Based on the successful development submission officers have been negotiating the detailed terms of the proposed development agreement and lease for the development. This report sets out the terms for the development agreement and lease and seeks the Executive's approval to these terms. Once the agreement has been exchanged a binding agreement to grant the lease, subject to the fulfilment of certain conditions, will exist.
-

2.0 RECOMMENDATION(S)

- 2.1 This is a part 1 report providing a brief summary of the purpose of the related report to be considered under part two proceedings

- 2.2 In the Part 2 report the PDS Committee is requested to scrutinise the proposed decision by the Executive and The Executive is recommended:
- i. To consider any objections received from the public as a result of the advertisement of the proposal to dispose of a small area of public open space.
 - ii. To approve the terms of the proposed development agreement and lease as set out in this report and to give authority to enter into the development agreement.
 - iii. To delegate authority to the Director of Corporate Services, with the agreement of the Executive Director of Environment and Community Services and the Director of Finance to agree any further [non-material] variation in the detailed terms.
 - iv. Delegate authority to the Portfolio Holder for Renewal & Recreation to approve the consultation draft masterplan to enable officers to undertake a six week public consultation. The results of the masterplan consultation will be reported back to the Executive for consideration and approval.
 - v. Agree that quarterly updating reports should be submitted to the Executive.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: Detailed within the related Part 2 report
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Growth Fund, S106 Payment in Lieu and Renewal
 4. Total current budget for this head: Detailed within the related Part 2 report
 5. Source of funding: Unallocated balance of Growth Fund, S016 PIL and Renewal
-

Personnel

1. Number of staff (current and additional): 5
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement S123 of the Local Government Act 1972:
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications: The Greater London Authority's London Development Panel (OJEU Notice 2012/S 69-113942) was used to select the preferred development partner.
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes

Summary of Ward Councillor's comments: Ward Councillors have met with representatives of Countryside Properties and it has been agreed there will be regular meetings held throughout the planning process. Issues raised included the need to incorporate an appropriate level of community facilities and other non-residential uses in the development.

3. IMPACT ON VULNERABLE ADULTS AND CHILDREN

3.1 Not Applicable

4. POLICY IMPLICATIONS, FINANCIAL IMPLICATIONS, PERSONNEL IMPLICATIONS, LEGAL IMPLICATIONS AND PROCUREMENT IMPLICATIONS

4.1 To be considered in the Part 2 Report

Non-Applicable Sections:	IMPACT ON VULNERABLE ADULTS AND CHILDREN
Background Documents: (Access via Contact Officer)	Drr17/037/2 - OPPORTUNITY SITE G - DEVELOPMENT AGREEMENT AND LEASE – PART 2 REPORT

Report No.
DRR17/036

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, WITH PRE-SCRUTINY BY THE RENEWAL & RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: R&R PDS - Wednesday 5 July 2017
Executive - Wednesday 19 July 2017

Decision Type: Non-Urgent Executive Non-Key

Title: ORPINGTON BUSINESS IMPROVEMENT DISTRICT (BID) PROPOSAL – RENEWAL FOR 2018-2023

Contact Officer: Martin Pinnell, Head of Town Centre Management and Business Support
Tel: 020 8313 4457 E-mail: martin.pinnell@bromley.gov.uk

Chief Officer: Executive Director of Environment & Community Services

Ward: Orpington; Petts Wood & Knoll; Cray Valley East

1. Reason for report

This report updates Members on the progress to date on the development of a proposed Second Term for the existing Business Improvement District (BID) in Orpington Town Centre and its potential implications for the Council; Introduces the outline Orpington BID Proposal 2018 – 2023 which has been presented to the Council by the Orpington First Ltd (the Orpington BID company) and requests delegated authority for the Portfolio Holder for Renewal and Recreation to review the final version of the BID Proposal in order to authorise a Ballot to be held on the renewal of the Orpington BID in November 2017.

2. **RECOMMENDATION(S)**

Members of the Executive are asked to:

2.1 Note the draft Orpington BID Proposal 2018 – 2023 (summarised in 3.11 below but provided in full as part of a report on Part 2 of this agenda) which details the progress to date on the development of the BID, including the level of consultation with businesses, and outlines the BID levy rules and emerging key priorities of the BID for its second term.

2.2 Agree in principle, on the basis of the outline BID Proposal that the Council's Ballot Holder may be instructed to hold a ballot in November 2017, according to the Business Improvement District Regulations (England) 2004, being satisfied that the BID Proposal does not conflict with any of the Council's priorities and plans, and that its geographic scope is

within the boundaries of the London Borough of Bromley (see map of draft BID boundary in APPENDIX 1).

2.3 Agree delegated authority to the Portfolio Holder for Renewal & Recreation to review the FINAL version of the BID Proposal which is expected to be delivered to the Authority by 13 September 2017 and provided that this still meets the criteria outlined in 2.2 above, instructs the Ballot Holder to run the BID ballot, on behalf of the Executive.

2.4 Agree that the Portfolio Holder for Renewal and Recreation nominates an officer to vote 'Yes' on behalf of the Council for eligible Council-occupied hereditaments which fall within the proposed BID area (these are listed in paragraph 5.2).

2.5 Subject to a BID 'yes' vote, authorise the Director of Corporate Services to enter into all legal agreements necessary to renew and operate the BID, and that the agreements ensure that the BID company acts at all times in the best interests of the town centre. The draft agreements, which are still to be finalised, are included as part of APPENDIX 2.

Corporate Policy

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

Financial

1. Cost of proposal: One-off costs: £6.25k
 2. Ongoing costs: Approx. £4k per annum
 3. Budget head/performance centre: Town Centre Management Initiative Fund
 4. Total current budget for this head: £24.5k
 5. Source of funding: Existing Controllable Revenue Budget 2017/18
-

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: Non-Statutory - Government Guidance
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Businesses within Orpington Town Centre, especially up to 350 business rates payers who are likely to be BID Levy Payers from April 2018 – March 2023
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: At time of finalising this report, comments have been received from Councillor Botting (Orpington Ward), Cllr Page (Cray Valley East Ward) and Cllr Pierce (Cray Valley East Ward). All were strongly in support of Orpington BID and its continuation into a second term.

3. COMMENTARY

Background

- 3.1 The Orpington First BID, covering Orpington High Street environs, was the first Business Improvement District (BID) to be established within the London Borough of Bromley. It was launched in April 2013 after a successful ballot of business rate payers which took place in November 2012. The ballot and the campaign were led by the Council's Town Centre Management team but fully supported by the Orpington Business Forum and a wide range of local stakeholders including the management of the Walnuts Shopping Centre. The Orpington First BID was set up to run for five years, which is the maximum allowable term for a BID under the BID Regulations. The current term of the BID therefore ceases on 31 March 2018.
- 3.2 In preparation for the end of the current BID term, the BID Board and management team undertook some initial feasibility work and confirmed that there is an appetite amongst the local businesses for renewal of the BID mandate to continue for a further 5 years. The Board therefore approved the issuing of a notice of the intention to hold a ballot to the Secretary of State (as required by BID Regulations) which was sent and acknowledged in April 2017. The Board also approved that further work, including consultation with levy payers, was undertaken by BID staff in preparation for a ballot to be held in October 2017.
- 3.3 In proposing a renewal of the BID, Orpington 1st Ltd (the BID company) has taken on the bulk of the work involved in preparing for the Ballot with light-touch support and advice from Central Management Services (CMS) and from the Council's Town Centre Management Team. Based on advice from CMS, the BID is using a standard and well proven 5-stage approach to setting up a BID, consisting of the following:
- Feasibility Stage – involving establishing the need for a BID, assessing business interest, testing the financial feasibility based on business rates data and raising awareness of the process
 - Planning Stage – including establishing the vision, undertaking research and in-depth consultation, modelling the potential BID levy rules and creating the Proposal
 - Local Authority Stage – including developing Operating and Baseline agreements, agreeing and setting up the ballot process and agreeing a ballot timetable, creating a voter database and agreeing BID levy collection processes. This Stage involves some input from various Council teams, with the lead taken by the Head of Town Centre Management & Business Support.
 - Campaign Stage – Involving establishing the voters at each business, communications with voters, ballot monitoring and agreeing contingency for failure at ballot
 - Establishment Stage – including preparation for launch, setting up billing procedures, governance arrangements, staffing and recruitment

Because the timescales for delivery are short the Planning Stage and the Local Authority Stage activities are being run in parallel to ensure that the statutory deadlines for undertaking a BID ballot and setting up the BID are met within a timescale to enable the ballot to take place in October / November 2017.

- 3.4 A copy of the outline Orpington BID Proposal 2018 – 2023 report containing a summary of the consultations, the proposed BID levy rules and the activities to be delivered through the BID are provided as APPENDIX 1, but are summarised in the sections below.

Council decision-making for the establishment of the BID

- 3.5 The Business Improvement District Regulations (England) 2004 require a BID proposer to request that the Local Authority holds a ballot on the BID Proposal. The parameters of this decision are framed by the legislation – and these are set out in paragraph 6.1. However, because of the short timescales involved, the BID Proposal is not yet finalised. The draft BID Proposal will be refined by a further round of consultation, including a business survey of all potential levy payers and 1 to1 meetings with at least 100 levy payers, with a view to providing the Council with the final BID Proposal and Business Plan by 13 September 2017.
- 3.6 Due to the need to run the BID Ballot for 28 days from 6 October to 2 November 2017, the Notice of Ballot will need to be issued by 20th September and there would not be sufficient time for the September meeting of the Executive to review the final version of the Proposal and Business Plan in good time. Therefore, although this report recommends that the Executive agrees in principle with the running of a BID Ballot on the basis of the Outline BID Proposal, Members are also requested to approve delegated authority for the final decision to be accorded to the Portfolio Holder for Renewal & Recreation, who would be provided with the final version of the BID Proposal and Business plan and would therefore be able to instruct the Ballot Holder to proceed at the appropriate time. Additionally the Portfolio Holder will need delegated authority to mandate an Officer to vote in favour of the final BID Proposal in the ballot in respect of hereditaments which are occupied by the Council.

Consultation of Orpington businesses

- 3.7 As the BID has been operating since April 2013, there has been continuous feedback from the levy payers throughout the first term, a process which has been encouraged by the BID Board. This was essential to ensure that project delivery reflects the expectations of the businesses, and to understand the appetite for proceeding to seek a second BID term. Based on this informal feedback from businesses, in March 2017 the Board approved a plan to seek a second term through a ballot of levy payers. In effect this concluded the Feasibility Stage.
- 3.8 The Planning Stage, incorporating a more structured consultation process, started in April 2017 with a BID Forum meeting – an open meeting attended by Board Directors and Orpington BID levy payers – at which the Board’s approach was confirmed. In May 2017, the BID convened a number of sector-specific meetings (covering Hospitality, Retail, Service and Office sectors) which were held to help establish new priorities for the 2nd term. In June 2017 a survey was sent to all BID levy payers with the aim of receiving responses from at least 45% of the businesses. In July a further Forum Meeting will take place at which the results of the survey will be presented, along with the draft Business Plan for the 2nd term. Throughout July and August, one to one meetings with at least 100 levy payers will be convened to consult on the draft Business Plan. As a result of this process the Business Plan and BID budget for the 2nd term will be refined with a view to publishing the final Business Plan on 20 September 2017.
- 3.9 In the early stage consultation, businesses have not been specifically asked as to whether they would vote in favour of a BID since at this stage there was no BID Proposal for them to decide upon. However, those undertaking the work have reported a generally very positive approach to the concept of a continuing BID for Orpington which suggests that the

BID will be successful at ballot. For consultation taking place between June and August businesses will be asked to indicate their voting intentions and the results of this canvassing will be fed back to the Council on a regular basis. A summary of all consultation to be undertaken by the BID in preparation for the renewal Ballot is contained in **APPENDIX 1**.

Outline of BID Proposal

3.10 The consensus amongst levy payers, arising out of the consultation undertaken to date, is for the BID to continue to deliver along the 4 work themes which were the priority during the 1st term, but there has also been clear support from businesses for the BID to introduce a 5th theme 'For Investment', which is related to encouraging and influencing new investment into the town centre. Some of the activities currently undertaken will continue but there are a number of new activity programmes and projects which will deliver to the key themes. The below provides a brief description of each theme.

For Customers

3.11 This theme is about making the town centre more attractive to customers, retaining regular visitors and shoppers, and bringing additional footfall and spend into the town. This encompasses building on the success of the town centre website, extending the reach of the BID e-newsletter for residents and customers, promoting the Orpington loyalty card and maintaining an annual programme of high profile events

For Look and Feel

3.12 This theme is about fostering a safe and pleasant local environment to encourage our visitors and shoppers to keep coming back. The BID will continue to deliver and enhance its activities around community safety and environmental enhancement – supporting the presence of a dedicated town centre police team, promoting the radio safety scheme and other crime reduction initiatives, and will seek to provide additional cleansing services to help keep the town centre clean.

For Access

3.13 This theme is about ensuring the town centre remains accessible to all, is easy for customers to find their way around and that suitable facilities are available within the town. As part of this theme the BID funded the renovation and management of the public toilets, worked with the Council to promote the Car Club, promoted cycling, reviewed car parking in the town and have supported beneficial changes to parking and loading provision. Most of these activities will continue – although the relocation of the public toilets facility into the Walnuts Shopping Centre is expected before the start of the new BID term, which means the existing facilities will close to the public. An additional area of work within this theme in the 2nd term will be to review and improve town centre wayfinding.

For Business

3.14 This theme is about supporting the businesses based within the BID zone to ensure that they can be as competitive and successful as possible. This will continue to involve providing networking opportunities and events such as the quarterly open Forum meetings and monthly networking breakfast meeting; helping businesses save money through the BID's collective purchasing offer for business services, and providing an expanded waste management and recycling service. The BID will continue to play an advocacy role for its members – taking part in regional and national lobbying along with others in the BID

industry and is represented on local partnership bodies such as the Bromley Economic Partnership.

For Investment

- 3.15 The theme is about working with partners to encourage inward investment and development that is beneficial to the town centre and its businesses and residents. It is the only new theme to be introduced in the draft Business Plan but in fact a number of these activities have been delivered by the BID during the first term. Examples include organising the annual Opportunity Orpington expo; working with local agents to promote empty commercial properties to suitable tenants; providing editorial on the town in a variety of property and investment publications and using online information to monitor changes to the town centre retail mix and identify potential gaps and opportunities. In addition to these, in the 2nd term the BID will use the town centre regeneration capacity report commissioned by the Council to produce a comprehensive development plan for the town – in partnership with all relevant stakeholders.
- 3.16 Because the BID Company is an independent private company and their plans for the delivery of services are still under consultation with their own members and levy payers – the BID has asked for the full draft Business Plan and 5-year Budget for the period 2018 – 2023 to be kept confidential at this stage. For this reason the full draft documents are provided to Members as an appendix to a report under Part 2 of this agenda.
- 3.17 In the Feasibility and early Planning stage, assumptions had been made that had been retained throughout the research stages. These were that:
- a. For the new term there would be a threshold of £5,000 rateable beneath which businesses within the area would not be subject to a levy and so would not be balloted. The reason for this is that the levy collected from these very small premises will be so low as to make collection uneconomical.
 - b. There would be a cap of £20,000, being the maximum amount paid by any one hereditament.

The recommended headline BID Rules for Orpington BID (Term 2) are:

The levy rate to be paid by each hereditament is to be calculated at 1.5% of its rateable value as at the Chargeable Day (1 st April in each year).
All hereditaments with a Rateable Value of £5000 or above will be eligible for payment of the levy. (The number of hereditaments liable for payment of the levy is expected to be 325)
Each year the levy rate will be increased by a fixed rate of inflation of 2% per annum.
The levy will be charged annually in advance for each chargeable period, to be April to March each year. No refunds will be made.
The maximum amount payable for any one hereditament each year to be capped at £20k
Owners of untenanted buildings would be liable for the levy.
Occupiers of covered shopping centres, already paying service charges in addition to rent and rates, to pay 75% of the levy that would otherwise apply.
Charitable organisations that are subject to relief on their business rates liability will pay 75%

of the levy that would otherwise apply (excluding those eligible for discount as Shopping centre tenants).

The London Borough of Bromley will be responsible for collection of the levy. The parameters of this responsibility, including collection charges to the BID, are to be set out in the Operating Agreement.

On this basis, the renewed Orpington BID would have Year 1 levy income of £184,904 (assuming a collection rate of 98%), increasing by 2% per annum thereafter. In addition, based on experience of the first term, the BID expects to be able to generate additional annual income of circa £36,000. Over the full second term of the BID, the total expected average income to be raised by the BID would be approximately £229k per annum. This would be sufficient to deliver the programme of improvements and activities which are outlined above.

Implications of BID establishment

3.18 Based on the proposed BID levy rules above, and barring any significant changes in the rateable values within the BID area, the total investment which would arise from the BID levy will be £1.14m over the 5 year term. This is a significant level of private sector investment to help ensure that Orpington town centre remains competitive within London and the South East. In terms of financial impact on the businesses, although there are a small number of national businesses who will be making a significant contribution to the BID budget, the average annual levy bill will be just under £590 per hereditament.

It is important to note that for a BID Proposal to be successful at ballot it must meet two key criteria:

a. More than 50% of votes counted must be in favour

AND

b. More than 50% of the rateable value represented by the vote must be in favour

This means that Orpington First BID Board must not only persuade more than 50% of the voters to vote in favour, but also ensure that businesses with multiple hereditaments or properties with large rateable value support the BID in the ballot. One to one engagement is already under way with managers and potential voters at these higher rateable value organisations to understand their needs and requirements for a renewed BID.

3.19 Should the BID ballot be successful, delivery of the activities outlined in the BID Business Plan would be the responsibility of Orpington First Ltd (a Company Limited by Guarantee) as is the case for the current BID term. The board of Directors for this Company will continue to be drawn from amongst a range of businesses – large and small – within the BID area. A full list of the current Board members will be included in the final BID Business Plan. As is currently the case, the Council will have non-voting advisory members on the Board – with one Officer and one Councillor playing this role. These arrangements are to be confirmed as part of the Operating Agreement for the renewed BID.

3.20 The Operating Agreement, a draft of which is included as **APPENDIX 2**, will govern how the London Borough of Bromley and the proposed BID will cooperate on the operation of the BID – including how the BID levy will be collected and passed across to the BID company. Included with the Operating Agreement is what is known as the Baseline

Agreement which defines the services being delivered by the Council within Orpington Town Centre which are expected to continue during the BID term. These will remain the responsibility of the Council but the BID may introduce additional services to enhance the existing baseline – for example additional or specialist cleansing patrols. Further information on the legal aspects of the BID set up is provided in the Legal Implications section below.

4. POLICY IMPLICATIONS

4.1 Because Orpington BID has at its heart the improvement, enhancement and promotion of this major town centre, the BID Proposal is expected to assist in the Council’s ambition to encourage Vibrant Thriving Town Centres. It is therefore recommended that the Council supports the renewal of the Orpington First BID as the best means of ensuring that the town centre continues to be managed effectively – to enable it to flourish and develop positively into the future, in partnership with the Council.

5. FINANCIAL IMPLICATIONS

- 5.1 As part of the Council's statutory duty under the BID Regulations, it has to fund the cost of any BID ballot. For Orpington BID, this is estimated to be £2.5k.
- 5.2 It is also proposed that the Council meets the one-off set up cost for the BID levy collection system for the new term, which is expected to be £3.75k. In total the ballot and start-up costs for the renewed Orpington BID will be £6.25k and this can be funded from the Town Centre Management Initiative budget for 2017/18, which is £24.5k.
- 5.3 The main revenue implication for the Council over the 5 years of the BID, is the liability to pay the BID levy on Council-occupied hereditaments which are located within the BID area. These are listed below – with their rateable value and likely BID levy charge during the first year of operation. Assuming no changes to the Council’s occupation of commercial premises the total potential charge to the Council over the five year period is expected to be £20.2k.

Council Building	Department Responsible	Rateable Value (RV) £	Bid Levy in First Year £	Estimated 5 Year Total £
2nd Floor Council Offices, The Walnuts	ECHS	57,000	855	4,449
Saxon Centre (part), Lych Gate Road	ECHS	14,250	214	1,114
Orpington Library, The Walnuts	ECS	99,000	1,485	7,728
The Former Library, Church Hill *	ECS	59,500	893	4,648
The Priory Museum, Church Hill *	ECS	29,500	443	2,306
Total			3,890	20,245

* **NOTE:** The two hereditaments listed above which are in the Priory Building are due to be taken over by a new leaseholder, after which point the Council will no longer be liable for the levy, saving £1.3k per annum. The totals provided above are therefore 'worse case scenario'.

5.4 The Orpington BID is expected to generate nearly £221k in the first year of operation and will invest approximately £1.14m into the town centre in the new 5-year term.

6. LEGAL IMPLICATIONS

6.1 Whilst there is no statutory obligation on the Council to establish BIDS there is a statutory process to follow if the decision is made to promote one. These are set out in the Business Improvement District Regulations (England) 2004. This requires approval of the Council be

given for a ballot on the proposed BID and this approval is being sought from the Executive Committee. Through this process the Authority is to satisfy itself that the BID Proposal does not conflict with any Council policies or priorities, has been generated in accordance with the BID Regulations and is within its jurisdiction (i.e. the proposed BID boundary falls wholly within the Local Authority's boundary). These are the only criteria on which a Local Authority can reject an application for a BID ballot or veto the outcome of a ballot.

6.2 Orpington First Ltd, which has been responsible for the delivery of the Orpington BID from 2013 – 2018, is the body which will be formally requesting the Council approval to go to ballot for the further 5 year term – from April 2018 to March 2023.

6.3 Additionally Council Officers have been working with Orpington First Ltd to draft and finalise two legal agreements which are required for the formation of the BID, as follows:

- Operating Agreement – The Operating Agreement covers the arrangements for the billing, collection and payment of the BID levy collected to the BID Company. This will place an obligation on the Council to take certain steps to secure payment of the levy and in the event of failure to follow the specified steps to pay the relevant sums to the BID Company itself. A draft version of this Agreement is provided in APPENDIX 2
- Baseline Agreement – The Baseline Agreement forms a Schedule to the Operating Agreement and summarises those statutory and standard non-statutory services provided by the Council which may potentially overlap with services to be provided by the BID. This provides reassurance to the BID company and levy payers that the levy income is funding additional services, not those currently being provided. The baseline agreement describes the services provided by the Council at this point in time and will not, save to the extent that any services amount to a statutory requirement, constitute a binding commitment on the Council to continue to provide these in the future. A draft version of the Baseline Agreement is included in APPENDIX 2.

6.4 Should there be a requirement for Orpington First Ltd to take up any other services from the Council, then Legal will draft a further agreement for any additional services which the Council may provide (for example the operation of the High Street Markets and Promotions).

6. PERSONNEL IMPLICATIONS

7.1 The Council's only ongoing staff input for the Orpington BID is to provide an Officer as an advisory member of the board and this Officer (Head of Town Centre Management and Business Support) is responsible for monitoring the delivery of the BID programme and the associated legal agreements – an arrangement which is expected to continue. The administration of the levy collection involves both Liberata and Council staff – and this is expected to continue during the renewed BID term. Costs related to these services will be recharged annually to the BID company. There will be no staffing changes as a result of the successful renewal of the Orpington BID.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	Business Improvement District Proposal for Orpington 12 Sept 2012 (DRR12/106)

Dear Cllrs.

Orpington 1st Ltd is the Business improvement district (BID) which represents over 300 town centre Businesses.

It is owned and led by local employers and was established in April 2013 becoming the first BID within the borough of Bromley.

It is financed by a mandatory levy in accordance with the Business Improvement Districts (England) regulations 2004.

The BID was elected for an initial 5 year term 2013-2018 after which another ballot is necessary for it to continue.

The Board of Directors have approved the option to renew the BID for a second term 2018-2023 and are therefore seeking local authority approval to hold a ballot in November 2017.

The BID Board are proposing to continue with the main themes set out and established during the original consultation.

First for Customers | First for Look & Feel | First for Access | First for Business

This has/will be refreshed with feedback from the current consultation process and with the experience gained in the delivery of projects during the BID's first term.

First for Investment

Is the additional theme which has been included reflecting business feedback. The extensive development programme that is either taking place or is planned for the town centre is changing the structure of the business community and the demands of its customers and has therefore become a focus for both independents and national brands.

Please find enclosed the following documents.

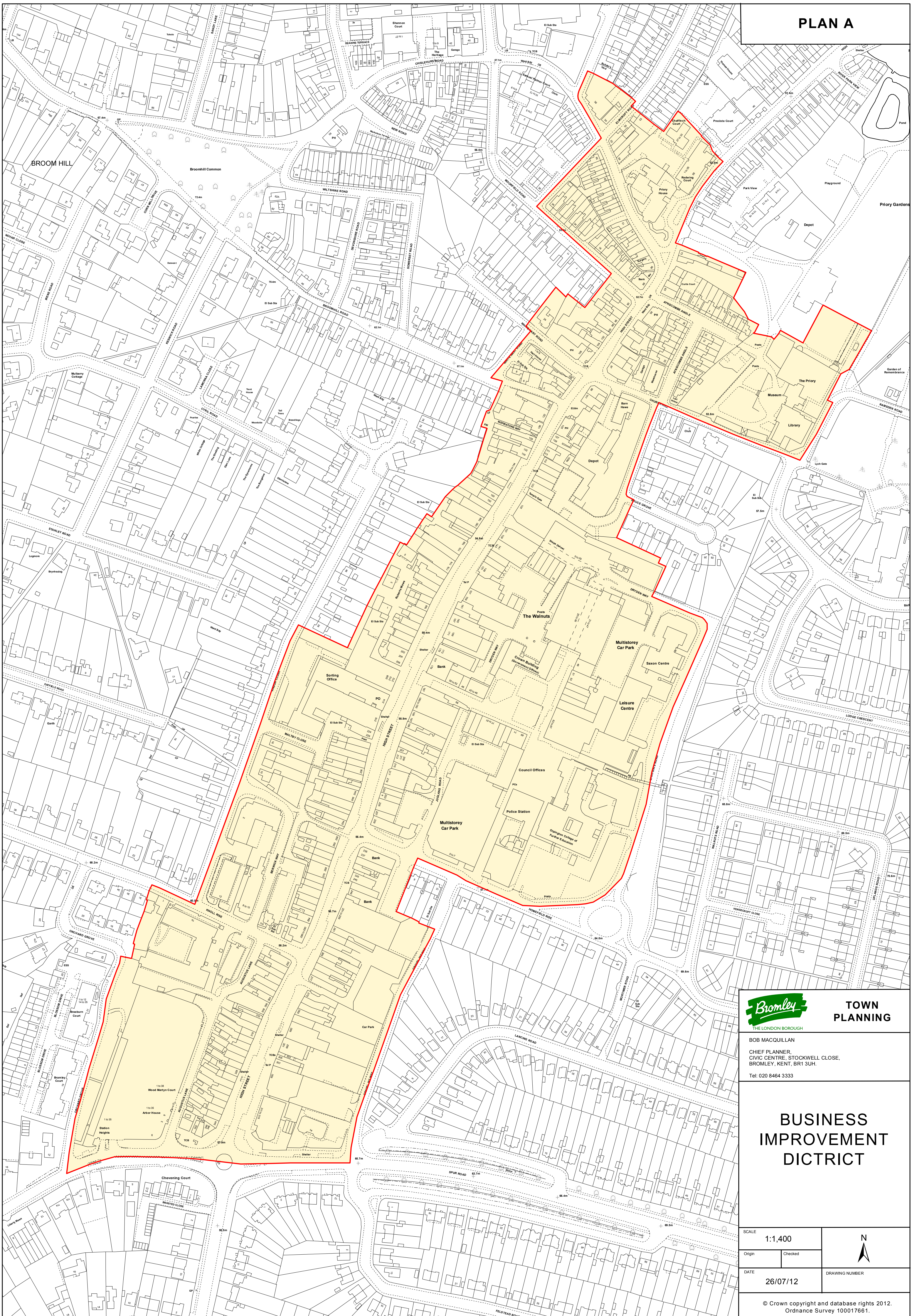
BID Boundary Map, Levy Rules, Consultation Summary, Draft BID Proposal, 5 Year Budget

Kind regards,

Sharon Baldwin,

Orpington 1st BID Executive Director

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Bromley
THE LONDON BOROUGH

TOWN PLANNING

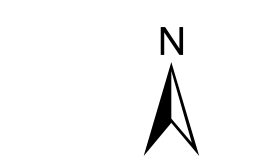
BOB MACQUILLAN
CHIEF PLANNER,
CIVIC CENTRE, STOCKWELL CLOSE,
BROMLEY, KENT, BR1 3UH.
Tel: 020 8464 3333

BUSINESS IMPROVEMENT DISTRICT

SCALE 1:1,400

Origin Checked

DATE 26/07/12



DRAWING NUMBER

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BID Rules

In developing the rules that will apply to the renewed BID, consideration has been given to 'The 2017 Industry Criteria and Guidance Notes for BIDs' published by British BIDs on behalf of the British Retail Consortium, ATCM, intu, British Property Federation, ACS & Revo.

Ballot

1. The Electoral Reform Society (ERS), on behalf of The London Borough of Bromley, will send those responsible for properties or hereditaments to be subject to the BID a ballot paper prior to Friday 6th October 2017.
2. Each property or hereditament subject to the BID will be entitled to one vote in respect of this BID proposal in a 28 day postal ballot which will commence on Friday 6th October 2017, and close at 5pm on Thursday 2nd November 2017. Ballot papers received after 5pm on Thursday 2nd November 2017 will not be counted. The result of the ballot is due to be announced on the following day.
3. In order for the proposal to be successful at ballot the result will need to meet, as a minimum, two independent criteria which are: (a) of those ballots returned by the close, those voting in favour of the proposal must exceed those voting against it, and (b) of those ballot papers returned by the close, the total rateable value of those properties or hereditaments which vote in favour, must exceed the total of those voting against.
4. If successful at ballot, the BID will commence delivery of services in April 2018 and will continue for a period of 5 years to March 2023.

Levy

1. The levy rate to be paid by each property or hereditament is to be calculated as 1.5% of its rateable value as at the 'chargeable day' (1st April each year).
2. Only properties or hereditaments with a rateable value of £5,000 or more will be eligible for payment of the levy.
3. The number of properties or hereditaments liable for the levy is approximately 325.
4. Each year the levy rate will be increased by the fixed rate of inflation of 2% per annum.
5. The levy will be charged annually in advance for each chargeable period to be April to March each year, starting in 2018. No refunds will be made.
6. The maximum amount payable for any one hereditament each year is capped at £20,000.
7. The owners of untenanted properties or hereditaments will be liable for payment of the levy. This includes listed buildings.
8. Occupiers within covered shopping or centres (in this case the Walnuts Shopping Centre) that are subject to a service charge will pay 75% of the levy that would otherwise apply.
9. Charitable organisations that are subject to relief on their business rates liability will pay 75% of the levy that would otherwise apply (excluding those eligible for discount as per clause 8).
10. London Borough of Bromley will be responsible for collection of the levy. The collection charge will be £TBC* based on circa 325 bills raised; this equates to TBC%* of anticipated billed levy and £TBC* per hereditament.

*we are awaiting confirmation on the levy collection costs. We anticipate this being no more than that which is stated as a maximum in the British BIDs 2017 Industry Criteria & Guidance, 3% of annual billed levy.

Finances

1. A cautious approach has been adopted to budgeting for the BID term, based upon national averages.
2. A levy collection rate of 98% has been assumed and this is in line with national trends.
3. The average annual levy available to be spent by the BID for the term is £191,632
4. A contingency provision on expenditure, together with the availability of reserves, provides for an anticipated surplus of £48,828 by the end of the renewed term. This equates to 4.3% of expenditure.
5. Annual core costs of the BID are estimated at 13%.

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Summary of consultation

Continuous feedback has been sought from all levy payers during the BID's first term to ensure that project delivery reflects business expectation, and to understand the appetite for continuing the BID and proposing a ballot to secure a second term.

The following is a list of the structured consultation process which that has resulted in.

March 2017	BID Board	Approval to propose a second term to levy payers.
April 2017	Forum meeting	confirmation of their approval to proceed.
May 2017	Sector Meetings	held to establish new priorities for a second term.
June 2017	AGM	notice given confirming ballot Proposal.
June 2017		Business survey sent to all levy payers
July 2017	Forum meeting	consultation on survey results and presentation of draft proposal for discussion.
July 2017/August		a further 100 businesses contacted 1.1 to consult on content of draft business plan.
September 2017		Proposal document & Business plan published.
October 6 th – November 2 nd		Ballot

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DATED

201_

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BROMLEY

AND

ORPINGTON FIRST LIMITED LIMITED

**OPERATING AGREEMENT FOR A BUSINESS IMPROVEMENT DISTRICT IN
ORPINGTON**

Contents

1	Definitions
2	Statutory Authorities
3	Commencement
4	Setting the BID Levy
5	BID Revenue Account
6	Payment of the Council's Administrative Expenses
7	Collecting the BID Levy
8	Procedures available to the Council for the enforcing payment of the BID Levy
9	Enforcement mechanisms for the non-collection of the BID Levy by the Council
10	Payment of the BID Levy to the BID Company
11	Accounting Procedures and Monitoring
12	Termination
13	Confidentiality
14	Notices
15	Miscellaneous
16	Exercise of the Council's powers
17	Contracts (Rights of Third Parties)
18	Law and Dispute Resolution
19	Freedom of Information
	SCHEDULE 1: BID Area Map
	SCHEDULE 2: BASELINE AGREEMENT
	SCHEDULE 3: BID LEVY RULES

THIS DEED is made the day of 201__

BETWEEN

- (1) **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BROMLEY** of Civic Centre, Stockwell Close, Bromley BR1 3UH (the "Council"); and
- (2) **ORPINGTON FIRST LIMITED** (the "BID Company") registered as company limited by guarantee in England with number 08139594 whose registered office is at The Walnuts Management Suite, High Street, Orpington, Kent, BR6 0TW

RECITALS

- A. The Council is the billing authority for the purposes of the Local Government Act 2003 and is responsible for the imposition, collection, recovery and application of the BID Levy and administering the BID Revenue Account which shall be used towards the operation of the BID within the area in the local authority and the funding of the BID Arrangements
- B. The BID Company is responsible for the operation of the BID and for using the BID Levy for the purposes of achieving the objectives and aspirations set out in the BID Arrangements
- C. Both parties wish to confirm the arrangements by which the BID Levy shall be collected, together with general arrangements as to the relationship to be established between the Council and the BID Company for the duration of the BID.
- D. The purpose of this agreement is to:
- Establish the procedure for setting the BID Levy
 - Confirm the basis upon which the Council or its agents will be responsible for collecting the BID Levy
 - Set out the enforcement mechanisms available for collection of the BID Levy
 - Set out the procedures for accounting the transfer of the BID Levy
 - Provide for the monitoring and review of the collection of the BID Levy
 - Confirm the manner in which the Council's expenses incurred in collecting the BID Levy shall be paid.

IT IS HEREBY AGREED:

1. Definitions

Administrative Expenses means costs incurred by the Council and/or its agents in the imposition, administration, collection and recovery of the BID Levy and all reasonable costs incurred by the Council arising out of compliance with its obligations under this agreement and the Regulations during each year of the duration of this agreement.

the Annual Report means a report to be prepared by the Council or its agent which details the following:

- (i) the total amount of the BID Levy collected during the relevant Financial Year;
- (ii) details of the success rates for the collection of the BID Levy;
- (iii) the Council's proposals (if any) to help improve its efficiency in the collection and enforcement of the BID Levy;
- (iv) details of those BID Levy Payers who have paid the BID Levy and those who have not paid the BID Levy; and
- (v) the Council's proposals for bad or doubtful debts

Bad or Doubtful Debts for the purposes of this agreement means any unpaid BID Levy in respect of which the Council has sought recovery in accordance with clause 8.3 of this agreement and that BID Levy remains unpaid.

the BID has the meaning given in the Regulations that is the Business Improvement District and is that area within which the BID operates as edged red on the plan attached to this Agreement in Schedule 1.

BID Area means the area within which the BID operates as edged red on the plan attached to this Agreement in Schedule 1

BID Arrangements means those arrangements to be put in place pursuant to the Regulations for the operation of the BID Company

BID Business Plan means the Orpington First BID Business Plan 2018 to 2023

the BID Company's Report means a report for each Financial Year to be prepared by the BID Company which detail the following:

- (i) The total income and expenditure of the BID Levy;
- (ii) Other income and expenditure of the BID Company not being the BID Levy;
- (iii) A statement of actual and pending deficits; and
- (iv) The various initiatives and scheme upon which the BID Levy has been expended by the BID Company

BID Levy means the charge to be levied and collected within the BID area pursuant to the Regulations

the BID Company's Termination Notice means a notice to be served by the BID Company on the Council pursuant to clause 12.7

BID Levy Payer(s) means the non-domestic rate payers who are liable for paying the BID Levy

BID Levy Rules means the rules set out in the BID Proposals, which defines how the BID Levy will be calculated, details of Exempt or Discounted

Properties and other requirements related to the BID Levy. For the sake of clarity these have been set out in Schedule 3 of this Agreement.

BID Proposals has the same meaning as in the Regulations

BID Revenue Account means the account to be set up in accordance with Regulation 14 of the Regulations

BID Term means 1st April 2018 to 31st March 2023

BID Financial Year means the period from 1st April to 31st March

the Council's Termination Notice means the notice to be served by the Council on the BID Company pursuant to Clause 12.1

Chargeable Day means any one of the following days

- 1st April 2018
- 1st April 2019
- 1st April 2020
- 1st April 2021
- 1st April 2022

Commencement Date is the date of signing of this Agreement.

Contributors means the BID Levy Payers or other Contributors making voluntary contributions or funds available to the BID Company.

Demand Notice shall have the same meaning given in paragraph 3 of Schedule 4 of the Regulations

District Auditors Costs means the sum charged by an auditor appointed by the Audit Commission or any successor in carrying out an audit of the BID Revenue Account

Enforcement Expenses means the costs which are incurred by the Council in obtaining Liability Orders and Summons and all associated administrative expenses which may be incurred in recovering unpaid BID, including Bailiff charges.

Electronic Communication means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or visa versa):

- (i) by means of a telecommunication system (within the meaning of the Telecommunications Act 1984); or
- (ii) by other means but while in electronic form].

the Exceptions means the circumstances in which the Council shall not be required to seek to enforce payment of the BID Levy where a BID Levy Payer

has failed to make payment pursuant to a Demand Notice. The exceptions shall be as agreed by the parties from time to time.

Exempt or Discounted Properties means that class, or classes of, property as identified in the BID Levy Rules which shall be either exempt from any requirement to pay the BID Levy or are permitted a discount on the BID Levy.

Hereditament shall have the same meaning as defined in the Regulations

Hereditament Start Date means the date when the amendment to the Valuation List takes effect

Liability Order has the meaning given in the Regulations

Maximum Amount For any particular Financial Year means the amount of BID Levy for which Demand Notices are issued (excluding replacement or amended Demand Notices)

Monitoring Group means the group to be set up to monitor the collection and enforcement of the BID Levy (as referred to in Clause 11); the group is to consist of representatives of the Council and the BID Company

NNDR means National Non-Domestic Rates under the Local Government Finance Act 1988

NNDR Payer means the person or organisation who has a liability to pay the non-domestic rate

Proposal means the plan voted for by the BID Levy Payers in a ballot which sets out the objectives of the BID and identifies the various projects which will be undertaken using funds raised by the BID Levy and/or Contributions to achieve those objectives and 'Renewal Proposals' has the same meaning save that 'ballot' shall be replaced with 'renewal ballot' and "Alteration Proposals" has the same meaning save that 'ballot' shall be replaced with 'alteration ballot'

the Levy Payers Meeting means the meeting to be held of all BID Levy Payers pursuant to a Notice issued under clause 12

the Regulations means the Business Improvement Districts (England) Regulations 2004 and such amendments made by the Secretary of State pursuant to Section 48 of the Local Government Act 2003 (from time to time).

Revaluation The revaluation of the rateable values of all business and non-domestic property in England and Wales which takes place from time to time.

Single Instalment Due Date means the date by which the BID Levy as set out in the Demand Notice must be paid

Sum(s) Unpaid means the amount of the BID Levy which is unpaid after the Single Instalment Due Date.

Summons means the process issued in the Magistrates' Court upon Complaint by the Council or by the County Court upon application by the Council regarding unpaid BID Levy

Valuation List means a list of all NNDR properties in the local authority area

Valuation Officer means the person appointed by the Commissioners of the Inland Revenue to compile and maintain the Valuation List

Winding Up means an order pursuant to s125 of the Insolvency Act 1986

Write Off means a decision by the Council that an unpaid BID Levy will not be recovered.

Working Day means any day of the week other than a Saturday, a Sunday or a Bank Holiday

Data Processor shall have the same meaning as set out in the Data Protection Act 1998.

Data Protection Legislation the Data Protection Act 1998, the EU Data Protection Directive 95/46/EC, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all applicable laws and regulations relating to processing of personal data and privacy, including where applicable the guidance and codes of practice issued by the Information Commissioner.

Personal Data: shall have the same meaning as set out in the Data Protection Act 1998.

Staff means all (if any) persons employed by the BID to perform its obligations under the agreement together with the BID's servants, agents, suppliers and Sub-Contractors used in the performance of its obligations under the agreement.

2. Statutory Authorities

2.1. This Agreement is made pursuant to Section 2 and Part IV of the Local Government Act 2003 and Section 111 of the Local Government Act 1972 and all other enabling powers.

3. Commencement

3.1. This Agreement shall be effective from the Commencement Date and in any event shall determine and cease to be of any further effect in the event that:

3.1.1. The BID Term expires.

3.1.2. Either party exercises its discretion to terminate the BID Arrangements in exercise of powers under Clause 12.

4. Setting the BID Levy

4.1. As soon as possible after the Commencement of this agreement the Council shall:

(i) calculate the BID Levy in accordance with the Regulations and the BID Levy Rules.

(ii) Confirm in writing to the BID Company the BID Levy payable annually by each BID Levy Payer.

5. The BID Revenue Account

5.1. Pursuant to Clause 47 of the Local Government Act 2003, the Council shall establish a BID Revenue Account by the start of the BID Term.

6. Payments of the Council's Administrative Expenses

6.1. The Council shall invoice the BID Company in advance for the administrative charges as set out below. This will be done on an annual basis at the start of each BID Year. The invoice shall provide the BID Company with a breakdown of the costs incurred including VAT.

6.2. The expected annual administrative charges will include the following:

(i) Cost of collection of BID levy based upon circa 325 bills raised will be £[AMOUNT].

(ii) Annual accountancy and management fee of up to £[AMOUNT]

6.3. These charges will be adjusted on an annual basis at a rate equal to RPIX.

7. Collecting the BID Levy

7.1. The Council shall use all reasonable endeavours to collect the BID Levy on the Chargeable Day and thereafter on an annual basis

throughout the BID Term in a manner consistent with its usual procedures for the collection of non-domestic rates and in accordance with the procedure set out in Schedule 4 of the Regulations.

7.2. Pursuant to clause 7.1 the Council shall serve a Demand Notice or Amended Demand Notice on each BID Levy Payer and thereafter shall continue to calculate the BID Levy and serve the Demand Notices throughout the BID Term.

7.3. It is the responsibility of the Council to ensure that the BID Levy Rules are applied accurately.

7.4. The Council shall maintain a list that identifies payment and/or non-payment of the BID Levy that shall be made available to the BID Company at intervals of not less than once a quarter.

7.5. The Council shall liaise with the BID Company in carrying out an annual review of each Hereditament within the BID Area and in the event of any change in the occupier of each Hereditament or the merger or division of a Hereditament (or provision of an additional Hereditament) shall serve an updated list of BID Levy Payers upon the BID Company. Such changes will be reflected in the next annual calculation of the BID Levy and subsequent Demand Notices.

7.6. The BID Company shall be responsible for reviewing any appeals received against the payment of the BID Levy and the application of the BID Levy Rules.

7.7. Notwithstanding clauses 7.4 and 7.5 information provided to the BID Company pursuant to clauses 7.4 and 7.5 shall not include the provision of any Personal Data other than that which the Council may provide pursuant to the Regulations

8. Procedures available to the Council for enforcing payment of the BID Levy

8.1. In the event that the BID Levy is not paid in full within fourteen days from the Chargeable Day, then (subject to the Exceptions or as may otherwise be agreed by the parties) the Council shall, at no cost to the BID Company, serve up to two reminder notices ('Reminder Notices') on the defaulting BID Levy Payer, each of which shall:

- (i) identify the sum payable;
- (ii) provide a further 14 (fourteen) days for payment to be made; and
- (iii) confirm the Council may thereafter make an application to the Magistrates Court for a Liability Order to recover the unpaid sum (together with costs).

8.2. In the event that the BID Levy is not paid in full within 14 (fourteen) days of the service of the 2nd Reminder Notice in accordance with

clause 8.1, then the Council shall immediately inform the BID Company of such further failure to pay (subject to the Exceptions). The Council will consider any comments made by the BID Company before deciding whether to make an application to the Magistrates Court for a Liability Order. The Council will normally then make an application to the Magistrates Court for a Liability Order to recover the outstanding sum of the BID Levy as is permitted by the Regulations and by the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989, as amended. The Council will bear the cost of any application for summons and will recover these costs from the revenue generated through any such action.

8.3. In the event that the BID Company requests that the Council does not undertake the full range of recovery action against a defaulting BID Levy Payer (as outlined in 8.1 and 8.2) the Council may write off the outstanding Bad or Doubtful Debt. Should any outstanding Enforcement Expenses remain unrecovered due to a request for the cancellation of recovery action by the BID Company, the Council will recover these costs from the BID Company.

8.4. In the event that, after all recovery action has taken place, any portion of the BID Levy is still unrecovered, the remaining Bad or Doubtful Debt may be written off. Any related Enforcement Expenses which remain unrecovered will be chargeable to the BID Company.

8.5. Where payments become due to the Council pursuant to clause 8.3 and 8.4, the Council must provide an account of the proposed charges to the BID Company. The Council will provide a VAT invoice to the BID Company to request payment of these charges.

9. Refunds on the BID Levy

9.1 Refunds will be payable by the Council on the BID Levy in the event of the over payment of the Levy by a BID Levy payer. Examples of reasons for over payment include:

9.1.1 Payment of same Levy bill more than once in error

9.1.2 Where, subsequent to payment, the Valuation Office Agency (VOA) reviews a hereditament and reduces the Rateable Value (RV), and backdates this change to before the billing date. This may result in a reduced BID levy liability or (where new RV is below the BID Levy threshold) a removal of the affected hereditament from BID Levy billing altogether.

9.1.3 Were hereditaments within the BID are split or merged prior to the chargeable day, and one or more of the properties are removed from the ratings list, but the Levy bill related to these removed properties has already been paid.

9.2. In the event that refunds become due to a Levy Payer on the basis of the reason set out in 9.1 these shall be payable only upon receipt of a written request from the Levy Payer, or their agents.

9.3. The amounts paid out during financial years 1 to 4 will be deducted from the BID Levy Account – and the payments made to the BID Company will be net of these refunds.

9.4. In final year of the BID Term, the Council will retain up to £1000 from the BID Revenue Account to be held against the possible need to pay levy refunds after the end of the BID term. This will be paid to the BID Company upon completion of a successful renewal ballot.

10. Payment of the BID Levy to the BID Company

10.1. The Council shall pay to the BID Company in accordance with the Regulations:

- i. On 15th April (the chargeable day) in each BID Year (2018, 2019, 2020, 2021, 2022) 50% of the invoiced debt less any repayments to BID Levy Payers under clause 9 of this agreement.
- ii. By 1st day of each subsequent quarter in each BID Year, a payment of further balance collected as at the previous month end, less any repayments to BID Levy Payers under clause 9 of this agreement.
- iii. By 30 April in each year, a final payment of balance for the previous financial year collected less any repayments to BID Levy Payers under clause 9 of this agreement.
- iv. At the end of the 2nd year of the BID Term, the Council will make known to the BID Company the number of accounts and amount of Levy still in arrears from the 1st year of the BID Term, and will request agreement of the BID Company for write off of all of these aged debts (except where ongoing discretionary payment arrangements are in place). Where the BID Company request further reconciliation for any of the debts incurred during this year, the Council reserves the right to levy an administration charge to cover staffing which may be required to administer these aged debts during the 3rd and subsequent years. The same procedure will be in place at the end of the 3rd year (in respect of the 2nd year accounts), at the end of the 4th year (in respect of the 3rd year accounts) and so on until the final year of the BID term. In each case, where the BID requests continued chasing and administration of aged debts, the Council will estimate the likely additional staff time required and levy a separate administration charge on the BID Company (the amount to be agreed between the parties).

The following worked example seeks to clarify this clause:

- Assuming the start date of the BID term is 1 April 2018, at the end of the financial year 2019/20 (year 2) the Council will reconcile all the BID monies from bills related to the financial years 2018/19 and 2019/20 (net of refunds). However, unless requested to by the BID Company, arrears outstanding on bills raised for the 2018/19 financial year will no longer be pursued or reconciled during 2020/21 (year 3) or subsequent years.

- 10.2. The BID Company shall issue to the Council a VAT invoice for the payment of the BID Levy income upon advice from the Council of the amount due.
- 10.3. The BID Company shall provide the Council with details of its own bank account into which the BID Levy shall be transferred electronically
- 10.4. In the event that a BID Levy Payer is entitled to a repayment of a BID Levy pursuant to paragraph 8(4) of Schedule 4 of the Regulations and in the event that the Council has paid such BID Levy to the BID Company including all of the contingency relating to that BID Levy the Council shall request such repayment sum from the BID Company and the BID Company shall pay the repayment sum to the Council by way of reduction in the quarterly payments, as scheduled in 10.1, and the Council shall thereafter repay the repayment sum to the BID Levy Payer.
- 10.5. The BID Company may only spend the BID Levy in accordance with the BID Proposals; except that if the BID is varied then from the date of the variation takes effect the BID Company may only spend the BID Levy in accordance with the varied BID Proposals.
- 10.6. In the event of an overpayment by the Council to the BID Company, the Council will subtract the owed amount from the next scheduled payment of the BID Levy. In the event that the overpayment falls due after the Council has paid the last quarterly payment within the BID Term, the BID Company shall reimburse the Council forthwith unless the amount is less than £1,000.

11. Accounting Procedures and Monitoring

- 11.1. In addition to the information outlined in clauses 7.4 and 7.5, every quarter during the BID Term, the Council shall provide the BID Company with a breakdown of:
- (i) the amount of the BID Levy for each individual BID Levy Payer
 - (ii) the BID Levy collected in relation to each BID Levy Payer

- (iii) details, together with the outstanding unpaid sum) of those BID Levy Payers who have not paid the BID Levy during the course of that month,

PROVIDED THAT this clause shall not apply to the provision of any Personal Data other than that which the Council may provide pursuant to the Regulations

- 11.2. The BID Company shall request information from the Council that it considers relevant to their business and the Council shall consider disclosure and shall not unreasonably withhold such information.
- 11.3. Upon the expiry of the sixth month of the BID Term and every 6 (six) months thereafter (for the duration of the BID Term) the BID Company shall provide the Council in respect of those 6 (six) month periods with:
 - (i) the amount received by the BID Company from Contributors and BID Levy Payers;
 - (ii) the total expenditure of the BID Company.
- 11.4. Within 1 (one) month from the start of the BID Term, the parties shall set up the Monitoring Group.
- 11.5. The Monitoring Group shall meet no less than quarterly in any one BID Year.
- 11.6. At each meeting, the Monitoring Group shall:
 - (i) Review the effectiveness of the collection and enforcement of the BID Levy; and
 - (ii) review and assess the information provided by the parties regarding the progress being made in achieving the aims set out in the BID Business Plan.
- 11.7. Within 1 (one) month after the date of the end of the Financial Year, the Council shall provide the Annual Report to the BID Company
- 11.8. The BID Company shall provide the BID Company Report to the Council two weeks prior to the Annual General Meeting of the BID Directors and Members.
- 11.9. The Council will provide at least one, and no more than two, representatives to the Board of the BID Company. The Council representatives will be non-voting advisory members of the Board.
- 11.10. Within 60 days of a successful ballot to establish the BID, the BID Company and the Council will enter into a Service Level Agreement which will define in more detail matters related to collection and enforcement of the levy and any other details related to the operation of the BID including staffing and accommodation arrangements, as required.

12. Termination

12.1. In the event that either Party is of the opinion:

- (i) they are unable to due to a cause beyond their control to provide the works or services secured as part of the BID arrangements: or
- (ii) they believe that there are insufficient finances available to the BID Company to meet its liabilities for the purposes of any BID Arrangements; or
- (iii) the works or services under the BID Arrangements are no longer required;

then they shall serve a Levy Payers Meeting Notice on the other Party and the BID Levy Payers and the meeting shall take place no later than 14 days after service of that Notice.

12.2. The Levy Payers Meeting Notice shall contain the agenda for the meeting which shall be limited to the following items:

- (i) a review by all present of the inadequacy of works or services that can be done, why they cannot be done and whether those works and services are so fundamental that the BID cannot continue; and
- (ii) whether other works or services will be an acceptable alternative to the BID Company; and
- (iii) the financial position and whether there are sufficient funds to continue as well as whether additional funds can be raised; and
- (iv) a time scale (if appropriate) within which these issues can be resolved.

12.3. In the event that those present at the meeting cannot resolve the issue, then the Party calling the meeting shall table a motion that the BID be wound up no sooner than 28 days after such a resolution is passed by a simple majority of those present and entitled to vote.

12.4 In the event of termination of the BID Arrangements the Council shall forthwith review whether there is any credit standing to the account of the BID Revenue Account. If there is sufficient credit to pay to each of the BID Levy Payers not less than £5 (after deduction of any outstanding administrative costs to include the costs of winding up), the Council shall:

- (i) calculate the amount to be refunded to each BID Levy Payer, and
- (ii) ensure that the amount to be refunded is calculated by reference to the contribution of that Levy Payer for the last full chargeable period, and
- (iii) arrange for the amount to be set against outstanding liabilities of that BID Levy Payer (if any), and

- (iv) refund the net amount to the BID Levy Payer.

12.5 Upon termination of the BID Arrangements for any reason, the BID Company shall forthwith notify the Council of such termination in accordance with Regulation 18(5) and the Council will notify the BID Levy Payers in accordance with Regulation 18(6). The Council will simultaneously advise the BID Levy Payers as to the repayment of any part of the BID Levy in accordance with clause 12.4

13. Confidentiality

13.1 Subject to Clause 19 below the parties shall agree to keep confidential and not to divulge to any person without the prior written consent of the other party all information (written or oral) concerning the business affairs of the other nor any information which has been exchanged about the BID Levy Payers or Contributors or about any third parties which it shall have obtained or received as a result of operating the BID. This obligation shall survive the termination or lapse of the BID Arrangements.

14. Notices

14.1 Any Notice or other written communication to be served or given to or upon any party to this Agreement or the other shall be in writing and shall be sent to the address provided for above or such substitute address in England as may from time to time have been notified by that party

14.2 A Notice may be served by

- (i) delivery to the Director of Environment & Community Services, London Borough of Bromley at the address specified above
- (ii) delivery to the Directors at the BID Company's address specified above
- (iii) first class post
- (iv) Electronic Communication (provided that it is in legible form and is capable of being used for subsequent reference) to such addresses which shall require a confirmed read receipt, save that no court proceedings arising from this contract may be served electronically.

14.3 Any notice served shall be deemed to have been validly served or given at the time any ordinary business would have received such post.

15. Miscellaneous

15.1 For the avoidance of doubt where any part of this Agreement is incompatible with the Regulations or any other regulations which the Secretary of State may issue pursuant to Part IV of the Local Government Act 2003 then such part shall be struck out and the balance of this agreement shall remain.

- 15.2 The heading appearing in this Agreement are for ease of reference only and shall not affect the construction of this Agreement
- 15.3 For the avoidance of doubt the provisions of this Agreement (other than those contained in this clause) shall not have any effect until this document has been signed and delivered.
- 15.4 Where reference is made to a clause, part, or recital, such reference (unless the context requires otherwise) is a reference to a clause, part, plan or recital attached to this Agreement
- 15.5 References to the Council include any successors to its functions as a local authority
- 15.6 References to statutes, bye-laws, regulations, orders, delegated legislation shall include any such instrument re-enacting or made pursuant to the same power.

16. Exercise of the Council's Powers

- 16.1 Nothing contained in this Agreement or implied in it shall prejudice or affect the rights, discretions, powers, duties and obligations of the Council under all statutes, bye-laws, statutory instruments, orders and regulations in the exercise of its functions as a local authority.

17. Contracts (Rights of Third Parties)

- 17.1 The provisions of the Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement.

18. Law and Dispute Resolution

- 18.1. The Agreement is made under and shall be construed by reference to English Law.
- 18.2. Should any dispute arise between the Parties, it shall first be referred to a Director of the Council and to the Directors of the BID and they shall use their best endeavours to resolve the issue by negotiation.
- 18.3. If they are unable to resolve the dispute within 28 days of the referral, then the Parties shall appoint a Mediator. If the Parties cannot agree on the identity of as Mediator, then they shall apply to the Centre for Effective Dispute Resolution ("CEDR") to make such an appointment.
- 18.4. Within 14 days of the appointment of a Mediator, the Parties representatives shall meet together with the Mediator to agree a programme for the conduct of the mediation, including (but not limited

to) a timetable, exchange of documents and the structure for meetings as well as the costs of the mediation.

- 18.5. All proceedings of the mediation shall be held in strict confidence and shall be Without Prejudice to any future proceedings that may become necessary.
- 18.6. Nothing in this mediation procedure shall prevent either Party from seeking from a Court of competent jurisdiction an interim order to the other Party either preventing or compelling the commission of some act.
- 18.7. If the Parties reach an agreed resolution of the dispute in the mediation, that agreement shall be reduced to writing, signed by representatives of both Parties and shall be binding on both Parties.
- 18.8. If the mediation fails to achieve an agreed resolution, then the Parties hereby irrevocably agree that the dispute shall be referred to the English Courts.
- 18.9. The performance of all services shall continue during the mediation process

19. Freedom of Information

- 19.1 The BID Company acknowledges that the Council is subject to the requirements of the Freedom of Information Act 2000 (FOIA) and shall assist and cooperate with the Council (at the BID Company's expense) to enable the Council to comply with its disclosure requirements and the Council shall notify the BID Company of any such requests.
- 19.2 The Council may determine in its absolute discretion whether any information is exempt from disclosure in accordance with the provisions of FOIA or is to be disclosed in response to a request for information, and for the avoidance of doubt where the Council has received a request under the FOIA and it has notified the BID Company of the request, in no event shall the BID Company respond directly to a request for information connected with such a request to the Council unless expressly authorised to do so by the Council.
- 19.3 The BID Company acknowledges that the Council may, acting in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part 1 of FOIA, be obliged under FOIA to disclose information following consultation with the BID Company and having taken its views into account.
- 19.4 The BID Company shall ensure that all information produced in the course of or relating to this Agreement is retained for disclosure and

shall permit the Council to inspect such records as requested from time to time.

- 19.5 The BID Company acknowledges that any lists of confidential information provided by it are of indicative value only and that the Council may nevertheless be obliged to disclose confidential information in accordance with this clause.
- 19.6 The obligations set out in clause 19 of this Agreement shall survive the termination or lapse of the BID Arrangements

20. Data Protection

- 20.1 The BID shall (and shall procure that any of its Staff involved in the provision of the agreement) comply with any notification requirements under the Data Protection Legislation and both parties will duly observe all their obligations under the Data Protection Legislation, which arise in connection with this Agreement.
- 20.2 Notwithstanding the general obligation in clause 20.1, where the BID is processing Personal Data as a Data Processor for the Council, the BID shall ensure that it has in place appropriate technical and contractual measures to ensure the security of the Personal Data (and to guard against unauthorised or unlawful processing of the Personal Data and against accidental loss or destruction of, or damage to, the Personal Data), as required under the Seventh Data Protection Principle in Schedule 1 to the Data Protection Act 1998; and
- (a) provide the Council with such information as the Council may reasonably require to satisfy itself that the BID is complying with its obligations under the Data Protection Legislation;
 - (b) promptly notify the Council of any breach of the security measures required to be put in place pursuant to clause 20.2; and
 - (c) ensure it does not knowingly or negligently do or omit to do anything which places the Council in breach of the Council's obligations under the Data Protection Legislation.
- 20.3 The provisions of this clause shall apply during the continuance of the agreement and indefinitely after its expiry or termination.

21 BID Baseline Agreement

- 21.1 The Council agrees to carry out the services contained in the BID Baseline Agreement, set out in Schedule 2.

In witness whereof this Agreement has been executed by the parties hereto as a Deed and delivered on the day and year first before written

Executed as a Deed by affixing
the Common Seal of The Mayor and
Burgesses of the London Borough of
Bromley in the presence of:

Mayor/Councillor

Director of Corporate Services/Senior Solicitor

Executed as a Deed by Orpington First BID Limited
In the presence of

Director

Director/Company Secretary

SCHEDULE 1: MAP OF BID AREA

[TO BE INSERTED]

DRAFT

SCHEDULE 2: BASELINE AGREEMENT

The London Borough of Bromley delivers the following services within the BID area where the BID intends to provide additional services.

The London Borough of Bromley will endeavour to continue to deliver the following services within the BID area. Where any of the listed services are planned to be reduced or discontinued, the Council agrees not to reduce provision of its services disproportionately, compared to any changes made elsewhere within the Borough for the duration of the BID term.

Baseline activity: Highways Management (High Street Area)
Responsible authority: London Borough of Bromley
Head of Service: Garry Warner

<p>Current level of service provided including aim of service, and frequency of service provision</p>	<ul style="list-style-type: none"> • Maintain public highway areas to remain fit for purpose. This includes statutory highway safety inspections, condition surveys, recording of defects and complete repairs to maintain public safety, including emergency repairs within and outside normal working hours. • Street lighting maintenance. • Highways and street lighting term contracts are available as required both for reactive and planned maintenance. • Technical surveys of all lamp columns to assess structural integrity and electrical function. Night surveys to assess defective lighting. • Street works co-ordination and approval for maintenance activities, and licencing of temporary structures on highways including, scaffolding, skips, banners and other structures. • Manage rising bollards for controlling access to and from the High Street. • Signage preventing cycling in the pedestrianised area. • Routine maintenance of signs, lines and highway drainage assets. • Co-ordination with others for the maintenance of the bridges and anti-vermin measures, e.g. pigeon nuisance. • Enabling and managing parking provision and control including taxi ranks, disabled parking. • Winter maintenance operations include treatment to prevent ice from forming and clearance of snow from pre-defined priority routes
<p>Specification</p>	<ul style="list-style-type: none"> • Defect repairs undertaken within investigatory levels of the Highways Code of Practice. • Frequency of highway safety inspections align with Highways Code of Practice. • Management of Public Utility Street Works within the framework of the Traffic Management Act 2004 and the New Roads and Street Works Act.
<p>Performance Measure</p>	<p>Service measured by:</p> <ul style="list-style-type: none"> • Regular inspections, compliance with completion times of works, quality of repairs • Response to customer enquiries • Contractors' key performance indicators.
<p>Non-compliance procedure</p>	<ul style="list-style-type: none"> • Contractor may be required to re-do work. • Corrective actions/training with contractors/staff. • Financial penalties issued to the contractor. • Managed through Contract Meetings.
<p>Future level of service provision</p>	<ul style="list-style-type: none"> • Maintenance of the highways structure and fabric as well as street furniture to existing standards. • Current service provision for reactive repairs provided through a contract

	valid until March 2019.
Other relevant information	There are no plans to reduce or increase current level of service.

Baseline Activity: Street Cleansing (High Street Area)
Responsible Authority: London Borough of Bromley
Responsible Officer: John Bosley

Current level of service provided including aim of service, and frequency of service provision	<ul style="list-style-type: none"> • Routine schedules of daily-street cleaning provided between normal working hours 06:00 and 22:00 hours, utilising both mechanical and manual cleaning operations. • Litterbin emptying once or more per day, and washed (internal and external) three times per year. • Graffiti removal service including proactive and reactive removal from street furniture and private buildings that are on, or are within 50metres of, a street boundary regardless of whether it is on property that is in public or private ownership. • Provision of an urgent or emergency response service for cleaning related matters, during the normally permitted working hours as stated. • Tasks which constitute provision of additional plant and labour, during the normally permitted working hours, in support of voluntary groups and other organisations engaged in "one-off clean-ups" for environmental or charitable purposes.
Specification	<ul style="list-style-type: none"> • The minimum quality standard of cleanliness which the Contractor shall deliver through each routine scheduled activity shall be commensurate with Grade A as defined in the Code of Practice on Litter & Refuse 2006 (EPA 1990). Any fly-tipping, fly-posting and materials on the highway shall be removed as part of the scheduled activity for cleansing of the street. The contractor shall maintain the standard of cleanliness from immediately after completion of the first scheduled daily cleanse until 22:00 hours, on each day of the week including Public Holidays (excl. Christmas Day). Completion of the first scheduled cleanse shall be 8:00 hours. • The standard of cleanliness shall not be allowed to fall to Grade B (as defined in the CoP on Litter & Refuse) for more than two hours thereafter before restoring to Grade A. If the cleanliness falls to Grade C or below, at any time during normal working hours, the area shall be restored to Grade A within one hour. • Removal of unwanted vegetation. • Standard of graffiti removal set as 95% completion of all reactive works within two working days. Racist or offensive graffiti shall be removed within two hours or any period instructed between two hours and 24 hours. • Removing debris following road accidents including the provision of sand and or oil dispersants as required to ensure the cleanliness and safety of the affected area; • Removing all fly-posting including commercial advertising signs and fixing materials from any street furniture.
Performance Measures	<p>Service measured by:</p> <ul style="list-style-type: none"> • Regular inspections, compliance with completion times of works, quality of cleaning. • Response to customer enquiries • Contractors' key performance indicators.

Non-Compliance procedures	<ul style="list-style-type: none"> • Contractor may be required to re-do work. • Corrective actions/training with contractors/staff. • Financial penalties issued to the contractor. • Managed through Contract Meetings.
Future level of service provision	<ul style="list-style-type: none"> • Cleansing standards of the highways as well as street furniture to existing standards. • Street washing would be an enhanced additional service requirement. • Current service provision provided through a contract valid until March 2019.
Other relevant information	There are no plans to reduce or increase current level of service.

Baseline Activity: Regulatory Services
Responsible Authority: London Borough of Bromley
Responsible Officer: Paul Lehane Head of Food, Safety & Licensing
Robert Vale Head of Trading Standards

Service provided, number of staff & equipment	<p>Regulatory Services</p> <p>The Council's Public Protection Division offer a statutory minimum service focusing on enforcement and significant complaint investigation with limited provision of support and advice to the local business community. These services are offered across the borough and include the following:</p> <ul style="list-style-type: none"> • Licensing • Food Safety , Food Standards & Infectious disease • Health & Safety • Trading Standards • Environmental Protection <p>Officers undertake work in accordance with risk based inspection programmes as well as using complaint and other information to prioritise service delivery in an increasingly intelligence-led approach, which targets resources to the highest risk activities. Advice services for consumers in respect of Trading Standards matters is provided via a national call centre operated by the Citizens Advice Bureau.</p> <p>Officers work extensively with partners including the Police, Community Safety Teams and other internal and external partners to collectively tackle issues affecting crime and disorder, anti-social behaviour and other matters relating to the overall aims of the Council</p> <p>The Council has published policies relating to the licensing of alcohol/regulated entertainment and late night refreshment (Licensing Act 2003) and Gambling premises (Gambling Act 2005).</p>
Specification	<ul style="list-style-type: none"> • Statutory and other nationally agreed frameworks for risk based inspection programmes • Regulatory Services service delivery in accordance within statutory framework • Relevant involvement in Local / Regional / National intelligence led project work

	<ul style="list-style-type: none"> Investigations undertaken in accordance with the published Enforcement Policy
Future level of service provision	<ul style="list-style-type: none"> Service provision will continue to be undertaken within the statutory framework and other nationally agreed frameworks Local and national regulatory priorities will dictate priority service delivery
Performance Measures	<ul style="list-style-type: none"> Compliance with risk based inspection programmes Response to customer complaints / requests for service Complaint investigations compliance with Enforcement Policy
Non Compliance procedures	<ul style="list-style-type: none"> Regular performance monitoring Flexible approach to targeting resources to priority work areas
Boundary area	<ul style="list-style-type: none"> London Borough of Bromley

Baseline Activity: CCTV
Responsible Authority: London Borough of Bromley
Responsible Officer: William Ogg, CCTV Manager

Service provided, number of staff & equipment	<ul style="list-style-type: none"> 13 fully functioning digital CCTV cameras covering Orpington Town Centre BID area, operational 24 hours a day 7 days a week. The Council may add, remove or reposition cameras within the BID area at its own discretion. 2 full time staff monitoring all the CCTV cameras in the borough 24 hours a day, seven days a week. Plus one CCTV Supervisor, who is also a trained operator, working 8am – 5pm 5 days a week. CCTV staff also monitor the Town Centre Shop Safe Radios and the Police Radio.
Specification	<ul style="list-style-type: none"> The cameras are used for monitoring and recording incidents of crime and disorder as well as for moving traffic and parking offences. Governed and protected by the Data Protection Act 1998 and the Operating Guidelines issued by the Information Commissioner. Recorded images can only be released to those legally entitled to them. All recordings are kept for a period of 31 days. Documentation detailing CCTV recorded incidents is archived for a period of 3 years.
Future level of service provision	<ul style="list-style-type: none"> Current service provision provided through a contract valid until 31 March 2018. Subject to a two year extension period at the discretion of the authority.
Performance Measures	<p>Service measured by:</p> <ul style="list-style-type: none"> Contractors' key performance indicators.

Non Compliance procedures	<ul style="list-style-type: none"> • Regular performance monitoring • Managed through Contract meetings
Boundary area	<ul style="list-style-type: none"> • London Borough of Bromley

Baseline Activity: **Grounds Maintenance**
Responsible Authority: **London Borough of Bromley**
Responsible Officer: **Robert Schembri**

Current level of service provided including aim of service, and frequency of service provision	<ul style="list-style-type: none"> • Grounds Maintenance Routine schedules of grass cutting and floral display maintenance working hours 07:00 and 4pm.. • <u>Hanging baskets</u> Orpington High Street Summer provision - 42 hanging baskets
Specification	<ul style="list-style-type: none"> • Hanging basket to be watered to ensure that the plants are in good conditions • Maintain parks & greenspace areas within the contract specification including grass cutting, floral bedding areas, shrub areas, bin emptying, litter picking and collection and path cleaning
Performance Measures	<p>Service measured by:</p> <ul style="list-style-type: none"> • Regular inspections to monitor quality. • Response to customer enquiries • Contractors' key performance indicators.
Non-Compliance procedures	<ul style="list-style-type: none"> • Contractor may be required to re-do work. • Corrective actions/training with contractors/staff. • Financial penalties issued to the contractor. • Managed through Contract Meetings.
Future level of service provision	<ul style="list-style-type: none"> • Current service provision provided through a contract valid until 31 March 2019.

Baseline activity: **Parking Enforcement and Car Park Management**
Responsible authority: **London Borough of Bromley**
Head of Service: **Ben Stephens**

Current level of service provided including aim of service, and frequency of service provision	<ul style="list-style-type: none"> • To achieve compliance of parking restrictions by the enforcement of on street parking restrictions and off street council car parks. • Managing bay suspensions and parking dispensations, including processing applications and erecting signs. • Car park maintenance, including cleaning, repairing pot holes, height barriers, safety barriers. • Salting, gritting and snow clearance in council car parks. • Management and repair of pay and display machines.
-------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> • Processing parking permits and visitors voucher applications. • Cashless parking provision. • Enforcement of Blue Badge misuse.
Specification	<ul style="list-style-type: none"> • Enforcement carried out within the framework of the Traffic Management Act 2004 and associated legislation. • Cleaning of car parks as defined in the Code of Practice on Litter and Refuse issued under section 89(7) of the Environmental Protection Act 1990.
Performance Measure	<ul style="list-style-type: none"> • Various key performance indicators on contracted levels of performance.
Non-compliance procedure	<ul style="list-style-type: none"> • Corrective actions/training with contractors/staff. • Financial penalties issued to the contractor. • Managed through Contract Meetings.
Future level of service provision	<ul style="list-style-type: none"> • There are no plans to reduce or increase current level of service. • Current service provision for contract is valid until April 2027.
Other relevant information	New parking contract was awarded to APCOA Ltd and started on the 3 rd April 2017

Baseline Activity: Planning
Responsible Authority: London Borough of Bromley
Responsible Officer: Jim Kehoe

Current level of service provided including aim of service, and frequency of service provision	<ul style="list-style-type: none"> • Planning applications • Planning Enforcement • Building Control Applications • Long term development plans and policies
Specification	<ul style="list-style-type: none"> • Statutory and other nationally agreed frameworks for service provision • Regulatory Services delivery in accordance within statutory framework • Investigations undertaken in accordance with the published Enforcement Policy • Enforcement carried out within the framework of the Planning Acts and associated legislation.
Performance Measures	Service measured by: <ul style="list-style-type: none"> • National targets • Response to customer complaints / requests for service • Complaint investigations consistent with Planning Enforcement Policy
Non-Compliance procedures	<ul style="list-style-type: none"> • Regular performance monitoring. • Corrective actions as necessary
Future level of service provision	<ul style="list-style-type: none"> • Service provision will continue to be undertaken within the statutory framework and other nationally agreed frameworks

SCHEDULE 3: BID LEVY RULES

[TO BE INSERTED]

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Report No.
DRR17/037

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 5 July 2017

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

Title: TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE

Contact Officer: Kevin Munnely, Head of Renewal
Tel: 020 8313 4519 E-mail: kevin.munnely@bromley.gov.uk

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

Ward: All Wards

1. Reason for report

- 1.1 To update Members on progress in delivering the Town Centres Development and Growth Programme.
-

2. RECOMMENDATION(S)

- 2.1 That Members note the progress on the delivery of the Town Centres Development and Growth Programme.

Corporate Policy

1. Policy Status: Existing Policy: Bromley Town Area Action Plan
 2. BBB Priority: Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A:
 3. Budget head/performance centre: Renewal budget, Capital Programme and S106 Funding
 4. Total current budget for this head: £16.352m
 5. Source of funding: Town Centre Development Fund, Growth Fund, Investment Fund, S106 resources, NHB/GLA High Street funding and TfL funding
-

Staff

1. Number of staff (current and additional): 5
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillor's comments: Officers hold regular update meetings with Ward Councillors.

3. COMMENTARY

Development Programme

- 3.1 As agreed at R&R PDS on 1 April 2014 this report provides updates for only those individual projects where progress has been made.

Site G: West of the High Street

- 3.2 Following the Executive approval to appoint Countryside Properties (UK) Limited as the Council's preferred development partner to deliver the next phase of development of Opportunity Site G, officers have negotiated the terms of the development agreement with Countryside. This development lease agreement and lease is the subject of a separate report submitted to this committee for pre-decision scrutiny before the Executive on the 19th of July 2017.

The timetable for the delivery of Site G is as follows:

- Conditional Exchange of Development Agreement - August 17
 - Submit Planning Application & Prepare Compulsory Purchase Order documentation – March 2018
 - Secure Planning Consent – Summer 2018
 - Commence Compulsory Purchase Process – Summer 2018
 - Compulsory Purchase Inquiry – Spring 2019
 - Commence Development - Spring 2020
 - Completion of Development - Winter 2023-2025
- 3.3 Future updates on the progress of the development programme for Site G will be regularly reported to the R&R PDS committee.

Site A: Bromley North Station

- 3.4 The responses to the Proposed Submission Draft Local Plan for Bromley North Station were reported to Development Control Committee on 12th June 2017. Thirty Three (33) representations were received on the proposed allocation of land adjacent to Bromley North Station. Issues raised included: the suitability of the site to accommodate the suggested level of development; impact on Listed Building; and the reprovision of public transport including better rail links to Central London. On the recommendation of the Development Control Committee, the Draft Local Plan – with the allocation as it stands in the consultation document was submitted to the Executive on the 20th of June and ratified by Full Council on 26th June. Following on from this, the Draft Local Plan will next be submitted in July 2017 to the Planning Inspectorate for Examination. Following this the Planning Inspectorate will appoint an independent Inspector to consider outstanding objections along with other requirements of legality and soundness.
- 3.5 Prime Place have reported that they have entered into a development agreement with Network Rail and that they propose to submit a planning application prior to the Local Plan Examination in Public for the first phase of development on the Sherman Road portion of the Opportunity Site for a residential led mixed use scheme.

Bromley Town Centre High Street Public Realm Improvements

- 3.6 The High Street design and costings were presented to the Executive on the 22nd March 2017 and to Full Council on the 10th April 2017. Approval of £2.844m was granted from the Growth Fund to undertake the implementation of the proposed public realm project and market reorganisation for the High Street. In addition it was agreed that Executive could approve a further sum of up to £720k for inclusion in the Capital Programme, following consideration of the outcome of the detailed design and final costs of the market kiosks.
- 3.7 The improvements will be implemented by the Council's term contractors FM Conway . They have supplied a programme of works for Phase 1 commencing with the installation of new electrical services on the 14th August 2017. Phase 1 works will be between Market Square and Marks and Spencer and works will cease on the 30th November for a moratorium over the Christmas and New Year period. A communications strategy with local businesses and the Bromley BID company will be in place before scheme commencement
- 3.8 The Council has appointed TFM term contractor Amey to progress the design and build options for both the mirrored canopies and market and commercial units. The design work and full budget for this element of the project will be brought back to the R&R PDS Committee for consideration in November 2017 or sooner if available.

Beckenham Town Centre Public Realm Improvements

- 3.9 The Council's Highway term contractor FM Conway have completed the initial phase of works at the High Street junction with Albemarle, Rectory and Southend Road. The next major phase of works for the Major Scheme improvements has been commenced with works completed on the eastern side of the High Street between Albemarle Road and Manor Road. Improvements to Beckenham Green are ongoing with the construction of the new tree planters. The work gangs are now working on the Thornton Corner junction before proceeding up towards Beckenham Junction to complete the first major phase of the improvement works by the end of August as the programme timetable.
- 3.10 Officers have raised an issue with the Term Contractor regarding the quality and colour of the granites laid around Beckenham Junction. F M Conway have identified this as a supply issue which they are addressing.
- 3.11 A weekly newsletter to a data base of local businesses and interested parties is being circulated and a FM Conway's business liaison officer is meeting local businesses to discuss their concerns and advise of forthcoming works that may affect them. The project team are continuing to provide regular updates to both the Beckenham Town Centre Working Party and Beckenham Business Association meetings.

Orpington Walnut Shopping Centre Public Realm Scheme

- 3.12 The implementation of the first phase of the improvement scheme focused on Market Square started on site on the 6th March 2017. The project is ahead of the estimated programme timetable and the initial phase will now be completed in July as opposed to August.
- 3.13 Links to and around the square have been kept accessible and banners visualising the completed works have been placed on the fencing around the improvement works site. Regular/monthly site meetings are scheduled between the project team and stakeholders including Orpington First and the Walnuts Shopping Centre to discuss the progress of the works.

- 3.14 In addition to the ground work improvements the existing dilapidated fire escape has been replaced with the new fire escape and reposition for better sightlines into the Square. The cladding for the new fire escape is still being prepared and temporary measures to keep the fire escape both accessible and H&S compliant have been put in place. The new trees have been planted and the 'Oasis' paving has been laid.
- 3.15 Discussions are also continuing to take place between officers and Berkeley Homes to agree the phasing and funding of the next phase of improvements to the arms radiating from the Square.

Orpington Regeneration Strategy

- 3.16 Cushman and Wakefield are preparing an update on the Regeneration Strategy. More information will be provided once their findings have been released.

Penge Town Centre Improvements

- 3.17 The improvement works to most of the High Street are almost complete with the new kerb alignment and York stone paving laid to the extent of the Green Lane Croydon Road junction. Further implementation is currently on hold awaiting final junction design approvals from Transport for London. In response to request by stakeholders, a further extension of the new paving covering the Penge Triangle area up to the Crooked Billet pub will be funded by the New Homes Bonus programme.
- 3.18 The planned improvements to Empire and Arpley Squares under the New Homes Bonus programme, have been subject to detailed design work to RIBA Stage 4 by Kinnear Landscape Architects. The Council's term contractors, FM Conway will commence implementation works in mid-September to limit disruption to the local events calendar and this will link in with the November tree planting season for the planting of the two new trees in the squares. All works are scheduled to be completed by the end of November.
- 3.19 Officers are expecting to appoint a contractor to implement the shop front improvement scheme by the end of July. An assessment of the shops that will be suitable for the scheme has already been undertaken and this will be followed by an exercise to secure agreements from the proprietors of the selected units to sign up for the improvements. It is anticipated that works will commence in September with a target completion of March 2018.
- 3.20 As part of the New Homes Bonus-funded business support programme for Penge. Retail Revival continues to support businesses on behalf of the Council. The programme has 2 areas of focus: Start-up businesses and Existing businesses. As part of the Start-up business programme – 22 people have been supported. The pop-up shop has now been running for 12 weeks and comprises 9 start-up businesses - each receive subsidised rates and rents and a programme of training and support to help them become sustainable. A further 5 businesses have been supported with start-up training and test trading opportunities in the shop and have been selling products as 'guest traders'. 8 further start-up businesses have attended training courses which are delivered on Tuesdays in the rear of the shop. As part of the Existing business programme - 24 businesses have been supported. Training for existing businesses is delivered on site and from the back room at Pengetout. Support has included food and hygiene audits, food handling training, IT and digital marketing support, business planning and diversification and visual display. 12 businesses received their food handling level 2 certificates and 10 businesses have received up to £100 grant to help them fund minor improvements or marketing initiatives.

Shortland's War Memorial Repair

3.21 The listed building application (reference no:17/00731/LBC) was approved in April and a Request For Quote exercise has been undertaken to appoint a suitably qualified contractor to undertake the programme of restoration. On 26th of June 2017, Skillingtons were been appointed to undertake the work with an expected completion in September 2017.

4. POLICY IMPLICATIONS

4.1 Work delivering the Town Centres Development Programme is entirely consistent with Policy Objectives set out in Building A Better Bromley and the Renewal & Recreation Portfolio Business Plan 2015/16. The work of the Renewal team links to the Building a Better Bromley priorities by working towards the provision of Vibrant and Thriving Town Centres.

5. FINANCIAL IMPLICATIONS

5.1 The table below summarises the financial position for each Town Centre Development project. It shows individual budgets, funding streams, spend and commitments and the remaining balances, including the split between capital and revenue expenditure: -

	Budget	Spend	Com'tmts	Total	Balance
	£'000	£'000	£'000	£'000	£'000
Capital					
<u>Opportunity Site G</u>					
Growth Fund - Properties within red line development site	2,700.0	0.0	0.0	0.0	2,700.0
Growth Fund - Specialist legal & development advice	200.0	38.6	10.5	49.1	150.9
S106 PIL	3,000.0	1,288.9	0.0	1,288.9	1,711.1
	5,900.0	1,327.5	10.5	1,338.0	4,562.0
<u>Beckenham Improvement Scheme *</u>					
TfL Funding (subject to approval)	2,846.0	691.0	722.8	1,413.8	1,432.2
TfL Funding - LIP allocation re Southend Rd/Rectory Rd	200.0	200.0	0.0	200.0	0.0
Capital receipts	995.0	0.0	0.0	0.0	995.0
Earmarked Reserve balance for Beckenham Improvements	150.0	0.0	0.0	0.0	150.0
Principal Road maintenance 2016/17 allocation from TfL	250.0	0.0	0.0	0.0	250.0
	4,441.0	891.0	722.8	1,613.8	2,827.2
<u>New Homes Bonus and High Street Funded Projects</u>					
Penge Town Centre Improvements	746.0	78.2	6.8	85.0	661.0
Orpington Town Centre	525.0	126.4	302.7	429.1	95.9
	1,271.0	204.6	309.5	514.1	756.9
<u>Orpington Town Centre</u>					
S106 funding towards Walnuts Shopping Centre area	106.0	59.7	0.0	59.7	46.3
<u>Bromley Town Centre Public Realm Scheme *</u>					
Growth Fund (may be replaced by S106 funding when available)	3,564.0	0.0	0.0	0.0	3,564.0
Total Capital	15,282.0	2,482.8	1,042.8	3,525.6	11,756.4
Revenue					
<u>New Homes Bonus and High Street Funded Projects</u>					
Penge Town Centre Improvements	200.0	33.9	18.7	52.6	147.4
Orpington Town Centre	100.0	81.4	0.0	81.4	18.6
Biggin Hill Aviation Technology & Enterprise Centre	150.0	88.0	2.5	90.5	59.5
Cray Business Corridor	150.0	75.5	3.0	78.5	71.5
	600.0	278.8	24.2	303.0	297.0
<u>Bromley Town Centre High Street redevelopment programme</u>					
Investment Fund - Initial feasibility cost of development programme	118.0	75.9	7.3	83.2	34.8
Investment Fund - Detailed design cost & survey work	287.0	90.7	10.6	101.3	185.7
Broadband Infrastructure Investment project	64.7	39.9	24.8	64.7	0.0
	469.7	206.5	42.7	249.2	220.5
Total Revenue	1,069.7	485.3	66.9	552.2	517.5
Total Funding - Capital and Revenue	16,351.7	2,968.1	1,109.7	4,077.8	12,273.9

* subject to approval by Executive and Full Council

5.2 Work relating to Opportunity Site G including site acquisition cost is funded from the Growth Fund. This includes £200k allocated for specialist development consultancy towards the conclusion of the development agreement of which £49k has been spent and committed leaving a balance of £151k.

5.3 It should be noted that the revenue maintenance costs of the Orpington Public Realm Scheme will be borne by the Head Leaseholder.

- 5.4 The cost of the repair strategy and physical works toward the restoration of the Shortlands War Memorial will be funded by the insurance company of the driver of the vehicle that caused the damage.
- 5.5 The Bromley High Street Public Realm scheme, approved by the Executive, will result in additional revenue costs of £6k per annum for enhanced cleaning of the area and maintenance costs for the trees and planting with effect from April 2018. The details were included in the report to the R & R PDS committee on 7 March 2017.

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

Report No.
DRR17/033

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Date: **Wednesday 5 July 2017**

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

Title: **RENEWAL AND RECREATION PORTFOLIO PLAN**

Contact Officer: Rachael David, Regeneration Projects Officer, Leisure and Culture
E-mail: Rachael.David@bromley.gov.uk

Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

- 1.1 This report summarises the aims and objectives of the Renewal and Recreation portfolio for 2017/18 (Appendix 1).
- 1.2 This report also provides a summary of the achievements of the Renewal and Recreation portfolio in 2016/17 (Appendix 1).

2. **RECOMMENDATION(S)**

- 2.1 The Renewal & Recreation Policy Development & Scrutiny Committee are asked to review and note the contents of the report (in **Appendix 1**) and provide their comments to the Portfolio Holder.

Corporate Policy

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

Financial

1. Cost of proposal: Not applicable
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Renewal & Recreation Portfolio 2017/18 approved budget and capital programme.
 4. Total current budget for this head: £35.1m as detailed in 5.1 below
 5. Source of funding: Existing revenue budget for 2017/18, S106 funding, Earmarked Reserves, Capital Receipts, Investment/Growth Fund, External Funding (GLA & Treasury), TfL LIP funding & Town Centre Development Fund monies
-

Personnel

1. Number of staff (current and additional): 208.43ftes
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All those resident in the London Borough of Bromley
-

Ward Councillor Views

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

3. COMMENTARY

Renewal and Recreation Portfolio Plan 2017/18

- 3.1 The attached report (Appendix 1) summarises the aims of the Renewal and Recreation portfolio for 2017/18. The portfolio is continuing to pursue the following outcomes:
1. Economic development
 2. Protection, conservation and enhancement of the natural and built environment
 3. Enhanced opportunities for leisure, cultural activities and community led services
- 3.2 The plan identifies aims that will facilitate the delivery of the strategic outcomes, and for each aim:
- Explains what actions will be taken by March 2018 to achieve the aim
 - Identifies the key risks that may affect success
- 3.3 The plan will monitor our performance in relation to how our work impacts on ability to deliver our strategic outcomes, with performance measures related to each strategic outcome identified.
- 3.4 The progress of the portfolio in 2016/17 has been summarised in the report for review.
- 3.5 The Renewal & Recreation Policy Development & Scrutiny Committee are invited to comment on the plan and make recommendations to the Portfolio Holder with respect to any amendments or additions.
- 3.6 The Renewal & Recreation Portfolio Holder is invited to review the recommendations from the Renewal & Recreation Policy Development & Scrutiny Committee and approve the draft Renewal & Recreation Portfolio Plan for adoption.

4. POLICY IMPLICATIONS

- 4.1 Outcomes, aims and actions identified in the Renewal & Recreation Portfolio Plan 2017/18 contribute towards the Bromley 2020 Vision and 'Building a Better Bromley' priorities, and towards meeting relevant legislative requirements.

5. FINANCIAL IMPLICATIONS

- 5.1 The Renewal and Recreation Portfolio Plan 2017/18 referred to in Appendix 1 will be implemented using the agreed controllable revenue budget for 2017/18 together with any additional external funding that officers have already secured as well as other funding secured throughout the year as detailed below: -

2017/18 Budgets and Funding	£'000
R & R Portfolio latest approved controllable budget	8,074
Earmarked Reserves for Member Priority Initiatives	413
TfL LIP Funding	2,402
Town Centre Development Fund	55
S106 Contributions	2,954
LBB Capital Receipts	1,514
External Funding - GLA, Treasury	5,626
Investment/Growth Fund	14,098
TOTAL	<u>35,136</u>

- 5.2 It should be noted that the unallocated balance of the growth fund as at 1.4.17 is £8.337m.

Non-Applicable Sections:	Impact on vulnerable adults and children Procurement implications Personnel implications Legal implications
Background Documents: (Access via Contact Officer)	N/A



Renewal & Recreation

PORTFOLIO PLAN 2017/18

A Vibrant Thriving Borough

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Introduction

Projects and services delivered under the Renewal & Recreation Portfolio make a vital contribution to the quality of life experienced by local residents.

These projects and services support the Council's priorities set out in the Bromley 2020 Vision, and Building a Better Bromley, for:

- A Quality Environment
- **Regeneration**
- **Vibrant, Thriving Town Centres**
- Supporting our Children and Young People
- Supporting Independence
- Safer Bromley
- Healthy Bromley

The Renewal & Recreation Portfolio's key responsibility is that the borough remains a vibrant and thriving place through a programme of regeneration and town centre development. We will ensure that our town centres are successful through a combination of sensitive planning and major private sector investment. We aim to make the London Borough of Bromley a place where people choose to live, work and shop.

Although the portfolio leads on several projects and services, it will continue to take an active role in supporting the delivery and success of Council wide projects and initiatives, particularly those designed to reduce the Council's operating costs whilst maintaining good quality public services.

We continue to deliver these strategic outcomes in 2017/18:

1. Economic development
2. Protection, conservation and enhancement of the natural and built environment
3. Enhanced opportunities for leisure, cultural activities and community led services.

In 2016/17 this portfolio has successfully:

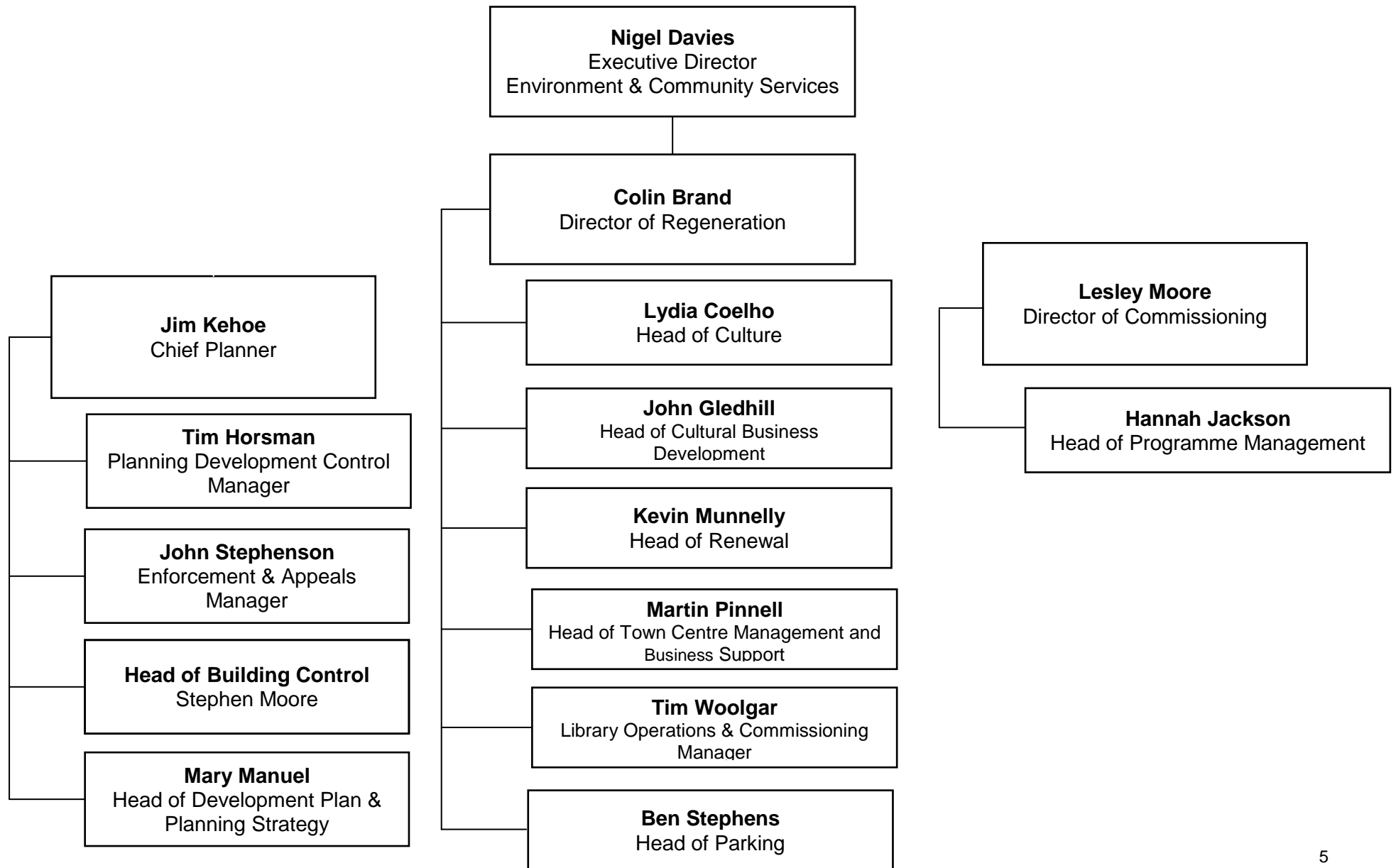
- Reduced business vacancy in key town centres by 2.7% since 2016.
- Attracted over £1million in external grant funding towards cultural projects in the borough
- Determined all planning applications within 13 weeks.

In 2017/18 we will:

- **Attract private sector investment to increase the vitality of our town centres** by working with development partners to find suitable uses for key sites, facilitating town centres taking part in Business Improvement Districts and improving the public realm in these areas. We will also work to increase the commercial and business units.
- **Improve the efficiency of planning functions** by determining more applications quickly and considering a greater number of breaches of planning control.
- **Improve the efficiency and quality of key cultural services** by finding an operator to run the borough's library service, worked with community groups to take over key cultural assets and develop projects that increase and improve opportunities for public engagement with key sites.

Achievements of the portfolio in 2016/17 are detailed in this report in context of the aims and objectives set.

Renewal and Recreation Portfolio Lead Officers



Achievements 2016/17

2016/17 Outcome 1: Economic Development

Aim 1:	Support the vitality of Bromley town centre, including continued delivery of the Bromley Area Action Plan		Progress	Comments
By March 2017, we said we would have:	Continue delivery of the Bromley Area Action Plan			
	1.1	Adopted a planning policy for Bromley North Station (Site A) and agreed a development scheme with Network Rail and Prime Place before securing a resolution from the Executive Committee to enter into a development agreement.	Partially achieved	Planning policy has been included in draft Local Plan. Public inquiry to be undertaken in autumn 2017 and policy will be formally adopted mid-2018. Discussions with Network Rail and Prime Place are ongoing.
	1.2	Disposed of Site B (corner of Tweedy Road and London Road) for residential development.	Achieved	Subject to contract.
	1.3	Secured a development partner for Churchill Place (Site G) to deliver the next phase of a residential led mixed use scheme in this location. Following a successful application for Housing Zone funding to the Mayor of London and HM Treasury in 2015/16, we will confirm the funding agreement which will be subsidising the land purchase and funding infrastructure development.	Partially achieved	Countryside Properties has been appointed as preferred development partner. Formal development agreement and lease are to be approved by Renewal and Recreation Committee in July 2017. Housing Zone funding has not been pursued due to High Court judgement to overturn decision to designate Housing Zone status to Bromley.
	1.4	Work with Network Rail to examine future development and capacity options for Bromley South Station (Site J)	Achieved	Development options are included within Local Plan site allocations.
Deliver other improvements to Bromley Town Centre				

	1.5	Produced a detailed scheme for public realm improvements to the central pedestrian area of Bromley town centre and appointed a term contractor to commence delivery.	Achieved	First phase of works to commence in July 2017.
	1.6	Completed a review of the operation, configuration and location of existing town centre markets and seek investment to ensure that market facilities are fit for purpose and attracts additional footfall and spend into the town, to compliment the improved public realm.	Partially achieved	The review of the Bromley town centre market operation and location was completed during 2016/17 and the proposed new configuration was approved by Members. However, capital investment is awaiting further detailed development work now being led by LBB Neighbourhood Management (Markets team).
Lead Officers:	Kevin Munnelly (1.1 – 1.5) Martin Pinnell (1.6)			
Resources	Investment Fund Growth Fund Section 106 monies Mayor of London Housing Zone funding			

Aim 2:	Support and develop the vitality of Beckenham		Progress	Comments
By March 2017, we said we would have:	2.1	Appointed a contractor to commence work on site to deliver public realm improvements in Beckenham town centre We will have sought final sign off on the detailed designs and confirmed funding with the Council's Executive Committee and Transport for London and the Mayor of London.	Achieved	TFM Conway was appointed. Work on site commenced in March 2017 following approval from Executive Committee in December 2016.
	2.2	Completed the feasibility stage for the proposed Beckenham Business Improvement District , subject to the results of the feasibility study we will have established a stakeholder working group and commissioned work on developing and promoting a Business Improvement District for the town centre with a view to a ballot in autumn 2017.	Achieved	The feasibility stage was undertaken by early 2017, and presented to local business stakeholders, subsequent to which a steering group has been formed. Specialist BID advisors have been appointed to assist with the development and promotion of a BID for Beckenham, although due to various factors the ballot is now expected to take place in early 2018.
Lead Officers:	Kevin Munnely (2.1) Martin Pinnell (2.2)			
Resources	Transport for London Capital receipts Mayor of London Earmarked reserves			

Aim 3:	Support and develop the vitality of Orpington		Progress	Comments
By March 2017, we said we would have:	3.1	Completed public realm improvements for the Walnuts Square Area.	Partially completed	Works are well advanced and due for completion in July 2017.
	3.2	Commissioned a development capacity study for Orpington to inform a regeneration strategy for the town.	Achieved	Further to discussions between senior Councillors, Orpington 1st BID and Cushman & Wakefield, the brief of the development study has been broadened to include wider regeneration drivers for the town centre. As agreed by Members the delivery of this study will now be undertaken by Cushman & Wakefield during 2017/18.
	3.3	Completed delivery of a programme of business support and place shaping to encourage business development in Orpington based on the funding agreement for the New Homes Bonus, for delivery by the Business Improvement District (Orpington 1 st) in 2016/17.	Partially achieved	All aspects of the business support programme completed delivery by Orpington 1st during 2016/17 financial year, with exception of a pop-up shop, which is expected to continue trading until end of October 2017.
Lead Officers:	Kevin Munnelly (3.1 – 3.2) Martin Pinnell (3.3)			
Resources	Planning budgets New Homes Bonus Section 106			

Aim 4:	Support and develop the vitality of Penge and the borough's smaller town centres		Progress	Comments
By March 2017, we said we would have:	4.1	Completed the delivery of an improvement scheme for shop fronts . This project is being funded by the New Homes Bonus fund.	Partially achieved	In early 2017 a conditional assessment undertaken for the shop front improvement scheme produced a robust strategy for implementation and a tendering brief. The process for appointing contractors is currently underway.
	4.2	Implemented improved way finding and public realm improvements in Penge town centre.	Partially achieved	First phase of works were completed in June 2017 and the second phase is due to commence in September 2017.
	4.3	Commissioned and delivered a programme of business support for businesses in Penge based on the funding agreement for the New Homes Bonus.	Partially achieved	The delivery of a business support programme (which encompassed the provision of a pop-up shop on the High Street) has continued throughout 2017/18 – supporting a number of existing High Street businesses and new start-ups. The programme is expected to continue until spring 2018.
	4.4	Completed the feasibility stage for a proposed Penge, subject to the outcome of the feasibility study we will have established a stakeholder working group and commissioned work on developing and promoting a Business Improvement District in the town centre with a view to ballot in autumn 2017.	Achieved	The feasibility stage was undertaken by early 2017, and presented to local business stakeholders, subsequent to which a steering group has been formed. Specialist BID advisors have been appointed to assist with the development and promotion of a BID for Penge, although due to various factors the ballot is now expected to take place in early 2018.
	4.5	Delivered the second phase of improvements to Local	Partially	The application process for the second

		Shopping parades following the submission of applications from local residents and businesses through their ward councillors.	achieved	phase of the scheme was finalised and promoted to ward Councillors and local businesses to encourage applications for the first application round of the scheme, which closed on 31 March 2017.
Lead Officers:	Kevin Munnely (4.1 – 4.2) Martin Pinnell (4.3 – 4.5)			
Resources	New Homes Bonus			

Aim 5:	Promote business investment and development in the borough's key commercial and industrial areas and employment priority zones.		Progress	Comments
By March 2017, we said we would have:	5.1	Completed a capacity masterplan for Biggin Hill . Following the completion of infrastructure and investments plans in 2015/16, this masterplan will inform a land purchase for an Aviation Training and Enterprise Centre. We will have also undertaken preliminary development work and will have produced a business plan for the Centre in partnership with the Greater London Authority, Local Enterprise Partnership, Bromley College, Biggin Hill Airport and the LoCATE Partnership. Additionally we will make a bid to the Regeneration Fund to support the land purchase costs.	Achieved	A formal offer was made to purchase the site for the enterprise centre from Pembridge Property.
	5.2	Set up a joint venture company with an industrial developer to deliver development floor space options for the Cray Valley Business Corridor .	Not achieved	Further strategic review to be undertaken by Cushman and Wakefield due to lack of suitable partners and sites.

	5.3	Explored the feasibility of an enterprise centre in Central Library, Bromley and have reported the outcome to the Council's Executive Committee. If the enterprise centre is feasible, we will seek authorisation to lease space in the Central Library for this purpose and will make and application for funding to the Mayor of London's Regeneration Fund for fit out costs.	Partially achieved	Feasibility study undertaken and options appraisal complete. However, the project was curtailed due to changes in the joint management contract with Bexley for library service provision meaning the space is no longer available.
Lead Officers:	Kevin Munnelly (5.1 – 5.3)			
Resources	New Homes Bonus Growth Fund			

Performance Indicators

Outcome 1:	Economic Development		Please comment on how you have performed against these measures
Performance Measures:	1.1	Footfall rates are sustained or improved in the borough's largest town centres.	Bromley Town Centre footfall count: <ul style="list-style-type: none"> • 2015 = 21.4m visitors • 2016 = 21.8m visitors¹
	1.2	There is business rate growth in the borough.	Achieved
	1.3	Employment rates in the borough are maintained or improved.	Achieved

¹ Source: Springboard

	1.4	Vacancy rates in our town centres are sustained or reduced.	<ul style="list-style-type: none"> • Bromley vacancy rate² (retail / leisure) May 2017 = 6.5%; May 2016 = 9.8%. • Orpington vacancy rate (retail / leisure) Feb 2017 = 7.2%; March 2016 = 7.7% • Beckenham vacancy rate (retail / leisure) June 2017 = 6.5%; May 2016 = 5.5% • Penge vacancy rate (retail / leisure) April 2017 = 8.9%; April 2016 = 8.8%³
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² Source: Local Data Company

³ GB vacancy rate June 2017 = 11%

2016/17 Outcome 2: Protection, conservation and enhancement of the natural and built environment

Aim 6:	Prepare an up to date Local Plan setting out policies for development in the borough over the next 15 years		Progress	Comments
By March 2017, we said we would have:	6.1	Prepared a Draft Local Plan for formal Regulation 19 consultation. Following consultation, we will submit the draft Local Plan to the Secretary of State for consideration	Achieved	Regulation 19 consultation undertaken on the Proposed Submission Draft Local Plan during November/December 2016. Reports to June 2017 cycle seeking agreement to submit to the Secretary of State for examination.
	6.2	Prepare an Infrastructure Delivery Plan identifying the infrastructure required to deliver the growth and vision in the Local Plan.	Achieved.	IDP prepared November 2016 to support delivery of the Draft Local Plan.
Lead Officers:	Mary Manuel			
Resources:	Existing Planning revenue budgets			

Aim 7:	Develop a Bromley Community Infrastructure Levy (CIL)		Progress	Comments
By March 2017, we said we would have:	7.1	Undertaken viability work in relation to the potential Bromley Community Infrastructure Levy .	Achieved	Viability work to support the preparation of a Bromley CIL undertaken together with the viability of the Draft Local Plan.
	7.2	Published and consulted on a Preliminary Draft Charging Schedule and a Regulation 123 Infrastructure List. Prepared a draft revised Supplementary Planning	Not achieved	The preparation of the PDCS follows the preparation of the Draft Local Plan. The intention is to prepare this

	Documents Planning Obligations incorporating the Affordable Housing Supplementary Planning Document.		Summer 2017 and consultation early Autumn 2017.
Lead Officer:	Mary Manuel		
Resources	Existing Planning revenue budgets		

Aim 8:	Ensure the ongoing effectiveness of planning regulatory functions	Progress	Comments	
By March 2017, we said we would have:	8.1	Made considered determinations of planning applications within a reasonable period of time, acknowledging national targets whilst focussing on delivering a quality outcome for the borough. We will have: <ul style="list-style-type: none"> • Determined 60% of major applications within 13 weeks of receipt • Determined 65% of minor applications within 13 weeks of receipt • Determine 80% of other applications within 8 weeks of receipt 	Achieved	
	8.2	Protected tress, listed buildings and conservation areas in the borough	Achieved	We have agreed additional listed buildings which are now to be protected and added new Tree Preservation Orders to additional trees that are also protected now.
Lead Officers:	Jim Kehoe			
Resources	Existing planning revenue budgets			

Aim 9:	Planning Enforcement		Progress	Comments
By March 2017, we said we would have:	9.1	Considered over 700 cases where a breach of planning control may have taken place, using the Council's Planning Enforcement Policy to guide any actions to be taken.	Achieved	The range of enforcement action has been expanded to include action under the Proceeds of Crime Act resulting in financial recovery related to breaches of planning control as well as direct action.
	9.2	Monitored the number of notices served and the timescale for responses in keeping with the Planning Enforcement Policy.	Achieved	Over the last year, the number of pending enforcement cases has been substantially reduced, to around 450 cases.
Lead Officers:	Jim Kehoe			
Resources	Existing budgets			

Performance Indicators

Outcome 2:	Protection, conservation and enhancement of the natural and built environment		Please comment on how you have performed against these measures
Performance Measures:	2.1	The Local Plan is submitted to the Secretary of State and a draft Infrastructure Delivery Plan is published alongside the Draft Local Plan.	Regulation 19 Proposed Submission Draft Local Plan consultation undertaken November/December 2016 and report to June committee cycle seeking agreement to submit to the Secretary of State. Draft IDP prepared November 2016.
	2.2	Consultation on a draft Charging Schedule for a Bromley Community Infrastructure Levy is agreed.	The preparation of the PDSC follows the local plan preparation and will be prepared Summer 2017 with anticipated consultation Autumn 2017/

	2.3	<p>The Council determines</p> <ul style="list-style-type: none"> • Determined 60% of major applications within 13 weeks of receipt • Determined 65% of minor applications within 13 weeks of receipt • Determine 80% of other applications within 8 weeks of receipt <p>in accordance with national targets.</p>	Achieved
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2016/17 Outcome 3: Enhance opportunities for leisure, cultural activities and community led services

Aim 10:	To implement the 2014 library strategy to consider new ways of delivering library services in challenging financial circumstances		Progress	Comments
By March 2017, we said we would have:	10.1	Completed the application (tender) process to identify a community management partner at the borough's community libraries (Burnt Ash, Hayes, Mottingham, Shortlands, Southborough and St Paul's Cray) and reported the outcome to the Council's Executive Committee for a decision on whether or not to award a contract. If a contract is awarded, we will have begun working with the successful community organisation to implement community management arrangements.	Achieved	This process was concluded with a decision by the Executive not to award a contract but to include the six community libraries in the tender process for the whole library service.
	10.2	Completed a joint tender with the London Borough of Bexley for the whole library service, including the shared service, to identify a delivery partner who can deliver library services under the supervision and direction of the council to retain service levels whilst reducing operating costs.	Partially achieved.	LB Bexley withdrew from the process but Bromley continued to the final tender stage identifying a suitable delivery partner. The decision on award of contract is due in July 2017.
	10.3	Explore options for the upgrade and re-development of library facilities, as identified in the Library Strategy 2014. Specifically, we will have agreed a mixed development proposal with the development partner for Chislehurst Library to include retail and residential opportunities and new library facilities.	Achieved	Options have been identified. A proposal for the redevelopment of Chislehurst Library has been agreed.
Lead Officers:	Tim Woolgar Hannah Jackson Colin Brand			

Resources	Existing revenue budgets The Council's corporate commissioning budget
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Aim 11:	Develop the borough's cultural offer		Progress	Comments
By March 2017, we said we would have:	11.1	Worked with appointed consultants AECOM to have produced a self-funding Regeneration Plan for Crystal Palace Park that will identify improvements to develop a sustainable business model for its management and maintenance under a new form of community-led governance. The plan must consider the complexities of the site and be delivered in partnership with the Greater London Authority, English Heritage and Transport for London. The plan will identify all sources of funding to affect delivery and have sought community input where appropriate.	Achieved	AECOM have delivered a Regeneration Plan for the Park and an associated Implementation Plan demonstrating the deliverability of the project a schedule of works.
	11.2	Completed capital projects as part of a £2.4million Improvement Scheme in Crystal Palace Park, and award grants from the Community Projects Fund. We will have conserved the sphinxes and south terrace steps, completed conservation of the dinosaurs and implemented the associated landscape improvements and commenced work to install a new skate park.	Partially Achieved	The Community Projects Fund has allocated 70% of its funding and has two rounds left to allocate the rest. However, the start of the café build has been delayed by the delays preventing the previous tenant from vacating and over budget tenders for the build contract. Additionally, the construction of the skatepark was delayed when the initial company contracted went into administration and the contact was terminated.
	11.3	Relocated local history exhibitions to Central Library thereby improving interpretation and increasing access.	Achieved	The new Bromley Historic Collections exhibition opened in Bromley Central library in November 2016.

	11.4	Completed developed designs for the new Biggin Hill Memorial Museum, and submitted an application for funding to support delivery costs to the Heritage Lottery Fund.	Achieved	The designs for the museum scheme have been developed to RIBA Stage 4. Planning permission has been granted for the work.
Lead Officer:	Lydia Lee			
Resources	Capital programme Allocated funds from the Mayor of London and the Council's capital programme Capital programme £1m funding from HM Treasury, section 106 monies			

Aim 12:	Enhance the borough's leisure facilities		Progress	Comments
By March 2017, we said we would have:	12.1	Identified a suitable developer and awarded a contract for a mixed use development to include a community hub, housing and public realm work and a new gymnastics centre at Chipperfield Road, St Paul's Cray.	Partially Achieved	A Report to the R & R PDS Committee (Sept 2016) and the Executive agreed Cushman and Wakefield produce a masterplan and viability proposals for the scheme. Ward Members have been consulted. Scheme has been considered by the Strategic Assets Group. Further report to be considered by the Executive in July 2017
	12.2	Agreed a lease for Blackheath and Bromley Harriers to undertake the management and maintenance of Norman Park Athletics Track.	Achieved	A Report to the R and R PDS Committee (Jan 26 th 2017) and the Executive and Resources PDS agreed that subject to Blackheath and Bromley Harriers (BBH) being granted the required planning consents they are granted a 125 year full repair and insuring lease. BBH are currently reviewing their business plan and seeking planning consents.

	12.3	Lead the development and adoption of a new five year strategic framework for ProActive Bromley to encourage participation in sport and healthy lifestyles.	Achieved	New Framework agreed, written and currently in the process of being printed.
	12.4	Reviewed the future of leisure centre provision across the borough and explored opportunities for modernisation.	Partially Achieved	There have been discussions between officers, Members and Mytime Active to consider potential future opportunities. These are ongoing.
Lead Officers:	John Gledhill			
Resources	Existing Culture & Leisure budgets			

Performance Indicators

Outcome 3:	Enhanced opportunities for leisure, cultural activities and community-led services		Please comment on how you have performed against these measures
Performance Measures:	3.1	The number of people from communities attending events or activities demonstrates community engagement with leisure, cultural and recreational services and projects.	<ul style="list-style-type: none"> • PAB CSAF Project: 1447 people attended • Biggin Hill: 2000 • Crystal Palace Park Regeneration Plan open days: 885
	3.2	The number of projects delivered which improves access or engagement with leisure or cultural facilities, assets or services.	<ul style="list-style-type: none"> • PAB CSAF Project: 15 • Crystal Palace Park: 40 • Bromley Historic Collections: 2
	3.3	Development proposals are submitted by development partners in relation to Chipperfield Road, Blackheath & Bromley Harriers and Chislehurst Library.	<ul style="list-style-type: none"> • Chipperfield Road – proposals going to July 2017 Executive for approval • Blackheath and Bromley Harriers – submitted planning applications in May 2017.

Detailed Aims for 2017/18

Outcome 1: Economic Development

Aim 1	Support the vitality of Bromley town centre, including continued delivery of the Bromley Area Action Plan	
By March 2018 we will have:	Continue delivery of the Bromley Area Action Plan	
	1.1	Agreed a development scheme with network Rail and Prime Place before securing a resolution to treat the car park land (Site A).
	1.2	Completed development agreement and draft lease ad supported the submission of planning application by Countryside Properties by March 2018 for Site G .
	1.3	Worked with building owners with Business Improvement area(s) to agree comprehensive office redevelopment scheme.
	Deliver other improvements to Bromley Town Centre	
1.4	Completed phases 1 and 2 of the improvement plan including the delivery of commercial kiosks, mirrored canopies and public realm improvements. We will also scrutinize the delivery of the market redevelopment project by the Neighbourhood Management team.	
Delivery risks	1.1	Unacceptable or over-ambitious schemes being proposed by developers, none of which can be allowed to be taken forward.
	1.2	Countryside Properties not having sufficient capacity to submit planning application on time.
	1.3	Insufficient buy-in from building owners
	1.4	Contractor failure
Lead Officer	Kevin Munnelly (1.1 – 1.4)	
Resources	Growth Fund (1.1 – 1.4) Developer contribution (1.2) Section 106 (1.2, 1.4)	

Aim 2	Support and develop the vitality of Beckenham	
By March 2018 we will have:	2.1	Completed the delivery of the improvement programme for Beckenham town centre.
	2.2	Developed a proposal and business plan for a Beckenham Business Improvement District and taken this to a ballot of business rate payers. Subject to the results of the ballot we will have established a BID Board and administrative framework for the BID to start operating from April 2018.
Delivery risks	2.1	Contractor failure
	2.2	There is insufficient support from local businesses to take the proposed BID to ballot. .
Lead Officers	Kevin Munnelly (2.1) Martin Pinnell (2.2)	
Resources	Capital receipts (2.1) Transport for London (2.1) Earmarked reserve (2.2)	

Aim 3	Support and develop the vitality of Orpington	
By March 2018 we will have:	3.1	Completed the second phase of improvement plan for Walnuts Square Area
	3.2	Completed a regeneration and development capacity study for Orpington to inform a regeneration strategy for the town – delivered by the Council’s commercial property advisors Cushman & Wakefield – and undertaken detailed development appraisals of options identified by Cushman and Wakefield’s study of the development capacity of and regeneration strategy for Orpington
	3.3	Completed delivery of a pop up shop which is the final strand in a programme of business support and place shaping to encourage business development in Orpington, for delivery by the Business Improvement District (Orpington 1st).
	3.4	Facilitated Orpington 1st BID in its proposed renewal ballot (due autumn 2017) for a further 5-year term starting in April 2018.
Delivery risks	3.1	Housing development not going ahead resulting in Section 106 monies not being granted.
	3.2	The outcome of the study shows there to be a lack of suitable resource to progress scheme

	3.3	Orpington 1st do not find sufficient suitable businesses to take up occupation of the pop up shop.
	3.4	There is insufficient support or capacity for the BID to hold a successful ballot campaign
Lead Officers	Kevin Munnelly (3.1 - 3.2) Martin Pinnell (3.3 – 3.4)	
Resources	Section 106 (3.1) Growth Fund (3.2) New Homes Bonus (3.3) Existing Revenue (3.4)	

Aim 4	Support and develop the vitality of Penge and the borough's smaller town centres	
By March 2018 we will have:	4.1	Delivered improvements to 5 shop fronts and building refurbishments on Penge High Street following the appointment of a contractor to undertake engagement and delivery works.
	4.2	Completed the delivery of the second phase of works to improve public realm and wayfinding in Penge town centre due to commence in September 2017.
	4.3	Delivered a programme of business support for businesses in Penge based on the funding agreement for the New Homes Bonus. This includes completion of delivery of short term pop-up shop as incubator space for new businesses.
	4.4	Developed a proposal and business plan for a Penge Business Improvement District and taken this to a ballot of business rate payers, Subject to the results of the ballot we will have established a BID Board and administrative framework for the BID to start operating in April 2018.
	4.5	Delivered 4 applications rounds for the second phase of improvements to Local Shopping parades and implemented approved projects following the submission of applications from local businesses through their ward councillors.
Delivery risks	4.1	Insufficient uptake from shop proprietors for the scheme
	4.2	Contractor failure

	4.3	Take up by existing businesses is low and benefits are not realised. Pop up shop space take up by new businesses is low.
	4.4	There is insufficient support from local businesses to take the proposed BID to ballot.
	4.5	Insufficient applications from businesses and ward Councillors to the fund.
Lead Officers	Kevin Munnelly (4.1 – 4.2) Martin Pinnell (4.3 – 4.5)	
Resources	New Homes Bonus (4.1 – 4.3) Earmarked reserves (4.4 – 4.5)	

Aim 5	Promote business investment and development in the borough's key commercial and industrial areas and employment priority zones.	
By March 2018, we will have:	5.1	Subject to site on West Camp being secured, we will have progressed the delivery of an aviation training centre.
	5.2	Explored options for the delivery of an enterprise network across the borough utilising surplus Council stock.
Delivery Risks:	5.1	Site not secured
	5.2	Prioritisation of competing needs / uses for identified sites
Lead Officers:	Kevin Munnelly (5.1 – 5.2)	
Resources	New Homes Bonus (5.1) Growth Fund (5.2)	

Outcome 2: Protection, conservation and enhancement of the natural and built environment

Aim 6	Prepare an up to date Local Plan setting out policies for development in the borough over the next 15 years	
By March 2018, we will have:	6.1	Submitted Local Plan for examination to Secretary of State and made progress toward adoption.
Delivery Risks:	6.1	New government policy implications from the Mayor of London's new draft London plan. Delays in Examination process.
Lead Officers:	Mary Manuel	
Resources	Existing Planning revenue budgets (6.1 – 6.2)	

Aim 7	Develop a Bromley Community Infrastructure Levy (CIL)	
By March 2018, we will have:	7.1	Consulted on the Preliminary Draft Charging Schedule
	7.2	Analysed, prepared and consulted on Draft Charging Schedule and made progress toward submitting the Charging Schedule for examination.
Delivery Risks:	7.1	Challenges in relation to the preliminary Draft Charging Schedule or Draft Charging Schedule requiring further work and consultation pre-submission.
	7.2	New Government policy / change in approach to CIL
Lead Officers:	Mary Manuel	
Resources	Existing Planning revenue budgets (7.1 – 7.2)	

Aim 8	Ensure the ongoing effectiveness of planning regulatory functions	
By March 2018, we will have:	8.1	Made considered determinations of planning applications within a reasonable period of time, acknowledging national targets whilst focussing on delivering a quality outcome for the borough. We will have: <ul style="list-style-type: none"> • Determined 65% of major applications within 13 weeks of receipt • Determined 70% of minor applications within 13 weeks of receipt • Determine 82% of other applications within 8 weeks of receipt
	8.2	Protected trees, listed buildings and conservation areas in the borough by improving the effectiveness of planning functions by resolving cases more quickly and considering more cases of planning control.
Delivery Risks:	8.1 – 8.2	Large numbers of complex planning applications are submitted which require review concurrently, putting pressure on staff resources. Delays are caused by the need for additional information
Lead Officers:	Jim Kehoe	
Resources	Existing planning revenue budgets (8.1 – 8.2)	

Aim 9	Planning Enforcement	
By March 2018, we will have:	9.1	Determined over 750 cases where a breach of planning control may have taken place, using the Council's Planning Enforcement Policy to guide any actions to be taken.
	9.2	Monitored the number of notices served and the timescale for responses in keeping with the Planning Enforcement Policy.
Delivery Risks:	9.1 – 9.2	Unexpected major breaches of Planning Control that require additional resources.
Lead Officers:	Jim Kehoe	
Resources	Existing planning revenue budgets (9.1 – 9.2) Earmarked reserves (9.1 – 9.2)	

Outcome 3: Enhance opportunities for leisure, cultural activities and community led services

Aim 10	To implement the 2014 library strategy to consider new ways of delivering library services in challenging financial circumstances	
By March 2018 we will have:	10.1	Completed a tender for the whole library service, to identify and appoint a delivery partner who can deliver library services under the supervision and direction of the council to retain service levels whilst reducing operating costs.
	10.2	Explored and identified options for the upgrade and re-development of library facilities, as identified in the Library Strategy 2014, including a mixed development proposal with the development partner for Chislehurst Library to include retail and residential opportunities and new library facilities.
Delivery risks	10.1	Due diligence reveals unanticipated legal, financial or business issues which require time to resolve. The tender does not deliver the anticipated benefits.
	10.2	Schemes proposed are not compliant with planning requirements, or there is a change in market conditions which affect the viability of the developments.
Lead Officer	Tim Woolgar (10.1 – 10.2) Hannah Jackson (10.1) Colin Brand (10.1 – 10.2)	
Resources	The Council's corporate commissioning budget (10.1) Existing revenue budgets (10.2)	

Aim 11	Establish Bromley as a destination for culture	
By March 2018 we will have:	11.1	Worked with AECOM to submit the Outline Planning Application for the Crystal Palace Park Regeneration Plan.
	11.2	Progressed the Crystal Palace Park Improvement Scheme; allocated the remaining Community Projects Fund monies to community-led projects in the park and begun construction of the skate park and new café.
	11.3	Completed RIBA stage 2 design development of refurbished entrance and repair and decoration work to the Central Library; and taken part in national heritage and cultural events.
	11.4	Secured a £2m grant from the Heritage Lottery Fund and started works on site to build the Biggin Hill Memorial Museum.
Delivery risks	11.1	Planning issues delay or prevent delivery of elements of the Regeneration Plan which affects the developing park governance and business model for the park.
	11.2	Further delays to programme caused by procurement of contractors or other unforeseen factors leading to inflated costs. Bids to the Community Grants Fund are not forthcoming, are inappropriate, or do not meet the required outcomes for the fund.
	11.3	Negotiations with the Churchill Theatre regarding opening up the public space between the library and theatre entrances.
	11.4	Heritage Lottery Funding is not awarded.
Lead Officer	Lydia Lee (11.1 – 11.4)	
Resources	Capital receipts (11.1 – 11.3) Mayor of London (11.2) Heritage Lottery Fund (11.1, 11.4) HM Treasury's Libor Fund (11.4) Section 106 (11.4)	

Aim 12	Enhance the borough's leisure facilities	
By March 2018, we will have:	12.1	Agreed a lease for Blackheath and Bromley Harriers to undertake the management and maintenance of Norman Park Athletics Track.
	12.2	Identified a suitable developer and awarded a contract for a mixed use development to include a community hub, housing and public realm work and a new gymnastics centre at Chipperfield Road, St Paul's Cray.
Delivery Risks:	12.1	The feasibility study shows the scheme is not financially viable or compliant with planning constraints. Blackheath and Bromley Harriers decide to continue with their current arrangement and not to pursue the lease option. New lease arrangements between the Council and Blackheath and Bromley Harriers cannot be agreed.
	12.2	A suitable developer cannot be found. The proposed scheme is not financially viable or fails to comply with planning constraints.
Lead Officers:	John Gledhill (12.1 – 12.2)	
Resources	Existing Culture & Leisure budgets (12.1 – 12.2)	

Performance Indicators for 2017/18

Outcome	Performance Indicator	
Economic Development	1.1	Deliver 3 ballots continue / introduce Business Improvement Districts in Orpington, Beckenham and Penge.
	1.2	5-10% increase in footfall in Beckenham, Penge and Orpington Town Centres over the national decline which the High Streets would have suffered if the improvements had not been made.
	1.3	Arrest of business rate base decline
Protection, conservation and enhancement of the natural and built environment	2.1	Local Plan report submitted to DCC / Executive / Council in June 2017
	2.2	Submission of Local Plan to Secretary of State in July 2017
	2.3	Consultation on CIL complete by February 2018
Enhance opportunities for leisure, cultural activities and community led services	3.1	The number of community activities delivered and enabled as part of national cultural and heritage events, such as Heritage Open Days.
	3.2	The number of projects delivered which improve access or engagement with leisure, culture and heritage facilities, assets or services.
	3.3	The number of people volunteering as part of leisure, culture and heritage projects, and feedback from schools visiting the Biggin Hill Chapel.

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Report No.
DRR17/29

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 5 July 2017

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

Title: PLANNING APPEALS MONITORING REPORT APRIL 2016 TO MARCH 2017

Contact Officer: John Stephenson, Planning Appeals and Enforcement Manager
Tel: 0208 313 4687 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

The report provides an update on planning appeals received and decided for the year 2016/17.

2. **RECOMMENDATION(S)**

Members note the report

Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly from this report
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: N/A :
 3. Budget head/performance centre: Planning – Appeals and Enforcement Section
 4. Total current budget for this head: £359.8k
 5. Source of funding: Existing revenue budgets 2016/17
-

Personnel

1. Number of staff (current and additional): 7.98 FTE
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement Town and Country Planning Act :
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: None directly from this report
-

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 The table (1) below provides a summary of appeals activity in the period 1 April 2016 to 31 March 2017. During that time 292 appeals were lodged during the same period 317 appeal decisions were received of which 188 were dismissed and 129 were allowed.

3.2 The breakdown by appeal procedure for 2016/2017 compared with 2015/2016 is summarised below:

Table (1)

Appeals Lodged Procedure	Bromley 2015-2016		Bromley 2016-2017	
Fast track	121	(46%)	144	(41%)
Written Representations	116	(44%)	193	(55%)
Informal Hearing	12	(5%)	9	(3%)
Local Inquiry	12	(5%)	3	(1%)
TOTAL	261		351	

This represents a 10% increase for Bromley in the proportion of written representation cases.

3.3 The number of appeal cases that Bromley are dealing with has increased significantly and our success rate has improved when compared to last year.

Table (2)

Appeal decisions in Bromley Borough 2016/2017*					
	Fasttrack	Written	Hearing	Inquiry	Total
No. of appeals allowed	65	69	4	1	139
No. of appeals dismissed	103	94	4	2	203
No. of appeals Part allowed/dismissed	7	1	0	1	9
Total appeals decided	175	164	8	4	351
% appeals allowed	37%	42%	50%	25%	40%
National comparison¹	40%	31%	41%	55%	33%

*Figures do not include Enforcement appeals

In 2016/17, overall 40% of Planning Appeals were allowed, this is where planning permission is granted, a slight increase when compared with 2015/16 in which 36% were allowed.

3.4 Tables are attached at Appendix One showing on appeals lodged for the last 2016/2017 year including: Planning applications that have gone to appeal, whether a delegated or committee decision and the outcome of the appeal. These tables were originally related to a Council Question.

Non-Applicable Sections:	Impact On Vulnerable Adults and Children ,Policy Implications, Financial Implications, Procurement Implications, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

¹ Source: Planning Inspectorate Statistical Report (figures provisional)

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Appendix One

Planning Appeals

Data on Planning Appeals lodged in the last year: -

- **2016/2017**

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Address	Recommend. Accepted or Overturned	Delegated or Committee	Application Decision	Date of Application Decision	Date Appeal Lodged	Appeal Decision	Appeal Decision Date
202 Pickhurst Lane West Wickham BR4 0HL	A - Accepted	Delegated Decision	Application Refused	15/02/16	04/04/16	Appeal Dismissed	23/08/16
2 Bromley Common Bromley BR2 9PD	A - Accepted	Delegated Decision	Application Refused	02/02/16	04/04/16	Appeal Allowed	03/08/16
48 Bromley Common Bromley BR2 9PD	A - Accepted	Delegated Decision	Application Refused	08/03/16	04/04/16	Appeal Dismissed	19/07/16
5 Springfield Road Bromley BR1 2LJ	A - Accepted	Delegated Decision	Application Refused	10/03/16	04/04/16	Appeal Allowed	22/08/16
78 Oakdene Road Orpington BR5 2AW	A - Accepted	Delegated Decision	Application Refused	16/03/16	05/04/16	Appeal Dismissed	22/08/16
31 Ruskin Drive Orpington BR6 9RP	A - Accepted	Delegated Decision	Application Refused	13/01/16	06/04/16	Appeal Dismissed	16/08/16
15 Church Road Farnborough Orpington BR6 7DB	A - Accepted	Delegated Decision	Application Refused	15/03/16	06/04/16	Appeal Dismissed	22/07/16
Land Adjacent 2 (demolished) Main Road Biggin Hill	O - Overturned	Committee Decision	Application Refused	27/10/15	07/04/16	Appeal Allowed	23/09/16
38 Chatterton Road Bromley BR2 9QN	A - Accepted	Delegated Decision	Application Refused	26/01/16	07/04/16	Appeal Dismissed	12/07/16
Studio At Burgh Hill Kingswood Road Shortlands Bromley BR2 0HQ	A - Accepted	Delegated Decision	Application Refused	11/03/16	08/04/16	Appeal Dismissed	09/08/16
203 Eden Way Beckenham BR3 3DS	A - Accepted	Delegated Decision	Application Refused	01/04/16	11/04/16	Appeal Dismissed	18/08/16
Land Rear Of 208 To 210 High Street Bromley			Application Withdrawn (Finally Disposed)	24/05/16	13/04/16	Out of time	21/04/16
Land Rear Of 208 To 210 High Street Bromley			Application Withdrawn (Finally Disposed)	24/05/16	14/04/16	Appeal Lodged	20/04/16
27 Cranbrook Close Hayes Bromley BR2 7QA	A - Accepted	Delegated Decision	Application Refused	11/03/16	14/04/16	Appeal Dismissed	19/07/16
127 Park Avenue Orpington BR6 9ED	A - Accepted	Delegated Decision	Application Refused	15/03/16	14/04/16	Appeal Dismissed	23/08/16

61 Ridgeway Crescent Orpington BR6 9QW	A - Accepted	Delegated Decision	Application Refused	15/03/16	15/04/16	Appeal Dismissed	19/07/16
51 Birchwood Road Petts Wood Orpington BR5 1NX	O - Overturned	Committee Decision	Application Refused	21/03/16	18/04/16	Appeal Allowed	19/07/16
Apple Tree House Orchard Road Pratts Bottom Orpington BR6 7NS	A - Accepted	Delegated Decision	Application Refused	11/01/16	18/04/16	Appeal Dismissed	09/08/16
Spindriff The Drift Bromley BR2 8HL	A - Accepted	Delegated Decision	Application Refused	31/03/16	18/04/16	Appeal Allowed	23/08/16
42 Letchworth Drive Bromley BR2 9BE	A - Accepted	Delegated Decision	Application Refused	29/01/16	19/04/16	Appeal Dismissed	11/07/16
75 Bushey Way Beckenham BR3 6TH	A - Accepted	Delegated Decision	Application Refused	11/02/16	19/04/16	Appeal Dismissed	21/07/16
22 Clifford Avenue Chislehurst BR7 5DZ	A - Accepted	Delegated Decision	Application Refused	15/02/16	19/04/16	Appeal Lodged	
1 Thornet Wood Road Bickley Bromley BR1 2LN	A - Accepted	Delegated Decision	Application Refused	24/03/16	19/04/16	Appeal Withdrawn	
539 Upper Elmers End Road Beckenham BR3 3DF	A - Accepted	Delegated Decision	Application Refused	11/04/16	19/04/16	Appeal Allowed	21/07/16
Land Outside 2A Tile Farm Road Orpington	A - Accepted	Delegated Decision	Refuse Prior Approval	20/01/16	22/04/16	Appeal Allowed	02/08/16
Five Elms Baston Road Hayes Bromley BR2 7BS	A - Accepted	Delegated Decision	Application Refused	29/10/15	25/04/16	Appeal Dismissed	11/08/16
53 Cedars Road Beckenham BR3 4JG	A - Accepted	Delegated Decision	Application Refused	03/02/16	25/04/16	Appeal Allowed	19/07/16
3 Coppergate Close Bromley BR1 3JG	A - Accepted	Delegated Decision	Application Refused	01/02/16	29/04/16	Appeal Dismissed	10/11/16
6 Cross Ashes Rookery Road Downe Orpington BR6 7JF	A - Accepted	Delegated Decision	Application Refused	02/03/16	29/04/16	Appeal Dismissed	19/07/16
213 Kings Hall Road Beckenham BR3 1LL	O - Overturned	Committee Decision	Application Refused	04/04/16	03/05/16	Appeal Allowed	23/09/16
91 Crofton Avenue Orpington BR6 8DY	A - Accepted	Delegated Decision	Application Refused	18/03/16	03/05/16	Appeal Dismissed	13/07/16

35 Elmstead Avenue Chislehurst BR7 6EF	A - Accepted	Delegated Decision	Application Refused	21/04/16	09/05/16	Appeal Allowed	30/08/16
4 Edward Road Biggin Hill TN16 3HL	A - Accepted	Delegated Decision	Application Refused	10/02/16	09/05/16	Appeal Allowed	07/07/16
45 York Rise Orpington BR6 8PR	A - Accepted	Delegated Decision	Application Refused	15/03/16	09/05/16	Appeal Dismissed	12/07/16
17 Broughton Road Orpington BR6 8EG	A - Accepted	Delegated Decision	Application Refused	02/03/16	10/05/16	Appeal Dismissed	08/09/16
Land Opposite 211 Poverest Road Orpington	A - Accepted	Delegated Decision	Refuse Prior Approval	22/01/16	11/05/16	Appeal Allowed	20/09/16
20 Southborough Road Bickley Bromley BR1 2EB	A - Accepted	Delegated Decision	Application Refused	06/04/16	11/05/16	Appeal Allowed	20/09/16
132 Crofton Road Orpington BR6 8JD	A - Accepted	Delegated Decision	Application Refused	29/02/16	16/05/16	Appeal Dismissed	14/11/16
43B Hilldrop Road Bromley BR1 4DB	A - Accepted	Delegated Decision	Proposed Use/Development is Not Lawful	23/11/15	17/05/16	Appeal Dismissed	02/03/17
45 Southlands Grove Bickley Bromley BR1 2DA	O - Overturned	Committee Decision	Application Refused	23/02/16	17/05/16	Appeal Allowed	07/10/16
Bedlam 12 Westleigh Drive Bromley BR1 2PN	A - Accepted	Delegated Decision	Application Refused	10/03/16	17/05/16	Appeal Dismissed	28/07/16
Land At Junction With Hanbury Drive And Main Road Biggin Hill	A - Accepted	Delegated Decision	Application Refused	29/02/16	17/05/16	Appeal Dismissed	19/09/16
54 Kingsway West Wickham BR4 9JG	A - Accepted	Delegated Decision	Application Refused	20/04/16	17/05/16	Appeal Dismissed	26/07/16
247 Beaconsfield Road Mottingham London SE9 4EE	A - Accepted	Delegated Decision	Application Refused	17/03/16	18/05/16	Appeal Allowed	04/08/16
13 Broxbourne Road Orpington BR6 0AZ	A - Accepted	Delegated Decision	Application Refused	02/03/16	18/05/16	Appeal Dismissed	02/09/16
Land Adjacent To 72 The Avenue St Pauls Cray Orpington	A - Accepted	Delegated Decision	Application Refused	08/03/16	18/05/16	Appeal Dismissed	20/09/16
26A Bromley Avenue Bromley BR1 4BQ	A - Accepted	Delegated Decision	Application Refused	25/02/16	19/05/16	Appeal Dismissed	28/07/16

186 Anerley Road Penge London SE20 8BL	A - Accepted	Delegated Decision	Application Refused	22/03/16	19/05/16	Appeal Dismissed	20/09/16
2 Bennetts Copse Chislehurst BR7 5SG	A - Accepted	Delegated Decision	Application Refused	18/03/16	19/05/16	Appeal Dismissed	07/07/16
Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP	A - Accepted	Delegated Decision	Application Refused	03/05/16	19/05/16	Appeal Allowed	16/12/16
Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP	A - Accepted	Committee Decision	Application Refused	06/05/16	19/05/16	Appeal Allowed	16/12/16
Land Opposite 211 Village Way Beckenham	A - Accepted	Delegated Decision	Refuse Prior Approval	17/02/16	20/05/16	Appeal Allowed	02/09/16
46 Blandford Road Beckenham BR3 4NF	A - Accepted	Delegated Decision	Application Refused	29/02/16	23/05/16	Appeal Allowed	19/09/16
29 Church Road Biggin Hill TN16 3LB	A - Accepted	Delegated Decision	Application Refused	24/03/16	23/05/16	Appeal Allowed	03/08/16
10 Sefton Road Petts Wood Orpington BR5 1RQ	A - Accepted	Delegated Decision	Application Refused	21/04/16	23/05/16	Appeal Dismissed	06/09/16
Warren House 46A Yester Road Chislehurst BR7 5HR	A - Accepted	Delegated Decision	Application Refused	29/04/16	24/05/16	Appeal Allowed	28/07/16
2 Larch Dene Orpington BR6 8PL	A - Accepted	Delegated Decision	Application Refused	10/05/16	26/05/16	Appeal Allowed	27/08/16
8 Stephen Close Orpington BR6 9TZ	A - Accepted	Delegated Decision	Application Refused	24/03/16	31/05/16	Appeal Allowed	17/11/16
Land Rear Of 109 Hayes Way Hayes Lane Beckenham	A - Accepted	Committee Decision	Refuse Prior Approval	07/03/16	01/06/16	Appeal Allowed	20/09/16
27 Lakeswood Road Petts Wood Orpington BR5 1BJ	A - Accepted	Delegated Decision	Application Refused	20/04/16	01/06/16	Appeal Dismissed	26/08/16
Knockholt Farm New Years Lane Knockholt Sevenoaks TN14 7PQ	A - Accepted	Committee Decision	Proposed Use/Development is Not Lawful	10/12/15	06/06/16	Appeal Dismissed	01/03/17

58 Birchwood Road Petts Wood Orpington BR5 1NZ	O - Overturned	Committee Decision	Application Refused	21/03/16	06/06/16	Appeal Allowed	26/08/16
28 Barfield Road Bickley Bromley BR1 2HS	A - Accepted	Delegated Decision	Application Refused	31/05/16	06/06/16	Appeal Dismissed	10/10/16
49 Southborough Road Bickley Bromley BR1 2EL	A - Accepted	Delegated Decision	Application Refused	26/04/16	06/06/16	Appeal Lodged	
3 Alexandra Road Biggin Hill TN16 3NY	A - Accepted	Delegated Decision	Application Refused	18/03/16	07/06/16	Appeal Allowed	09/09/16
11 Oakmead Avenue Hayes Bromley BR2 7NA	A - Accepted	Delegated Decision	Application Refused	14/03/16	08/06/16	Appeal Dismissed	05/09/16
Land Adjacent 24 Chesterfield Close Orpington	A - Accepted	Delegated Decision	Application Refused	09/05/16	09/06/16	Appeal Dismissed	20/09/16
Land Opposite 121 St Paul's Wood Hill Orpington	A - Accepted	Delegated Decision	Refuse Prior Approval	11/03/16	10/06/16	Appeal Allowed	20/09/16
Land Opposite 27-33 Chelsfield Road Orpington	O - Overturned	Delegated Decision	Refuse Prior Approval	07/03/16	10/06/16	Appeal Allowed	27/10/16
Chelsfield Lakes Golf Centre Court Road Orpington BR6 9BX	A - Accepted	Committee Decision	Application Refused	23/02/16	13/06/16	Appeal Dismissed	20/09/16
9 Hamlet Road Anerley London SE19 2AP	A - Accepted	Delegated Decision	Application Refused	24/05/16	13/06/16	Appeal Dismissed	15/09/16
13 Elmstead Glade Chislehurst BR7 5DX	A - Accepted	Delegated Decision	Application Refused	18/05/16	13/06/16	Appeal Dismissed	19/09/16
Land At Corner Of South Park Court Park Road Beckenham	A - Accepted	Delegated Decision	Application Refused	02/03/16	14/06/16	Appeal Allowed	23/01/17
38 Heathfield Road Bromley BR1 3RN	A - Accepted	Delegated Decision	Application Refused	26/05/16	14/06/16	Appeal Part Allowed / Part Dismissed	05/09/16
First Floor Flat 4 Westmoreland Road Bromley BR2 0QL	A - Accepted	Delegated Decision	Application Refused	11/02/16	20/06/16	Appeal Dismissed	11/10/16

Land Between 65 And 67 Cameron Road Bromley	O - Overturned	Committee Decision	Application Refused	08/03/16	20/06/16	Appeal Allowed	08/11/16
11 Fairfield Road Petts Wood Orpington BR5 1JR	O - Overturned	Committee Decision	Application Refused	21/04/16	20/06/16	Appeal Allowed	11/10/16
79 East Drive Orpington BR5 2BY	A - Accepted	Delegated Decision	Application Refused	18/05/16	20/06/16	Appeal Dismissed	20/10/16
7 Beckenham Lane Bromley BR2 0DA	A - Accepted	Committee Decision	Application Refused	23/12/15	21/06/16	Appeal Dismissed	09/11/16
100 Imperial Way Chislehurst BR7 6JR	A - Accepted	Delegated Decision	Application Refused	19/05/16	21/06/16	Appeal Dismissed	05/09/16
Land Opposite 161 To 171 Crofton Road Orpington	O - Overturned	Committee Decision	Refuse Prior Approval	11/02/16	22/06/16	Appeal Allowed	10/10/16
Whitehouse 8 Oakfield Lane Keston BR2 6BY	O - Overturned	Committee Decision	Application Refused	04/04/16	22/06/16	Appeal Allowed	09/09/16
19 Westfield Road Beckenham BR3 4EU	A - Accepted	Delegated Decision	Application Refused	24/05/16	22/06/16	Appeal Allowed	19/08/16
56A Foxgrove Road Beckenham BR3 5DB	A - Accepted	Delegated Decision	Application Refused	25/02/16	23/06/16	Appeal Dismissed	07/10/16
111 Whitebeam Avenue Bromley BR2 8DN	A - Accepted	Delegated Decision	Application Refused	11/02/16	23/06/16	Out of time	17/08/16
6A Beaconsfield Road Bickley Bromley BR1 2BP	O - Overturned	Committee Decision	Application Refused	16/05/16	23/06/16	Appeal Dismissed	11/10/16
52 Sandford Road Bromley BR2 9AN	A - Accepted	Delegated Decision	Application Refused	18/04/16	23/06/16	Appeal Dismissed	02/09/16
115 Queensway West Wickham BR4 9DT	A - Accepted	Delegated Decision	Application Refused	27/05/16	26/06/16	Appeal Dismissed	09/09/16
4 Mavelstone Close Bromley BR1 2PJ	A - Accepted	Delegated Decision	Application Refused	08/04/16	27/06/16	Appeal Allowed	15/08/16
14 Southend Road Beckenham BR3 1SD	A - Accepted	Delegated Decision	Application Refused	22/04/16	27/06/16	Appeal Dismissed	21/11/16
Land Opposite 118 Crest View Drive Frankswood Avenue Petts Wood Orpington	A - Accepted	Delegated Decision	Refuse Prior Approval	11/03/16	27/06/16	Appeal Allowed	27/10/16
53 Kechill Gardens Hayes Bromley BR2 7NB	A - Accepted	Committee Decision	Application Refused	23/06/16	27/06/16	Appeal Allowed	28/11/16

1A Austin Avenue Bromley BR2 8AJ	A - Accepted	Delegated Decision	Application Refused	26/05/16	27/06/16	Appeal Allowed	21/09/16
47 North Drive Orpington BR6 9PG	A - Accepted	Delegated Decision	Application Refused	20/06/16	27/06/16	Appeal Allowed	22/09/16
539 Upper Elmers End Road Beckenham BR3 3DF	A - Accepted	Delegated Decision	Application Refused	20/06/16	27/06/16	Appeal Withdrawn	27/07/16
2 Lyne Gardens Biggin Hill TN16 3BF	A - Accepted	Delegated Decision	Application Refused	03/05/16	28/06/16	Appeal Allowed	24/11/16
61 Elmstead Lane Chislehurst BR7 5EQ	A - Accepted	Delegated Decision	Application Refused	08/06/16	28/06/16	Appeal Part Allowed / Part Dismissed	13/09/16
5 Woodlands Road Bickley Bromley BR1 2AD	A - Accepted	Delegated Decision	Application Refused	11/05/16	28/06/16	Appeal Allowed	13/10/16
336 Main Road Biggin Hill TN16 2HL	A - Accepted	Delegated Decision	Application Refused	02/03/16	29/06/16	Appeal Dismissed	12/10/16
38 Hawthorne Road Bickley Bromley BR1 2HH	O - Overturned	Committee Decision	Application Refused	16/05/16	29/06/16	Appeal Dismissed	31/10/16
72 Hayes Lane Beckenham BR3 6RW	A - Accepted	Delegated Decision	Application Refused	03/05/16	29/06/16	Appeal Dismissed	30/11/16
Flamingo Park Club Sidcup By Pass Road Chislehurst BR7 6HL	O - Overturned	Committee Decision	Application Withdrawn	07/03/17	04/07/16	No Further Action to be taken	07/03/17
Flat 2 Chestnuts Royal St Pauls Cray Road Chislehurst BR7 6QB	A - Accepted	Delegated Decision	Application Refused	18/03/16	04/07/16	Appeal Dismissed	27/10/16
Manor Cottage Baston Manor Road Hayes Bromley BR2 7AH	A - Accepted	Delegated Decision	Application Refused	08/04/16	05/07/16	Appeal Lodged	
34 Beechwood Avenue Orpington BR6 7EY	A - Accepted	Delegated Decision	Application Refused	27/04/16	05/07/16	Appeal Allowed	14/09/16
20 Brabourne Rise Beckenham BR3 6SG	A - Accepted	Delegated Decision	Application Refused	22/04/16	05/07/16	Appeal Dismissed	15/09/16
115 New Street Hill Bromley BR1 5BA	A - Accepted	Delegated Decision	Application Refused	24/03/16	06/07/16	Appeal Allowed	22/11/16
25 Samos Road Penge London SE20 7UQ	O - Overturned	Committee Decision	Application Refused	23/06/16	06/07/16	Appeal Allowed	29/11/16

24 Bromley Lane Chislehurst BR7 6LE	A - Accepted	Delegated Decision	Application Refused	18/04/16	07/07/16	Appeal Allowed	14/09/16
34 Beadon Road Bromley BR2 9AT	A - Accepted		Application Refused	07/03/16	08/07/16	Appeal Withdrawn	23/09/16
Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP	A - Accepted	Committee Decision	Application Refused	25/01/16	11/07/16	Appeal Dismissed	16/12/16
21 Denbridge Road Bickley Bromley BR1 2AG	A - Accepted	Delegated Decision	Application Refused	09/03/16	11/07/16	Appeal Dismissed	24/10/16
Eagleshurst Bickley Park Road Bickley Bromley BR1 2BE	A - Accepted	Delegated Decision	Application Refused	02/06/16	11/07/16	Appeal Dismissed	19/09/16
Bronze Works Kangley Bridge Road Lower Sydenham London SE26 5AY	A - Accepted	Committee Decision	Existing Use/Development is Not Lawful	15/07/16	13/07/16	Appeal In Progress	
18 Julian Road Orpington BR6 6HU	A - Accepted	Delegated Decision	Application Refused	09/05/16	14/07/16	Appeal Dismissed	23/09/16
9 Southlands Road Bromley BR2 9QR	A - Accepted	Delegated Decision	Application Refused	13/06/16	14/07/16	Appeal Dismissed	19/09/16
27 High Street Green Street Green Orpington BR6 6BG	A - Accepted	Delegated Decision	Application Refused	16/06/16	18/07/16	Appeal Dismissed	21/11/16
7 Beckenham Lane Bromley BR2 0DA	O - Overturned	Committee Decision	Application Refused	16/05/16	18/07/16	Appeal Allowed	09/11/16
59 Mooreland Road Bromley BR1 3RD	A - Accepted	Delegated Decision	Application Refused	26/04/16	18/07/16	Appeal Dismissed	22/09/16
39 Gates Green Road West Wickham BR4 9DE	A - Accepted	Committee Decision	Application Refused	04/07/16	19/07/16	Appeal Dismissed	24/03/17
46 - 50 High Street Green Street Green Orpington BR6 6BJ	A - Accepted	Delegated Decision	Application Refused	17/06/16	20/07/16	Appeal Dismissed	22/11/16
Queen Mary House Manor Park Road Chislehurst BR7 5PY	O - Overturned	Committee Decision	Application Refused	02/06/16	22/07/16	Appeal Allowed	23/02/17
37 Magnolia Drive Biggin Hill TN16 3SN	A - Accepted	Delegated Decision	Application Refused	16/05/16	26/07/16	Appeal Allowed	03/11/16

14 Edgebury Chislehurst BR7 6JW	A - Accepted	Delegated Decision	Application Refused	25/05/16	26/07/16	Appeal Dismissed	26/10/16
66 Tremaine Road Penge London SE20 7TZ	A - Accepted	Delegated Decision	Application Refused	01/07/16	26/07/16	Appeal Dismissed	03/11/16
3 Greenoak Rise Biggin Hill TN16 3RL	A - Accepted	Delegated Decision	Application Refused	10/05/16	27/07/16	Appeal Dismissed	03/11/16
29 Langley Road Beckenham BR3 4AE	A - Accepted	Delegated Decision	Application Refused	07/06/16	27/07/16	Appeal Dismissed	10/11/16
Hasells Nursery Jackson Road Bromley BR2 8NS	A - Accepted	Delegated Decision	Application Refused	15/07/16	27/07/16	Appeal Allowed	06/03/17
78 Elmstead Lane Chislehurst BR7 5EL	A - Accepted	Delegated Decision	Application Refused	16/05/16	28/07/16	Appeal Allowed	03/11/16
81 High Street Penge London SE20 7HW	A - Accepted	Delegated Decision	Application Refused	20/06/16	28/07/16	Appeal Dismissed	04/11/16
2A St Winifred's Road Biggin Hill TN16 3HR	A - Accepted	Delegated Decision	Application Refused	20/07/16	28/07/16	Appeal Dismissed	18/11/16
114 Grove Park Road Mottingham London SE9 4QB	A - Accepted	Committee Decision	Application Refused	11/07/16	30/07/16	Appeal Allowed	17/11/16
6 Lawn Close Bromley BR1 3NA	A - Accepted	Delegated Decision	Application Refused	09/05/16	31/07/16	Appeal Part Allowed / Part Dismissed	29/11/16
Land At Junction Of Mounthurst Road And Bourne Vale Hayes Bromley	A - Accepted	Delegated Decision	Refuse Prior Approval	09/05/16	02/08/16	Appeal Dismissed	07/11/16
94 Towncourt Lane Petts Wood Orpington BR5 1EJ	A - Accepted	Delegated Decision	Application Refused	02/06/16	02/08/16	Appeal Dismissed	16/01/17
29 Footbury Hill Road Orpington BR6 0HP	A - Accepted	Delegated Decision	Application Refused	11/05/16	04/08/16	Appeal Dismissed	08/11/16
38 Highfield Road Chislehurst BR7 6QZ	A - Accepted	Delegated Decision	Application Refused	27/05/16	04/08/16	Appeal Dismissed	25/11/16
27 Croydon Road Keston BR2 6EA	O - Overturned	Committee Decision	Application Refused	04/07/16	04/08/16	Appeal Allowed	21/11/16
3 Chatsworth Parade Petts Wood Orpington BR5 1DF	A - Accepted	Delegated Decision	Application Permitted	04/08/16	05/08/16	Appeal Lodged	

20 Burford Road Bickley Bromley BR1 2EZ	A - Accepted	Delegated Decision	Application Refused	21/07/16	08/08/16	Appeal Allowed	24/10/16
Gladsholme Church Road Chelsfield Orpington BR6 7RE	A - Accepted	Delegated Decision	Application Refused	10/06/16	09/08/16	Appeal Dismissed	12/01/17
5 Drayton Avenue Orpington BR6 8JN	A - Accepted		Application Refused	05/07/16	11/08/16	Appeal Allowed	15/12/16
St Raphaels Residential Home 32 Orchard Road Bromley BR1 2PS	O - Overturned	Committee Decision	Application Refused	16/05/16	12/08/16	Appeal Dismissed	04/01/17
44 Cumberland Road Shortlands Bromley BR2 0PQ	A - Accepted	Delegated Decision	Application Refused	15/06/16	14/08/16	Appeal Dismissed	23/12/16
204 Pickhurst Lane West Wickham BR4 0HL	A - Accepted	Delegated Decision	Application Refused	15/06/16	15/08/16	Appeal Dismissed	30/01/17
20 Snowdown Close Penge London SE20 7RU	A - Accepted	Delegated Decision	Application Refused	19/07/16	16/08/16	Appeal Allowed	17/11/16
18 Hilldown Road Hayes Bromley BR2 7HX	A - Accepted	Delegated Decision	Application Refused	08/07/16	16/08/16	Appeal Dismissed	17/11/16
Land Adjacent Walsingham Lodge Woodlands Road Bickley Park Road Bickley Bromley	A - Accepted	Delegated Decision	Application Refused	19/04/16	17/08/16	Appeal Dismissed	21/11/16
Land Adjacent 319 Croydon Road Beckenham	A - Accepted	Delegated Decision	Refuse Prior Approval	05/07/16	19/08/16	Appeal Allowed	22/11/16
17 Windermere Road West Wickham BR4 9AP	A - Accepted	Delegated Decision	Application Refused	12/08/16	23/08/16	Appeal Allowed	29/11/16
30 Gates Green Road West Wickham BR4 9JW	A - Accepted	Delegated Decision	Application Refused	28/07/16	25/08/16	Appeal Dismissed	08/12/16
35 - 37 High Street Orpington BR6 0JE	A - Accepted	Delegated Decision	Application Refused	02/03/16	26/08/16	Appeal Dismissed	13/12/16

21A Hilda Vale Road Orpington BR6 7AN	O - Overturned	Committee Decision	Application Refused	04/07/16	26/08/16	Appeal Allowed	01/12/16
33 Greenways Beckenham BR3 3NQ	O - Overturned	Committee Decision	Application Refused	17/08/16	26/08/16	Appeal Dismissed	24/10/16
2 Crampton Road Penge London SE20 7AT	O - Overturned	Committee Decision	Application Refused	02/06/16	30/08/16	Appeal Allowed	12/01/17
132 Tubbenden Lane Orpington BR6 9PR	A - Accepted	Delegated Decision	Application Refused	20/06/16	30/08/16	Appeal Dismissed	09/12/16
80 Crescent Drive Petts Wood Orpington BR5 1BD	A - Accepted	Delegated Decision	Application Refused	22/07/16	30/08/16	Appeal Dismissed	30/12/16
24 Anerley Hill Anerley London SE19 2AD	A - Accepted	Delegated Decision	Application Refused	01/08/16	30/08/16	Appeal Allowed	01/12/16
15 Balmoral Avenue Beckenham BR3 3RD	A - Accepted	Delegated Decision	Application Refused	12/08/16	31/08/16	Appeal Dismissed	12/01/17
12 Barnet Wood Road Hayes Bromley BR2 8HJ	A - Accepted	Delegated Decision	Application Refused	13/06/16	01/09/16	Appeal Dismissed	13/12/16
127 Clareville Road Orpington BR5 1RU	A - Accepted	Delegated Decision	Application Refused	13/06/16	01/09/16	Appeal Dismissed	06/12/16
Leafy Oaks Oakwood Close Chislehurst BR7 5DD	A - Accepted		Application Refused	21/07/16	01/09/16	Appeal Dismissed	21/02/17
Land Rear Of 1 To 5 Station Parade Elmers End Road Beckenham	A - Accepted	Delegated Decision	Application Refused	05/05/16	06/09/16	Appeal Dismissed	30/12/16
51 Elmstead Lane Chislehurst BR7 5EQ	A - Accepted	Delegated Decision	Application Refused	23/02/16	06/09/16	Appeal Dismissed	06/12/16
49 Southborough Road Bickley Bromley BR1 2EL	A - Accepted	Delegated Decision	Application Refused	22/06/16	06/09/16	Appeal Allowed	20/12/16
45 Sandy Ridge Chislehurst BR7 5DP	O - Overturned	Committee Decision	Application Refused	04/07/16	06/09/16	Appeal Allowed	03/01/17
Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ	A - Accepted	Committee Decision	Application Refused	10/06/16	07/09/16	Appeal In Progress	
Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ	A - Accepted	Committee Decision	Application Refused	10/06/16	09/09/16	Appeal In Progress	

30 Summerhill Close Orpington BR6 9PX	A - Accepted	Delegated Decision	Application Refused	11/07/16	09/09/16	Appeal Allowed	04/01/17
37 Barkway Drive Orpington BR6 8PQ	A - Accepted	Delegated Decision	Application Refused	10/08/16	09/09/16	Appeal Dismissed	24/10/16
Wengen Elmstead Lane Chislehurst BR7 5EQ	A - Accepted	Delegated Decision	Application Refused	26/08/16	11/09/16	Appeal Dismissed	29/12/16
Mottingham Hall Nursery Mottingham Lane Mottingham London SE9 4RW	A - Accepted	Delegated Decision	Application Refused	08/04/16	12/09/16	Appeal Dismissed	09/01/17
27 Heathfield Chislehurst BR7 6AF	A - Accepted	Delegated Decision	Application Refused	02/09/16	14/09/16	Appeal Dismissed	09/01/17
Royce House 56A Copers Cope Road Beckenham BR3 1RJ	O - Overturned	Committee Decision	Application Refused	14/09/16	15/09/16	Appeal Allowed	17/02/17
21 Hilldown Road Hayes Bromley BR2 7HX	A - Accepted	Delegated Decision	Application Refused	22/04/16	16/09/16	Appeal Dismissed	09/01/17
13 Croydon Road Beckenham BR3 4AA	A - Accepted	Delegated Decision	Application Refused	23/08/16	16/09/16	Appeal Dismissed	20/12/16
19 Millwood Road Orpington BR5 3LG	A - Accepted	Delegated Decision	Application Refused	03/08/16	16/09/16	Appeal In Progress	
26 Crescent Road Bromley BR1 3PW	A - Accepted	Delegated Decision	Application Refused	01/07/16	19/09/16	Appeal Dismissed	05/01/17
66 Merlin Grove Beckenham BR3 3HU	A - Accepted	Delegated Decision	Application Refused	22/06/16	19/09/16	Appeal Dismissed	24/10/16
42 Orchard Road Bromley BR1 2PS	A - Accepted		Application Refused	23/06/16	20/09/16	Appeal Dismissed	16/01/17
27 Coney Hill Road West Wickham BR4 9BU	A - Accepted	Delegated Decision	Application Refused	12/07/16	20/09/16	Appeal Dismissed	08/12/16
2 Oak Cottages Leasons Hill Orpington BR5 2LH	O - Overturned	Committee Decision	Application Refused	17/08/16	22/09/16	Appeal Allowed	06/01/17
5 Rodney Gardens West Wickham BR4 9DD	A - Accepted	Delegated Decision	Proposed Use/Development is Not Lawful	22/09/16	26/09/16	Appeal Allowed	17/05/17

Kent House Tavern Thesiger Road Penge London SE20 7NQ	O - Overturned	Committee Decision	Application Refused	17/08/16	30/09/16	Appeal Dismissed	05/01/17
Hayes Common Bowls Club West Common Road Hayes Bromley BR2 7BY	A - Accepted	Delegated Decision	Application Refused	31/08/16	30/09/16	Appeal Dismissed	05/01/17
1A Sanderstead Road Orpington BR5 4AE	A - Accepted	Delegated Decision	Application Refused	03/05/16	04/10/16	Appeal Invalid	07/11/16
147 Masons Hill Bromley BR2 9HW	A - Accepted	Delegated Decision	Application Refused	21/06/16	04/10/16	Appeal Dismissed	30/01/17
124 Marlow Road Penge London SE20 7XG	A - Accepted	Delegated Decision	Application Refused	28/07/16	04/10/16	Appeal Dismissed	03/02/17
111 Whitebeam Avenue Bromley BR2 8DN	A - Accepted	Delegated Decision	Application Refused	07/09/16	05/10/16	Appeal Dismissed	06/02/17
The Ravensbourne School Hayes Lane Hayes Bromley BR2 9EH	A - Accepted	Committee Decision	Resolve Not to Contest Appeal	17/11/16	07/10/16	Appeal Allowed	20/01/17
3 Beckenham Road Beckenham BR3 4ES	A - Accepted	Delegated Decision	Application Refused	26/07/16	07/10/16	Appeal Dismissed	31/05/17
Land Between Hope Cottage And Dunboyne Grays Road Westerham	A - Accepted	Delegated Decision	Application Refused	22/07/16	10/10/16	Appeal Dismissed	20/01/16
102 Nightingale Lane Bromley BR1 2SE	A - Accepted	Delegated Decision	Application Refused	22/09/16	10/10/16	Appeal Dismissed	06/06/17
12 Waldegrave Road Bickley Bromley BR1 2JP	A - Accepted	Delegated Decision	Application Refused	09/08/16	10/10/16	Appeal Dismissed	15/12/16
First Floor Flat 103 College Road Bromley BR1 3QG	A - Accepted	Delegated Decision	Application Refused	20/07/16	11/10/16	Appeal Dismissed	08/02/17
80 Petersham Drive Orpington BR5 2QG	A - Accepted	Delegated Decision	Application Refused	03/10/16	11/10/16	Appeal Invalid	14/02/17
1A Queens Road Chislehurst BR7 5AZ	A - Accepted	Delegated Decision	Application Refused	19/09/16	12/10/16	Appeal Dismissed	17/02/17
60 Manor Way Beckenham BR3 3LJ	A - Accepted	Delegated Decision	Application Refused	21/07/16	13/10/16	Appeal Dismissed	15/12/16

247 Worsley Bridge Road Beckenham BR3 1RW	A - Accepted	Delegated Decision	Application Refused	21/07/16	13/10/16	Appeal Dismissed	05/01/17
Applegarth Chislehurst Road Chislehurst BR7 5LE	O - Overturned	Committee Decision	Application Refused	30/08/16	13/10/16	Appeal Dismissed	13/02/17
Copper Beech Viewlands Avenue Westerham TN16 2JE	A - Accepted	Delegated Decision	Application Refused	01/09/16	13/10/16	Appeal Allowed	15/12/16
Silver Leaves Southill Road Chislehurst BR7 5EE	A - Accepted	Delegated Decision	Application Refused	20/09/16	13/10/16	Appeal Allowed	18/01/17
29 Fox Lane Keston BR2 6AL	O - Overturned	Committee Decision	Application Refused	14/10/16	14/10/16	Appeal Dismissed	13/01/17
Bus Shelter Outside 67 High Street Bromley	A - Accepted	Delegated Decision	Application Refused	09/09/16	17/10/16	Out of time	23/01/17
211 Birkbeck Road Beckenham BR3 4ST	A - Accepted	Delegated Decision	Application Refused	20/07/16	18/10/16	Appeal Dismissed	15/12/16
144 Blackbrook Lane Bickley Bromley BR1 2HP	A - Accepted	Delegated Decision	Application Refused	27/07/16	18/10/16	Appeal Dismissed	10/02/17
17 The Weald Chislehurst BR7 5DT	A - Accepted	Delegated Decision	Application Refused	15/09/16	19/10/16	Appeal Dismissed	21/04/17
143 Westmoreland Road Bromley BR2 0TY	A - Accepted	Committee Decision	Application Refused	14/10/16	19/10/16	Appeal Dismissed	27/03/17
44 Westmoreland Road Bromley BR2 0QS	A - Accepted	Delegated Decision	Application Refused	19/08/16	20/10/16	Appeal Dismissed	07/04/17
31 Pleasance Road Orpington BR5 3AR	A - Accepted	Delegated Decision	Application Refused	09/09/16	20/10/16	Appeal Allowed	26/01/17
88 Southborough Road Bickley Bromley BR1 2EN	A - Accepted	Delegated Decision	Application Refused	16/06/16	21/10/16	Appeal Allowed	12/05/17
24 Garden Road Bromley BR1 3LX	A - Accepted	Delegated Decision	Application Refused	23/08/16	22/10/16	Appeal Allowed	03/02/17
88 High Street Penge London SE20 7HB	A - Accepted	Delegated Decision	Application Refused	25/07/16	24/10/16	Appeal Dismissed	13/02/17
10 Chelsfield Road Orpington BR5 4DN	A - Accepted	Delegated Decision	Application Refused	14/09/16	24/10/16	Appeal Dismissed	07/02/17

41 High Street Orpington BR6 0JE	A - Accepted	Delegated Decision	Application Refused	26/04/16	28/10/16	Appeal Dismissed	27/02/17
Land Rear Of 1 Byne Road Sydenham London	A - Accepted	Delegated Decision	Application Refused	20/09/16	28/10/16	Appeal Dismissed	31/03/17
45A The Highway Orpington BR6 9DQ	A - Accepted	Delegated Decision	Application Refused	20/10/16	29/10/16	Appeal Dismissed	03/02/17
81 Gates Green Road West Wickham BR4 9DE	A - Accepted	Delegated Decision	Application Refused	29/07/16	03/11/16	Out of time	30/11/16
20 Crescent Road Beckenham BR3 6NE	A - Accepted	Delegated Decision	Application Refused	27/07/16	03/11/16	Appeal Withdrawn	06/04/17
6 Beaconsfield Road Bickley Bromley BR1 2BP	O - Overturned	Committee Decision	Application Refused	14/10/16	03/11/16	Appeal Dismissed	21/02/17
32 Wickham Way Beckenham BR3 3AF	A - Accepted	Delegated Decision	Application Refused	16/08/16	04/11/16	Appeal Dismissed	23/02/17
24 Station Square Petts Wood Orpington BR5 1NA	A - Accepted	Delegated Decision	Application Refused	13/09/16	07/11/16	Appeal Dismissed	27/03/17
163 Framlingham Crescent Mottingham London SE9 4AJ	A - Accepted	Delegated Decision	Application Refused	16/08/16	08/11/16	Appeal Dismissed	21/03/17
Old School Studio Main Road St Pauls Cray Orpington BR5 3HQ	A - Accepted	Committee Decision	Application Refused	11/10/16	08/11/16	Appeal Allowed	28/03/17
54 Poverest Road Orpington BR5 2DQ	A - Accepted	Delegated Decision	Application Refused	22/08/16	11/11/16	Appeal Allowed	13/02/17
22 Crofton Lane Orpington BR5 1HL	A - Accepted	Delegated Decision	Application Refused	12/09/16	11/11/16	Appeal Dismissed	19/01/17
3 Hill End Orpington BR6 0SJ	A - Accepted		Application Refused	26/09/16	11/11/16	Appeal Dismissed	31/05/17
Southerly Warren Road Hayes Bromley BR2 7AN	A - Accepted	Delegated Decision	Application Refused	27/09/16	13/11/16	Appeal Dismissed	03/02/17
Lilly's Farm Chelsfield Lane Orpington BR6 6NN	O - Overturned	Committee Decision	Application Refused	14/10/16	14/11/16	Appeal Allowed	09/02/17
42 Palace Grove Bromley BR1 3HB	A - Accepted	Delegated Decision	Application Refused	17/10/16	14/11/16	Appeal Dismissed	06/02/17

132 Crofton Road Orpington BR6 8JD	A - Accepted	Delegated Decision	Application Refused	18/08/16	18/11/16	Appeal Dismissed	19/04/17
8 Stephen Close Orpington BR6 9TZ	O - Overturned	Committee Decision	Resolve to Contest Appeal	05/01/17	20/11/16	Appeal Allowed	29/03/17
10 Oakwood Close Chislehurst BR7 5DD	A - Accepted	Delegated Decision	Application Refused	07/11/16	20/11/16	Appeal Dismissed	19/01/17
6 Whitecroft Way Beckenham BR3 3AG	A - Accepted	Delegated Decision	Application Refused	08/09/16	21/11/16	Appeal Allowed	06/03/17
78 Oakdene Road Orpington BR5 2AW	A - Accepted	Delegated Decision	Application Refused	08/11/16	23/11/16	Appeal Dismissed	06/02/17
Keston Parish Church Church Road Keston	A - Accepted	Delegated Decision	Application Refused	21/09/16	24/11/16	Appeal Dismissed	06/04/17
1 Willow Close Orpington BR5 2AZ	A - Accepted	Delegated Decision	Application Refused	08/11/16	24/11/16	Appeal Dismissed	24/03/17
Keswick House 207A Anerley Road Penge London SE20 8ER	A - Accepted	Committee Decision	Application Refused	29/09/16	25/11/16	Appeal Dismissed	03/04/17
Lizard Bank Manor Park Chislehurst BR7 5QE	A - Accepted	Delegated Decision	Application Refused	29/09/16	25/11/16	Appeal Dismissed	03/03/17
17 Waldegrave Road Anerley London SE19 2AL	A - Accepted	Delegated Decision	Application Refused	28/10/16	25/11/16	Appeal Withdrawn	03/05/17
38 Greenway Chislehurst BR7 6JF	A - Accepted	Delegated Decision	Application Refused	03/11/16	27/11/16	Out of time	30/01/17
21 Kingswood Avenue Shortlands Bromley BR2 0NT	A - Accepted	Delegated Decision	Application Refused	09/09/16	30/11/16	Appeal Allowed	03/02/17
16 Kent Close Orpington BR6 7HD	A - Accepted	Delegated Decision	Application Refused	04/11/16	30/11/16	Appeal Dismissed	08/02/17
86 Copers Cope Road Beckenham BR3 1RJ	A - Accepted	Delegated Decision	Application Refused	16/11/16	30/11/16	Appeal Dismissed	03/02/17
Sheridan Wood Way Orpington BR6 8LS	A - Accepted	Delegated Decision	Application Refused	22/11/16	01/12/16	Appeal Allowed	02/02/17
Farnborough Primary School Farnborough Hill Orpington BR6 7EQ	O - Overturned	Committee Decision	Application Refused	09/11/16	02/12/16	Appeal In Progress	
Greenwood Bickley Park Road Bickley Bromley BR1 2AT	A - Accepted	Delegated Decision	Application Refused	31/10/16	02/12/16	Appeal Dismissed	28/03/17

27 Beverley Road Bromley BR2 8QF	A - Accepted	Delegated Decision	Application Refused	04/11/16	03/12/16	Appeal Dismissed	08/02/17
Insurance House 38 Croydon Road Beckenham BR3 4BJ	A - Accepted	Delegated Decision	Refuse Prior Approval	21/06/16	05/12/16	Appeal Allowed	27/03/17
19 Repton Road Orpington BR6 9HR	A - Accepted	Delegated Decision	Application Refused	25/11/16	05/12/16	Appeal Dismissed	07/02/17
28 Park Hill Road Shortlands Bromley BR2 0LF	O - Overturned	Committee Decision	Application Refused	23/06/16	06/12/16	Appeal Allowed	05/04/17
54 Elwill Way Beckenham BR3 6RZ	A - Accepted	Delegated Decision	Application Refused	08/11/16	06/12/16	Appeal Allowed	26/01/17
18 Julian Road Orpington BR6 6HU	A - Accepted	Delegated Decision	Application Refused	18/11/16	06/12/16	Appeal Dismissed	07/02/17
Public Conveniences Opposite Goodwood Parade Upper Elmers End Road Beckenham	A - Accepted	Delegated Decision	Application Permitted	27/07/16	08/12/16	Appeal Withdrawn	09/02/17
North Clinic Station Road Bromley BR1 3LP	A - Accepted	Delegated Decision	Application Refused	18/08/16	08/12/16	Appeal Allowed	12/05/17
13 Riverside Close Orpington BR5 3HJ	O - Overturned	Committee Decision	Application Refused	25/10/16	08/12/16	Appeal Allowed	06/03/17
8 Riverside Close Orpington BR5 3HJ	O - Overturned	Committee Decision	Application Refused	25/10/16	08/12/16	Appeal Allowed	06/03/17
2 Sevenoaks Road Orpington BR6 9JJ	A - Accepted	Delegated Decision	Application Refused	10/11/16	08/12/16	Appeal In Progress	
Playing Field Dunkery Road Mottingham London	A - Accepted	Delegated Decision	Application Refused	17/06/16	12/12/16	Appeal Dismissed	01/06/17
83 Kings Hall Road Beckenham BR3 1LR	A - Accepted	Committee Decision	Application Refused	23/09/16	12/12/16	Appeal Allowed	24/02/17
59 Chelsfield Lane Orpington BR5 4HG	A - Accepted	Delegated Decision	Application Refused	20/09/16	12/12/16	Appeal Dismissed	24/02/17
Holly Rigg Woodlands Road Bickley Bromley BR1 2AP	A - Accepted	Delegated Decision	Application Refused	30/11/16	12/12/16	Appeal Dismissed	07/04/17
49 Southborough Road Bickley Bromley BR1 2EL	A - Accepted	Delegated Decision	Application Refused	25/07/16	13/12/16	Appeal Dismissed	30/03/17

186 Anerley Road Penge London SE20 8BL	A - Accepted	Delegated Decision	Application Refused	02/09/16	13/12/16	Appeal Dismissed	06/06/17
28 Grosvenor Road Petts Wood Orpington BR5 1QU	A - Accepted	Delegated Decision	Application Refused	19/10/16	13/12/16	Appeal Dismissed	24/03/17
42 Birch Tree Avenue West Wickham BR4 9EJ	A - Accepted	Delegated Decision	Application Refused	03/10/16	13/12/16	Appeal Dismissed	23/02/17
Jesmond Single Street Berrys Green Westerham TN16 3AB	A - Accepted	Delegated Decision	Application Refused	17/11/16	13/12/16	Appeal Dismissed	17/04/17
Forest Lodge Westerham Road Keston BR2 6HE	O - Overturned	Committee Decision	Application Refused	21/11/16	14/12/16	Appeal Dismissed	05/04/17
148 Croydon Road Beckenham BR3 4DE	A - Accepted	Delegated Decision	Proposed Use/Development is Not Lawful	24/11/16	15/12/16	Appeal Dismissed	14/06/17
Potters Farm Turpington Lane Bromley BR2 8JN	A - Accepted	Delegated Decision	Application Refused	01/12/16	20/12/16	Appeal In Progress	
42 Station Road West Wickham BR4 0PR	A - Accepted	Delegated Decision	Proposed Use/Development is Not Lawful	02/12/16	20/12/16	Appeal Dismissed	16/06/17
Land Adjacent Iona Skeet Hill Lane Orpington	A - Accepted	Delegated Decision	Application Refused	12/08/16	21/12/16	Appeal Dismissed	07/06/17
29 Walsingham Road Orpington BR5 3BP	A - Accepted	Delegated Decision	Application Refused	18/10/16	21/12/16	Appeal Dismissed	28/02/17
Land Adjacent Iona Skeet Hill Lane Orpington	A - Accepted	Delegated Decision	Application Refused	01/12/16	21/12/16	Appeal Dismissed	07/06/17
Land Adjacent To Little Lillys Warren Road Chelsfield Lane Orpington	A - Accepted	Delegated Decision	Application Refused	23/08/16	22/12/16	Appeal Dismissed	03/04/17
Manor Cottage Baston Manor Road Hayes Bromley BR2 7AH	A - Accepted	Delegated Decision	Application Refused	18/11/16	22/12/16	Appeal Dismissed	23/02/17
131 Gravel Road Bromley BR2 8PW	A - Accepted	Delegated Decision	Application Permitted	02/11/16	30/12/16	Appeal Lodged	

171 Southlands Road Bromley BR2 9QZ	O - Overturned	Committee Decision	Application Refused	05/12/16	05/01/17	Appeal In Progress	
57 Slades Drive Chislehurst BR7 6JX	A - Accepted	Delegated Decision	Application Refused	13/12/16	06/01/17	Appeal Dismissed	24/02/17
13 Hayes Way Beckenham BR3 6RJ	A - Accepted	Delegated Decision	Application Refused	08/11/16	10/01/17	Appeal Dismissed	01/03/17
31 The Highway Orpington BR6 9DQ	A - Accepted	Delegated Decision	Application Refused	13/12/16	10/01/17	Appeal Dismissed	05/04/17
Westwood 174 Leasons Hill Chislehurst BR7 6QL	A - Accepted	Delegated Decision	Application Refused	20/10/16	12/01/17	Appeal Allowed	12/04/17
15 Mackenzie Road Beckenham BR3 4RT	A - Accepted	Delegated Decision	Application Refused	24/10/16	12/01/17	Appeal Allowed	12/04/17
St Margarets Cottage Beckenham Place Park Beckenham BR3 5BT	A - Accepted	Delegated Decision	Application Refused	24/11/16	12/01/17	Appeal Part Allowed / Part Dismissed	29/03/17
74 Glanville Road Bromley BR2 9LW	A - Accepted	Delegated Decision	Application Refused	02/09/16	13/01/17	Appeal Dismissed	24/02/17
23 Willett Close Petts Wood Orpington BR5 1QH	A - Accepted	Delegated Decision	Application Refused	19/09/16	13/01/17	Appeal Dismissed	30/03/17
Land At Junction With Elmstead Lane Southill Road Chislehurst	A - Accepted	Delegated Decision	Application Refused	26/10/16	13/01/17	Appeal Allowed	23/05/17
3 Alpine Copse Bickley Bromley BR1 2AW	O - Overturned	Committee Decision	Application Refused	05/12/16	17/01/17	Appeal Allowed	28/03/17
41 Beck Lane Beckenham BR3 4RG	A - Accepted	Delegated Decision	Application Refused	20/12/16	17/01/17	Appeal Dismissed	12/04/17
31 Berens Way Chislehurst BR7 6RH	A - Accepted	Delegated Decision	Application Refused	28/11/16	19/01/17	Appeal Allowed	24/03/17
3C Norheads Lane Biggin Hill TN16 3XT	A - Accepted	Delegated Decision	Application Refused	23/12/16	19/01/17	Appeal Dismissed	02/05/17
Land South Of The Manor New Barn Lane Cudham Westerham	A - Accepted	Delegated Decision	Application Refused	13/01/17	20/01/17	Appeal Lodged	
27 Hodson Crescent Orpington BR5 4BS	A - Accepted	Delegated Decision	Application Refused	13/10/16	23/01/17	Appeal Dismissed	19/05/17
33 Powster Road Bromley BR1 5HE	A - Accepted	Delegated Decision	Application Refused	07/11/16	23/01/17	Appeal Allowed	11/04/17

2 Homestead Road Orpington BR6 6HW	A - Accepted	Delegated Decision	Application Refused	22/12/16	25/01/17	Appeal Dismissed	27/04/17
3 Camden Park Road Chislehurst BR7 5HE	O - Overturned	Committee Decision	Application Refused	23/11/16	27/01/17	Appeal Allowed	25/05/17
5 Leonard Place Westerham Road Keston BR2 6HQ	A - Accepted	Delegated Decision	Application Refused	16/01/17	28/01/17	Appeal Dismissed	23/05/17
Leacroft 384 Main Road Biggin Hill TN16 2HN	A - Accepted	Delegated Decision	Application Refused	24/11/16	31/01/17	Appeal Allowed	18/05/17
Millfield Ashmore Lane Keston BR2 6DJ	A - Accepted	Delegated Decision	Application Refused	29/11/16	31/01/17	Appeal Allowed	16/05/17
387 Upper Elmers End Road Beckenham BR3 3DA	A - Accepted	Delegated Decision	Application Refused	07/12/16	31/01/17	Appeal Dismissed	23/05/17
20 Brabourne Rise Beckenham BR3 6SG	A - Accepted	Delegated Decision	Application Refused	23/12/16	01/02/17	Appeal Dismissed	26/04/17
69 Bishops Avenue Bromley BR1 3ET	A - Accepted	Delegated Decision	Application Refused	09/01/17	02/02/17	Appeal Allowed	02/05/17
The Chantry Mottingham Lane Mottingham London SE9 4RW	A - Accepted	Delegated Decision	Application Refused	05/08/16	03/02/17	Appeal Dismissed	25/05/17
1 Wellhouse Road Beckenham BR3 3JR	A - Accepted	Delegated Decision	Application Refused	09/01/17	06/02/17	Appeal Dismissed	02/05/17
Bus Shelter Outside 59 To 61 High Street Bromley	A - Accepted	Delegated Decision	Application Refused	09/09/16	10/02/17	Appeal Dismissed	23/03/17
14 Cocksett Avenue Orpington BR6 7HE	O - Overturned	Committee Decision	Application Refused	21/11/16	10/02/17	Appeal Allowed	25/05/17
81 Ravensbourne Avenue Bromley BR2 0AU	A - Accepted	Delegated Decision	Application Refused	06/12/16	10/02/17	Appeal Dismissed	06/06/17
378 Main Road Biggin Hill TN16 2HN	A - Accepted	Committee Decision	Application Refused	20/01/17	10/02/17	Appeal In Progress	
Studio At Burgh Hill Kingswood Road Shortlands Bromley BR2 0HQ	O - Overturned	Committee Decision	Application Refused	20/01/17	11/02/17	Appeal Allowed	07/06/17
62 Kings Hall Road Beckenham BR3 1LS	O - Overturned	Committee Decision	Application Refused	22/12/16	13/02/17	Appeal Allowed	07/06/17

7 Elmstead Glade Chislehurst BR7 5DX	A - Accepted	Delegated Decision	Application Refused	07/12/16	14/02/17	Appeal Allowed	30/05/17
26 Dartmouth Road Hayes Bromley BR2 7NE	O - Overturned	Committee Decision	Application Refused	05/12/16	15/02/17	Appeal Allowed	08/06/17
34 Hayes Chase West Wickham BR4 0HZ	A - Accepted	Delegated Decision	Application Refused	20/01/17	16/02/17	Appeal Allowed	03/05/17
11 Lodge Close Orpington BR6 0QQ	A - Accepted	Delegated Decision	Application Refused	16/01/17	17/02/17	Appeal In Progress	
86 Cudham Lane North Cudham Sevenoaks TN14 7QS	A - Accepted	Delegated Decision	Application Refused	20/01/17	17/02/17	Appeal Dismissed	03/05/17
84 Kenwood Drive Beckenham BR3 6QZ	A - Accepted	Delegated Decision	Application Refused	19/01/17	17/02/17	Appeal Allowed	03/05/17
Land Rear Of 7 And 8 Selby Road Penge London	A - Accepted	Delegated Decision	Application Refused	16/09/16	20/02/17	Appeal In Progress	
Mayfield Lodge Kingswood Road Shortlands Bromley BR2 0HQ	A - Accepted	Delegated Decision	Application Refused	09/12/16	20/02/17	Appeal In Progress	
66 High Street Chislehurst BR7 5AQ	A - Accepted	Delegated Decision	Application Refused	15/12/16	21/02/17	Appeal Allowed	24/05/17
13 Hillcrest Road Biggin Hill TN16 3UA	A - Accepted	Delegated Decision	Application Refused	02/12/16	27/02/17	Out of time	07/03/17
Ground Floor And Part Basement 27 London Road Bromley BR1 1DG	A - Accepted	Delegated Decision	Application Refused	01/02/17	27/02/17	Appeal In Progress	
Ground Floor And Part Basement 27 London Road Bromley BR1 1DG	A - Accepted	Delegated Decision	Application Refused	01/02/17	27/02/17	Appeal In Progress	
5 Crossway Petts Wood Orpington BR5 1PF	A - Accepted	Delegated Decision	Application Refused	13/02/17	27/02/17	Appeal Dismissed	18/05/17
75 Mottingham Road Mottingham London SE9 4QZ	A - Accepted	Delegated Decision	Application Refused	16/02/17	27/02/17	Appeal In Progress	

269 Upper Elmers End Road Beckenham BR3 3QR	A - Accepted	Delegated Decision	Application Refused	07/11/16	28/02/17	Appeal Dismissed	11/04/17
46 Kingswood Road Penge London SE20 7BN	A - Accepted	Delegated Decision	Application Refused	01/02/17	28/02/17	Appeal In Progress	
34 Allenby Road Biggin Hill TN16 3LH	A - Accepted	Committee Decision	Application Refused	09/11/16	01/03/17	Appeal Dismissed	11/04/17
1 Walnuts Road Orpington BR6 0RG	A - Accepted	Delegated Decision	Application Refused	03/11/16	01/03/17	Appeal In Progress	
17 Den Road Shortlands Bromley BR2 0NH	A - Accepted	Delegated Decision	Application Refused	28/02/17	01/03/17	Appeal In Progress	
Troika 15 Oakwood Close Chislehurst BR7 5DD	A - Accepted	Delegated Decision	Application Refused	06/02/17	01/03/17	Appeal In Progress	
Troika 15 Oakwood Close Chislehurst BR7 5DD	A - Accepted	Delegated Decision	Application Refused	07/02/17	01/03/17	Appeal In Progress	
4 Cambray Road Orpington BR6 0EE	A - Accepted	Delegated Decision	Application Refused	17/01/17	03/03/17	Appeal Allowed	26/05/17
87 Oak Tree Gardens Bromley BR1 5BE	A - Accepted	Committee Decision	Application Refused	22/12/16	06/03/17	Appeal In Progress	
Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ	O - Overturned	Committee Decision	Application Refused	03/03/17	06/03/17	Appeal In Progress	
Sundridge Park Manor Willoughby Lane Bromley BR1 3FZ	O - Overturned	Committee Decision	Application Refused	03/03/17	06/03/17	Appeal In Progress	
11 Holmcroft Way Bromley BR2 8AD	A - Accepted	Delegated Decision	Application Refused	20/12/16	07/03/17	Appeal Dismissed	14/06/17
Land To The East Side Blackbrook Lane Bickley Bromley	A - Accepted	Delegated Decision	Refuse Prior Approval	13/09/16	08/03/17	Appeal Allowed	17/06/17
45 Homestead Road Orpington BR6 6HN	A - Accepted	Delegated Decision	Application Refused	29/11/16	08/03/17	Appeal Allowed	27/04/17
2B Pope Road Bromley BR2 9QB	A - Accepted	Delegated Decision	Application Refused	03/03/17	08/03/17	Appeal In Progress	
67 Lusted Hall Lane Biggin Hill TN16 2NN	A - Accepted	Delegated Decision	Application Refused	21/11/16	09/03/17	Appeal In Progress	

Gordon House Berrys Green Road Berrys Green Westerham TN16 3AH	O - Overturned	Committee Decision	Application Refused	08/03/17	10/03/17	Appeal In Progress	
16 Park Avenue Bromley BR1 4EE	A - Accepted	Delegated Decision	Application Refused	13/01/17	10/03/17	Appeal Dismissed	17/06/17
Waldens Depot Waldens Road Orpington BR5 4EU	A - Accepted	Delegated Decision	Application Refused	10/01/17	10/03/17	Appeal In Progress	
Dawn Corner Viewlands Avenue Westerham TN16 2JE	A - Accepted	Delegated Decision	Application Refused	09/02/17	13/03/17	Appeal Allowed	24/05/17
15 Church Road Farnborough Orpington BR6 7DB	A - Accepted	Delegated Decision	Application Refused	22/02/17	13/03/17	Appeal Allowed	06/06/17
51 High Street Penge London SE20 7HW	A - Accepted	Delegated Decision	Application Refused	19/10/16	15/03/17	Appeal In Progress	
88 Borkwood Way Orpington BR6 9PF	A - Accepted	Delegated Decision	Application Refused	15/02/17	15/03/17	Appeal Dismissed	14/06/17
62 Manor Way Petts Wood Orpington BR5 1NW	A - Accepted	Delegated Decision	Proposed Use/Development is Not Lawful	31/08/16	16/03/17	Appeal In Progress	
16 Forgefield Biggin Hill TN16 3DS	A - Accepted	Delegated Decision	Application Refused	22/02/17	20/03/17	Appeal Dismissed	14/06/17
Goddington Manor Court Road Orpington BR6 9AT	A - Accepted	Committee Decision	Application Refused	25/10/16	21/03/17	Appeal In Progress	
1 - 3 Ledrington Road Anerley London SE19 2BF	A - Accepted	Delegated Decision	Application Refused	07/03/17	21/03/17	Appeal In Progress	
Land To The Rear Of 83- 89 Yester Road Walden Road Chislehurst	A - Accepted	Delegated Decision	Application Refused	15/03/17	22/03/17	Appeal In Progress	
Penge Library 186 Maple Road Penge London SE20 8HT	A - Accepted	Delegated Decision	Application Refused	15/12/16	23/03/17	Appeal In Progress	

1 Montcalm Close Hayes Bromley BR2 7LZ	A - Accepted	Delegated Decision	Application Refused	14/02/17	24/03/17	Appeal Dismissed	07/06/17
Sandover Centre 129A White Horse Hill Chislehurst BR7 6DQ	A - Accepted	Delegated Decision	Application Refused	05/01/17	27/03/17	Appeal In Progress	
5 High Street Beckenham BR3 1AZ	A - Accepted	Delegated Decision	Application Refused	19/12/16	28/03/17	Appeal In Progress	
4 Birchwood Road Petts Wood Orpington BR5 1NY	A - Accepted	Delegated Decision	Application Refused	27/01/17	28/03/17	Appeal In Progress	
59 Willett Way Petts Wood Orpington BR5 1QE	A - Accepted	Delegated Decision	Application Refused	11/01/17	29/03/17	Appeal Dismissed	07/06/17

Report No.
DRR17/28

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 5 July 2017

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

Title: PLANNING APPEALS - COSTS 2016-2017

Contact Officer: John Stephenson, Planning Appeals and Enforcement Manager
Tel: 0208 313 4687 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

This report provides an update on the award of costs from planning appeals made in the financial year 2016/2017. **27** applications claiming for costs were made in the period April 2016 to March 2017 of which **9** have been allowed and **16** refused, 1 pending decision and 1 awarded in the Council's favour. (**Appendix 1**)

The report also provides an update on cost claims that were paid in 2016/2017. The total of planning appeal cost claims paid in 2016/2017 is **£106,086 (Appendix 2)**

The Council have actively been applying for an award of costs against the appellant where the Council believe they have acted unreasonably. Three such cases have been applied for within this financial year, two are still in progress and one has been allowed, in the Council's favour.

2. RECOMMENDATION(S)

Members note the report

Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly from this report
-

Corporate Policy

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

Financial

1. Cost of proposal: N/A as reporting on actual spend.
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Contingency
 4. Total current budget for this head: £60k
 5. Source of funding: Existing controllable revenue budget 2016/17
-

Personnel

1. Number of staff (current and additional): 46.22FTEs
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Procurement

1. Summary of Procurement Implications: None directly from this report
-

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 In planning and enforcement appeals the main parties are normally expected to meet their own expenses irrespective of the outcome. Costs may be awarded on the grounds of 'unreasonable behaviour' resulting in unnecessary wasted expense. Policy guidance concerning the costs procedure was provided in the Costs Circular (CLG Circular 03/09). On 6 March 2014 Circular 03/09 was superseded by National Planning Practice Policy Guidance (NPPG) concerning Appeals.
- 3.2 Section 4 of the NPPG Appeals guidance sets out the circumstances when an award of costs may be applied for. The award of costs supports an effective and timely planning system in which all parties are required to behave reasonably. In order to support this aim further, it is stated that Inspectors will now use their existing legal powers to make an award of costs where they have found unreasonable behaviour, including cases where no application has been made by either party, applying the same guidance when deciding an application for an award of costs, or making an award at their own initiative. Costs may be awarded at the initiative of the Inspector in relation to planning appeals received on or after 1 October 2013.
- 3.3 Costs awards may also be made against statutory consultees as there is a clear expectation that a statutory consultee will substantiate its advice at appeal.
- 3.4 In Local Planning Authorities with a high appeals workload such as Bromley, the number of claims against the Council can be significant. Bromley consistently has one of the highest number of planning appeals in the UK. The volume of appeals is reflected in the relatively high number of claims for costs.
- 3.5 The trend for the number of costs claims against the Council has remained about 25 a year. However the amounts claimed can vary significantly depending on the type of case. It is not sufficient for the appellant to claim costs on the grounds that the Council has made an incorrect decision. It is necessary to demonstrate that the Council has acted unreasonably, for example if it is unable to produce convincing evidence in support of its reasons to refuse permission.
- 3.6 Factors which have persuaded Planning Inspectors to award costs against the Council in 2016/17 have included failing to produce evidence to substantiate its reasons for refusal, unsupported by objective analysis, and an inaccurate assessment of character of area.
- 3.7 This report principally provides an update on the award of costs in planning appeals that were received by the Planning Inspectorate in financial year 2016/2017. **27** applications claiming for costs were made in the period April 2016 to March 2017 of which **9** have been allowed and **16** refused, 1 pending decision and 1 awarded in the Council's favour.
- 3.8 The report also provides an update on cost claims that were paid in 2016/2017 arising from planning appeals made in previous years totalling **£102,240**. The total of planning appeal cost claims paid in 2016/2017 is **£106k**.
- 3.9 Members are notified of all cost decisions together with all appeal decisions on a weekly basis. A list of all cost applications received and their decisions in 2016/2017 is attached. **(Appendix 1)**. A list of all cost claims paid in 2016/2017 is also attached. This includes payments arising from planning appeals in previous years **(Appendix 2)**.
- 3.10 In some cases the decisions made at committee may be contrary to officer's recommendations. Whilst the Council is not bound to accept the advice given by officers, on appeal it will be required to show that there are reasonable planning grounds for doing so, and that the relevant evidence is provided to justify its decision.
- 3.11 The Council have applied for an award of costs against the appellant where the Council believe they have acted unreasonably. Three such cases have been applied for within this financial year, two are still in progress and one has been allowed, in the Council's favour.

4. FINANCIAL IMPLICATIONS

- 4.1 A total of **£106k** has been paid during 2016/2017 in settlement of planning appeal cost claims received. This includes some of the previous outstanding claims from 2014/2015 and 2015/2016. These additional costs have been contained within the overall planning budget.
- 4.2 Three claims against appeal decisions made in 2016/2017 are awaiting submission and one is pending negotiation.
- 4.3 The latest budget monitoring report includes an estimated £23k for these claims.

Non-Applicable Sections:	Policy, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

Appeal cost applications received 2016-2017

KEY	16/17	17/18												
Case Ref	Appeal received	Appeal type	cost officer	Appeal site	Cost decision	Date of cost decision	Permission recommended	Cost claim status	Amount claiming	Cost Advocate Fees	Amount paid	DATE PAID	appeal description	Summary [reasons costs award allowed]
15/05408	Apr-16	fast track		48 Bromley Common, Bromley	refused	19.7.16	n/A	N/A	£ -	£ -	£ -	n/a	Retrospective application - fencing to front boundary	
15/05444	May-16	written	db	112 Beckenham Road, Beckenham	refused	3.8.16	yes	n/a	£ -	£ -	£ -	n/a	Demolition of existing commercial building and construction of a three storey building comprising 3 two bedroom flats and 3 one bedroom flats with associated parking spaces, cycle storage and refuse storage. (OUTLINE APPLICATION with all matters reserved.)	
15/03727	Aug-16	written	db	49 Southborough Road, Bickley	LBB awarded				£ -	£ -	£ -	n/a	948.00 awarded to LBB	
15/03067	Jun-16	written	als	Chelsfield Lakes Golf Centre	refused	20.9.16	no	n/a	£ -	£ -	£ -	n/a	Proposed adventure golf course and associated ornamental features and landscaping	n/a
16/00110	Jun-16	written	th	land corner of South Park Court, Park Road, Beckenham	refused	23.1.17	no	n/a	£ -	£ -	£ -	n/a	Installation of 12.5m replica telecommunications monopole supporting 6no. VF / TEF antennas and associated development including a cabinet at ground level .	
15/05474	Jun-16	written	db	65/67 Cameron Road	allowed	16.12.16	no	pending	£ 2,250.00	£ -	£ -		Construction of a single storey building for use as a day nursery (Use Class D1) and associated access, parking, refuse storage and landscaping.	The council failed to submit any substantive technical evidence with the appeal.
15/05552	Jul-16	written	db	flat 2, Chestnuts Royal, St. Paul's Cray Road, Chislehurst	refused	28.10.16	no	n/a	£ -	£ -	£ -	n/a	Replacement UPVC windows to front elevation of flats 2,3 and 5.	
16/02174	Aug-16	fast track	cl	27 Croydon Road, Keston	allowed	21.11.16	yes	paid	£ 1,600.00	£ -	£1,600	12.5.17	Two storey rear extension, elevational alterations to include first floor front and side extensions and an alteration and enlargement to the roof to provide habitable accommodation within the roof space, and front porch	The Council failed to determine similar cases in a consistent manner
15/05237	Jul-16	Written	cml	Queen Mary House, Manor Park Road	allowed	23.2.17	yes	await					Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping.	The Council gave no objective analysis of facts at application or appeal stage
15/01932	Jun-16	written	db	Knockholt Farm, New Years Lane	refused	1.3.17	no	n/a	n/a	n/a	n/a	n/a	Change of use and operational development to create Class C3 dwellinghouse of 223.3sqm floorspace with residential curtilage of 223.3sqm in accordance with details submitted under ref. 14/04750/FLXAG CERTIFICATE OF LAWFULNESS	n/a
15/05665	Jun-16	written		LAND OPP 161 to 171 Crofton Road	refused	10.10.16	no	n/a	£ -	£ -	£ -	n/a	Infrastructure Ltd (CTIL) regarding the need for prior approval of siting and appearance	
15/02398	Sep-16	public inquiry		Sundridge Park Manor, Willoughby Lane, Bromley					£ -	£ -	£ -		Change of use of existing Grade 1 listed Mansion from hotel to 22 residential dwellings, with associated internal/external alterations and partial demolition works, rear extensions, rear car park, cycle parking and refuse/recycling provision, hard and soft landscaping (including removal of some trees), woodland management and associated infrastructure	

Appeal cost applications received 2016-2017

Case Ref	Appeal received	Appeal type	cost officer	Appeal site	Cost decision	Date of cost decision	Permission recommended	Cost claim status	Amount claiming	Cost Advocate Fees	Amount paid	DATE PAID	appeal description	Summary [reasons costs award allowed]
16/02161	Sep-16	written	JMc	45 Sandy Ridge, Chislehurst	refused	3.1.17	no	n/a	£ -	£ -	£ -	n/a	Part one/two storey side/rear extension, roof alterations to include increase in ridge height, alterations to the pitch and installation of Velux Cabrio rooflight to rear roofslope	n/a
16/01190	Jul-16	written	kad	25 Samos Road, Penge	allowed	25.11.16	yes	paid	£ 20,067.30	£ -	£ 5,567.75	20.4.17	Single storey side extension, part one/two storey rear extension, rear dormer extensions and conversion into 5 no. flats with associated parking	The Council failed to substantiate reason for refusal.
16/01194	Jun-16	written	db	72 Hayes Lane, Beckenham	refused	30.11.16	yes	n/a	£ -	£ -	£ -	n/a	The erection of a detached bungalow; closure of existing vehicular access to garage and the formation of new vehicular access. Together with the demolition of existing garage/store and the provision of bin and cycle storage and the erection of a detached summerhouse.	
16/01124	May-16	written		Bristol Street Motors	allowed	16.12.16	no	paid	£ 2,700.00	£ -	£ 2,212.50	15.2.17	Retrospective application for the installation of required ventilation ductwork , air handling unit and condensers, with a 2.7m high timber acoustic fence and gates around the plant.	
16/00594	May-16	written		Bristol Street Motors	refused	16.12.16	no	n/a	£ -	£ -	£ -	n/a	Proposed new car washing building and installation of acoustic fencing adjacent to the boundary with 11-15 Cudham Lane North.	
16/02901	Nov-16	Written	db	Lillys Farm, Chelsfield Lane	allowed	9.2.17	yes	paid	£ 2,421.00	£ -	£ 1,633.80	2.3.17	Variation of Condition 11 of planning permission 15/01024 (allowed at appeal) concerning accordance with the approved plans to enable the construction of basements beneath the permitted dwellings	Principle of appropriate already established within the GB from previous appeal. Lack of evidence re. intensification. Vague and generalised assertion regarding proposals impact
16/02351	Oct-16	Written	db	r/o 88 High Street, Penge	refused	13.2.17	no	n/a	n/a	n/a	n/a	n/a	conversion of garage to one bedroom flat.	n/a
16/03035	Sep-16	Written	cml	Royce House, 56A Copers Cope Road	refused	17.2.17	yes	n/a	n/a	n/a	n/a	n/a	Demolition of existing dwelling houses at 56A and 56B Copers Cope Road and construction of 4 four bedroom semi-detached dwellinghouses.	n/a
16/00451	Jun-16	written		Frankswood Avenue BR5 1BN	allowed	16.12.16	no	await claim	£ -	£ -	£ -		Consultation by Cornerstone Telecommunications Infrastructure Ltd (CTIL) regarding the need for prior approval of siting and appearance.	The Council did not consider the new appeal information. Council's report does not explicitly acknowledge the lack of any suitable available alternative sites.
16/02067	Jul-16	Hearing	db	Hassells Nursery, Jackson Road	refused	6.3.17	no	n/a	n/a	n/a	n/a	n/a	Demolition of existing commercial buildings and removal of existing parking/hardstanding and construction of 6 x 4 bedroom and 3 x 5 bedroom two storey detached houses with associated car parking and landscaping.	n/a
16/02275	Nov-16	Written	db	8 Stephen Close, Orpington	allowed	29.3.17	Non Determination	await claim					Two storey rear, first floor side and single storey front extension and conversion of garage to habitable accommodation	Council presented vague, generalised and inaccurate assertions about the impact of the proposal. The Council responsible for procedural delays in planning application and appeal stages

Appeal cost applications received 2016-2017

Case Ref	Appeal received	Appeal type	cost officer	Appeal site	Cost decision	Date of cost decision	Permission recommended	Cost claim status	Amount claiming	Cost Advocate Fees	Amount paid	DATE PAID	appeal description	Summary [reasons costs award allowed]
16/00028 enf	Jan-17	Written	als	Santa Maria, 78 Manor Way, Beckenham	allowed	31.5.17	n/a	await claim					Appeal against enforcement notice issued for the unauthorised erection of a fence and trellis exceeding 2m in height	inaccurate drafting of the allegation and failure to substantiate the reason for issuing the notice relating to impact on character and appearance of area
16/03408	Jan-17	Fast track		13 Riverside Close, Orpington	refused	6.3.17	yes	n/a	n/a	n/a	n/a	n/a	2 metre high fence to enclose owned land. RETROSPECTIVE APPLICATION	n/a
16/04156	Sep-16	Fast track		14 Cocksett Avenue, Orpington	refused	25.5.17	yes	n/a	n/a	n/a	n/a	n/a	Single storey front extension, a two storey side extension and elevational alterations	n/a
16/04331	Feb-17	Written		62 Kings Hall Road, Beckenham	refused	7.6.17	yes	n/a	n/a	n/a	n/a	n/a	Variation of Condition 4 of planning permission Ref: 09/03023/FULL1 to (a) allow up to 72 children and 20 staff to be accommodated at any one time and (b) allow the use of the premises as a children's nursery between 7.00am and 7.30pm Monday to Fridays inclusive at 62 Kings Hall Road, Beckenham.	n/a
16/03633	Jan-17	fast track	sl	8 Riverside Close, Orpington	refused	6.3.17	yes	n/a	n/a	n/a	n/a	n/a	Single storey outbuilding (RETROSPECTIVE APPLICATION)	n/a
TOTAL									29,038.00		11,014.05			

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Planning appeal cost awards paid 2016-2017

Case Ref	Appeal received	Appeal type	cost officer	Appeal site	Cost decision	Date of cost decision	Permission recommended	Cost claim status	Amount claiming	Cost Advocate Fees	Amount paid	DATE PAID	appeal description	Summary [reasons costs award allowed]
10/02052	Jun-11	inquiry	eab	land adj 148 Croydon Road, Keston	allowed in part	14.8.13	no	paid	50,000.00	n/a	11,250.00	1.4.16	Use of land for gypsy site	Late production of background documents
12/00201	Sep-12	inquiry		8 Hayes Wood Avenue, Hayes	allowed	22.7.13	no	paid	n/a	335.00	0.00	1.4.16	Unauthorised loft extension.	The Council failed to carry out adequate prior investigation
13/04193	Mar-14	Written		42 Clarendon Way, Chislehurst	allowed	17.12.14	Non Determination	paid	£ 1,513.77	£ -	£ 1,513.77	29.7.16	Single storey rear extension and elevational alterations (C) PART RETROSPECTIVE	Failure to determine application had inhibited and delayed development
13/01202	Dec-13	Public Inquiry		Conquest House, 25 Elmfield Road, Bromley	allowed in part	12.8.14	no	paid	£ 100,000.00	£ 885.00	£ 60,000.00	27.4.16	Demolition of existing building at 25-27 Elmfield Road and erection of 16 storey mixed use building to comprise 2 commercial/retail units at ground level (Class A1/A2/A3/B1) and office accommodation (Class B1) at the first floor level with 82 residential units on upper floors (32 one bedroom, 46 two bedroom and 4 three bedroom flats). Associated part basement/ part surface car parking (including 2 on-street car club spaces in Palace View), cycle and refuse stores and landscaping.	LBB failed to properly reassess its evidence at pre-inq stage re RR4 which had no bearing on the case
14/04144	Apr-15	written	db	20 Snowdon Close, Penge	allowed	19.11.15	yes	paid	£ 5,793.00	£ -	£ 4,990.00	28.4.16	demolition of property and construction 6 two bed apartments	PSC failed to properly exercise its development management responsibilities and relied on a reason for refusal that was at odds with the facts as to the lawful use of the building.
15/01922	Sep-15	fast track	cml	201 Chislehurst Road	allowed	24.12.15	yes	paid	£ 5,500.00	£ -	£ 5,448.50	1.4.16	steel structure with retractable blinds covering jazuzzi hydro pool	failed to produce evidence to substantiate its reasons for refusal - unsupported by any objective analysis - council prevented grant of pp which clearly should have been permitted.
15/01209	Jul-15	fast track	cml	42 Clarendon Way, Chislehurst	allowed	24.11.15	no	paid	£ 1,679.21	£ -	£ 1,505.50	16.1.17	Erection of two electrical sliding gates with walls and railings to the northern boundary	Council made an inaccurate assessment of the area's character driven by a persistently blinkered vision as to the current development pattern
14/04366	Jun-15	written	als	49 Southborough Road, Bickley	partial award	17.12.15	no	paid	£ 4,500.00	£ -	£ 4,500.00	11.4.16	Demolition and construction of 2 two storey 6 bedroom dwellings	no expansion on ground of refusal re noise and disturbance, no detailed assessment or robust evidence.
15/02267	Jan-16	written	als	1A Bushey Way, Beckenham	allowed	8.6.16	n/a	paid	£ 4,553.46	£ -	£ 2,357.90	21.7.16	Details of conditions not approved - obscure glazing	Council failed to substantiate reasons for refusal
14/04810	Sep-15	hearing	ch	4 Oaklands Road, Bromley	partial award	3.3.16	no	paid	£ 10,526.35	£ 453.95	£ 7,500.00	31.8.16	Demolition of existing buildings and erection of a 4 storey detached building comprising 11 flats (7x one bed and 4 x two bed) with landscaping and parking OUTLINE APPLICATION	Failed to produce evidence to substantiate its reasons regarding affordable housing

Planning appeal cost awards paid 2016-2017

Case Ref	Appeal received	Appeal type	cost officer	Appeal site	Cost decision	Date of cost decision	Permission recommended	Cost claim status	Amount claiming	Cost Advocate Fees	Amount paid	DATE PAID	appeal description	Summary [reasons costs award allowed]
15/02489	Nov-15	written	lb	land at 218 High Street, Beckenham	allowed	8.4.16	no	paid	£ 2,500.00	£ -	£ 1,500.00	24.1.17	Change from use from vacant shop unit (Class A1) to restaurant (Class A3)	rejecting scheme on likely affects on immediate surrounding residents, as council in error described site as shop with flat above.
16/01124	May-16	written		Bristol Street Motors	allowed	16.12.16	no	paid	£ 2,700.00	£ -	£ 2,212.50	15.2.17	Retrospective application for the installation of required ventilation ductwork , air handling unit and condensers, with a 2.7m high timber acoustic fence and gates around the plant.	A planning condition could have been used rather than refusal.
16/02901	Nov-16	Written	db	Lillys Farm, Chelsfield Lane	allowed	9.2.17	yes	paid	£ 2,421.00	£ -	£ 1,633.80	2.3.17	Variation of Condition 11 of planning permission 15/01024 (allowed at appeal) concerning accordance with the approved plans to enable the construction of basements beneath the permitted dwellings	Principle of appropriate already established within the GB from previous appeal. Lack of evidence re. intensification. Vague and generalised assertion regarding proposals impact
										1,673.95	104,411.97			
										TOTAL	106,085.92			

Report No.
DRR17/027

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 5 July 2017

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

Title: ENFORCEMENT MONITORING REPORT (APRIL 2016 TO MARCH 2017)

Contact Officer: John Stephenson, Planning Appeals and Enforcement Manager
Tel: 0208 313 4687 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

This report provides an update of enforcement activity from 1 April 2016 to 31 March 2017

2. **RECOMMENDATION(S)**

Members note the report

Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly from this report
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning- Appeals and Enforcement Section
 4. Total current budget for this head: £359.8k
 5. Source of funding: Existing revenue budgets 2016/17
-

Personnel

1. Number of staff (current and additional): 7.98 FTES
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Town and Country Planning Acts :
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: None directly from this report
-

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 In the period April 2016 to March 2017 the Council registered 664 new complaints about alleged breaches of planning control. These are summarised in the table below. This compares with approximately 649 complaints registered in the previous year.

Planning Enforcement range of complaints 2016/2017

Range of complaints		
Operational Development	223	33%
Untidy Sites (S215)	55	8%
Commercial Activity	23	3%
Breach of condition	72	10%
Adverts	53	7%
Boundary treatment	43	6%
Plans - not built according to	89	13%
Commercial vehicle - parking of	1	0.1%
Change of Use	97	14%
Access	0	0%
Shop shutters	6	0.9%
Satellite Dishes	2	0.3%
Other	0	0%
TOTAL	664	100%

3.2

In terms of enforcement activity, 65 enforcement notices were issued in respect of breaches of planning control in the period April 2016 to March 2017, in other cases, negotiation led to matters being resolved before notices were issued.

Type of Notice	Number of Notices issued 2016/17
Building operations	29
Material Change of Use	9
Untidy Site	11
Breach of Condition	6
Planning Contravention Notice	10
Stop Notice	0
Total	65

3.3 The majority of enforcement action is authorised under Delegated Authority and a list of cases where delegated enforcement action has been taken is regularly reported to Development Control Committee. In addition a monthly report of notices issued is circulated to all Members.

3.5 A wide range of complaints were received but the most frequent relate to operational development 33%, Breach of conditions 10%, not built in accordance with plans 13%, untidy sites 8%, and change of use 14%. A substantial number of complaints are received which do not involve breaches of planning control which are not recorded on the planning enforcement monitoring system. These include some non-planning issues such as boundary disputes, anti-social behaviour and other civil matters which fall outside the remit of planning control. These unregistered complaints are investigated and researched and advice given back to the complainant, via the telephone or emails. This still involves considerable staff resources to maintain the service, this involves an estimated average of approximately 10 new emails per day.

3.6 In cases where an enforcement notice has been effective and not been complied with, the Council may exercise its powers of prosecution. The Council is currently in the process of prosecuting on the following cases.

Babbacombe Road – located in the Plaistow and Sundridge Ward. In Court on 21st June 2017 for non-compliance with an Enforcement Notice.

Grovelands Road – located in the Cray Valley West Ward, currently awaiting outcome of Court hearing – being dealt with under Single Justice Procedure.

Windsor Drive – located in the Chelsfield and Pratts Bottom Ward, held in abeyance, new planning application received 19th May 2017.

Copers Cope Road - located in the Copers Cope Ward, non-compliance with an Enforcement Notice.

The Drive – located in the Copers Cope Ward, Non-Compliance with an Enforcement Notice and non-compliance with a Section 215 Notice for an untidy site.

3.7 In some cases which involve direct action officers will prepare a report to present to committee for authorisation from Members as this enforcement action may involve some considerable financial cost to the Council. A charge can be considered by the Council in order to recover the Councils initial cost together with the appropriate interest rate charged until the bill is paid

4 Proceeds of Crime Act or POCA, Planning Enforcement have already successfully embarked on utilising this available tool in a prosecution test case in Maple Road – located in the Penge and Cator Ward, this new initiative included working jointly with Trading Standards and our Legal Services colleagues to take appropriate action where necessary to recover some costs from the Asset Recovery Incentivisation Scheme. Further work is currently underway with the view of taking further action under POCA as and when a case is clearly identified and meets the necessary criteria.

5 Planning Enforcement is complaints led service. At least 95% of our cases for investigation are reported to us directly from local residents/ward councillors, members of the public or interested parties who may be directly affected by the development in some way.

Non-Applicable Sections:	Policy, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

Report No.
DRR17/031

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 5 July 2017

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

Title: DELEGATED ENFORCEMENT ACTION - APRIL 2016 TO MARCH 2017

Contact Officer: John Stephenson, Planning Appeals and Enforcement Manager
Tel: 0208 313 4687 E-mail: John.Stephenson@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards)

1. Reason for report

Enforcement action has been authorised under Delegated Authority for the following alleged breaches of planning control. In accordance with agreed procedures Members are hereby advised of the action taken.

2. **RECOMMENDATION**

Members to note the report.

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: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: planning division
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

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: Statutory Requirement
 2. Call-in: Not Applicable:
-

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? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 Enforcement action and prosecutions have been authorised by the Chief Planner under Delegated Authority during the period 1 April 2016 to 31 March 2017 in respect of development undertaken without the benefit of planning permission at the sites on the attached list (Appendix 1)
- 3.2 For further details of any of the above cases please contact John Stephenson (details as above).

Non-Applicable Sections:	Policy, Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	

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APPENDIX 1

Instructions issued APRIL MAY JUNE 2016

ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
16/00055	Untidy Site	Queens Road, Beckenham	Clock House	S215 Untidy Site Notice	22.04.16
16/00169	Unauthorised detached greenhouse outbuilding and 1.2m high fence	Marian Gardens, Bromley, BR1 3FH	Plaistow and Sundridge	Enforcement Notice	22.04.16
16/00143	Unauthorised change of use of barn to residential	Buckhurst Road, Westerham, TN16 2HS	Darwin	Planning Contravention Notice	22.04.16
15/00221	Alleged unauthorised change of use from commercial to residential	Old Homesdale Road, Bromley, BR2 9LJ	Bromley Town	Breach Of Condition Notice	22.04.16
15/00452	Unauthorised floodlights and overheight mesh and netting	Dunbar Avenue, Beckenham	Kelsey and Eden Park	Enforcement Notice	19.05.16
11/00511	Unauthorised temporary building in rear garden of doctors surgery	Windsor Drive, Orpington	Chelsfield & Pratts Bottom	Prosecution	24.06.16
15/00529	Unauthorised raised platform and shed in front garden and forward of the primary elevation	Shire Lane, Farnborough, BR6 7EU	Darwin	Enforcement Notice	28.06.2016
16/00414	Unauthorised change of use of site for storage of materials and plant in association with maintenance work	Woodlands Road, Bickley Park Road, Bromley	Bickley	Enforcement Notice	28.06.2016

Instructions issued JULY AUG SEPT 2016

ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
15/00367	Unauthorised change of use of shop to car sales	High Street, Green St. Green	Chelsfield & Pratts Bottom	Enforcement Action	14.07.2016
16/00026	Unauthorised installation of air conditioning unit and non-compliance with works approved under 15/01102	Gates Green Road, West Wickham	Hayes & Coney Hall	Enforcement Action	14.07.2016
14/00048	Alleged unauthorised animal sanctuary	Crockenhill Road, Orpington	Cray Valley East	MCU	29.07.2016
15/00631	Alleged Charity business being operated on land, large amounts of office furniture being stored on land Untidy Land	Forde Avenue, Bromley	Bromley Town	Prosecution	29.07.2016
16/00257	Unauthorised erection of a bungalow	Southborough Lane, Bromley	Bromley Common & Keston	PCN	04.08.2016
16/00263	Untidy site	Crowhurst Way, Orpington	Cray Valley East	S215 Untidy Site	04.08.2016
16/00104	Barn being erected on land alleged without permission and the siting of a Motor Home for residential purposes.	Chelsfield Lane, Orpington, BR6 6EP	Chelsfield & Pratts Bottom	PCN	04.08.2016
16/00102	Alleged untidy site to rear of property - garages	Broomhill Road, White Hart Road	Petts wood & Knoll	Untidy Site	10.08.2016
16/00368	Over height boundary fence fronting highway	Walden Road, Chislehurst, BR7 5DL	Chislehurst	Enforcement Notice	10.08.2016
16/00047	Unauthorised change of use	Chelsfield Lane, Orpington, BR6 6EP	Chelsfield & Pratts Bottom	PCN	10.08.2016
16/00292	Alleged unauthorised building works after refusal of planning permission	Skeet Hill Lane, Orpington, BR5 4HB	Chelsfield & Pratts Bottom	Enforcement Notice	19.08.2016

16/00377	Unauthorised change of site for funpark	Flamingo Park Club, Chislehurst BR7 5DL	Chislehurst	Enforcement Notice	19.08.2016
16/00268	Untidy Site	Vinson Close, Orpington, BR6 0EG	Orpington	S215	24.08.2016
15/000379	Enforcement notice for removal of shed rollershutters and unauthorised access	Copers Cope Road, Beckenham Kent BR3 1NB	Copers Cope	Enforcement Notice	16.09.2016
15/00379	Enforcement noticed for removal of unauthorised building (basement and ground floor three bedroom dwelling house)	Copers Cope Road, Beckenham Kent BR3 1NB	Copers Cope	Enforcement Notice	16.09.2016
14/00518	Untidy Site - front and rear garden	Southover, Bromley	laistow & Sundridg	S215	16.09.2016
16/00303	Extensive earthworks on site of JB Fisheries	Crockenhill Road, Swanley	Cray Valley East	Enforcement Notice	20.09.2016
15/00535	Untidy site - front and rear garden	Ullswater Close, Bromley BR1 4JF	Bromley Town	S215 - Untidy Site Notice	20.09.2016
16/00475	Alleged unauthorised use of access and deposit of materials on the land	Bournewood Sand and Gravel	Cray Valley East	PCN	21.09.2016
16/00012	Alleged unauthorised use of summerhours as self contained habitable dwelling	Marion Crescent, Orpington, BR5 2DF	Cray Valley West	PCN	29.09.2016

Instructions issued OCT NOV DEC 2016

ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
16/00411	Breach of conditions 9, 16, 23 of permission granted	Springfield Road, Sydenham	Crystal Palace	Breach of condition notice	04.10.2016
16/00044	Breach of condition notice authorised for removal of the unauthorised hard standing caravans along with other materials and vehicles from the land	Croydon Road, Keston	Bromley Common & Keston	Breach of condition notice	10.10.2016
16/00492	Untidy Site	Timbertop Road, Biggin Hill	Biggin Hill	S215	10.10.2016
16/00390	Alleged construction of a bungalow in green belt	Jail Lane, Biggin Hill	Darwin	PCN	10.10.2016
16/00524	Enforcement action authorised to seek removal of unauthorised first floor terrace and screening	Tweedy Road, Bromley	Bromley Town	Enforcement Notice	10.10.2016
16/00207	Alleged unauthorised advertisement	Bourne Vale, Hayes	Hayes & Coney Hall	Prosecution	17.10.2016
15/00279	Breach of condition - condition 11 of planning permission 14/02727	Park Avenue, Bromley	laistow & Sundridg	Prosecution	19.10.2016
16/00078	Untidy Site	Wendover Road, Bromley	Bromley Town	S215	20.10.2016
16/00144	Shipping container place on land alleged without permission	Westmoreland Road, Bromley	Shortlands	Enforcement Notice	20.10.2016
16/00296	Alleged change of use for storage of cars	Worsley Bridge Road, Beckenham	Copers Cope	PCN	20.10.2016
16/00242	Unauthorised single storey detached outbuilding	Greenway, Chislehurst	Chislehurst	Enforcement Notice	07.11.2016

16/00077	Enforcement action for the removal of the structure	Walnuts Road, Orpington	Orpington	Enforcement Notice	07.11.2016
16/00545	Unauthorised change of use from B1 (light industrial) to Timber merchants (Sui Generis)	Lower Road, Orpington	Cray Valley East	PCN	07.11.2016
16/00104	Unauthorised motor home used for residential purposes and an unauthorised stable block	land nr Warren Road, jnc east side of Chelsfield Lane, Chelsfield	Chelsfield & Pratts Bottom	Enforcement Notice	10.11.2016
16/00204	Unauthorised single storey outbuilding	Riverside Close Orpington	Cray Valley East	Enforcement Notice	11.11.2016
16/00297	Unauthorised 2 metre high fence	Riverside Close Orpington	Cray Valley East	Enforcement Notice	11.11.2016
16/00402	Change of use of a 6 bedroom house in multiple occupation to an 8 bedroom house in multiple occupation	East Drive, Orpington	Cray Valley East	Enforcement Notice	14.11.2016
16/00238	Alleged unauthorised out building at rear of the garden	Cambridge Road, Penge	Clock House	Enforcement Notice	14.11.2016
16/00551	Untidy site after compliance with Enforcement Action	The Drive, Beckenham	Copers Cope	Untidy Site Notice	22.11.2016
16/00195	Unauthorised Advertisement	Chilham Way, Hayes	Hayes & Coney Hal	Enforcement Notice	25.11.2016
16/00568	Breach of condition 4 of permission 16/02117/FULL1, which requires construction management plan to be submitted prior to commencement.	William Booth Road,	Crystal Palace	Breach of condition notice	29.11.2016

16/00007	Overheight fence with trellis	Manor Way Beckenham, BR3 3LR	Kelsey & Eden Park	Enforcement Notice	05.12.2016
16/00591	Alleged current use as residential temporary accomodation for the homeless and not commercial fee paying accomodation in accordance with DC/15/01984/VA R Also alleged additional Flat/Studio created to make 15 Units	High Street, Beckenham, BR3 1AY	Copers Cope	Enforcement Notice	09.12.2016
16/00420	Alleged unauthorised stable and hardstanding construction	Belvedere Road, Biggin Hill	Darwin	PCN	19.12.2016
14/00060	Vehicles and other items in front garden, generally untidy site	Laurel Grove, Penge, London, SE20 8QJ	Penge and Cator	Untidy Site	19.12.2016

Instructions issued JAN FEB MARCH 2017

ENF Ref	Complaint	Site	Ward	Recommendation	Decision date
16/00076	Alleged unauthorised change of windows in a conservation	Chestnuts Royal, St. Paul's Cray	Chislehurst	Enforcement Notice	09.01.2017
15/00398	Alleged unauthorised change of use of outbuilding at rear of premises	Windsor Drive, Orpington	Chelsfield & Pratts Bottom	PCN	09.01.2017
16/00497	Unauthorised change of use of building at rear of premises to residential accomodation	Windsor Drive, Orpington	Chelsfield & Pratts Bottom	PCN	09.01.2017
16/00548	Alleged unauthorised building works to rear of propey - raised patio	Tudor Way, Petts Wood	Petts Wood & Knoll	Enforcement Notice	17.01.2017
16/00426	Not in accordance with approved plans	Alpine Copse, Bickley	Bickley	Enforcement Notice	18.01.2017
17/000026	Alleged unauthorised use of self-contained unit to rear of property	Gwydor Road, Beckenham	Clock House	Enforcement Notice	18.01.2017
16/00557	Unauthorised alteration to the shop front and unauthorised canopy to the rear of the building	High Street, Beckenham, BR3 1AY	Copers Cope	Enforcement Notice	02.02.2017
17/00073	Alleged unauthorised breach of conditions	Grovelands Road, Orpington	Bromley Common & Keston	Prosecution	16.02.2017
16/00332	Alleged works not being built in accordance to the plans	Moselle Road, Biggin Hill	Darwin	Enforcement Notice	16.02.2017
15/00296	Alleged ancient hedgerow removed and over height fencing front highway	Cudham Lane South, Cudham	Darwin	Enforcement Notice	16.02.2017

17/00073	Alleged unauthorised breach of conditions	Whitebeam Avenue, Bromley	Bromley Common & Keston	Breach of conditions notice	16.02.2017
16/00641	Seperation of the dwelling in breach of conditions and development not in accordance with the approved plans	Market Meadow, Orpington	Cray Valley East	Enforcement Notice & Breach of Condition Notice	17.02.2017
16/00143	Change of use of a agricultural barn to residential use	Buckhurst Road, Westerham	Darwin	Material Change of use	17.02.2017
15/00177	large fence erected on site	Bromley Common, Bromley	Bromley Town	Enforcement Notice	17.02.2017
16/00542	Business use at residential dwelling house	Timbertop Road, Biggin Hill	Biggin Hill	PCN	27.02.2017
17/00125	Breach of condition 8 of permission 03/00941 to allow food to be taken from the premises	Crofton Road, Orpington	Farnborough and Crofton	Breach of condition notice	07.03.2017
16/00523	Enforcement action authorised to seek removal of unauthorised development and a breach of condition notice to ensure the unauthorised takeawy use is ceased.	Crofton Road, Orpington	Farnborough and Crofton		07.03.2017
16/00195	Unauthorised illuminated flashing shop front advertisement	Chilham Way, Hayes	Hayes and Coney Hal	Prosecution	07.03.2017
17/00110	Building materials deposited in rear garden or premises	Cambridge Road, Penge	Clock House	Untidy Site Notice	07.03.2017

15/00327	Building. Not in accordance with the plans permitted under 13/02880	Oakwood Close, Chislehurst	Chislehurst	Enforcement Notice	08.03.2017
16/00501	Unauthorised extraction unit on rear of property	Croydon Road, Beckenham	Kelsey & Eden Park	Enforcement Notice	09.03.2017
16/00642	Unauthorised advertisements fixed to motor vehicles	Grovelands Road, Orpington	Cray Valley East	Prosecution	13.03.2017
09/00245	Sub-division into two flats	Babbacombe Road, Bromley	Plaistow & Sundridge	Prosecution	20.03.2017
16/00568	Breach of condition of planning permission 16/02117 (namely submission of a construction management plan and dust management plan to be submitted and agreed before works commence)	William Booth Road, Penge	Crystal Palace	Breach of Condition notice	28.03.2017

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Report No.
CSD17079

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Renewal and Recreation PDS Committee

Date: 5 July 2017

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

Title: **RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME 2017/18 AND RE-APPOINTMENT OF THE BECKENHAM TOWN CENTRE WORKING GROUP**

Contact Officer: Lisa Thornley, Democratic Services Officer
Tel: 020 8461 7566 E-mail: lisa.thornley@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 Members are requested to consider the R&R PDS Work Programme for 2017/18 and to agree to the continuation of the Beckenham Town Centre Working Group for the current Municipal Year.
-

2. RECOMMENDATION

- 2.1 That Members review the work programme and indicate any issues they wish to consider at forthcoming meetings.
- 2.2 Agree that the Beckenham Town Centre Working Group be appointed for a further year with a Councillor membership comprising Councillor Michael Tickner and Ward Councillors.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None

Corporate Policy

1. Policy Status: Existing policy. PDS Committees are encouraged to review their work programmes.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £335,590
 5. Source of funding: Existing 2017/18 revenue budget
-

Staff

1. Number of staff (current and additional): There are 8 posts (7.27 fte) in the Democratic Services Team.
 2. If from existing staff resources, number of staff hours: Preparation of the Work Programme report can normally be expected to take 2-3 hours
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Not applicable. PDS Report.
-

Customer Impact

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

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 Each PDS Committee has a responsibility to develop and review its work programme balancing the key roles of:
- Holding the Executive to account;
 - Policy development and review; and
 - External scrutiny.
- 3.2 The Committee is invited to consider its work programme having regard to guidance at Section 8 of the Scrutiny Toolkit and in consultation with the Renewal and Recreation Portfolio Holder and Chief/Senior Officers.
- 3.3 The Committee's Work Programme from September 2017 to February 2018 is attached at **Appendix A**.
- 3.4 In 2009, the R&R PDS Committee established the Beckenham Town Centre Working Group which brings together a wide range of stakeholders to consider matters relating to the development of Beckenham Town Centre. Members are requested to agree that the Beckenham Town Centre Working Group be appointed for a further year with a Councillor membership comprising Councillor Michael Tickner and Ward Councillors.

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous Work Programme reports.

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Report Title	Report Author	PH Decision (Yes/No)
Renewal and Recreation Policy Development and Scrutiny Committee – 20 September 2017		
Matters Arising from Previous Meetings	LT	No
R&R PDS Work Programme	LT	No
R&R Budget Monitoring	CM	Yes
Capital programme Monitoring – 1 st Quarter 2017/18	JM	Yes
Bromley High Street Market	KM	Yes/No
Town Centres Development Programme Update	KM	No
Renewal and Recreation Policy Development and Scrutiny Committee - 1 November 2017		
Matters Arising from Previous Meetings	LT	No
R&R PDS Work Programme	LT	No
R & R Budget Monitoring	CM	Yes
MyTime Active Annual Report 2016/17	JG	Yes
Town Centres Development Programme Update Report	KM	No
Renewal and Recreation Policy Development and Scrutiny Committee – 24 January 2018		
Matters Arising from Previous Meetings	LT	No
Renewal and Recreation PDS Work Programme	LT	No
R&R Budget Monitoring	CM	Yes
Draft Budget 2018/19	CM	No
Capital Programme Monitoring - 2 nd Quarter 2017/18	JM	Yes
Town Centres Development Programme Update	KM	No
Planning Performance and Planning Enforcement	JK	No

Renewal and Recreation Policy Development and Scrutiny Committee – 28 February 2018		
Matters Arising from Previous Meetings	LT	No
R&R PDS Work Programme	LT	No
R & R Budget Monitoring	CM	Yes
Portfolio Plan Review and Contracts Register	??	Yes/No
Town Centres Development Programme Update	KM	No
Chairman's Annual Report	Chairman	No

To Be Scheduled

- 1 Individual reports on Growth and Delivery Plans for Biggin Hill and Cray Corridor.
- 2 Individual reports for major schemes such as the Civic Centre and Crystal Palace Park
- 3 Opportunity Sites reports
- 4 Further reports on the outsourcing of Libraries
- 5 Frequent Contract Register Reports complete with RAG analysis

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