

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

Minutes of the meeting held at 7.00 pm on 12 July 2017

### **Present**

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

### **Also Present**

Councillor Colin Smith

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

Apologies were received from Cllr Ellie Harmer and Cllr Catherine Rideout.  
Cllr Robert Evans attended as alternate for Cllr Rideout.

#### **2 DECLARATIONS OF INTEREST**

Councillor William Huntington-Thresher declared an interest by virtue of being  
nominated for membership of the Countryside Consultative Panel, 2017/18.

Councillor Ian Dunn declared an interest by virtue of:

a) being nominated for membership of the Countryside Consultative Panel,  
2017/18 and

b) Cllr Dunn's partner being nominated for membership of the Leisure  
Gardens and Allotments Panel.2017/18.

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

There were no questions to the Committee.

#### **4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH MARCH 2017 AND THE SPECIAL ENVIRONMENT PDS COMMITTEE MEETING HELD ON 21ST MARCH 2017**

Minutes of the above meetings were agreed.

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

A number of questions were received for either oral or written reply. Details of the questions and answers are at **Appendix A**.

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

**a BUDGET MONITORING 2016/17**

**Report FSD17047**

Based on expenditure and activity levels to 31st May 2017, the latest 2017/18 budget monitoring position for the Environment Portfolio showed an underspend of Cr £58k with the controllable budget projected to be underspent by Cr £22k at year-end.

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

There was no particular reason at this stage for the decrease in trade waste and the position would be checked in subsequent monitoring reports. One possible reason could be attributed to more businesses (e.g. through Orpington BID) linking with private waste contractors.

**RESOLVED that the Environment Portfolio Holder be recommended to endorse the latest 2017/18 budget projection for the Environment Portfolio.**

**b PROVISIONAL OUTTURN 2016/17**

**Report FSD17048**

The provisional final 2016/17 out-turn position for the Environment Portfolio showed a variation (net overachievement of income) of Cr £862k for 2016/17 against a controllable budget of £31.65m, representing a 2.72% variation.

Variations were detailed in Report FSD17048 including main variations compared to the last reported budget monitoring report.

The report also sought approval for a carry forward sum of £120k to be released from Central Contingency to facilitate the introduction of direct debit payments for the Green Garden Waste Service.

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

**(1) endorse the 2016/17 provisional outturn position for the Environment Portfolio; and**

**(2) approve draw-down of the carry forward sum of £120,000 held in Central Contingency to be used to facilitate the introduction of direct debit payments for the Green Garden Waste Service as set out at Paragraph 5.19 of Report FSD17048.**

**c ENVIRONMENT PORTFOLIO PLAN 2017/20**

**Report ES17035**

Members considered the draft 2017/20 Environment Portfolio Plan setting out the Portfolio's key service outcomes, associated issues (service drivers), aims, and performance measures.

The Portfolio Plan further included actual 2016/17 performance along with information on historic performance for the past three years and targets for the next three years. A six-month progress update would be provided to the Committee's meeting on 30<sup>th</sup> January 2018.

For littering and dog fouling offences it was confirmed that officers aim to carry out mapping of hot spots where penalty notices are often issued. It was also highlighted that cages erected around young g trees (for their protection) can often be wrongly used for the deposit of litter.

It was also suggested that performance indicators (targets) for the percentage of roads to be considered for maintenance (NI 168) be lowered for future years. This was to reflect the current level of capital investment for improving the condition of highways and reducing revenue expenditure on reactive and planned maintenance. The Chairman felt that it was necessary for some of the targets in the Plan to be tighter.

In regard to enforcement against fly-tipping, CCTV surveillance can be used at locations (including lanes) with prior authority obtained under the Regulation of Investigatory Powers Act (RIPA). Independent surveillance material/film from individuals can also be used for enforcement subject to an individual being prepared to give evidence at court.

The 2016/17 recycling rate for L B Bromley was confirmed as 48.47%; London-wide, L B Bromley provided the best value for money on recycling.

A summary of service contracts was also appended to Report ES17035; as recommended in the report, the Chairman invited Members to look at the contracts and consider those appropriate for scrutiny in the year ahead. Although the contracts database had yet to be fully rolled out to Members (priority needed for an internal audit recommendation on waivers and developing a new authorising system for contract extensions), it was already possible for Members to view contract details (the information currently being

quality assured). Member training would be available on interrogating the database.

**RESOLVED that:**

**(1) Committee Members consider the contracts list at Appendix 2 to Report ES17035 for views on contracts to be considered for scrutiny in 2017/18; and**

**(2) the Environment Portfolio Holder be recommended to –**

- **endorse the outcomes, aims and performance measures set out in the draft 2017/20 Environment Portfolio Plan (Appendix 1 to Report ES17035) taking into account the 2017/18 budget and views of the Committee; and**
- **delegate to the Director of Environment and Community Services, in consultation with the Environment Portfolio Holder and Environment PDS Chairman, authority to review and amend targets in the Portfolio Plan as considered necessary.**

**d HIGHWAYS INVESTMENT**

**Report ES17004**

Following the Council decision on 12<sup>th</sup> December 2016 to approve £11.8m capital funding for investment in planned highway maintenance, Members considered future schemes of planned carriageway and footway maintenance, comprising Phase 2 of the investment programme (the first having been approved In January 2017). The works in Phase 2 were estimated to cost £2m and reports on further phases of the programme would be considered in the autumn following the completion of additional technical assessments.

The capital funding enables improvement to the condition of non-principal and unclassified roads and footways in the borough, reducing demand for reactive maintenance and enabling annual revenue savings of £2.5m. The revenue savings will amount to £12.5m over five years from 2017/18, partly offset by an estimated £167k reduction in treasury management income over the period. Value for money and customer satisfaction will also be improved by the works with unplanned network disruption reduced. The maintenance will also contribute to reducing trips and other accidents some of which could result in third party claims for damages.

For the proposed footway schemes, a parking delivery problem was highlighted in discussion at the head of Sidney Road, Beckenham. This would need input from traffic and road safety officers and it was confirmed that programme data is circulated between officer teams.

The Council expected notice of three months from utility companies on proposed works affecting the highway; similarly, the Council was expected to

provide notice of at least three months for highway works. Upon the Council providing notice, utility companies are unable to carry out utility works within two to five years except for priorities such as new customer connections or emergencies. This is normally respected by utility companies.

It was thought that roads in two estates in the Farnborough and Crofton ward had not received maintenance during the previous 40 years. Clarity was sought on the criteria for prioritising roads in the programme; both Kings Wood Close and Wyndham Close (with five properties) listed for Phase 2 were considered less of a maintenance priority than other roads in Farnborough and Crofton. The Head of Highways asked for a list of roads in the ward considered to be in poor condition - these would then be checked against condition data.

A concern was raised that with the introduction of buses with two doors on some bus routes, bus passengers using the centre doors were having to step on to grass verge. The problem was likely to worsen in winter months and it was suggested that hard standing areas be extended. A programme of bus improvements is available through LIP funding and it would be possible to raise cage marking for buses in discussion with TfL. Members were invited to advise the Head of Traffic and Road Safety of particular bus stop locations causing concern.

In view of a further burst water main incident in the borough (Masons Hill), an enquiry was made on whether major leaks were more prevalent in Bromley compared to other boroughs or more frequent now than in the past and whether action such as lobbying the regulator was required. The Committee was advised that it was not considered that Bromley was worse than average at the current time and no action was proposed at this time.

Members supported the recommendation to the Portfolio Holder subject to taking account of Ward Member comments on specific schemes.

**RESOLVED that subject to taking account of Ward Member comments on specific schemes, the Portfolio Holder be recommended to agree that the schemes listed at Appendix A to Report ES17004 form the next phase of the Council's investment programme of planned highway maintenance for 2017/19, to be undertaken by the Council's existing highway term maintenance contractors.**

**e PROPOSALS FOR IMPROVEMENTS TO THE ORPINGTON CYCLING AND WALKING NETWORK**

**Report ES17050**

As part of a long term plan to develop a network of local cycling and walking routes enabling modal shift to reduce congestion, proposals had been developed to improve conditions for cycling and walking in and around Orpington. Once completed the proposals would provide safe cycle routes linking Orpington to Locksbottom, Green Street Green, Petts Wood and St

Mary Cray as well as onwards to Bomley and Beckenham via the Quietway network. The routes would also serve to provide a link to the Cray Valley and employment opportunities along the A224 (Sevenoaks Way).

Approval was sought for public consultation and construction of the first phase of these works - the cycle route from Locksbottom to Orpington Station for which outline designs were presented. Following a suggestion from the Chairman prior to the meeting an additional element was included in the design for the route and updated drawings circulated in advance of the meeting and tabled.

At Orpington station the route could connect with the proposed, but unfunded, Orpington to Green Street Green route which would join the shared cycle path alongside the A21 at the High Street Green/ Farnborough Way (A21) roundabout. The Orpington to Green Street Green Route would also serve Orpington High Street potentially linking to an extended Quietway from lower Sydenham and eventually linked through Priory Gardens to join the A224 cycle path, providing a link to employment sites and industry on the Cray Valley corridor.

To provide safe and attractive links to schools it was also proposed to allow cycling on a number of footpaths; some would require upgrading as well as change of status and it was proposed to begin with a low cost conversion of the North/South path to Crofton School, through Gumping Common. Further footpath conversions for additional extensions of the cycling network could include those to Princess Plain and Bishop Justus Schools.

Neither the Orpington to Canary Wharf Quietway nor the Lower Sydenham to Bickley Quietway had been currently funded by TfL. However, Officers had lobbied TfL to extend the route to Petts Wood which could be extended to Orpington so providing a high-quality and attractive link between Orpington and Bromley town centres. Details were also provided of other possible longer term interventions to assist cycling.

In discussion, it was highlighted that the Ormonde Avenue area was subject to heavy traffic on weekday mornings.

Members supported the recommendations as outlined below including approval of the Locksbottom to Orpington Station route, subject to Ward Member comments, and additionally recommended that authority be given to the Executive Director of Environment and Community Services in consultation with the Portfolio Holder to make minor amendments to the Locksbottom to Orpington Station scheme as necessary.

**RESOLVED that:**

**(1) the following be supported -**

- **medium/long-term proposals to improve conditions for walking and cycling in the Orpington area with a network of local routes;**

- **officer lobbying to extend the Lower Sydenham to Bromley Quietway to the East of the Borough; and**

**(2) the Portfolio Holder be recommended to –**

- **approve the outline proposals for a safe and segregated cycle facility on Crofton Road (A232) to enable Officers to undertake public consultation and subsequent construction of the scheme and**
- **delegate authority to the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, to make minor amendments to the Locksbottom to Orpington Station scheme as necessary.**

**f BROMLEY SOUTH TO SHORTLANDS CYCLE ROUTE**

**Report ES17051**

Approval was sought for public consultation on a proposed cycle route between Bromley South and Shortlands and subsequent construction of the route.

The route would enable residents to cycle to either Shortlands station or Bromley South station, helping to reduce car journeys and reduce peak time congestion. It would also provide a route into Bromley town centre from the north-west of the borough and serve as part of a potential route between Bromley and Beckenham. Cycle connectivity would also be improved to local communities including a safe cycle route to St Mark's School, Harris Academy, Shortlands and the new St Mark's Square development.

The scheme offered a benefit cost ration of 4.84:1, considered very high value for money by Department for Transport (DfT) guidance. Details of the route were covered in Report ES17051 with drawings provided. Construction was estimated to cost £268k, funded from the TfL LIP budget for transport schemes for 2017/18 and 2018/19.

In discussion Members were advised of local ward Member comments supporting the scheme. Comment had also been made by a Shortlands Member concerning cycle parking at Shortlands Station; it was proposed to work with Southeastern and seek external funding for high-quality cycle parking at Shortlands Station at an estimated cost of £50k - alternatively, LIP funding might be used.

The Portfolio Holder was concerned about the bulbous build out at the junction of Valley Road with Shortlands Road; however, a Member clarified and officers later confirmed that this is already extant and therefore not an issue. The Portfolio Holder was content with the explanation.

The Portfolio Holder also raised concern about the proposed entry treatment across May's Hill Road on cost grounds; if it were to cost an excessive amount, he would rather see a lower cost intervention with any small amount of money potentially saved (e.g. £15 to £20k) used for purposes such as increased bike storage for cycling schemes. It was explained that the outline design had been compiled by AECOM and could be re-designed should any of these design elements present issues.

The Chairman also suggested exploring with Network Rail whether high quality secure cycle parking could be provided at stations in return for payment by cyclists and whether a business case could be developed for such provision as it might encourage cyclists with valuable cycles to cycle as part of their commute. It was understood that similar arrangements had been developed for a number of stations in Kent.

Members supported the proposed route and interventions along with public consultation and subsequent construction. Members also recommended that authority be delegated to the Executive Director for any changes considered necessary to the scheme design in consultation with the Portfolio Holder.

**RESOLVED that:**

**(1) the proposed route and interventions for a cycle route from Bromley South to Shortlands be supported; and**

**(2) the Portfolio Holder be recommended to –**

- **agree that officers undertake public consultation on the proposed cycle route and subsequent construction of the scheme;**
- **delegate authority to the Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, for any changes considered necessary to the scheme design.**

**g APPOINTMENTS TO THE COUNTRYSIDE CONSULTATIVE PANEL AND THE LEISURE GARDENS AND ALLOTMENTS PANEL 2017/18**

**Report CSD17108**

Members supported nominations to the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel for 2017/18.

Administration for the Panels is undertaken by Idverde, the Council's contractor for Parks, Countryside and Greenspace Management.

**RESOLVED that the Portfolio Holder be recommended to confirm the following appointments:**

**(1) Councillors Julian Benington, Lydia Buttinger, Ian Dunn, William Huntington-Thresher and Alexa Michael be appointed to the Countryside Consultative Panel for 2017/18; and**

**(2) Councillors Vanessa Allen, Julian Benington, Mary Cooke, Alexa Michael and Sarah Phillips be appointed to the Leisure Gardens and Allotments Panel for 2017/18.**

## **7 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE**

### **a CRYSTAL PALACE PARK: REGENERATION PLAN**

#### **Report DRR17/029**

With the development stage of the Regeneration Plan for Crystal Palace Park now complete Members considered the next steps for taking the Regeneration Plan (i.e. capital scheme to regenerate the park as per Masterplan, a new form of governance, and a new business model) forward to delivery.

To effect termination of the lease to the Caravan Club, currently occupying a potential housing site (Rockhills) within the Masterplan area, it was necessary to take the Regeneration Plan forward now. Not to do so would mean that any new lease granted to the Caravan Club could not be opposed so preventing any redevelopment during the lease period.

Separate to the Regeneration Plan, the Improvement Scheme is currently being delivered in the park. Following an open tender process for the café works contract, the tenders received exceeded the estimate for delivering a new café - the lowest tender obtainable (including 10% contingency) being £242.3k over budget. As such Executive was asked to approve an additional spend of up to £242.3k, funded from capital receipts, to deliver the café project. The sum included a contingency which might not be needed and should this be the case any remaining contingency would contribute towards the next phase of the Regeneration Plan scheme. The outcome of the tender process for the café was detailed in an associated Part 2 report to Executive

In discussion it was confirmed that it was not possible to find a suitable alternative site for the Caravan Club in the Park.

It was intended that the Trust would take responsibility for full maintenance of the park including activities such as grass cutting. A further report on management would be brought to Members. Should arrangements not proceed, the Council could consider a dowry to provide for maintenance. The London boroughs bordering the park have been reluctant to contribute to a dowry and a further meeting would be held in a further two weeks to help influence any change on the position.

On parking, a number of car parks were currently available in the Park. However, parking needed to be controlled to provide improved arrangements

and this would be looked at within a broader context. Uncertainty also remained at this stage on the detail of a revised scheme for the National Sports Centre. Parking is free at the Park primarily due to heavy parking in surrounding local roads. A Controlled Parking Zone was being considered and when arrangements for the park are settled it would be possible to consider the parking position and the potential for car parking charges to support maintenance of the park. There is also good rail link to the park.

Members supported the recommendations to Executive.

**RESOLVED that the report be noted and the Executive be recommended to:**

**(1) approve spend of up to £625k funded from Capital Receipts to progress the Regeneration Plan to submission of the outline planning application by Spring 2018 and add this to the Capital Programme; and**

**(2) approve a further £242.3k from Capital Receipts to deliver the Crystal Palace Park Café Project and amend the Capital Programme - any unspent contingency contributing towards the next Phase of the Regeneration Plan scheme.**

#### **b HIGHWAY ENGINEERING CONSULTANCY SERVICE**

##### **Report ES17047**

The professional services element of the Council's duties to ensure safe use of the highway infrastructure and use of its multi storey car park asset has been delivered using Consulting Engineers, the broader service including inspection/studies of structures (bridges, culverts, retaining walls), engineering emergencies involving the highway, ad hoc Transport and Flood Studies, larger highway development schemes and inspection/studies of the Council's stock of multi storey car parks.

The current contract was awarded to AECOM from 21<sup>st</sup> July 2016 (tendered rates being approximately 8% lower than equivalent rates in the previous contract) and tendered using the Council's Homes and Communities Agency (HCA) Multidisciplinary Framework Contract, the Framework ending on 3<sup>rd</sup> November 2018. The contract award to AECOM was made on an initial one year basis with provision to extend the service to the Framework end date subject to satisfactory performance. Overall, AECOM has generally delivered a satisfactory performance across the range of activities undertaken for the Council.

Given the broader review of Highway contracts, the tender for the Highways 'bundle' was likely to be undertaken in 2018, with a targeted contract start date of 1<sup>st</sup> April 2019. The Highway Engineering Consultancy Service was expected to be included as a lot in the Highways bundle and it was considered appropriate to extend the current contract with AECOM to 3<sup>rd</sup> November 2018 (the Framework end date). Work ordered in advance of the

Framework end date could also be extended beyond the expiry of the Framework (by up to five years) which would enable continued access to highway engineering services between the Framework end date and 31<sup>st</sup> March 2019.

It was confirmed to Members that when tendering for the current service a mini competition was undertaken via the framework and AECOM provided best value.

**RESOLVED that the Executive be recommended to:**

**(1) extend use of the current contract with AECOM for the provision of Highway Engineering Consultancy Services until the HCA Framework end date of 3<sup>rd</sup> November 2018; and**

**(2) extend use of AECOM for the provision of Highway Engineering Consultancy Services for the period 3<sup>rd</sup> November 2018 to 31<sup>st</sup> March 2019.**

**c THE PRIORY, ORPINGTON - RELEASE OF PARK LAND AND CAR PARK**

**Report DRR17/040**

Executive resolved in June 2015 that The Priory and adjacent Library be declared surplus to requirements with authority given to market the site for disposal. On 28th October 2016 the Resources Portfolio Holder approved a recommendation that the Council enter into negotiations for a 125 year lease of The Priory and adjoining Library building to V22 Plc for their proposed use as a Community based Arts Centre with Studios. On grant of the lease, V22 Plc would undertake the necessary Planning submissions to secure Planning Consent for use of the premises as a Community based Arts Centre and Studios. Lease terms have been broadly concluded and the draft lease would be sent to V22 Plc's solicitors subject to approval of the Report's recommendations.

Executive approval was now sought for the release of an area of land and formal removal of a designated Car Park currently contained within The Priory Gardens, Orpington. The released land and car park would then form part of the demised premises within the Lease to V22.

No objections had been received to the proposed inclusion of the land within V22's demised area. A capital receipt of £250k would be received on completion of the lease with a net loss of income of £3k from disposal of the car park. As the net income will no longer be received, Executive agreement was sought to the capital receipt being set aside to increase the Council's Investment Fund.

As an Orpington Ward Member, the Chairman advised that he had received a number of guarantees already. The Chairman had also submitted a formal

question to the Executive seeking confirmation that all the grounds around the Priory had permitted path status and that any contributions would require licensing from the Council or stopping-up via the Rights of Way Committee. The Chairman indicated that the land around the Priory was probably similar to a forecourt in a high street and added that it would be sensible for V22 to maintain the grassed land in the area.

**RESOLVED that the Executive be recommended to:**

**(1) agree to the release of Park Land and removal of the Priory Car Park so as to form a new demised area to be leased to V22 in accordance with the Resources Portfolio Holder's previous decision to lease The Priory and former library to V22 Plc;**

**(2) note that no objections were received following the publication of a Statutory Notice of Intention to Dispose of Open Space relating to the loss of land at the Priory Gardens to be included within the demised area of the V22 Lease; and**

**(3) on the basis that the existing property generates an income which would no longer be received, the Executive be recommended to agree that the capital receipt be set aside to increase the Council's Investment Fund to enable the purchase of investment properties to generate alternative revenue income or that the money be put into the Council's Parallel Fund or some other form of investment.**

## **8 2018/2019 LIP GUIDANCE**

### **Report ES17053**

In preparing for a new Local Implementation Plan (LIP) setting out how transport projects will be delivered in L B Bromley in the context of a new Mayor's Transport Strategy (MTS), guidance was given on preparing the 2018/19 Annual Spending Submissions.

The 2018/19 financial year would be transitional between current LIP arrangements and those coming into effect under the third LIP period from 2019/20 following publication of the MTS expected early 2018. Boroughs will then be required to prepare a new LIP ready for LIP3 commencing 2019/20. LIP3 guidance would be launched alongside the MTS.

A consultation draft of the new MTS was published in June. Although priorities, policies and proposals set out in the draft will not be fixed in time for 2018/19 programmes, Report ES17053 highlighted how guidance for 2018/19 will draw on existing strategic documents to prepare boroughs for direction on the Mayor's transport priorities.

The 2018/19 Spending Submission should identify projects for delivery in the year helping to achieve the authority's LIP objectives and:

- provide a breakdown of proposed expenditure for 2018/19 and future years where appropriate (i.e. for projects that will extend beyond 2018/19);
- provide details of initiatives to be taken forward during 2018/19, including information on the impact of interventions on the Mayor's transport priority outcomes, TfL services, and infrastructure; and
- report on delivery of previously identified high-profile outputs, including outputs from schemes delivered during the course of the previous financial year (2017/18).

The 2018/19 submission should therefore include information on programmes listed below.

#### Corridors, Neighbourhood and Supporting Measures

Holistic or area-based interventions, including cycling, walking, accessibility, safety measures, 20 mph zones and limits, bus priority and accessibility, freight, regeneration, environment, and controlled parking zones. The programme might also include expenditure on secure cycle parking, cycle training, shared space, car clubs, reduction of clutter, installation of electric vehicle charging points, school and workplace travel plans, behavioural change, education, training and publicity.

#### Major Schemes / Liveable Neighbourhoods

The Major Schemes programme of transformational public realm improvement projects would be replaced from 2018/19 by the 'Liveable Neighbourhoods' programme.

Maintenance programmes including principal road renewal, and bridge strengthening and assessment.

It was also necessary for each borough to take account of a number of key policies and developments when preparing submissions as set out in the Mayor's 'A City for All Londoners' (October 2016) forming the basis of the draft Mayor's Transport Strategy.

It was indicated by TfL that Bromley will be allocated a total of £2.432m for Corridors, Neighbourhoods and Supporting Measures, £50K (2%) less than 2017/18, and £880K for Principal Road Maintenance, the same figure as 2017/18. The allocations would be confirmed by TfL in December 2017.

It was best for any further Member feedback on priorities to be provided by 31st August 2017. A further report can then be taken to the Committee's meeting on 5<sup>th</sup> October 2017. Responses for the new MTS consultation were needed before 2nd October 2017 and it was suggested that a response might be considered through the Committee's Congestion Working Group.

To improve a bus route(s), an application(s) can be made at any time of year for additional LIP funds – improvements helping the operator (reduce costs for a service) and assisting all road users.

The Chairman also highlighted that the next Public Transport Liaison meeting will be held on 14<sup>th</sup> September 2017. Should bus issues be an outcome of the first Congestion Working Group meeting, comments could be fed into the Liaison meeting; TfL would be present and could respond on matters such as priorities.

**RESOLVED that the following be noted:**

- guidance for the second LIP interim year of 2018/19;**
- closure date of 2nd October 2017 for consultation on the draft (new) Mayor's Transport Strategy; and**
- the emphasis now being placed on the new LIP taking due regard of current strategic documents.**

**9 FORWARD WORK PROGRAMME, MATTERS ARISING AND CONTRACTS REGISTER**

**Report ES17036**

In considering the Committee's Work Programme, it was proposed that an item on Customer Service in Environmental Services be considered at the meeting on 15<sup>th</sup> November 2017. This could include relevant contractors with certain aspects of the services defined going forward and whether they can be improved and joined up. The scrutiny could be undertaken as a Select Committee style investigation.

Members also agreed the Committee's Working Groups for 2017/18 namely:

- Environmental Services Working Group;
- Traffic Congestion/LIP Working Group;
- a Working Group to look at policies in support of the Local Development Framework (e.g. pavement crossovers as a first issue to be considered).

**RESOLVED that:**

**(1) the Forward Work Programme be noted;**

**(2) progress concerning previous Committee requests be noted;**

**(3) the Corporate Contract Register extract be noted; and**

**(4) the Committee's Working Groups for 2017/18 be agreed as follows -**

- **Environment Services Working Group with membership to include Cllr William Huntington-Thresher;**

- **Traffic Congestion/LIP Working Group with membership to comprise Cllr Ian Dunn, Cllr William Huntington-Thresher, Cllr Sarah Phillips, and Cllr Melanie Stevens); and**
- **a Working Group to look at policies in support of the Local Development Framework (e.g. pavement crossovers) with membership to comprise Cllr Samaris Huntington-Thresher, Cllr William Huntington-Thresher and Cllr Angela Page.**

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

**11 EXEMPT MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 7TH MARCH 2017 AND THE SPECIAL ENVIRONMENT PDS COMMITTEE MEETING HELD ON 21ST MARCH 2017**

Exempt minutes for the above meetings were agreed.

**12 FORWARD WORK PROGRAMME, MATTERS ARISING AND CONTRACTS REGISTER**

### **Report ES17036**

Appendix 4 to the above report was considered under Part 2 proceedings and comprised documents considered of interest to the Committee following an internal audit related to Waste Services and an internal audit of Streetworks.

**13 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE**

**a CRYSTAL PALACE PARK: REGENERATION PLAN**

Members considered the recommendation to Executive on contract award for the new café at Crystal Palace Park.

The Meeting ended at 9.34 pm

Chairman

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## Appendix A

### **QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY**

#### **From Councillor Ian Dunn**

Can the Portfolio Holder please provide the current timetable for the Environmental Services Procurement in the format of Appendix 2 to the Procurement Strategy paper which came to the PDS in January 2017? Can he also describe what measures are being taken to mitigate the risk of a delay to the contract start date, given that the date for the issue of the OJEU notice has slipped from 1 April 2017 to September 2017.

#### **Reply**

At this point in time no I can't. Whilst there has been a delay in issuing the OJEU notice, it is unclear what impact, if any, that will have on the target dates which follow on from it.

Procurement colleagues will determine what mitigation measures might prove helpful, once we are all in possession of the known facts.

As I have advised Cllr Dunn previously on such matters, I would far rather any procurement process takes slightly longer to achieve to get matters absolutely right, than prematurely to meet a movable timetable.

#### **Supplementary Question**

In his supplementary question Cllr Dunn referred to previous procurements and highlighted that it was three months since the OJEU notice was to have been issued and sometime since the former commissioning officer (former Head of Waste Services) had left the Council's employment. Cllr Dunn considered Cllr Smith's reply to be a poor answer.

#### **Reply**

The Portfolio Holder noted Cllr Dunn's opinion and referred to the forthcoming 2018 local government elections.

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#### **From Mr Mark Dempsey, Chairman, Shortlands Residents' Association**

1. Is there a Bromley Council policy that no new parking controls will be introduced in roads where residents have off-street parking? If so when was the policy introduced? May we have a copy of the wording of the policy?

## **Reply**

The Council report most pertinent to the issue raised here is “Parking Controls in Residential Areas” which was endorsed by Environment PDS Committee on 1<sup>st</sup> July 2014 and later approved by myself as Portfolio Holder (report no. ES14057). Section 5.3 states “The Council seeks to maximise the efficient use of on-street parking across the borough to benefit residents and other users of these roads”. Sections 3.10 to 3.18 of this report are also relevant to the design principles the Council employs in respect to parking controls. ( <http://cds.bromley.gov.uk/documents/s50022160/Parking%20Controls%20in%20Residential%20Areas%2001072014%20Environment%20Policy%20Development%20and%20Scrutiny%20Commit.pdf> )

A statement of the Council’s specific approach to CPZs is available on the Council website ( [http://www.bromley.gov.uk/info/474/street\\_parking\\_-\\_permits/347/parking\\_permits\\_and\\_visitors\\_vouchers/2](http://www.bromley.gov.uk/info/474/street_parking_-_permits/347/parking_permits_and_visitors_vouchers/2) ) under the heading “Parking permits and visitors vouchers”. It is stated here that for a CPZ to be considered “off-street parking must be unavailable for the majority of residents.

## **Supplementary Question**

Mr Dempsey felt that his question was not answered and that his understanding of comments made by the Portfolio Holder was that parking will not be provided where there is off-street parking. Mr Dempsey added that it was necessary to see the policy on this.

## **Reply**

The Portfolio Holder referred to the Council’s policy being covered, with the Council’s specific approach to CPZ’s included on the Council website. What is included in the document is what is permitted subject to problems not being caused for residents or other road users. To have parking vouchers it was necessary to be in a CPZ.

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2. There are parking controls around many railway stations in Bromley, but not Shortlands. These are in areas where residents have off-street parking. If such a policy exists (see question 1) does the Portfolio Holder agree that the policy is being inconsistently and inflexibly implemented leading to inequity and unfairness?

## **Reply**

There are similar situations adjacent to a good number of Railway Stations across the Borough, Bickley in my own Ward to name but one.

Where residents living adjacent to stations have no off street parking available to them, a Controlled Parking Zone is offered to provide local home owners with an opportunity to park somewhere near to their own homes.

Where off street parking is available to local homeowners, on street parking is regulated to ensure good use is made of valuable parking stock to support misc travellers wishing to access the station in pursuit of their legal business.

### **Supplementary Question**

With reference to Shortlands, Mr Dempsey asked whether such a policy is being applied consistently and flexibly.

Mr Dempsey understood that some arrangements are given to discourage commuter parking but it was not the best balance between resident and commuter parking interests around Shortlands.

### **Reply**

The Portfolio Holder respectfully disagreed and considered the policy to be applied fairly. For people at home during the day the Portfolio Holder was not unsympathetic to cars being parked outside of their homes and accepted that some people didn't like to see it; however, commuter parking could also benefit all residents across the borough in terms of accessibility to London and the prosperity that provides for the borough and its families.

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3. Parking around Shortlands Station has increased to unacceptable levels in recent years reflecting social, planning and transportation changes. Will the Portfolio Holder agree to flexibility in the policy to allow for changing circumstances to be considered in areas detrimentally affected such as roads in the vicinity of Shortlands Station?

### **Reply**

Whatever flexibility that can be entertained around junction protection and preventing traffic blockage in narrow road scenarios is.

The general principle that excessive yellow lineage should be avoided and that parking should be permitted where it causes no obvious impediment to neighbouring homeowners or other road users remains a Borough-wide template from which all such requests are evaluated.

### **Supplementary Question**

Mr Dempsey felt that a borough-wide template is understandable but a template applied inflexibly presents problems. Mr Dempsey asked whether there was scope to apply (the template) more flexibly for local circumstances.

## **Reply**

The Portfolio Holder indicated that there was already flexibility in application (of the template).

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## **Questions submitted by Gill Slater, Unite, and asked at the meeting by Kathy Smith, Unite Branch Secretary**

1. The report of 24<sup>th</sup> Jan (para 4.11, and Appendix C) which assesses the idverde contract omits and / or lacks clarity in respect of several points and information relating to any penalty sums withheld. [e.g. of omissions / lack of clarity include data for 6 months Oct 15 - March 16. KPI summaries for each ward do not indicate any fails but the statistics below the summaries suggest 164 features failed]. Can the full detail on which these summaries and the report were based be made available?

## **Reply**

The performance management systems comprise three components, each contributing a percentage of the annual 5% retention sum paid over two equal parts. Those percentages are, 50% for the joint monitoring feature quality assessment (Appendix C), 25% for parks user surveys to be carried out and 25% for performance against annual contract objectives and KPI's.

For periods October 2015 to March 2016, 92% of one part of the retention sum was released and a total of 46 defaults and rectifications issued to secure further redress.

For periods April 2016 to September 2016 96% of the other part of the retention sum was released and a total of 76 defaults and rectifications issued to secure further redress.

## **Supplementary Question**

In relation to the 24<sup>th</sup> January report and customer and stakeholder satisfaction with parks and the idverde contract, Kathy Smith asked how many were satisfied and the outcome.

## **Reply**

It was indicated that from the 2016 stakeholder survey, 48.276% believed the quality of parks to have improved in the year, with 48.276% believing the quality of the parks to remain the same and 3.448% believing the quality had weakened.

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2. How did the report of 24<sup>th</sup> Jan conclude that the contact was satisfactory when the key measures of the 'Outcome' contract (points 2.5 and 2.6 of the Performance Management Matrix Appendix B) relating to both customer and stakeholder satisfaction are "TBC" (no default charges indicated)?

**Reply**

Park user surveys are conducted periodically against an annual target of 3.5. The score for Oct 15 – March 16 was 3.3 and for April 16 – Sept 16 was 3.2. The scores release a percentage of the retention sum against the 3.5 target score. The 2016 stakeholder survey affirmed that 48.276% believe the quality of parks improved in the year, 48.276% believe parks remained the same and 3.448% believe it weakened.

I personally believe those figures represent a strikingly impressive recognition of idverde's performance.

There is no redress for the stakeholder surveys, which deliberately set hard to reach stretch targets to ensure ongoing improvements to service delivery.

**Supplementary Question**

Referring to assessing against benchmark for future assessment, Kathy Smith suggested that performance be benchmarked against the level of the former in-house team.

**Reply**

The Portfolio Holder believed the current arrangements to be suitable and indicated that he would be happy for Kathy Smith to meet officers from the Environment team to discuss the matter further if she wished to.

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**From Jonathan Coulter**

1. Would the Portfolio Holder confirm that the Council aims to provide a less congested, healthy and pleasant environment for its citizens, in line with the 2018/2019 LIP guidance?

**Reply**

Yes

**Supplementary Question**

In his supplementary question Mr Coulter referred to the Mayor's Local Transport Plan (LTP) strategy and asked (amongst other things) whether the Portfolio Holder would confirm that the strategy is welcomed by the Council.

## **Reply**

Not particularly. Although clearly not without some merit I believe the document is far too one size fits all / zone one centric and doesn't recognise the competing priorities and needs of inner versus outer London Boroughs. To that end I believe the document offers us something of an a la carte menu to choose from to utilize anything useful which assists Bromley's local priorities and objectives.

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2. Bromley's Cycling Strategy says only 1.1% of all Bromley trips are made by cycle, but also shows cycling to account for 10% of all road casualties. Does the Portfolio Holder consider this is a satisfactory state of affairs, and if not, how will he proceed to remedy it?

## **Reply**

I am advised that the current percentage of Borough trips made by bicycle is 1.7%.

LBB works on a wide range of schemes to improve road safety for all Groups of Road Users across the Borough; in the case of cyclists, the cycle routes proposed in items 6e and 6f of this evening's agenda are an example of how we attempt to improve safety for cyclists using them further still.

In addition to infrastructure measures our award winning road safety team continues to work hard and earn significant recognition around cycle training and the relationship it has nurtured over road safety across the Borough's school network.

## **Supplementary Question**

Given the high casualty rate, Mr Coulter asked whether the Portfolio Holder still thought the Council provided excellent cycle links across the borough.

## **Reply**

Given the advice that the cycling figure now stood at 1.7%, I believe the suggestion that cyclists represented 10% of Bromley Road casualties probably needs be checked and recalculated. I do believe that Bromley provides excellent cycling links across the Borough, as well that all road user groups need to show respect for each other, which includes cyclists being aware of other user groups too.

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3. With regard to the Bromley South-Shortlands route, can the Portfolio Holder assure us that:

(a) the original plan that Bromley Cyclists submitted to Mr Baldwin Smith was passed to AECOM for assessment?

(b) the route and specially the Aylesbury Road-Queen Anne Avenue section will be for shared use and not “cyclist-dismount”?

**Reply**

(a) Yes

(b) Yes - although I do need to make it absolutely clear this answer is conditional upon the cycling fraternity treating pedestrians with full consideration at all times in the area of the sharp dog leg section of the route.

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**From Richard Gibbons**

1. Please share briefs relating to Agenda Items 6e and 6f given to AECOM, including specific aims and objectives for each scheme; provide names of officers and committee members who have cycled each route; and average journey times for cycling each of three proposed routes end to end compared to current on-road equivalents?

**Reply**

LBB Staff and Aecom employees have undertaken site visits to assess the feasibility of both routes.

I frankly have no idea and neither do I propose to waste Council Officer or Councillors time investigating what their average journey times might be were they to cycle the route.

The ‘average time’ will clearly vary cohort by cohort studied, dependent on the average speed that any given cyclist(s) chooses to cycle at.

**Supplementary Question**

Mr Gibbons commended improvements to Orpington cycling and highlighted that most cyclists are also car drivers.

For commuting along Crofton Road, Mr Gibbons suggested that cyclists want a quick route and Crofton Road meanders.

**Reply**

I believe it is fundamentally a matter of providing a choice to cyclists, after weighing the merits of cycling on faster, more direct and busier roads versus quieter, less direct routes.

I believe you may find the agenda item on Crofton Road later on this evening's agenda of some interest in this regard.

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2. Reports for Agenda Items 6e and 6f state one of Borough's key transport objectives is to reduce congestion and, by implication, increase traffic flow. How many collisions and near misses involving vehicles (resulting in personal injury or not) have there been during (a) 2014, (b) 2015, (c) 2016 along roads adjacent to proposed routes?

### **Reply**

I wouldn't necessarily accept your premise concerning "increased" traffic flow; I would suggest "improved" is a better description.

The full figures for 2016 have still to be finalised, but I am advised that the nearest year on year stats available to your request are:

#### Crofton Road cycle route

	Sep13-Aug14	Sep14-Aug15	Sep15-Aug16
Slight	12	16	10
Serious	1	1	0
Fatal	1	0	0

#### Orpington- GSG cycle route

	Sep13-Aug14	Sep14-Aug15	Sep15-Aug16
Slight	6	16	11
Serious	1	0	1
Fatal	0	0	0

#### Bromley South- Shortlands cycle route

	Sep13-Aug14	Sep14-Aug15	Sep15-Aug16
Slight	11	9	7
Serious	0	0	1
Fatal	0	0	0

'Near misses' and non-injury accidents are not recorded.

### **Supplementary Question**

Referring to the draft TfL funded Work Programme 2017/18, considered by the Committee on 29<sup>th</sup> September 2016, Mr Gibbons highlighted reference in the report to new cycle routes being delivered in 2017/18 between Bromley South and Shortlands and Green Street Green and Orpington.

### **Reply**

In his reply, the Portfolio Holder included reference to programme delay and mentioned routing through Jubilee Park to Orpington to give connectivity to other cycle routes in the area. At the Portfolio Holder's invitation, the Transport Planner added that officers consider and work on a wide range of schemes and feasibility cases and the best value for money scheme was considered to be Bromley South to Shortlands rather than the Orpington/Green Street Green route (the first phase of work for the Locksbottom to Orpington Station route also being proposed for delivery). Benefit was being provided and for the Orpington/Green Street Green route, it was preferential to delay until later to get a better scheme and officers were seeking improved funding options.

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3. Priory Gardens was purchased to create a WW2 Garden of Remembrance. Why is the area of parkland indicated for release in Agenda Item 7c somewhat larger than indicated in sale particulars, and what assurances can you give Orpington residents that the gardens, including Ivy Millichamp and WW2 commemorative plaque and tree, will remain sacrosanct for the term of the lease?

### **Reply**

The Priory will be leased to V22 Plc as an arts centre; it is proposed that the lease will include the car park and part of the gardens. The Lease as proposed will allow for continued public access across the land (including the Ivy Millichamp and WW2 Commemorative Plaque and tree). The proposed lease will expressly further oblige V22 to maintain the land to the same standard as the rest of the park and not to make any alterations to the premises and land without first obtaining the Council's consent. The land in question is somewhat larger than indicated in the sales particulars so as to ensure that the boundary of the area in question took a pragmatic line and did not interfere with tree roots – and furthermore as V22 are continuing to provide public access to the land, to facilitate part of their community based offering. It is also understood that V22 have been invited and accepted to be on the Committee of the Friends of the Orpington Priory Gardens. This proposal is still subject to pre-decision scrutiny.

With respect to the tree it is not the intention for it to be affected by this lease; unfortunately, as it is subject to weather and husbandry it is not possible to provide assurances for the full 125 year term of the lease.

### **Supplementary Question**

Mr Gibbons asked whether it would be possible to clarify the car parking arrangement in front of the car park which he considered to be haphazard and what plans there might be to improve the situation.

### **Reply**

The Portfolio Holder indicated that if it was necessary to go into detail, advice would need to be sought from the Renewal and Recreation Portfolio Holder and supporting officers.

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**QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY**

**From Mr Hugh Lazarus**

Can you explain how an application for road closures and indiscriminate towing can be used as justification for double yellow lines to be painted, and how the Council can refuse Freedom of Information Act requests for the applications and justifications for same?

**Reply**

I am advised that the temporary parking restrictions in Witham Road were arranged to allow access to the development site for heavy plant, and will be removed once the ongoing project has been completed.

I am further advised that the contractor has confirmed that it was not necessary to tow any vehicles away when the lining works were undertaken.

Finally, that all Freedom of Information requests have been responded to within the required timescale and all available information regarding traffic orders and related advertisements have been provided previously.

If any of the above do not accord with your personal beliefs or record keeping, please by all means contact me again after this evening's meeting and we can happily discuss the matter further.

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**From John Wood**

1. Can the Portfolio Holder give an assurance that the original plan as submitted to Mr Baldwin Smith by Bromley Cyclists for the Bromley South to Shortlands route was passed to AECOM for assessment?

**Reply**

Yes.

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2. In relation to the Bromley South to Shortlands route and specifically the section between Aylesbury Road and Queen Anne Avenue can the

Portfolio Holder give an assurance that this will be shared use walking and cycling and not a cyclist dismount route?

**Reply**

Yes - although I do need to make it absolutely clear this answer is conditional upon the cycling fraternity treating pedestrians with full consideration at all times in the area of the sharp dog leg section of the route.

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**From Pauline Sheehy**

As a resident of Witham Road I have been advised through one of our neighbours who has been in contact with Ben Howard traffic officer, transport and highways, environmental & community services that the double yellow lines that have been implemented in Witham Road are being changed to single yellow lines. This information was given by Ben Howard on 21st April 2017. I have been told that this could take up to six weeks. We are being told each time this has been chased up that we have to wait another six weeks. What is the reason for the delay?

**Reply**

I am advised that the delay has been mainly due to the need to amend the necessary legal Traffic Order in question for which those responsible can only apologise.

On a more positive note, I am advised that the changes in question have now been set in place and very much hope that they are assisting to ease parking conditions locally for all affected residents.

If I can help further in any way, I look forward to hearing from you.

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