



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Keith Pringle
keith.pringle@bromley.gov.uk

DIRECT LINE: 020 8313 4508

FAX: 020 8290 0608

DATE: 26 September 2017

To: Members of the
ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

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

A meeting of the Environment Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **THURSDAY 5 OCTOBER 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/>

A G E N D A

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

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

In accordance with the Council's Constitution, questions to this Committee must be received in writing four working days before the date of the meeting. Therefore please ensure that questions are received by the Democratic Services Team by 5pm on Friday 29th September 2017.

**4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON
12TH JULY 2017 (Pages 5 - 32)**

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

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

In accordance with the Council's Constitution, questions to the Portfolio Holder must be received in writing four working days before the date of the meeting. Therefore please ensure that questions are received by the Democratic Services Team by 5pm on Friday 29th September 2017.

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

Portfolio Holder decisions for pre-decision scrutiny.

a CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18
(Pages 33 - 40)

b TFL FUNDED WORK PROGRAMME 2018/19 (Pages 41 - 50)

c HIGHWAY INVESTMENT (Pages 51 - 56)

d POST COMPLETION REVIEW REPORT – STAND-BY GENERATORS FOR DEPOTS (Pages 57 - 64)

POLICY DEVELOPMENT AND OTHER ITEMS

7 EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18 (Pages 65 - 82)

8 CONTRACT REGISTER AND CONTRACTS DATABASE UPDATE (Pages 83 - 90)
Copies of the Appendix for this item are circulated under separate cover.

9 FORWARD WORK PROGRAMME AND MATTERS ARISING (Pages 91 - 96)

PART 2 AGENDA

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

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

Items of Business

Schedule 12A Description

- | | |
|--|--|
| <p>11 EXEMPT MINUTES OF THE ENVIRONMENT
PDS COMMITTEE MEETING HELD ON
12TH JULY 2017 (Pages 97 - 98)</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> |
| <p>12 PRE-DECISION SCRUTINY OF PART 2 REPORT TO THE ENVIRONMENT
PORTFOLIO HOLDER</p> <p style="margin-left: 20px;">a STREET LIGHTING POLICY
(Pages 99 - 104)</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> |
| <p>13 CONTRACT REGISTER AND CONTRACTS
DATABASE UPDATE - PART 2
(Pages 105 - 106)</p> <p>Copies of the Appendix for this item are circulated under separate cover.</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> |

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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 30th 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 12th 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 21st 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 3rd 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 1st 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 3rd 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 31st 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 3rd November 2018; and

(2) extend use of AECOM for the provision of Highway Engineering Consultancy Services for the period 3rd November 2018 to 31st 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 5th 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 14th 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 15th 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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**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.

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 1st 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) 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.

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.

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).

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

1. The report of 24th 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 24th 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.

2. How did the report of 24th 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.

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.

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.

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.

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.

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 29th 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.

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.

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.

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.

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.

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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Report No.
FSD17074

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

Date: For Pre-Decision Scrutiny by the Environment PDS Committee on
5th October 2017

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2017/18

Contact Officer: James Mullender, Principal Accountant
Tel: 020 8313 4292 E-mail: james.mullender@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All Wards

1. Reason for report

On 19th July 2017, the Executive received the 1st quarterly capital monitoring report for 2017/18 and agreed a revised Capital Programme for the four year period 2017/18 to 2020/21. The report also covered any detailed issues relating to the 2016/17 Capital Programme outturn, which had been reported in summary form to the June meeting of the Executive. This report highlights in paragraphs 3.1 to 3.5 changes agreed by the Executive in respect of the Capital Programme for the Environment Portfolio. The revised programme for this portfolio is set out in Appendix A. Detailed comments on scheme progress as at the end of the first quarter of 2017/18 are shown in Appendix B, and details of the 2016/17 outturn are included in Appendix C.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 19th July 2017.

Corporate Policy

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

Financial

1. Cost of proposal: Total increase of £2.6m over the 4 years 2017/18 to 2020/21, mainly due to £1.9m increase on the Waste Clearance - Cornwall Drive scheme.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £35.0m for the Environment Portfolio over four years 2017/18 to 2020/21
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

Staff

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

Legal

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Capital Monitoring – variations agreed by the Executive on 19th July 2017

- 3.1 A revised Capital Programme was approved by the Executive in July, following final outturn figures for 2016/17 and a detailed monitoring exercise carried out after the 1st quarter of 2017/18. The base position was the revised programme approved by the Executive on 8th February 2017, as amended by variations approved at subsequent Executive meetings. All changes to schemes in the Environment Programme are itemised in the table below and further details are included in paragraphs 3.2 to 3.5. The revised Programme for the Environment Portfolio is attached as Appendix A. Appendix B shows actual spend against budget in the first quarter of 2017/18, together with detailed comments on individual schemes, and Appendix C includes details of the final outturn in 2016/17.

	2017/18	2018/19	2019/20	2020/21	TOTAL 2017/18 to 2020/21
	£000	£000	£000	£000	£000
Programme approved by Executive 08/02/17	14,951	9,430	4,010	4,010	32,401
<u>Variations approved by Executive 19/07/17</u>					
Increase £1,880k Waste Clearance - Cornwall Drive (see para 3.2)	1,880	0	0	0	1,880
Reduction of TfL funding for Traffic & Highway schemes (see para 3.3)	Cr 107	0	0	0	Cr 107
Net underspend in 16/17 rephased into 17/18 (see para 3.4)	803	0	0	0	803
Rephasing from 17/18 to 18/19 (see para 3.5)	Cr 1,506	1,506	0	0	0
Total amendments to the Capital Programme	1,070	1,506	0	0	2,576
Total Revised Environment Programme	16,021	10,936	4,010	4,010	34,977

3.2 Waste Clearance – Cornwall Drive, St Paul’s Cray (£1,880k increase in 2017/18)

In July 2017, Council approved a report relating to the clearance of the remaining waste at the former Waste4Fuel site at the end of Cornwall Drive, where the land has previously been used as a waste transfer station and still has significant quantities of illegally deposited waste. The EA/DEFRA have agreed to transfer the sum of £1,607k to the Council to facilitate the clearance of the remaining waste, to supplement the £226k contribution from revenue during 2016/17 and £47k allocation from the 2017/18 central contingency. £1,880k was added to the Waste Clearance Cornwall Drive scheme to reflect the available funding and the estimated increased scheme costs.

3.3 Transport for London (TfL) – Revised Support for Traffic and Highways Schemes (£107k reduction in 2017/18)

Provision for transport schemes to be 100% funded by TfL was originally included in the Capital Programme 2017/18 to 2020/21 on the basis of the bid in the Borough Spending Plan (BSP). Notification of an overall reduction of £107k in the 2017/18 grant was reported to the Executive in July and the Capital Programme was reduced accordingly. Grant allocations from TfL change frequently and any further variations will be reported in subsequent capital monitoring reports.

3.4 Net underspend in 2016/17 re-phased into 2017/18

The 2016/17 Capital Outturn was reported to the Executive on 20th June 2017, and the final outturn for Environment Portfolio schemes was £8,131k compared to the revised budget of £8,944k approved by Executive in February. After allowing for adjustments in respect of schemes that were not re-phased, a net underspend of £803k was re-phased into 2017/18. Details of the 2016/17 outturn for this Portfolio are set out in Appendix C.

3.5 Schemes re-phased from 2017/18 into 2018/19

As part of the 1st quarter monitoring exercise, £1,506k has been re-phased from 2017/18 into 2018/19 to reflect revised estimates of when expenditure on the Beckenham Town Centre improvements scheme is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. Further details and comments on all schemes in the programme are provided in Appendix B.

Post-Completion Reports

3.6 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in prior years, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. Post completion reports on the following schemes are currently due for the Resources Portfolio before end of the 2017/18 monitoring cycle:

- SEELS Street Lighting Project

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

4. POLICY IMPLICATIONS

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

5. FINANCIAL IMPLICATIONS

5.1 These were reported in full to the Executive on 19th July 2017. Changes agreed by the Executive for the Environment Portfolio Capital Programme are set out in the table in paragraph 3.1.

Non-Applicable Sections:	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 19/07/17) Capital Outturn report (Executive 20/06/17) Q1 monitoring report (Executive 19/07/17) Waste Clearance – Cornwall Drive, St Paul's Cray (Executive 19/07/17)

ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 19 JULY 2017									
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.17	Estimate 2017/18	Estimate 2018/19	Estimate 2019/20	Estimate 2020/21	Responsible Officer	Remarks
		£'000's	£'000's	£'000's	£'000's	£'000's	£'000's		
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON		12,000	0	0	4,000	4,000	4,000		
922602	TFL - Borough Support	187	187	0	0	0	0	Angus Culverwell	100% TfL funding, based on Borough Spending Plan submission to TfL and will only proceed if 100% funding is agreed by TfL. The Capital Programme will be adjusted to reflect revised TfL approvals as these are received.
922608	Cycling on Greenways	563	552	11	0	0	0	Angus Culverwell	
922660	Borough Transport Priorities (not allocated)	123	89	34	0	0	0	Angus Culverwell	
922668	Biking Boroughs	797	697	100	0	0	0	Angus Culverwell	
TFL - New funding streams									
922661	Maintenance	9,318	8,015	1,303	0	0	0	Angus Culverwell	
922672	LIP Formula Funding	15,632	12,396	3,236	0	0	0	Garry Warner / Angus Culverwell	
922673	Borough Cycling	12	12	0	0	0	0	Angus Culverwell	
922674	Bus Stop Improvement works	318	87	231	0	0	0	Angus Culverwell	
922677	Flexi Lane	70	66	4	0	0	0	Angus Culverwell	
941539	Widmore Road - BNV	366	61	305	0	0	0	Garry Warner	
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON		39,386	22,162	5,224	4,000	4,000	4,000		
OTHER									
917242	Winter maintenance - gritter replacement	1,210	909	181	120	0	0	Paul Chilton	
917247	Orpington Public Realm Improvements	2,200	2,166	34	0	0	0	Garry Warner	£1.2m TfL funding
941536	Beckenham Town Centre improvements	4,441	694	2,241	1,506	0	0	Kevin Munnally	Executive 16/10/13 and Executive 02/12/15 (Full Council 14/12/15), Executive 20/09/16 £3,046k TfL funding; £150k Members' Initiative reserve; £995k Capital Receipts; £250k Principal Road Maintenance (TfL funded)
922675	Gosshill Road	293	250	43	0	0	0	Angus Culverwell	Funded from TfL £80k and S106 £213k
922676	Orpington Railway Station	133	1	132	0	0	0	Angus Culverwell	Funded from TfL £50k and S106 £83k
941893	Depots - stand by generators	120	72	48	0	0	0	Paul Chilton	
941863	The Woodland Improvements Programme	112	108	4	0	0	0	Robert Schembri	Approved by Executive 02/04/14. Funded by Forestry Commission
917252	Street Lighting Invest to Save Initiative	8,507	8,258	249	0	0	0	Garry Warner	Funded by Invest to Save Fund (Executive 28/11/12)
917254	Betts Park Canal Bank Stabilisation Project	136	51	85	0	0	0	John Bosley	Approved Executive 14/09/16
917255	Land Acquisition - Cornwall Drive	4,589	2,935	1,654	0	0	0	Nigel Davies	Executive 02/09/16 - £300k funded from Central Contingency 16/17 £2,409K from EA. Executive 19/07/17 £47k from Central Contingency, £1,607k from DEFRA, £226k from 1617 revenue)
917256	Highway Investment	11,800	384	6,116	5,300	0	0	Garry Warner	Approved Exec 18/10/16, Council 09/12/16
927000	Feasibility Studies	40	0	10	10	10	10	Claire Martin	
TOTAL OTHER		33,581	15,828	10,797	6,936	10	10		
TOTAL ENVIRONMENT PORTFOLIO		72,967	37,990	16,021	10,936	4,010	4,010		

ENVIRONMENT PORTFOLIO - APPROVED CAPITAL PROGRAMME 2017/18 - 1ST QUARTER MONITORING				
Capital Scheme/Project	Approved Estimate Feb 2017	FY17/18 Actuals as at 17.08.17	Revised Estimate Jul 2017	Responsible Officer Comments
	£'000's	£'000's	£'000's	
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	4,000	0	0	Reallocated across named schemes below; £107k reduction following TfL revised grant allocations
TfL - Borough Support	0	0	0	
Cycling on Greenways	0	1	11	
Borough Transport Priorities (not allocated)	0	101	34	TfL funding allocated to individual scheme
Biking Boroughs	0	9	100	
TfL - New funding streams				
Maintenance	215	Cr 94	1,303	TfL funding allocated to individual scheme
LIP Formula Funding	1,024	276	3,236	TfL funding allocated to individual scheme
Bus Stop Improvement works	94	0	231	TfL funding allocated to individual scheme
Flexi Lane	0	0	4	
Widmore Road - BNV	0	9	305	
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	5,333	302	5,224	
OTHER				
Winter maintenance - gritter replacement	120	4	181	Discussions with Head of Highways are ongoing regarding gritter renewals, taking account of the new ECS contracts from April 2019.
Orpington Public Realm Improvements	0	0	34	Balance of funding being utilised for minor redesigns to scheme. Works are due to be completed this financial year, subject to weather and contractor availability.
Beckenham Town Centre improvements	3,488	384	2,241	Final design and implementation costs funded by TfL. The first two phases of works are almost complete (Eastern side of the High Street, between Albermarle Road and Manor Road) and the expected completion of the programme of improvements is November 2018.
Gosshill Road Chislehurst - Private Street Works	0	0	43	Funded from TfL and S106. The scheme consists of building a new carriageway and footway with other enhancing highway elements, such as improved lighting. Site works started on 28/09/15. The project is due to be completed this financial year. We are in the process of agreeing a joint measure of the first phase with FMC, and will be producing an estimate of the costs for the second phase shortly.
Orpington Station - Access & Bus stop enhancement	0	0	132	Funded from TfL and S106. There were delays due to several complications relating to the costing. New specifications have been presented to Members
Depots - stand by generators	0	2	48	Scheme completed. Subject to final confirmation on retention
The Woodland Improvements Programme	0	0	4	Claims total to £112k was submitted to the Forestry Commission. The project is complete, pending outstanding invoices.
Street Lighting Invest to Save Initiative	0	Cr 307	249	Funded by Invest to Save Fund (Exec 28/11/12) - Report presented to Exec 15/10/14 to amend the project in replacing fewer lamp columns and convert more lanterns. The remaining connection works are due to be completed this financial year. Delays have been encountered in agreeing the final account for works completed as the contract has been ended. A final settlement is due in August 2017
Betts Park Canal Bank Stabilisation Project	0	64	85	Approved Executive 14/09/16 - works are required to limit the risk to the Council of further claims for damage to properties at Betts Park Canal Bank. £15k has been spent for Remediation work for geotech survey and design solution of out estimated total of £26K. The remaining £110K will be for design solution which is planned to be implemented by March.
Land Acquisition - Cornwall Drive	0	Cr 531	1,654	Approved Executive 02/09/16 - £300k funded from Central Contingency 16/17 £2,409k from Environment Agency Funds. Executive 20/06/17 £226k Contribution from Revenue. £120k has been spent in Oct for purchase of Cornwall Drive access road. Veolia waste removal cost.
Highway Investment	6,000	683	6,116	Approved Exec 18/10/16, Council 09/12/16, £11.8m for investment in planned highway maintenance funded from capital receipts. All carriageway schemes are due for completion by November 2018, although footway schemes may continue until March 2019. The first phase of the project is nearing completion, and the next phase were to ES PDS for approval in July.
Feasibility Studies	10	0	10	
TOTAL OTHER	9,618	299	10,797	
CAR PARKING				
Bromley Town Centre - increased parking capacity	0	0	0	scheme completed
TOTAL CAR PARK	0	0	0	
TOTAL ENVIRONMENT PORTFOLIO	14,951	601	16,021	

ENVIRONMENT PORTFOLIO - CAPITAL PROGRAMME OUTTURN 2016/17						
Capital Scheme/Project	2016/17 OUTTURN					Comments / action taken
	Actual to 31.03.17	Approved Estimate Feb 2017	Final Outturn	Variation		
	£'000's	£'000's	£'000's	£'000's		
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON						
TFL - Borough Support	187	0	0	0		
Cycling on Greenways	552	19	8	Cr 11		2016/17 underspend rephased into 2017/18
Borough Transport Priorities (not allocated)	89	34	69	35		2016/17 overspend met from 2017/18 budget
Biking Boroughs	697	216	127	Cr 89		2016/17 underspend rephased into 2017/18
Maintenance	8,015	1,781	1,583	Cr 198		2016/17 underspend rephased into 2017/18
LIP Formula Funding	12,396	2,352	2,951	599		2016/17 overspend met from 2017/18 budget
Borough Cycling Programme	12	0	0	0		
Bus Stop Improvement works	87	77	53	Cr 24		2016/17 underspend rephased into 2017/18
Flexi Lane	66	9	5	Cr 4		2016/17 underspend rephased into 2017/18
Widmore Road - BNV	61	313	8	Cr 305		2016/17 underspend rephased into 2017/18
	22,162	4,801	4,804	3		
OTHER						
Winter maintenance - gritter replacement	909	134	73	Cr 61		2016/17 underspend rephased into 2017/18
Orpington Public Realm Improvements	2,166	34	0	Cr 34		2016/17 underspend rephased into 2017/18
Beckenham Town Centre improvements	694	300	41	Cr 259		2016/17 underspend rephased into 2017/18
Gosshill Road	250	63	20	Cr 43		2016/17 underspend rephased into 2017/18
Orpington Railway Station	1	132	0	Cr 132		2016/17 underspend rephased into 2017/18
Depots - stand by generators	72	48	0	Cr 48		2016/17 underspend rephased into 2017/18
The Woodland Improvements Programme	108	3	Cr 1	Cr 4		2016/17 underspend rephased into 2017/18
Street Lighting Invest to Save Initiative	8,258	73	Cr 177	Cr 250		2016/17 underspend rephased into 2017/18
Betts Park Canal Bank Stabilisation Project	51	136	51	Cr 85		2016/17 underspend rephased into 2017/18
Land Acquisition - Cornwall Drive	2,935	2,709	2,935	226		Overspent met from Revenue contribution
Highway Investment	384	500	384	Cr 116		2016/17 underspend rephased into 2017/18
Feasibility Studies	0	10	0	Cr 10		Budget not required in 2016/17 and not rephased into 2017/18
	15,828	4,142	3,326	Cr 816		
CAR PARKING						
Bromley Town Centre - increased parking capacity	417	1	1	0		scheme completed
	417	1	1	0		
TOTAL ENVIRONMENT PORTFOLIO	38,407	8,944	8,131	Cr 813	#	

£803k of total net underspend rephased into 2017/18

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Report No.
ES17065

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 5th October 2017

Decision Type: Non-Urgent Executive Non-Key

Title: TFL FUNDED WORK PROGRAMME 2018/19

Contact Officer: David Bond, Transport Planning & Traffic Engineering Manager
David.bond@bromley.gov.uk
Tel: 0208 313 4555

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

Ward: All Wards

1. Reason for report

1.1 This report confirms the Bromley's LIP allocation from Transport for London (TfL) for 2018/19 will be £2.432m and provides details of officer proposals on how the funding for 2018/19 will be allocated and to which particular schemes.

2. **RECOMMENDATION(S)**

The Environment Portfolio Holder is recommended to agree that:

- 2.1 The programme of schemes for 2018/19 contained in the Enclosure is to be approved for submission to Transport for London, and;
- 2.2 To note that TfL have withdrawn the Funding of £100k for Local Transport Priorities with effect from 2018/19;
- 2.3 The Executive Director of Environment and Community Services, in consultation with the Portfolio Holder, be authorised to make post-submission changes to the programme to reflect necessary changes to priority, potential delays to implementation following detailed design and consultation, or other unforeseen events.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost: £2.432m plus funding for major schemes
 2. Ongoing costs: Non-Recurring Cost :
 3. Budget head/performance centre: Capital Programme – TfL funded schemes
 4. Total current budget for this head: £2.432m plus funding for major schemes, Principal Road maintenance, as well as Bridges and Structures which is still to be confirmed
 5. Source of funding: TfL allocation for 2018/19
-

Personnel

1. Number of staff (current and additional): 32
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

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

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 Eligibility for TfL funding is authorised through the Council having an approved Local Implementation Plan (LIP) which sets out how the Council intends to implement the Mayor's Transport Strategy. The Council's LIP was approved on behalf of the Mayor of London on 9 January 2012. A revised LIP with a new Delivery Plan for 2014/15 – 2016/17 and updated Performance Monitoring Plan was approved by the Portfolio Holder on 21 October 2013 and submitted to TfL.
- 3.2 Due to the Mayoral election in 2016, which resulted in a change of administration, the new LIP (LIP3) was delayed and the current LIP (LIP2) was agreed to remain in place until the new Mayor's Transport Strategy, currently being consulted upon, is adopted. This means that there are two interim years, between LIP2 and LIP3, 2017/18 and 2018/19 (the latter being the purpose of this report) with LIP3 being implemented with effect from 2019/20 and will be in place for a period of three years, up until 2021/22.
- 3.3 Boroughs receive two types of funding from TfL for local transport investment: formula-based and non-formula based funding. Formula-based funding is determined by a formula in line with achievement of the respective Mayor's Transport Strategy objectives and outcomes. The formula assesses need based on four key transport themes – public transport; road safety; congestion & environment; and accessibility – and the indicators used reflect the scale of the borough and its transport demand/network, as well as policy outcomes and severity of transport problems. Non-formula based funding from TfL is ring-fenced funding to support a number of other programmes. This support is based either on a London-wide assessment of need or is the result of successful bids for one-off programmes.
- 3.4 In preparing their submissions, each borough must take account of a number of key policies and developments as set out in the Mayor of London's 'A City for All Londoners' (October 2016) which forms the basis of the draft Mayor's Transport Strategy.
- 3.4 This year's proposed LIP allocation of £2.432m is £50k less than the 2017/18 settlement, which represents a 2% reduction. 17 of the 33 London Boroughs will receive less funding next year although Bromley's compares well with the average reduction of 3.65% across those 17 boroughs, the range being from a 1% to a 10% reduction.
- 3.5 Regrettably TfL has also announced that the Local Transport Fund (LTF), which has been used to support local transport priorities and resulted in an additional £100k of funding each year has been withdrawn with effect from 2018/19.
- 3.6 Bromley's indicative allocation for 2018/19 is shown in the table below alongside the current allocation for 2017/18.

Programme	2017/18 Allocation £000	2018/19 Allocation £000
Corridors, Neighbourhoods and Supporting Measures	2,482	2,432
Local Transport Fund	100	0
Major Schemes (Liveable Neighbourhoods)	1,400	TBC
Other TfL funding	312	TBC
TOTAL	4,294	TBC

- 3.7 The London-wide needs based programmes are Principal Road Maintenance and Bridges & Structures.
- 3.8 Approval of the recommended list for submission to TfL does not imply the approval of any physical scheme for implementation. The process of developing and consulting upon schemes can generate technical and financial changes, and also result in implementation delays or

changed priorities. Recommendation 2.0 (b) of this report suggests a mechanism by which officers would be able to make those changes where necessary, following consultation with the Portfolio Holder.

- 3.9 All such schemes will be subject to consultation and Member approval in the usual way.

Congestion relief

- 3.10 The proposed available budget for these schemes is £738.5k. The “Congestion Relief” heading combines projects, primarily intended to tackle road network pinch points which cause delays to all road users. The Council’s full list of pinch points was presented to members in 2010/11 for approval as the basis for this programme and a progress report was presented to Members at the June 2016 PDS, including new schemes, which subject to Members’ approval, is intended to form the basis of a rolling programme of LIP schemes. The vast majority of the “quick win” and cheaper schemes have now been delivered and, consequently, schemes are now increasing in size and complexity. Some of these larger schemes are likely to remain outside the scope of these funded programmes and will form one-off bids to TfL.
- 3.11 Schemes due for implementation in 2018/19 include interventions in the Keston to Biggin Hill corridor and Bromley, High Street/Westmoreland Road/Masons Hill junction.

Network infrastructure

- 3.12 This programme invests directly in the Council’s own network assets. For 2018/19, it is proposed to maintain spending on bus route resurfacing at £100k, the same level as 2017/18
- 3.13 The decluttering programme, aims to make the Borough’s roads more attractive, whilst reducing the number of assets in need of maintenance. Decluttering, which has an allocation of £12.5k, can also make the roads safer, as unnecessary clutter is removed to give road users a better awareness of key hazards and too much information can confuse drivers.

Parking

- 3.14 An allocation of £138.5k has been made for Parking schemes. Funds under this programme enable the implementation of relatively minor changes to local parking controls, including safety-related changes, matters raised by Members and residents, and improvements to parking facilities around such locations as railway stations. They also enable introduction of new or expansion of current Controlled Parking Zones (CPZs) These staff-intensive minor schemes are popular and make a huge difference to local residents.
- 3.15 Schemes proposed for 2018/19 include parking reviews and expansion of CPZs, eg, Bromley South CPZ review and Elmstead Woods parking review.

Road Safety Education and Training

- 3.16 A total budget of £505k has been allocated. The Council’s cycle training schemes for children, adults and families remain popular with demand continuing to grow. Cycle training builds confidence in cycle use, increasing the use of the bicycle in place of alternative transport modes for local journeys and £195k is allocated for this purpose. The rest of the total allocation is made up of £140k for school travel plans and £170k for road safety education.
- 3.17 The travel planning programme continues the Council’s success in encouraging and supporting school travel plans, along with providing advice on voluntary workplace travel plans. The programme also assesses and monitors travel plans required by the development control process, the benefit of which is recognised by the National Planning Policy Framework at reducing the transport impacts of developments.

- 3.18 School and driver education programmes, particularly targeting new drivers and children entering secondary school, continue to increase awareness of road safety. Road casualty data for Bromley, up until 2015 had been showing a continuing significant decline although 2016 has seen an increase in the number of KSIs in Bromley of 19% which compares with 20% across Greater London. Officers are currently in discussion with TfL to try and understand what factors may be responsible for the overall deterioration.

Casualty reduction

- 3.19 The total budget for casualty reduction is £171k, split as follows; Cluster sites (analysis, selection and implementation), £82k; Skidding accident sites, £25k; Speed management, £50k and Signs and carriageway markings, £14k. Scheme reduction locations are identified using the 'accident cluster' method which ensures schemes are implemented where the greatest reduction in casualties is likely to take place.
- 3.20 Spend is prioritised on the basis of whether the funds will maximise the reduction of injury accidents, particularly serious and fatal accidents. After successful interventions the number of serious accidents at any one location has decreased markedly in recent years. The current method of selecting sites involves identifying clusters of similar accidents of any severity (sites with five or more accidents within a diameter of 50m, over 3 years), ranking these clusters by severity and then choosing potentially treatable sites.
- 3.21 Mass action programmes are those where similar measures are applied at a large number of site to tackle a known, but often dispersed, problem. It is proposed to continue previously successful anti-skid and speed management programmes. Some of the older permanent vehicle-activated signs still require replacement as they are beyond economic repair. These will be replaced with mains powered units which reduce overall maintenance costs. The other mass action scheme involves the low cost refreshing of road markings in locations where small numbers of accidents have occurred, or where local hazards have been identified.

Cycling and Walking schemes

- 3.22 The budget for these schemes is £454k and includes a rolling programme of pedestrian crossings and minor walking schemes, (including measures near schools), cycle parking, new cycle hubs and cycle route maintenance. 2018/19 will see the delivery of new cycle routes between Bromley South and Shortlands and the completion of the design for the Green Street Green and Orpington cycle route. The latter has the potential to be a reserve scheme for 2018/19 should another scheme be delayed.
- 3.23 The Council continues to press TfL for improvements to the cycle facilities along A21 as part of proposed junction capacity improvements and in support of the regeneration of Bromley town centre. The Quietway route between Lower Sydenham, although funded in full directly by TfL, outside the LIP, is programmed to be constructed during 2018/19. £20k has been allocated for a review of controlled crossings to increase traffic flows and achieve savings on maintenance costs by potential conversion to Zebra Crossings

Public Transport Interchange & Access

- 3.24 The budget for 2018/19 to implement these works is £240k. Given the high proportion of rail journeys starting and finishing in the Borough, work continues to assess access improvements including parking, drop off/pick up, security, lighting, walking and cycling routes both immediately at stations and in their surrounding areas with major improvements proposed for the station forecourts at Clock House and Shortlands.
- 3.25 The report presented to the July PDS Committee, 'Proposals for improvements to the Orpington and cycling and walking network', which was approved at that meeting, places significant

emphasis on improved pedestrian and cycle links to Orpington Station and the scheme for Crofton Road and the Green Street Green to Orpington cycle route are examples of that strategy being implemented.

Scheme Development and Review

- 3.26 A total budget of £85k has been allocated split into £50k to enable investigation, assessment and feasibility work to be undertaken in order to prioritise potential schemes for development and consultation, £30k to allow recently implemented projects to be monitored and assessed, with a view to improving the effectiveness of future schemes. In 2015/16 TfL appointed BluePoint London to take forward the roll-out of EVs on behalf of the Boroughs across London and, to date, there are now 22 recharging points at 10 sites across the Borough. A small budget of £5k has been allocated for officer time spent on liaison and site selection with BluePoint.

Local Transport Priorities

- 3.27 Since 2009/10, TfL have awarded each borough the sum of £100k per year to spend on local transport priorities without having to obtain advance authorisation from TfL. Regrettably this funding will cease with effect from 2018/19 and alternative funding arrangements will need to be put in place in order to maintain the ability to continue to fund those other priorities.

Major Schemes (Liveable Neighbourhoods)

- 3.28 The Major Schemes programme of transformational public realm projects will be replaced from 2018/19 by the 'Liveable Neighbourhoods' programme. No new Major Scheme submissions will be accepted on to the programme though schemes already underway, eg, Beckenham town centre, will continue to be funded through to completion.
- 3.29 According to the Mayor of London, the Liveable Neighbourhoods programme provides a new funding stream that is intended to make streets places where people choose to walk and cycle, rather than drive. A Liveable Neighbourhoods scheme will deliver attractive, healthy and safe neighbourhoods for people, not vehicles, and support the projects that local people want to see. It will involve changes to town centres and their surrounding residential areas and improve conditions for walking and cycling and to reduce traffic dominance.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Positive.

5. POLICY IMPLICATIONS

- 5.1 The 2017-20 Environment Portfolio Plan includes a number of aims in support of the planned outcomes, *'To improve the road network and journey-time reliability for all users', 'To improve connectivity (getting to places you couldn't previously reach easily) and 'integration' (linking different modes of transport), 'To reduce congestion and carbon emissions by promoting cycling, walking and public transport journeys, 'To promote safe and secure travel and provide accessible, affordable, fair and effective parking services'*.
- 5.2 TfL funding is required to meet the commitments made in support of achieving these aims and outcomes
- 5.3 The 2018/19 programme of works also continues to sustain previously agreed LIP policy objectives and the delivery of schemes identified within.
- 5.4 A new LIP (LIP3) will be required with effect from 2019/20 and will be in place for three years, up to and including 2021/22. The programme accords with the Council's LIP2

6. FINANCIAL IMPLICATIONS

- 6.1 The provisional TfL formula allocation to Bromley for 2018/19 totals £2.432m which is £50k less than the 2017/18 allocation.
- 6.2 Members should note that TfL has announced the withdrawal of the £100k for Local Transport Priorities with effect from 2018/19.

7. PERSONNEL IMPLICATIONS

- 7.1 The delivery of the programme can be met from existing staff resources

Non-Applicable Sections:	Legal and Procurement Implications
Background Documents: (Access via Contact Officer)	'2018/2019 LIP Guidance', Environment PDS Committee, July 2017 'Proposals for improvements to the Orpington cycling and walking network', Environment PDS Committee, July 2017

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Congestion relief	Budget
West Wickham, Red Lodge Road (Phase 2)	£70,000
Chislehurst Royal Parade/ Bromley Lane	£200,500
Shortlands junction modernisation	£285,000
A224 Spur Road to Carlton Parade scheme development	£20,000
Keston Mark outline designs and feasibility	£55,000
A21 improvements to support town centre development	£108,000
	£738,500
Network Infrastructure	
Decluttering	£12,500
Bus Route access, waiting environment and other improvements	£87,500
	£100,000
Parking	
Local parking schemes/IPAs	£40,000
Kangley Bridge Road/ Lower Sydenham Station P&D/ Business permits	£40,000
Bromley South CPZ review	£40,000
Elmstead Woods area parking review	£15,000
Car Club Initiatives	£2,500
Disabled Bay and White Bar Monitoring	£1,000
	£138,500
Cycle Training and Promotion	
Cycle Training & Promotion	£195,000
Travel Planning Activities	£140,000
Road Safety Education	£170,000
	£505,000

Casualty reduction	
Cluster Sites: Analysis, Selection & Implementation	£82,000
Skidding accident sites	£25,000
Speed management	£50,000
Signs and carriageway markings	£14,000
	£171,000
Cycling and walking	
Crofton Road route Phase 2	£135,000
Bromley South to Shortlands phase 2	£230,000
Cycle parking	£27,000
Cycle strategy interventions	£27,000
Routes through green spaces, including the Greenchain	£15,000
Conversion of Pelicans to Zebras	£20,000
	£454,000
Public Transport Interchange and Access	
Shortlands station forecourt (mini cycle hub)	£100,000
Clock House station access improvements	£50,000
Orpington Station underpass cycle and walking route	£50,000
Bus Stop improvements (including two new bus stops and associated facilities to serve the new Biggin Hill Visitor Centre)	£40,000
	£240,000
Scheme development	
Advanced Planning for future schemes	£50,000
Review effectiveness of implemented projects	£30,000
ULEV infrastructure development	£5,000
	£85,000
Total	£2,432,000

Report No.
ES17066

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 5 October 2017

Decision Type: Non-Urgent Executive Key

Title: HIGHWAY INVESTMENT

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

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

Ward: (All Wards);

1. Reason for report

This report recommends future programmes of planned carriageway and footway maintenance following the Council's decision to invest capital funding in highways maintenance.

2. **RECOMMENDATION(S)**

That the Environment Portfolio Holder:

- i) **agrees that the schemes listed in Appendix 'A' 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.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost : £2.0m for Phase 3 of investment programme
 2. Ongoing costs: Recurring Cost £1.37m routine and reactive maintenance (revenue)
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £11.8m
 5. Source of funding: Capital Receipts
-

Personnel

1. Number of staff (current and additional): 3 fte
 2. If from existing staff resources, number of staff hours: 3 fte
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: None
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Councillors have been consulted regarding these proposals, and their comments will be made available at the meeting.

3. COMMENTARY

Background

- 3.1 Bromley's highway assets include 547 miles (880Km) of carriageways and 885 miles (1,425 Km) of footways. It is a highly visible asset used by most residents and businesses on a daily basis. A well-maintained highway facilitates safe and reliable travel for pedestrians, cyclists and motorists, and contributes to the vitality of the borough and the local economy. The highway network has a gross replacement cost of approximately £1.5 bn. according to the most recent submission to HM Treasury.
- 3.2 Maintaining the highway asset through timely planned maintenance works reduces the demand for reactive maintenance, such as repairing potholes and broken paving. This improves value for money and customer satisfaction, reduces unplanned network disruption, and contributes to reducing third party claims for damages.
- 3.3 On 12th December 2016 the Council approved capital funding of £11.8m for investment in planned highway maintenance and the scheme was added to the Capital Programme. This will allow the condition of the borough's non-principal and unclassified roads and footways to be improved, which will also reduce the demand for reactive maintenance. This will enable annual revenue savings of £2.5m to be made, a total of £12.5m over a period of 5 years from 2017/18, which will be partly offset by a total estimated reduction in treasury management income of £167k over the five year period.
- 3.4 In January 2017 and July 2017 the Environment Portfolio Holder approved respective phase 1 and phase 2 programmes of work. This report seeks approval for the third phase, as shown at Appendix 'A'. Further reports will be considered during 2018 once additional technical assessments have been completed.
- 3.5 It is proposed that the works will be completed by the Council's existing highway term maintenance contractors.

4. POLICY IMPLICATIONS

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

5. FINANCIAL IMPLICATIONS

- 5.1 The Council has agreed capital funding of £11.8m for investment in planned highway maintenance. This will enable annual revenue savings of £2.5m to be made, a total of £12.5m over a period of 5 years from 2017/18, which will be partly offset by a total estimated reduction in treasury management income of £167k over the five year period.
- 5.2 This report is seeking approval for the next phase of the investment programme detailed in Appendix A. The estimated cost of these works is £2.0m. Details of future phases of schemes with associated costs will be submitted for approval at appropriate meetings of this Committee during 2018.
- 5.3 Any on-going maintenance will be funded from the revenue budgets for routine and reactive highway maintenance budgets, as and when required.

LEGAL IMPLICATIONS

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

Non-Applicable Sections:	Impact on vulnerable adults and children Personnel implications Procurement implications
Background Documents: (Access via Contact Officer)	Highway Investment Report (ES17004) - Environment PDS Committee Meeting on 12 th July 2017

PROPOSED CARRIAGEWAY SCHEMES - INVESTMENT PHASE 3

ROAD	EXTENT	WARD
Bromley Avenue	Part	Bromley Town
Chapmans Lane	Part	Cray Valley East
Copers Cope Road	Part	Copers Cope
Cromwell Close	Complete Length	Bromley Town
Cross Road	Complete Length	Bromley Common & Keston
Greenway	Complete Length	Chislehurst
Goddington Lane	part	Orpington
Holbrook Way	Complete Length	Bromley Common & Keston
Kent Road	Complete Length	Cray Valley East
Maple Road	Part	Penge and Cator
Marlow Road	Part	Clock House
Milk Street	Part	Plaistow & Sundridge
Newman Road	Complete Length	Bromley Town
Oakdene Road	Part	Cray Valley West
Pope Road	Complete Length	Bromley Common & Keston
Shannon Way	Complete Length	Copers Cope
Sidney Road	Complete Length	Clock House
Sundridge Avenue	Part	Bickley
The Avenue	Part	Copers Cope
The Grove	Part	West Wickham
Walpole Road	Part	Bromley Common & Keston
Wickham Chase	complete length	West Wickham
Woodstock Gardens	complete length	Copers Cope

PROPOSED FOOTWAY SCHEMES - INVESTMENT PHASE 3

ROAD	EXTENT	WARD
Alexandra Road	Part	Penge & Cator
Barnfield Wood Road	Part	Shortlands/WestWickham
Braeside	Part	Copers Cope
Bramley Way	Part	West Wickham
Cavendish Way	Part	West Wickham
Chipperfield Road	Part	Cray Valley West
Clay Wood Close	Part	Petts Wood & Knoll
Curzon Close	Part	Farnborough & Crofton
Eastwell Close	Part	Penge & Cator
Eden Way	Part	Kelsey & Eden Park
Elmhurst Road	Part	Mottingham & Chislehurst North
Foxearth Close	Part	Darwin
Glendale Mews	Part	Copers Cope
Greenview Avenue	Part	Kelsey & Eden Park
Greycot Road	Part	Copers Cope
Grosvenor Road	Part	West Wickham
Homesdale Road	Part	Bromley Town
Lake Avenue	Part	Plaistow & Sundridge
Lancing Road	Part	Orpington
Lunar Close	Part	Biggin Hill
Maitland Road	Part	Penge & Cator
Minden Road	Part	Crystal Palace/Penge & Cator
Murray Avenue	Part	Bromley Town
Oaklands Lane	Part	Biggin Hill
Old Tye Avenue	Part	Biggin Hill
Overbrae	Part	Copers Cope

Pondwood Rise	Part	Petts Wood & Knoll
Queen Anne Avenue	Part	Shortlands
Red Cedars Road	Part	Petts Wood & Knoll
Rookery Gardens	Part	Cray Valley East
Sequoia Gardens	Part	Petts Wood & Knoll
Sholden Gardens	Part	Cray Valley East
Southborough Lane	Part	Bromley Common & Keston
Springfield Gardens	Part	Bickley
St Hughs Road	Part	Crystal Palace
Stonegate Close	Part	Cray Valley East
Valley Road	Part	Shortlands
Westbourne Road	Part	Penge & Cator
Whateley Road	Part	Penge & Cator
Wilmar Gardens	Part	West Wickham
Wordsworth Road	Part	Penge & Cator

Report No.
ES17061

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Portfolio Holder

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

Date: 5 October 2017

Decision Type: Non-Urgent Executive Non-Key

Title: **POST COMPLETION REVIEW REPORT – STAND-BY GENERATORS FOR DEPOTS**

Contact Officer: Paul Chilton, Transport Operations Manager
Tel: 020 8313 4849 E-mail: paul.chilton@bromley.gov.uk

Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

1.1 This is a post implementation review of the acquisition of stand-by generators for use at depots.

2. **RECOMMENDATION(S)**

2.1 That the Environment PDS Committee notes the comments in this report.

2.2 That the Portfolio Holder:

- endorses the findings of the Post Completion Review that has been carried out in respect of Stand-by Generators for Depots.
- notes that the unspent balance will be removed from the capital programme.

Impact on Vulnerable Adults and Children

1. Summary of Impact:

Services from the depot are linked to contracts supporting adults transport for day-care services and SEN home to school transport. This project supports business continuity which impacts on the provision of such services operated by the Council's contractors.

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Less than £1k per annum for maintenance
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £120k
 5. Source of funding: Capital receipts
-

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

Procurement

1. Summary of Procurement Implications: Procurement for both stages complied with the Council's Corporate Procurement Rules CPR 8.2.1 and involved tenders.
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 To ensure that the depots are able to function in the event of a total or partial loss of electrical power it was considered necessary to provide back-up power in order to minimise disruption to essential services operating from these bases.
- 3.2 Because of the layout of the largest depot (Central), two heavy duty mobile generator units were considered as the best method of reacting to electrical power loss therefore providing ease of connection and flexibility of use across the site.
- 3.3 In addition to the commissioning of two new mobile generators, it was necessary to modify the 5 separate electrical intake points that service Central Depot.
- 3.4 The use of trailer mounted mobile units will enable ease of transportation to outlying depots such as Churchfields Depot and Shire Lane Salt Depot as well as other Council establishments who may have an unplanned need for back-up power.
- 3.5 The equipment therefore forms part of the emergency plant group held by Transport Operations and will remain available to support the Emergency Planning Manager in support of other reactive response across the Borough where power may be required.
- 3.6 The scheme completed within budget and the original contract programme was met. A summary of the project is contained within the appendix 1.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Passenger transport contracts operating from Central Depot and the Council's client-side base would be disrupted in the event of prolonged electricity outage. The risk from power outage and a reduced recovery period is supported by the availability of the new stand-by generators.

5. POLICY IMPLICATIONS

- 5.1 A need for back-up power at depots was first identified during a review of business continuity plans during 2013. The scheme fully supports the requirement to maintain operational sites during unplanned events that may cause disruption to essential services.

6. FINANCIAL IMPLICATIONS

- 6.1 This report provides information on a Post Completion Review that has been carried out in respect of Stand-by Generators for Depots.
- 6.2 The total budget based on the estimated cost of purchasing two trailed generators and undertaking electrical modifications and installation works at Central Depot was £120k.
- 6.3 The table below summarises the financial outturn position of the scheme: -

	£'000
Capital Estimate	120
Final scheme costs	75
Balance	45

- 6.4 The unspent balance will be removed from the capital programme.

6.5 Ongoing maintenance and running costs of £1k will be met from within the depots budget.

7. CONSULTATION

7.1 Throughout the project, depot occupants were informed of progress through the quarterly depot user group meetings.

8. PROCUREMENT IMPLICATIONS

8.1 The procurement in both stages of the project complied with the Council's Procurement Rules under CPR 8.2.1.

Non-Applicable Sections:	Personnel and Legal Implications
Background Documents: (Access via Contact Officer)	Not Applicable

Stand-by Generators for Depot Operations

Scheme Details

1. To ensure that the depots are able to function in the event of a total or partial loss of electrical power, thereby ensuring that disruption to essential services operating from these bases is minimised. Because of the layout of the largest depot, two heavy duty mobile generator units will enable prompt reaction to electrical power loss with ease of connection to suitably modified power infrastructure points at Central Depot. The use of trailer mounted mobile units will enable ease of transportation to outlying depots such as Churchfields Depot and Shire Lane Salt Depot. The equipment will also form part of the emergency plant group held in Transport Operations and will remain available to the Emergency Planning Manager in support of other reactive response across the Borough.

Scheme History

2. Whilst the Civic Centre had an integrated stand-by power generator for back-up purposes, it was noted during a review of business continuity that the depot had nothing substantial enough other than to provide limited localised lighting from a trailer mounted floodlight unit.

Central depot itself has five separate electrical intake panels that serve the various buildings and operations used by both the Council and its contractors. A fixed generator plant would therefore be in-flexible and the installation of fixed cable connections across the site would be a costly and complex project.

The proposal for obtaining a back-up system took the view that two trailer mounted generators would bring multiple benefits rather than having a fixed plant. Not only would use be optimised around the Central Depot site in the event of an outage but also the units would be available for other depot sites too.

In addition, the trailed generators would enhance the Council's available plant that can support major emergencies across the Borough.

3. The project therefore included two stages;

Stage 1 was to procure two suitable trailer mounted generators to join the Council's plant fleet. This was completed under the normal fleet procurement tender process and a supplier from the Medway area was successful in the tender.

The costs for the procurement of two generators came in below the estimate and they were delivered to specification in accordance with agreed timescales. This aspect was led by the Transport Operations Manager.

Stage 2 involved in-depth assessment of the condition of electrical infrastructure across Central Depot, an analysis of power demand at the various points and the installation of equipment to safely interface with existing apparatus and to ensure ease of connection in the event of generator use. This aspect was led by the Senior Electrical Engineer.

The difference in costs arose as a result of the selection of the lowest tender for the supply of the two generators. Estimated costs relating to temporary power arrangements were removed due to a workaround resulting in minimising the down-time for the existing power supply. This was achieved through evening and weekend installation works.

The breakdown was as follows:

	Original Estimate	Actual Expenditure	Variance
	£'000	£'000	£'000
Modifications to existing electrical infrastructure	48	34	-14
Purchase of 2 No. Generators	45	35	-10
Professional Fees	5	6	1
Equipment and temporary power arrangements	15	0	-15
Contingency	7	0	-7
Total	120	75	-45

Running Costs

- Running costs are associated with periodic safety inspections and routine maintenance to ensure compliance/roadworthiness and are charged direct to the depot operating budget.

Scheme Objectives

- The objective was to ensure that the Council's business continuity plans are improved and that any disruption to essential services operating from the depot, caused by power outages are minimised.

Assessment of Scheme Success

- The scheme objectives have been fully met and the installation, training and commissioning was delivered successfully.

Electrical testing now forms part of the scheduled maintenance aligned to existing plant.

Assessment of Contract Efficiency

- | | |
|-----------------------|---------------------------------|
| Contract period: | 8 Weeks |
| Start Date: | 11 th July 2016 |
| Practical Completion: | 20 th September 2016 |
| Over-run: | |

Minor overrun due to availability of electricity supplier engineers to isolate depot power whilst connections were modified.

8. Outstanding Issues and Their Proposed Resolution

There are no outstanding issues.

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Report No.
CSD17137

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment Policy Development and Scrutiny Committee

Date: 5 October 2017

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

Title: EXPENDITURE ON CONSULTANTS 2016/17 AND 2017/18

Contact Officer: Philippa Gibbs, Democratic Services Officer
Tel: 020 8461 7638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: (All Wards);

1. Reason for report

- 1.1 At its meeting on 7th September 2017, the Executive and Resources PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue (appendix 2) and capital (appendix 3) budgets. The Committee requested that the report be considered by all PDS Committees.
-

2. **RECOMMENDATION(S)**

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

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Revenue expenditure on consultants in the Environment Portfolio is set out in Appendix 2, and is focussed on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £102,198 in 2016/17 and £54,569 in 2017/18 to date.
- 3.2 Capital expenditure on consultants in the Environment Portfolio is set out in Appendix 3 covering expenditure in 2016/17 (£139,907.62) and the first quarter of 2017/18 (£99,441.86).

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

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Decision Maker: EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 7 September 2017

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

Title: Expenditure on Consultants 2016/17 and 2017/18

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

Chief Officer: Peter Turner, Director of Finance

Ward: N/A

1. Reason for report

Members of ER PDS requested a full report on Consultant expenditure be submitted each year. Officers have therefore looked at total expenditure in 2016/17 and expenditure to date for 2017/18 for both Revenue and Capital Budgets.

2. **RECOMMENDATION(S)**

Members to:-

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

2.2 Refer this report onto individual PDS Committees for further consideration

Impact on Vulnerable Adults and Children

1. Summary of Impact: Any issues concerning vulnerable adults and children should be considered within each individual project brief.
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: All one-off expenditure met from allocated budgets
 3. Budget head/performance centre: Consultants
 4. Total current budget for this head: £N/A
 5. Source of funding: Revenue & Capital
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Consultants should be appointed in accordance with CPRs 8.2 and 8.6. IR35 Tax implications also need to be considered.
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 ER PDS members requested information on the Councils expenditure on Consultants be reported each year. To do this officers have looked at the total expenditure in 2016/17 and also the expenditure for this financial year as at the end of June 2017. This work covered both Revenue and Capital expenditure.
- 3.2 The basic reason for the use of consultants is that at times the Council requires that specialised work is undertaken for specific projects. This is particularly valid when consultants are engaged to work on large scale projects. For completeness expenditure on Architects, Engineers, Surveyors and other consultants commissioned to work on Capital Projects have been included as these generally meet the definition of one-off projects. Proposed expenditure on Capital Projects will have been approved by Executive before being included in the Capital Programme.
- 3.3 The Councils Contract Procedure rules sets out the procurement process to be followed when appointing a consultant and there is also guidance available to staff about what needs to be included in the formal agreement when engaging a consultant, which as a minimum needs to confirm the overall cost, project deliverables, clear brief and reporting arrangements. Appendix 1 provides this in more detail.
- 3.4 There is an element of subjectivity as to what constitutes a “consultant” as a number of services could fall within this definition, however it is generally defined as “a person brought into the Council to carry out a specific job” which is not on-going. For the purposes of this report expenditure on medical fees, counsel and legal fees have been excluded as these are considered to be professional fees rather than consultants.
- 3.5 In looking at consultants, members need to be minded that officers will use them to carry out work on the Council’s behalf when:-
- There is no one internally with the relevant skills or experience
 - There is no capacity/resources available to undertake this work
 - Specialist skills are required
- 3.6 It is important when recruiting a consultant that the project brief sets out the reasons for the use of consultant, that officers have consider any alternative options and also to evaluate the effectiveness of the work undertaken by consultants within the authority.
- 3.7 The benefit of employing consultants is that the Council makes a saving in relation to employer National Insurance and pension contribution. Also in employing consultants the Council is under no obligation to pay consultants for days when they are not working for the Council e.g. sickness and holiday and they are only engaged for a specific period of time – however offsetting this is that these staff are often more expensive.
- 3.8 The risk in not using consultants is that the Council would have to recruit a more substantial and specialised workforce at a greater expense, and thus creating an employment relation or a “contract of service with the associated diversity of employment rights including unfair dismissal and redundancy payment rights, etc.
- 3.9 This report provides a detailed breakdown of all costs officers believe are consultants, broken down over Portfolio’s and service areas. This is shown in Appendix 2 (revenue) and Appendix 3 (capital). It also examines the procurement arrangements associated with engaging the consultants as part of that process.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Any issues concerning vulnerable adults and children should be considered within each individual project brief.

5. FINANCIAL IMPLICATIONS

- 5.1 Included in the body of the report.

6. LEGAL IMPLICATIONS

- 6.1 There is a considerable amount of legislation affording specific employment rights such as paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal, to name but a few to employees. In general terms Self-employed individuals consultants, on the other hand, are not entitled to these enhanced statutory rights or protections, because, arguably, they are not employees in the strict legal sense. However, given the distinction between an employee and a worker, in light of the recent high profile cases including the Uber and the Pimlico Plumber cases some self-employed individuals may be classified as workers with legal entitlement to paid holiday, national minimum wage, etc.
- 6.2 In addition to statutory rights, an employer/employee relationship also implies a duty of trust and confidence between the parties concerned and suggests that neither should act in such a way as to undermine it. This notion introduces the idea of reasonableness into the way in which employers treat their employees. But the relationship between an organisation and a self-employed consultant does not have the same implied duties, with the consultant's protection relying largely on the contractual terms in place.
- 6.3 Describing a role as a consultant will not provide a definitive position and as a starting point, there are three key areas that should be evaluated:
- (i) a requirement for personal service
 - (ii) the existence of mutuality of obligation
 - (iii) the level of control that the council has over an individual.
- 6.3.1 **Personal service** - Is the individual personally required to perform services for the company? An employee is someone who is employed under a contract of service, that is, a contract that requires them to personally turn up for work and carry out the duties requested of them. A consultant, on the other hand, is engaged under a contract for services, that is, a contract under which they agree to provide the company with particular services. But, while they are obliged to ensure that these services are provided, they are not necessarily required to carry out the work personally.
- 6.3.2 **Mutuality of obligation** - Are employers obliged to offer individuals work under their agreed contract? Equally, if an employer offers an individual work, are they obliged to accept it? If they are, it could indicate an employment relationship.
- 6.3.3 **Control** - How much control does the employer have over an individual? Who decides what work needs to be done, how it should be done and when?
- 6.4 HMRC uses different, albeit similar, criteria when determining individual's employment status or otherwise. This means that an individual could be considered an employee for tax purposes and yet remains a consultant from an employment perspective. As stated above, the

processes relating to the engagement of consultants is being tightened with the appropriate checks and balances, taking in account the impact of IR35 regulations. These will reduce or eliminate the obvious employment law risks including the accrual of the statutory protection rights set out in para 5.1 above. HR advice should be sought to ensure that each assignment/engagement is not likely to give rise to employment or "contract of services. Ultimately, who is an employee or a worker, or self- employed individual for employment law purposes is a matter for the court to decide.

7. PROCUREMENT IMPLICATIONS

7.1 Consultants should be appointed in line with CPR 8.6 which requires a detailed project brief to be included with specific outcomes identified. Chief Officers are responsible for ensuring that project briefs are in place and that no payments are made until the specific outcomes have been achieved.

8. POLICY IMPLICATIONS

8.1 Consultants may be used to assist officers in meeting the Council’s key priorities as set out in the updated “Building a Better Bromley 2016-18”.

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

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CONSULTANT

Coding for Consultants/Agency/Temp Staff

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

➤ Agency staff – Revenue Funded (0104)*

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

➤ Temporary Staff – Revenue Funded (0104)*

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

➤ Consultants – Revenue/Capital (1708)**

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

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

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

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

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

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

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

Employing the Consultant

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

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

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

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

Requirement for a Consultant

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

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

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

8.2 Procurement – Competition Requirements

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

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

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

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

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

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

8.6 The Appointment of Consultants to Provide Services

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

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

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

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

It should be noted that Standard documents have now been amended to reflect IR35.

Category / Supplier Name	Division / Serv. Area	16-17 £	17-18 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
One-off specialist advice, no one with relevant specialist skills							
B M LTD	Street Scene & Green Space	6,000	0	Completion of project management support re: negotiations on Parks Contract Variation.	Single quote under CPR 8.5.1	1	
ATKINS LTD	Transport & Highways	0	32,820	Traffic modelling for Site G in Bromley Town Centre	3 quotes in line with Financial Regulations	3	
One-off specialist work total		6,000	32,820				
Insufficient in-house skills / resources							
AECOM	Transport & Highways	75,288	21,749	Highway design and construction consultancy services from the Council's Homes and Communities Agency (HCA) Multidisciplinary framework, helping the Council to meet its responsibilities under the Highways Act 1980 for the safe use of the highway and multi storey car park.	Part of HCA Framework under Section 23.7 CPR Extension 11.4.16. 1 year contract award following revised extension and tendering exercise on 10.06.16. Further one year extension was approved by Members on 19.07.17	1	16/06/2010, 17/04/2012, 07/07/2015 & 19/07/17
METIS	Transport & Highways	6,910	0	Asset management services including valuation of the Council's highway assets	CPR Section 13.1 Directors Waiver, dated 06/05/15	1	
B M LTD	Street Scene & Green Space	14,000	0	Project management support on performance framework for commissioning of service	Single quote under CPR 8.5.1	1	
Insufficient in-house skills total		96,198	21,749				
GRAND TOTAL		102,198	54,569				

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Capital Consultants - 2016/17

	Supplier Name	2016/17	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members
Architects						
	EAST ARCHITECTURE LANDSCAPE	12,391.00				
		12,391.00	Beckenham Town Centre Improvements	n/a	Waiver to extend commission	R&R PDS - September'16
Sub total - Architects		12,391.00				
Surveyors						
	CAD MAP LTD	4,500.00				
		4,500.00	LIP Formula Funding	3	Mini competition	
Sub total - Surveyors		4,500.00				
Multi disciplinary consultant						
	AECOM LTD	102,106.55				
		78,164.55	Maintenance	TfL Framework	TfL Framework (mini-tender)	Report to 16th June 2010 meeting of Executive (report ES 10081)
		23,942.00	LIP Formula Funding	TfL Framework	TfL Framework (mini-tender)	Report to 16th June 2010 meeting of Executive (report ES 10081)
	ARCADIS CONSULTING (UK) LTD	4,225.07				
		4,225.07	LIP Formula Funding	3	Mini competition	
	ATKINS LTD	5,795.00				
		4,695.00	Flexi Lane (TfL funded)	3	Mini competition	
		1,100.00	LIP Formula Funding	4	Mini competition	
	M&S TRAFFIC LTD	10,890.00				
		10,340.00	LIP Formula Funding	3	Mini competition	
		550.00	Beckenham Town Centre Improvements	3	Mini competition	
Sub total - Multi disciplinary consultant		123,016.62				
Grand total consultants		139,907.62				

Capital Consultants - Quarter 1 2017/18

Supplier Name	Environment	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members
Multi disciplinary consultant / Other Consultants					
AECOM LTD	67,721.86				
	58,483.32	Maintenance	TfL Framework	Mini tender undertaken within TfL Framework	Report to 16th June 2010 meeting of Executive (report ES 10081)
	9,238.54	LIP Formula Funding	TfL Framework	Mini tender undertaken within TfL Framework	Report to 16th June 2010 meeting of Executive (report ES 10081)
ATKINS LTD	31,720.00				
	31,720.00	LIP Formula Funding	4	mini competition	
Sub total - Multi disciplinary consultant	99,441.86				
Grand total Consultants	99,441.86				

Report No.
ES 17074

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 5 October 2017

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

Title: CONTRACT REGISTER & CONTRACTS DATABASE UPDATE

Contact Officer: Alastair Baillie, Corporate Systems & Sustainability Manager
Tel: 020 8313 4915 Email: Alastair.Baillie@Bromley.gov.uk

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents an extract from September 2017's Contracts Register for scrutiny by PDS Committee – all PDS committees will receive a similar report each cycle.
- 1.2 This report is based on information, covering all Portfolios, which was presented to Contracts Sub Committee on 21 September 2017.
- 1.3 The Contracts Register appended to the corresponding 'Part 2' report (ES 17075) includes a commentary on each contract.
- 1.4 This report also updates PDS Committee on progress with the Council's new Contracts Database (which generates the Contract Registers among other things).

2. **RECOMMENDATIONS**

That PDS Committee:

- 2.1 reviews the appended £50k Contracts Register (which also forms part of the Council's commitment to data transparency) and
- 2.2 notes that the Contracts Register appended to the corresponding Part 2 report (ES 17075) contains additional, potentially commercially sensitive, information in its commentary.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Contracts Register covers services which may be universal or targeted. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts award and monitoring reports, and service delivery rather than this report.
-

Corporate Policy

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

Financial

1. Cost of proposal: - N/A
 2. Ongoing costs: - N/A
 3. Budget head/performance centre: Environment Portfolio
 4. Total current budget for this head: £29.4m
 5. Source of funding: 2017/18 controllable budget
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Improves the Council's approach to contract management
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY


Contracts Register Background

- 3.1 The appended Contracts Register details key information concerning Environment Portfolio contracts with a Total Contract Value (TCV) greater than £50k (as of 11 September 2017).
- 3.2 The Register is generated from the Council's new Contracts Database (CDB) which is administered by Commissioning & Procurement Directorate and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.3 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and registers are reviewed by the Commission Board, the Corporate Leadership Team, and Contracts Sub-Committee as appropriate.
- 3.4 It is anticipated that the information will be updated four times a year following Contract Sub Committee meetings in: September 2017; November 2017; March 2018 and June 2018.
- 3.5 Each PDS committee will undertake detailed scrutiny of its contracts – including scrutinising suppliers – and hold the Portfolio Holder to account on service quality and procurement arrangements.


Contract Register Summary

- 3.6 The table below summarises key data from September's £50k+ Contracts Register Report for all six portfolios (including this portfolio).

All Portfolios

Issue	Data	Number	Percentage
Contracts (>£50k)	All Portfolios	265	100%
Flagged as a concern 	All Portfolios	11	6.1%
Contracts by Portfolio	Care Services	106	40%
	Environment	20	7.5%
	Education, Children & Families	60	22.6%
	Public Protection & Safety	6	2.3%
	Renewal & Recreation	19	7.2%
	Resources	54	20.4%
TOTALS		265	100%
Contracts by Risk Index	Red	19	7.17%
	Amber	95	35.85%
	Yellow	123	46.42%
	Green	28	10.57%
TOTALS		265	100%
Contracts by Procurement Status	Red	96	29.25%
	Amber	73	31.13%
	Yellow	29	19.81%
	Green/Black/New	67	19.81%
TOTALS		265	100%


3.7 Key information, for this Portfolio, extracted from September 2017's £50k+ Contracts Register.

Issue	Data	Number	Percentage
Contracts	£50k+	20	100%
Concern Flag		11	55%
Risk Index	Red	7	35%
	Amber	6	30%
	Yellow	5	25%
	Green	2	10%
Portfolio Total		20	100%
Procurement Status	Red	4	20%
	Amber	10	50%
	Yellow	2	10%
	Green/Black/New	4	20%
Portfolio Total		20	100%

Environment has 20 (7.5%) of the Council's 265 contracts (valued at greater than £50k)

Contract Register Key

3.8 A key to the Corporate Contracts Register (which was output from the Contract Database on 11 September 2017) is set out in the table below.

Register Category	Explanation
Risk Index	A colour-ranking system reflecting eight automatically scored and weighted criteria providing a final score (out of 100) / colour (red, amber, yellow, green) reflecting the contract's intrinsic risk
Contract ID	Each contract has a unique reference which is to be used in related committee reports and authorisations
Owner	Manager / commissioner with budgetary / service responsibility
Approver	Owner's manager, responsible for approving information quality
Contract Title	Commonly used or formal title
Supplier	Main contractor or supplier responsible for service provision
Portfolio	Relevant portfolio for receiving procurement, contract monitoring and budget monitoring reports
Total Contract Value (TCV)	Contract's value from commencement to expiry of formally approved period (i.e. excluding any extensions which have yet to be approved)
Original Annual Value	Value of the contract its first year (which may be difference from the value in subsequent years due to contract commencement costs etc)
Budget	Approved budget for the current financial year
Projection	The expected spend by the end of the financial year
Procurement Status	Automatic ranking system based on value and proximity to expiry designed to alert Owners to take procurement action. Red ragging typically means the contract is nearing expiry.
Start & End Dates	Approved dates excluding extensions yet to be authorised
Months duration	Contract term in months
Attention 	Red flag to denote Commissioning & Procurement Directorate concern (also see Commentary)
Commentary	Owners provide a comment where Risk Index or Procurement Status is ragged red or amber. C&P Directorate has added a comment where appropriate <i>Commentary only appears in the Part 2 report</i>
Capital	Most of the Council's contracts are revenue-funded but capital contracts are separately identified (and listed at the foot of the register) because different reporting / accounting rules apply

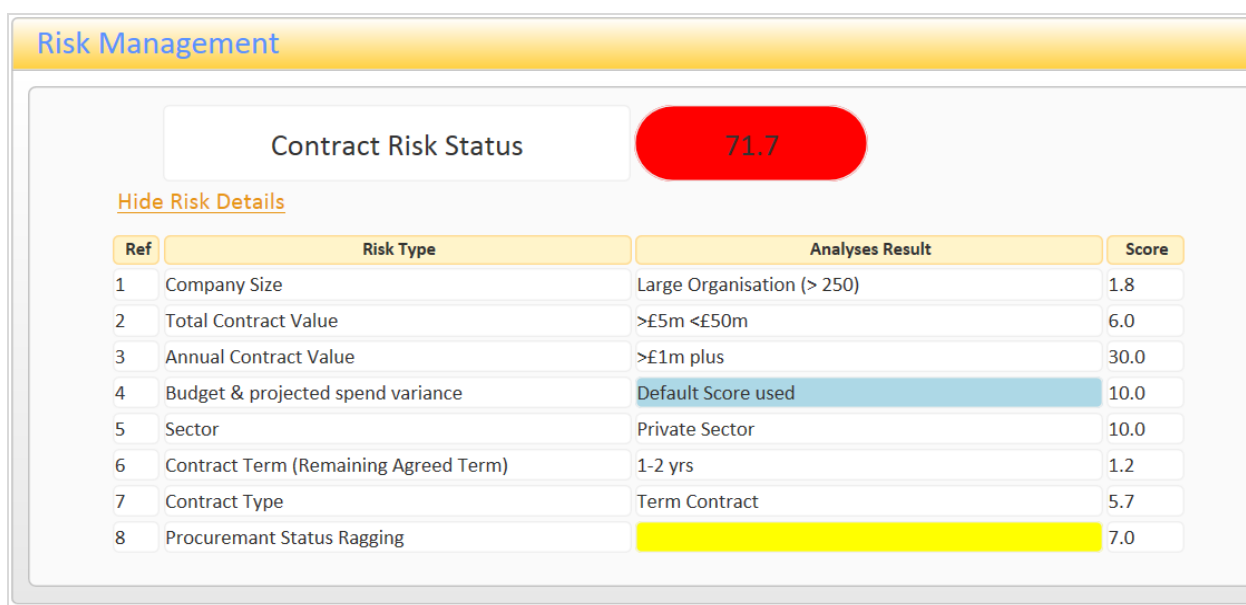
Contract Register Order

3.9 The Contracts Register is output in Risk Index order. It is then ordered by Procurement Status, Portfolio, and finally Contract Value. Capital contracts appear at the foot of the Register and contracts of concern (to Commissioning & Procurement Directorate) are flagged at the top.

Risk Index

3.10 The Risk Index is designed to focus attention on contracts presenting the most significant risks to the Council. All contracts involve some risk and these may be broadly categorised in relation to finance, service, health & safety, reputation or compliance.

3.11 Risk needs to be controlled to an acceptable level (our risk appetite) rather than entirely eliminated and so the issue is how best to assess and mitigate contract risk. Contract risk is assessed (in the CDB) according to eight separate factors and scored and weighted to produce a Risk Index figure (out of 100). These scores are ragged to provide a visual reference.



Procurement Status

3.12 A contract's Procurement Status is a combination of its Total Contract Value and number of months to expiry. The table below is used to assign a ragging colour. Contracts ragged red, amber or yellow require action – which should be set out in the Commentary.

		Procurement / Commissioning Status					
Period	3 months	Red	Red	Red	Red	Red	
	6 months	Amber	Amber	Red	Red	Red	
	9 months	Yellow	Yellow	Amber	Red	Red	
	12 months	Green	Yellow	Amber	Red	Red	
	18 months	Green	Green	Amber	Red	Red	
		£5k - £50k	£50k - £100k	£100k - £173k	£173k - £500k	>£500k	
		Total Contract Value					

Contracts Database

3.13 The Contracts Database (CDB) was developed from the former contract registers previously received by Contracts Sub and the individual Contract Monitoring Summaries. Those documents, while useful, had limited utility and it was agreed to develop a database rather than rely on a collection of documents and spreadsheets.

- 3.14 The Contracts Database aims to improve the Council's contract management (in response to procurement rules not always being followed) and corporate memory by creating a live documentary system with all key contract information being accessible from one location.
- 3.15 The CDB can be accessed (directly or from Team Contract Management) from any LB Bromley computer (or via CITRIX) using the secure 'single sign-in' system. It is the Contract Owners' responsibility to ensure that contract records are kept up-to-date, accurate and fully populated. In particular, Contract Owners will ensure their records are updated for each contract reporting cycle. It is the 'Approvers' responsibility to approve the 'commentary' at each reporting cycle and to generally quality-assure the contract information.
- 3.16 The Contract Owners and Approvers were trained in how to use the Contracts Database during July and August 2017 and the activity was generally well received. Indeed, many suggestions were volunteered regarding how to improve the Database's utility and these may be incorporated into its future development.
- 3.17 Contracts are listed as a single line summary in a 'directory format' (not dissimilar to the Contracts Register). More detailed information is held for each contract in the following sections
- Main Contract Details
 - Dates & Values
 - Financials
 - Supplier Details
 - Council Contacts
 - Supplier Contacts
 - Contract Register Commentary
 - Contract Documents
 - Risk Management
 - Linked Services/Contracts (to be developed)
 - Linked Strategies/Plans (to be developed)
 - Regulatory Requirements (to be developed)
 - Approver Sign-off (to be developed)

Contract Database Next Steps

- 3.18 Now that Workstream One has been completed, the Programme Board will take a view on the priority order in which to address the Programme's next stages which include: alerting; authorisation; credit-checking; usability; monitoring; document storage; insurance and funding.

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

- 4.1 The Corporate Contracts Register covers all Council services: both those used universally by residents and those specifically directed towards vulnerable adults and children. Addressing the impact of service provision on the vulnerable is a matter for the relevant procurement strategies, contracts, and delivery of specific services rather than this summary register.

5. POLICY IMPLICATIONS

- 5.1 The Council's renewed ambition for the borough is set out in the 2016-18 update to [Building a Better Bromley](#) and the Contracts Database (and associated Contract Registers) help in delivering all of the aims but especially in delivering the aim of being an 'Excellent Council'. For an 'Excellent Council', this activity specifically helps by 'ensuring good contract management to ensure value-for-money and quality services'.

6. PROCUREMENT IMPLICATIONS

- 6.1 Most of the Council's (£50k plus) procurement spend is now captured by the Contracts Database. The database will help in ensuring that procurement activity is undertaken in a timely manner, that Contract Procedure Rules are followed, and that Members are able to scrutinise procurement activity in a regular and systematic manner.

7. FINANCIAL IMPLICATIONS

- 7.1 The Contracts Database and Contract Registers are not primarily financial tools – the Council has other systems and reports for this purpose such as FBM and the Budget Monitoring reports.
- 7.2 However, the CDB and registers do contain financial information both in terms of contract dates and values and also budgets and spend for the current year.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no direct personnel implications but the Contracts Database is useful in identifying those officers directly involved in managing the Council's contracts.

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications but the Contracts Database does identify those contracts which have a statutory basis and also those laws which should be complied with in delivering the contracted services.
- 9.2 A list of all (irrespective of value) the Council's contracts may be found on Bromley.gov.uk to aid transparency.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	Contracts Register Reports to Contracts Sub-Committee

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Report No.
ES17063

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment PDS Committee

Date: 5 October 2017

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

Title: FORWARD WORK PROGRAMME & MATTERS ARISING

Contact Officer: Alastair Baillie, Corporate Systems & Sustainability Manager
Tel: 020 8313 4915 E-mail: Alastair.Baillie@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for report

This report deals with the Committee's business management including:

- developing the 2017/18 Forward Work Programme and
- progressing requests made at previous meetings

2. **RECOMMENDATION(S)**

2.1 That PDS Committee reviews and comments on:

- (a) Forward Work Programme (Appendix 1) and;
- (b) Progress concerning Committee requests (Appendix 2);

Impact on Vulnerable Adults and Children

1. Summary of Impact: Environment Portfolio services are used by all residents, including vulnerable adults and children. Protection is not their primary purpose but adjustments are made, as required, to ensure services are as accessible as possible and all users are safe.
-

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: Environment Portfolio Revenue Budget & LIP funding
 4. Total current budget for this head: £29.4m and £4.017m of TfL / LIP funding
 5. Source of funding: 2017/18 controllable revenue budget and 2017/18 LIP funding agreed by TfL
-

Personnel

1. Number of staff (current and additional): 141.7 fte
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

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

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment Portfolio's Forward Work Programme for 2017/18 including: the provisional report title (or activity); the lead division; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate.
- 3.2 Other reports will be added to the 2017/18 Work Programme as schemes and contracts are developed. In addition, there may also be references from other committees, the Environment Portfolio Holder, or the Executive.

Previous Requests by the Committee

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

Contracts Register Summary

- 3.4 It is noted that the Committee previously received the Environment PDS £50k+ Contracts Register as an appendix to this Forward Work Programme etc. report. All PDS committees now receive dedicated Contract Register reports and, to this end, the Environment PDS £50k+ Contract Register report appears elsewhere on this agenda (ES17074 and ES17075).

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 Environment Portfolio services affect the daily lives of all Bromley residents and tend to be universal in nature - rather than being directed at particular groups within our community. Where vulnerable adults or children may be affected by service delivery, the issues would be covered in the relevant report and not in this overview.

5. POLICY IMPLICATIONS

- 5.1 Each PDS Committee is responsible for developing its own Forward Work Programmes and Environment PDS Committee's 2017/18 work programme is set out in Appendix 1.
- 5.2 The activities in this report reflect the Council's priorities and aims as set out in:
- Environment Portfolio Plan 2017/20 (see [ES17035](#) reviewed by PDS on 12 July 2017)
 - [Building a Better Bromley 2016-18](#) ('Quality Environment' & 'Excellent Council')

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Environment PDS Committee agendas and minutes: 2006/07 to 2017/18 Environment Portfolio Plan 2017/20 (ES17035) Building a Better Bromley (2016-18)

APPENDIX 1

**ENVIRONMENT PDS COMMITTEE
FORWARD WORK PROGRAMME: 2017/18 MEETINGS**

Meeting Date: 15 November 2017	Division	Committee Role
Forward Work Programme, Matters Arising, and Contracts Register	E&CS	PDS Committee
Budget Monitoring: 2017/18	Finance	Pre-decision scrutiny
Meeting Date: 30 January 2018	Division	Committee Role
Forward Work Programme, Matters Arising, and Contracts Register	E&CS	PDS Committee
Environment Portfolio Plan 2017/18: Half Year Progress Report	E&CS	PDS Committee
Draft Budget: 2018/19	Finance	PDS Committee
Meeting Date: 15 March 2018	Division	Committee Role
Forward Work Programme, Matters Arising, and Contracts Register	E&CS	PDS Committee
Budget Monitoring: 2017/18	Finance	Pre-decision scrutiny

APPENDIX 2

ENVIRONMENT PDS COMMITTEE PROGRESS REPORT ON PREVIOUS REQUESTS

Date	Committee Request	Progress
12 July 2017	Members agreed the Committee's Working Groups for 2017/18 comprising: <ul style="list-style-type: none">• Environmental Services Working Group• Traffic Congestion / LIP Working Group• Local Development Framework (e.g. pavement crossovers).	

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