THE LONDON BOROUGH
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DATE: 19 March 2018

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

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

Non-Voting Co-opted Members
Nicolas Weaks, Bromley Youth Council

A meeting of the Renewal and Recreation Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 27 MARCH 2018 AT 7.00 PM**

MARK BOWEN
Director of Corporate Services

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

PART 1 AGENDA

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

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 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 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Wednesday 21 March 2018.

a **QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER**

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

4 **MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 24 JANUARY 2018** (Pages 5 - 16)

5 **MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES**
There are no matters outstanding from previous minutes.

HOLDING THE RENEWAL AND RECREATION PORTFOLIO HOLDER TO ACCOUNT

6 **PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO REPORTS**

Portfolio Holder decisions for pre-decision scrutiny.

a **BUDGET MONITORING 2017/18** (Pages 17 - 24)

b **CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2017/18 AND CAPITAL STRATEGY 2018 TO 2022** (Pages 25 - 30)

POLICY DEVELOPMENT AND OTHER ITEMS

7 **ASSET RECOVERY INCENTIVISATION SCHEME (ARIS)** (Pages 31 - 36)

8 **WEST WICKHAM LEISURE CENTRE AND LIBRARY REDEVELOPMENT** (Pages 37 - 64)

9 **LIBRARY CONTRACT - PERFORMANCE REVIEW** (Pages 65 - 108)

10 **NORMAN PARK ATHLETICS TRACK - UPDATE REPORT** (Pages 109 - 114)

11 **TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE** (Pages 115 - 126)

12 **TOWN PLANNING PRE APPLICATION ADVICE - FEES AND SERVICE** (Pages 127 - 136)

13 **NATIONAL INCREASE IN PLANNING APPLICATION FEES** (Pages 137 - 140)

14 **RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME (JUNE 2018-MARCH 2019)** (Pages 141 - 148)

15 CHAIRMAN'S ANNUAL REPORT 2017/18 (Pages 149 - 150)

PART 2 (CLOSED) AGENDA

16 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
17 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO PART 2 (EXEMPT) REPORTS	
17a VARIATION TO WORKS CONTRACT (Pages 151 - 160)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

POLICY DEVELOPMENT AND OTHER ITEMS - PART 2 (EXEMPT)

18 INVESTMENT OF ENDOWMENT FUND (Pages 161 - 172)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
19 OPPORTUNITY SITE G DEVELOPMENT AGREEMENT UPDATE (Pages 173 - 200)	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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RENEWAL AND RECREATION
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 24 January 2018

Present:

Councillor Michael Rutherford (Chairman)
Councillor Julian Benington (Vice-Chairman)
Councillors Nicholas Bennett J.P., Alan Collins, Robert Evans, Alexa Michael, Sarah Phillips, Teresa Te and Michael Tickner

Also Present:

Councillor Peter Morgan, Councillor Hannah Gray and Councillor William Huntington-Thresher

42 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Vanessa Allen, Councillor Douglas Auld (who was replaced by Councillor Robert Evans), Councillor Michael Tickner (who was replaced by Councillor Alan Collins) and Nicolas Weaks. Councillor Sarah Phillips apologised for her late arrival.

43 DECLARATIONS OF INTEREST

Councillor Nicholas Bennett declared that he was a member of the Mytime Board and an annual season ticket holder.

Councillor Alexa Michael declared that she was an annual season ticket holder with Mytime.

Councillor Robert Evans declared that he was a member of the Mytime Board.

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

One question for written reply had been received from Councillor Simon Fawthrop – the question and reply are attached as Appendix A to these minutes.

45 MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 1 NOVEMBER 2017

It was noted that in minute 33 it was stated that the market operators would be invited to the next meeting of the Committee. Officers advised that it would be more appropriate for them to attend the meeting in March.

RESOLVED that the Minutes of the meeting held on 1 November 2017 be confirmed and signed as a correct record.

46 CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2017/18
Report FSD18006

On 6 December 2017, the Executive received the 2nd quarterly capital monitoring report for 2017/18 and agreed a revised Capital Programme for the four year period 2017/18 to 2020/21.

Members also considered changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio.

RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive on 6 December 2017.

47 DRAFT 2018/19 BUDGET
Report FSD18009

The report outlined the Portfolio Holder's draft 2017/18 Budget incorporating the full year effect of savings agreed as part of the 2017/18 Council Tax report and any further savings approved during the year which had resulted in reductions in the Council's medium term 'budget gap'. Members were requested to consider the initial draft budget savings proposed and identify any further action that might be taken to reduce cost pressures facing the next four years.

The Executive had requested each PDS Committee to consider the proposed initial draft budget savings and cost pressures for their Portfolio and for comments to be submitted to the Executive meeting on 7th February.

Members noted there were still outstanding issues and areas of uncertainty. Any further updates would be included in the 2018/19 Council Tax report to be considered by Members of the Executive in February.

It was noted that savings would be achieved over the term of the GLL libraries contract, but the same number of books would still be purchased by the Library Service each year. GLL were able to procure the same number of books for slightly less cost than the Council. There was also investment in new PCs and other IT infrastructure for the libraries.

Councillor Robert Evans requested details of the contracts referred to in the table at paragraph 6.1 of the report "Savings from recommissioning/ retendering of various contracts."

The report (paragraph 7.5) advised Members of a risk in not collecting the full amount of CIL contributions, 96% of which were passed on to the Mayor of London to support the Crossrail project. A range of measures had been agreed to address this, and officers confirmed that the Mayor could not demand that any shortfall be paid by the Council even if the money was not received. Officers agreed to inform Members of the sums involved.

The Committee noted that planning fees were set nationally, including the provisions for free applications after a refusal, and had just gone up by 20% after a gap of several years. However, the money received was ring-fenced to planning.

RESOLVED that:-

(1) The update on the financial forecast for 2018/19 to 2021/22 be noted;

(2) The initial draft 2018/19 Budget be used as a basis for setting the 2018/19 Budget; and

(3) Member comments on the initial draft 2018/19 Budget be made available to the meeting of the Executive on 7 February 2018.

48 CONTRACT REGISTER
Report DRR18/004

Consideration was given to the current status of all Renewal and Recreation Portfolio contracts with a Total Contract Value greater than £50k. A more detailed Contracts Register containing additional, potentially commercially sensitive information on each contract, was considered under Part 2 of the published agenda.

Members questioned why the Idox contract was flagged in the Register. It was confirmed that this was a maintenance contract renewed on an annual basis, and a review of the contract was being carried out.

RESOLVED that:-

(1) the Contracts Register for all Renewal and Recreation Portfolio contracts with a Total Contract Value greater than £50k be noted; and

(2) the Part 2 Contract Register, containing additional, potentially commercially sensitive information be noted.

49 BROMLEY MARKET REORGANISATION AND OPERATION
Report DRR18/006

In March 2017, the Executive had approved the designs and costings for the next phase of the Bromley Town Centre improvement and plans to reorganise, rebrand and relocate the existing market as part of those improvement works. In November 2017, the Executive agreed funding for capital costs in regard to the original kiosk and pop-up stall design.

In November 2017, the Renewal and Recreation PDS Committee agreed that the Bromley Market Consultative Panel should be further engaged to feed into the market redesign.

This report provided Members with an update on progress achieved following feedback from the market traders and outlined alternative costed options together with a recommendation on the revised number of stalls and semi-permanent kiosks. Quarterbridge had been commissioned to develop the Bromley Market brand and set up a new website. The existing traders would be able to use the new kiosks; eleven expressions of interest had been received for the permanent kiosks, but there had been only four firm commitments. Careful thought would need to be given to the positioning of food stalls in view of the potential impact on other retailers.

The Chairman informed the Committee that he had spoken to a number of the traders and they considered that the Council's consultation was more effective.

A Member suggested that some form of decorative metal archway/entrance feature should be considered for the Market. Another Member asked whether there had been any consultation with blind and partially sighted groups. Officers confirmed that they had been consulted by the Design Team; the design was intended to remove clutter and provide a well-defined line of kiosks, a clear fire path and easy access to the shops.

There was not yet a firm date for the completion of the project, but Members suggested that a formal opening by the Mayor should be arranged.

RESOLVED that the report be noted and Members' comments be made available to a meeting of the Executive on 7 February 2018, including the Committee's support for Option C.

50 TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE
Report DRR18/005

Members considered the progress achieved in delivering the Town Centres Development and Growth Programme.

Regarding the Beckenham Town Centre Public Realm Improvements, it was noted that a section of the High Street was still not opened and buses were still diverted. This had been discussed the previous week at the Beckenham

Town Centre Working Group. Officers confirmed that re-opening of the road was under active consideration. Members were pleased with the quality of the many designs submitted in the architectural competition for the Beckenham Green Canopy.

The Portfolio Holder reported that he understood that the new development at Bromley South was now expected to open in June.

A planning application had been received for 6-10 Sherman Road next to Bromley North Station, part of Site A. The scheme involved a 23 storey tower.

Cushman and Wakefield, the Council's real estate advisors, had been commissioned to prepare a review of development opportunities in Orpington Town Centre. A report was due to come to the Committee's next meeting, in March. Councillor William Huntington-Thresher, ward Councillor for Orpington, proposed that the review be developed into a supplementary planning document and urged that the Council should be proactive in pursuing a vision for Orpington.

Councillor Nicholas Bennett proposed that a working group be set up by the Committee in the new Council year to drive improvement in West Wickham, the borough's fourth largest town centre. He acknowledged that an improvement scheme for the junction of Red Lodge Road, Station Road, Beckenham Road and Ravenswood Crescent was planned, and that a report on the future of the Leisure Centre and Library was due to be completed on March. Officers reported that proposals for a Business Improvement District (BID) for West Wickham would be considered, subject to resources being agreed to support this work. Councillor William Huntington-Thresher commented that TfL funding was being reduced, though there might be opportunities for funding through the new Liveable Neighbourhoods Scheme.

The Committee noted the Victoria Cross commemorative ceremony for Lieutenant Commander Geoffrey S White at Bromley War Memorial, St Martin's Hill, on 29th January. Some Members commented that they were not aware of any publicity for this event; officers stated that there had been a press release, and the Committee requested that details of the event be circulated to all Members.

Councillor Hannah Gray, Renewal and Recreation Executive Assistant, updated the Committee on her work to improve broadband internet provision across the borough. She intended to provide a more detailed report to the Committee in due course, and she hoped to be able to examine 5G in time. The Mayor of London had established a Night Time Commission to provide him with independent advice on the night time economy in London (meaning all activities across the whole of London between 6pm and 6am.) The Commission was carrying out a consultation to gather evidence and views on six questions related to the night time economy. The Portfolio Holder for Public Protection and Safety was intending to provide a response from Bromley. The Committee was concerned that the response should not just be about crime and anti-social behaviour, and officers undertook to ensure that

the response addressed positive aspects of the night time economy such as employment and entertainment.

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

51 PRIVATE SECTOR TALL BUILDINGS UPDATE
Report ES18015

Members were provided with an update on progress achieved with regard to private sector tall buildings cladding and safety. In accordance with DCLG guidance issued to local authorities following the Grenfell Tower fire, the Council had contacted the owners of the 13 tall buildings (over 18m in height) identified in Bromley which might have Aluminium Composite Material (ACM) cladding. Officers reported that the owners of two of these building had still not responded to repeated letters. Although the primary responsibility for these buildings lay with the owners and managing agents the Council did have some enforcement powers to intervene under the Housing Act 2004 where problems were identified. The Fire Brigade also had some powers on safety in communal areas and was being contacted.

Members were concerned that the Council should be more proactive; more should be done to contact the owners of the two outstanding buildings, including phoning the owners at senior levels and acting jointly with the Fire Brigade. It was also suggested that more urgent action should be taken to research the Council's microfiche records of the refurbishment of the building in one case, and to contact the private inspector responsible for building control approvals in the other. Members requested an update within two weeks, with the Leader and Chief Executive also being informed of progress at that time.

RESOLVED that

(1) The progress achieved with regard to Private Sector Tall Buildings cladding and safety be noted.

(2) Committee members be informed of progress in contacting the owners of the two outstanding buildings within two weeks.

52 RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME (FEBRUARY-APRIL 2018)
Report CSD18019

Members reviewed the Renewal and Recreation PDS Committee Work Programme for the period February-April 2018.

Officers reported that the report on Chipperfield Road would be delayed until the Inspector's report on the new Local Plan was published. However, the report on options for West Wickham Leisure Centre was intended to be available for the March meeting (now 27th March.) There would also be a

report on the proposed granting of a long lease to Bromley and Blackheath Harriers for the Norman Park Athletic Track.

It was now proposed that the visit to Crystal Palace Park would take place early in the new Council year. Members suggested asking whether the Crystal Palace Museum could be opened to coincide with the visit.

RESOLVED that the Renewal and Recreation PDS Work Programme for the period February-April 2018 be noted.

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

RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it was 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.

The following summaries refer to matters involving exempt information

54 EXEMPT MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE HELD ON 1 NOVEMBER 2017

RESOLVED that the exempt Minutes of the meeting held on 1 November 2017 be confirmed and signed as a correct record.

55 CONTRACT REGISTER - PART 2

Members considered Part 2 (Exempt Information) relating to Agenda Item 9 (Report DRR18/004). The Contract Register appended to the report contained additional and potentially commercially sensitive information in its commentary.

RESOLVED that the Contract Register containing additional, potentially commercially sensitive information in its commentary, be noted.

The Meeting ended at 8.35 pm

Chairman

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RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE MEETING – 24 JANUARY 2018

WRITTEN QUESTION RECEIVED FROM COUNCILLOR SIMON FAWTHROP

Can a list of daily newspapers provided to all Bromley's Libraries be presented (by Library) and the daily/annual cost of providing these newspapers. For last year 2017 and for next year 2018.

i.e in tabular format (the information I have included is an example not actual)

2017

Library	Papers provided	Daily cost	Annual cost	Supplier
Orpington	Times	£1.00	£318.00	WH Smith
Orpington	Financial Times	£1.00	£318.00	WH Smith
Orpington	Independent	£1.00	£318.00	WH Smith

2018

Library	Papers provided	Daily cost	Annual cost	Supplier
Orpington	Times	£2.00	£636.00	WH Smith
Orpington	Financial Times	£2.00	£636.00	WH Smith
Orpington	Independent	£2.00	£636.00	WH Smith

Can we also be advised of the newspaper supplier please and whether there has been an increase or decrease in the cost of supply from last year to this.

Portfolio Holder's Response

On the 1st November 2017 Bromley Library Service transferred to the management of GLL. GLL took this opportunity to review the newspaper and periodical orders for each branch that currently existed. I can confirm that GLL has decided to continue with the exact number of orders per branch.

GLL takes pride in listening to residents, and will purchase new periodical titles if demand is there, to meet the needs of our ever changing communities.

As part of the review we looked at the processing and business side. We found that staff locally were having to spend large amounts of time processing and invoicing for a multitude of newsagents. This was time consuming, in some cases challenging, and took staff away from frontline operations.

In other GLL Library Partnerships we use one company (Z News) to supply and deliver newspapers and periodicals to the branches. This alleviates time consuming administration tasks, simplifies billing, as its one monthly invoice and places staff back on the frontline. Alleviating these issues is particularly helpful to community branches who often run on smaller teams.

As a result of the review GLL now uses Z News to supply and deliver newspapers and periodicals to all fourteen Bromley libraries.

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Bromley Central	BR1 1EX
	0208 460 9955
Daily Mail	Mon-Sun
Daily Telegraph	Mon-Sun
Financial Times	Mon-Sat
Guardian	Mon-Sat
Observer	Sun
Independent	Mon-Sun
Times (Vouchers)	Mon-Sun
Daily Jang	Mon-Sat
Le Figaro	Mon-Sat
Frankfurter Allg.	Mon-Sat
El Pais	Mon-Sat
Croydon Advertiser	Weekly
Parker's Car Price Guide	Monthly
The I	Mon-Sat

Burnt Ash	BR1 5AF
	0208 460 3405
Daily Mail	Mon, Thu, Sat
Guardian	Mon, Thu, Sat

Beckenham	BR3 4PE
	0208 650 7292
Times (Vouchers)	Mon-Sun
Daily Telegraph	Mon-Sat
Financial Times	Mon-Sat
Guardian	Mon-Sat

Biggin Hill	TN16 3LB
	01959 574468
Daily Telegraph	Mon-Sat
Daily Mail	Mon-Sat
Sunday Times	Sun
Sevenoaks Chronicle	weekly
Croydon Advertiser	weekly
Match	weekly
The Guardian (New)	Mon-Sat

Chislehurst	BR7 6DA
	0208 467 1318
Guardian	Mon-Sat (not Wed)
The I	Mon-Sat (not Wed)
Daily Telegraph	Mon-Sat (not Wed)
Financial Times	Sat

Hayes	BR2 7LH
	0208 462 2445
Daily Telegraph	Tue, Fri, Sat
Guardian	Tue, Fri, Sat
Times	Sun

Mottingham	SE9 4QZ
	0208 857 5406
DailyTelegraph	Mon-Sun

Orpington	BR6 0TW
	01689 831551
Observer	Sun
Times	Mon-Sat
Daily Telegraph	Mon-Sat
Guardian	Mon-Sat
Financial Times	Mon-Sat
Kent Messenger	Weekly

Penge	SE20 7JK
	0208 313 4036
Daily Mail	Mon-Sat
Guardian	Mon-Sat
Observer	Sun

Petts Wood BR5 1BP	BR5 1BP
	01689 821607
Daily Telegraph	Mon-Fri
Times	Mon-Sat
Financial Times	Mon-Sat
Guardian	Mon-Sat

Shortlands	BR2 0JP
	0208 460 9692
Daily Telegraph	Mon, Tue, Fri, Sat
Times	Mon, Tue, Fri

Southborough	BR2 8AP
	0208 467 0355
Daily Telegraph	Mon, Tue, Fri, Sat
Guardian	Mon, Tue, Fri, Sat

St Pauls Cray	BR5 2RW
	0208 300 5454
DailyTelegraph	Mon-Sun
The I (new)	Mon-Sat

West Wickham	BR4 0SH
	0208 777 4139
Daily Telegraph	Mon-Sat
Financial Times	Mon-Sat
Daily Mail	Mon-Sat
Guardian	Mon-Sat

Report No.
FSD18033

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**Renewal & Recreation Portfolio Holder** **For Pre-decision Scrutiny by the Renewal & Recreation PDS Committee**
Date:	**27th March 2018**
Decision Type:	Non-Urgent Executive Non-Key
Title:	**BUDGET MONITORING 2017/18**
Contact Officer:	Claire Martin, Head of Finance Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk
Chief Officer:	Nigel Davies, Executive Director of Environment and Community Services
Ward:	Borough wide

1. Reason for report

This report provides an update of the latest budget monitoring position for 2017/18 for the Renewal and Recreation Portfolio based on expenditure and activity levels up to 31 December 2017. This shows a projected under spend of £272k for the total portfolio budget.

2. RECOMMENDATION(S)

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

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost Not Applicable
2. Ongoing costs: Non-Recurring Cost
3. Budget head/performance centre: Renewal & Recreation Portfolio Budgets
4. Total current budget for this head: £15.708m
5. Source of funding: Existing revenue budgets 2017/18

Personnel

1. Number of staff (current and additional): 169.18ftes
2. If from existing staff resources, number of staff hours: N/A

Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
2. Call-in: Applicable

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

3.1 The 2017/18 projected outturn is detailed in Appendix 1, with a forecast of projected spend for each division compared to the latest approved budget and identifies in full the reason for any variances.

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

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

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

5. POLICY IMPLICATIONS

5.1 “Building a Better Bromley” refer to the Council’s intention to remain amongst the lowest Council Tax levels in Outer London and the importance of greater focus on priorities.

5.2 The “2017/18 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that budgetary control continues to be exercised in 2017/18 to minimise the risk of compounding financial pressures in future years.

5.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

6. FINANCIAL IMPLICATIONS

6.1 Although the overall budget shows an under spend of £272k, the controllable budget for the Renewal and Recreation Portfolio is expected under spend by £243k at the year-end, based on the financial information available as at 31 December 2017.

6.2 For Building control, there is a net projected underspend of £61k within the staffing budget due to vacant posts and reduced hours being worked.

6.3 Similarly for Land Charges, part year vacancies will result in an under spend of £18k.

6.4 Additional income of £150k is projected from non-major planning applications and there is a projected surplus of income of £61k from pre-application meetings as well as from street name and numbering, due to increased demand. This more than offsets costs of £60k for specialist advice and a shortfall of income from major planning applications (£40k).

6.5 There will be an over spend of £170k directly related to planning appeal costs awarded against the Council.

6.6 Other net variations within planning services total Cr £18k.

6.7 The renewal service is expected to underspend by £167k. £17k of this is the result of part year vacancies and the remaining £150k relates to an under spend against the NHB funded works. It should be noted that the Executive is being requested to agree a carry forward request for this sum.

6.8 Similarly within Town Centre Management there is an under spend of £35k on NHB funded projects and a carry forward request is being submitted.

6.9 Other minor variations within Recreation total Cr £3k.

6.10 The table below summarises the main variances: -

Summary of Major Variations		**£'000**
Underspend on Building Control staffing	Cr	61
Underspend on staffing within Land Charges	Cr	18
Income from planning applications	Cr	150
Income from pre-application meetings & street name & numbering	Cr	61
Specialist consultancy costs		60
Shortfall of income from major planning applications		40
Planning appeal costs		170
Staffing within Renewal	Cr	17
NHB projects (carry forward request)	Cr	150
Other net variations with planning services	Cr	18
TCM NHB projects (carry forward request)	Cr	35
Other net variations within Recreation	Cr	3
	Cr	**243**

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

Renewal and Recreation Budget Monitoring Summary

2016/17 Actuals £'000	Division Service Areas	2017/18 Original Budget £'000	2017/18 Latest Approved £'000	2017/18 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	R&R PORTFOLIO							
	Planning							
Cr 3	Building Control	76	76	15	Cr 61	1	Cr 61	0
Cr 144	Land Charges	Cr 129	Cr 129	Cr 147	Cr 18	2	Cr 18	0
812	Planning	703	703	744	41	3	93	0
1,564	Renewal	785	1,075	908	Cr 167	4	0	0
2,229		**1,435**	**1,725**	**1,520**	**Cr 205**		**14**	**0**
	Recreation							
1,732	Culture	1,675	1,695	1,698	3	5	0	0
4,737	Libraries	4,403	5,784	5,793	9	6	0	0
263	Town Centre Management & Business Support	180	261	211	Cr 50	7	Cr 14	0
6,732		**6,258**	**7,740**	**7,702**	**Cr 38**		**Cr 14**	**0**
8,961	**Total Controllable R&R Portfolio**	**7,693**	**9,465**	**9,222**	**Cr 243**		**0**	**0**
5,855	**TOTAL NON CONTROLLABLE**	4,195	4,157	4,128	Cr 29	8	Cr 41	0
2,088	**TOTAL EXCLUDED RECHARGES**	2,086	2,086	2,086	0		0	0
16,904	**PORTFOLIO TOTAL**	**13,974**	**15,708**	**15,436**	**Cr 272**		**Cr 41**	**0**

Reconciliation of Latest Approved Budget	**£'000**
Original budget 2017/18	**13,974**
New Homes Bonus TCM	23
New Homes Bonus Regeneration	306
Custom Build & New Burdens grant - Expenditure	30
Custom Build & New Burdens grant - Income	Cr 30
Local Plan Implementation	37
Inflation adjustment	47
Business Rates revaluation	60
Non - Controllable R&M - Water Treatment	4
Libraries saving adjustment	284
Libraries decommissioning of I.T service	973
Proceeds of Crime Act Prosecution Expenditure	84
Proceeds of Crime Act Prosecution Income	Cr 84
Latest Approved Budget for 2017/18	**15,708**

REASONS FOR VARIATIONS

1. Building Control Cr £61k

For the chargeable service, an income deficit of £100k is anticipated based on information to date. This is offset by a projected underspend within salaries of £82k arising from reduced hours being worked and part year vacancies, and £18k on running expenses. In accordance with Building Account Regulations, the existing surplus on the charging account of £182k will be carried forward to 2018/19.

Within the non-chargeable service, as a result of vacant posts and reduced hours, a net underspend of £61k is projected.

2. Land Charges Cr £18k

A deficit of £30k is expected for income within the Charging Account. This is partly offset by underspends on staffing and running expenses of £13k. The net deficit of £17k will be carried forward as the cumulative balance in the Charging Account. If the income continues to drop, officers will have to consider increasing the charges.

There is a projected underspend of £18k on the Non-Chargeable budget due to part year vacancies.

3. Planning Dr £41k

Income from non-major planning applications is above budget for the first nine months of the year, and a surplus of £150k is projected for 2017/18. For information, actual income received from April to December is at a similar level compared to income received for the same period last year. It should be noted that £30k of this surplus is due to the statutory price increase which was effective from 18 January 2018.

For major applications, £225k has been received as at December 17, which is £33k higher than for the same period in 2016/17. Planning officers within the majors team have provided a schedule of additional income expected in the coming months, however the income for 2017/18 is expected to be below budget by £40k.

Currently there is projected surplus income of £38k from pre-application meetings due to higher than budgeted activity levels. For information, £131k has been received for the first nine months of the year, which is similar to the same period in 2016/17.

Additional income of £23k is forecast from other income within Planning, mostly from the street naming and numbering service.

Specialist consultancy costs of around £60k are expected to be incurred relating to three planning enquiries to be held in early 2018.

Costs of £170k are projected relating to costs awarded against the Council for planning appeals that have been lost, including Sundridge Park.

Other net variations total Cr £18k across the planning service.

Summary of variations within Planning:		**£'000**
Surplus of income from non-major applications	Cr	150
Potential deficit of income from major planning applications		40
Surplus pre-application income	Cr	38
Surplus from miscellaneous income	Cr	23
Specialist consultancy costs		60
Planning appeals claims		170
Other net variations	Cr	18
Total variation for Planning		**41**

EARLY WARNING

Officers have recently received notification from the Home Office that a further £118k additional funding has been allocated to Bromley from the Proceeds of Crime Act prosecution, giving a total sum of £144k. £84.6k of this sum has been allocated to the Planning Service. As this notification has been received so late in the year, a request to carry forward both the expenditure and income budgets of £84.6k will be submitted in order to carry out works on asset recovery, crime reduction projects and community projects in the next financial year.

4. Renewal Cr £167k

Part year vacancies have resulted in £17k underspend on staffing.

It is likely that £150k will be underspent on the Town Centre Development Works funded by the New Homes Bonus and therefore a carry forward request is being made to the Executive, to enable the outstanding works to be completed in 2018/19. Formal GLA approval will also need to be obtained to agree the new profile of spend.

Summary of variations within Renewal		**£'000**
Staff vacancies	Cr	17
Underspend on projects funded by NHB (carry forward request)	Cr	150
Total variation for Renewal	**Cr**	**167**

5.Culture Dr £3k

There is a net minor overspend of £3k on Culture service, mainly due to maternity cover.

6.Libraries Dr £9k

A net overspend of £9k is forecast for the Libraries service. This includes additional costs on supplies and services of £16k and an income shortfall of £32k mainly relating to book fines and DVD hire. This is partly offset by £39k underspend from savings on the back office for the first 7 months of the year.

7.Town Centre Management & Business Support Cr £50k

An overall £50k underspend is projected for Town Centre Management & Business Support. This includes £7k from staff vacancies and £8k additional income generated from pop-up shop rental and promotional space.

The Penge Pop up shop project is expected to underspend by £28k. Following the change of focus of the regeneration plan and the change in contractor to Cushman and Wakefield, there will also be an underspend of £7k on the Orpington town centre scheme. Both of these projects are funded from the New Home Bonus. A request is being submitted to the Executive to carry this amount forward, in order to complete the specific projects, subject to the GLA agreeing the re-profile of spend.

Summary of variations within TCM:		**£'000**
Staff vacancies	Cr	7
Additional rental income	Cr	8
Underspend on Penge Pop Up TC scheme (carry forward request)	Cr	28
Underspend on Orpington TC scheme (carry forward request)	Cr	7
Total variation for TCM	**Cr**	**50**

8. Non-controllable Cr £29k

There is a projected surplus income of £29k within the property rental income budget. Property division are accountable for these variations.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, no waivers have been actioned.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

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Report No.
FSD18028

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**RENEWAL AND RECREATION PORTFOLIO HOLDER**
Date:	**For pre-decision scrutiny by the Renewal and Recreation PDS Committee on 27th March 2018**
Decision Type:	Non-Urgent Executive Non-Key
Title:	**CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2017/18 & CAPITAL STRATEGY 2018 TO 2022**
Contact Officer:	James Mullender, Principal Accountant Tel: 020 8313 4292 E-mail: james.mullender@bromley.gov.uk
Chief Officer:	Director of Finance
Ward:	All

1. Reason for report

On 7th February 2018, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2017/18 and presenting for approval the new capital schemes in the annual capital review process. The Executive agreed a revised Capital Programme for the five year period 2017/18 to 2021/22. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio. The revised programme for this portfolio is set out in Appendix A, and detailed comments on individual schemes are included at Appendix B and the new schemes approved for this Portfolio are set out in paragraph 3.5.

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2. RECOMMENDATION(S)

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 7th February 2018.

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 decrease of £106k over the five years 2017/18 to 2021/22, mainly due to the reduction to the Bromley High Street Improvements scheme relating to the Markets.

2. Ongoing costs: Not Applicable

3. Budget head/performance centre: Capital Programme

4. Total current budget for this head: £35.9m for the Renewal and Recreation Portfolio over the five years 2017/18 to 2021/22

5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions

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Staff

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

2. If from existing staff resources, number of staff hours: 36 hours per week

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Legal

1. Legal Requirement: Non-Statutory - Government Guidance

2. Call-in: Not 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 7th February 2018

3.1 A revised Capital Programme was approved by the Executive on 7th February 2018, following a detailed monitoring exercise carried out after the 3rd quarter of 2017/18. The Executive also considered and approved new capital schemes in the annual capital review process. The base position is the programme approved by the Executive on 6th December 2017, as amended by variations approved at subsequent Executive meetings. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio. The revised programme for this portfolio is set out in Appendix A. Detailed comments on scheme progress as at the end of the third quarter of 2017/18 are shown in Appendix B.

		2017/18 £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000	2021/22 £'000	TOTAL 2017/18 to 2021/22 £'000
Programme approved by Executive 06/12/17		6,115	8,630	6,320	14,964	0	36,029
Variations approved by Executive 07/02/18							
Bromley High Street Improvements - reduction re Markets (see para 3.2)		0	0	Cr 116	0	0	Cr 116
Schemes rephased from 2017/18 into 2018/19 (see para 3.3)	Cr	2,306	2,834	332	Cr 860	0	0
New schemes (see para 3.5)		0	0	0	0	10	10
Total amendments to the Capital Programme	Cr	2,306	2,834	216	Cr 860	10	Cr 106
Total Revised Renewal & Recreation Programme		**3,809**	**11,464**	**6,536**	**14,104**	**10**	**35,923**

3.2 Bromley High Street Improvements (£116k reduction in 2019/20)

As detailed in the Bromley Market Reorganisation Update report which was scrutinised by the committee on 24th January 2018, the Executive noted the reduction of £116k to the High Street Improvements scheme as a result of proposed changes to the arrangement of kiosks and pop-up stalls.

3.3 Schemes re-phased from 2017/18 into future years

As part of the 3rd quarter monitoring exercise, £10.4m has been re-phased from 2017/18 into 2018/19 to reflect revised estimates of when expenditure on the Renewal and Recreation schemes is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. Scheme re-phasings are itemised in the table below and comments on scheme progress are provided in Appendix B.

Capital Expenditure - Rephasing in Q3 Monitoring		**2017/18 £'000**	**2018/19 £'000**	**2019/20 £'000**	**2020/21 £'000**	**TOTAL £'000**
Site G	Cr	1,305	1,305	0	0	**0**
Penge Town Centre	Cr	269	269	0	0	**0**
Orpington Town Centre - Walnut Centre & New Market infrastructure	Cr	308	308	0	0	**0**
Bromley High Street Improvements	Cr	424	952	332	Cr 860	**0**
Total Renewal & Recreation scheme rephasing	**Cr**	**2,306**	**2,834**	**332**	**Cr 860**	**0**

Annual Capital Review – new scheme proposals

3.4 In recent years, the Council has steadily scaled down new capital expenditure plans and has transferred all of the rolling maintenance programmes to the revenue budget. General (un-earmarked) reserves, established from the disposal of housing stock and the Glades Site, have

been gradually spent and have fallen from £131m in 1997 to £44.1m (including unapplied capital receipts) as at 31st March 2017. The Council's asset disposal programme has diminished and any new capital spending will effectively have to be met from the Council's remaining revenue reserves.

3.5 As part of the normal annual review of the Capital Programme, Chief Officers were invited to come forward with bids for new capital investment, including Invest to Save bids which were particularly encouraged. No bids for new schemes were received for the Renewal and Recreation Portfolio. The 2021/22 annual provision for feasibility studies (£10k) was approved and has been added to the Capital Programme.

Post-Completion Reports

3.8 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. No post-completion reports are currently due for the Renewal and Recreation Portfolio, but 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. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.

5. FINANCIAL IMPLICATIONS

5.1 These were reported in full to the Executive on 7th February 2018. Changes agreed by the Executive for the Renewal and Recreation Portfolio Capital Programme are set out in the table in paragraph 3.1.

Non-Applicable Sections:	Legal, Personnel and Procurement Implications, Impact on Vulnerable Adults and Children
Background Documents: (Access via Contact Officer)	Capital Programme Monitoring – 3rd quarter report (Executive 07/02/18)

APPENDIX A

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
	RENEWAL & RECREATION PORTFOLIO - APPROVED CAPITAL PROGRAMME 7TH FEBRUARY 2018								
		£'000	£'000	£'000	£'000	£'000	£'000		
	LIBRARIES & MUSEUMS								
941535	Penge/Anerley Libraries - 46 Green Lane	669	668	1	0	0	0	Colin Brand	Approved by Executive 06/02/13
941537	Anerley Town Hall - Library Provision	41	5	36	0	0	0	Colin Brand	Approved by Executive 22/07/14
941538	Relocation of Exhibitions - Bromley Musuem	395	352	43	0	0	0	Colin Brand	Approved by Executive 10/06/15
941542	Biggin Hill Memorial Museum	3,086	261	522	1,464	620	219	Colin Brand	Approved by Executive 02/12/15. £106k funding from Treasury Grant, Executive 15/06/16 £157.4k Treasury Grant, £3.2k BHMM Trust
		.							
	TOTAL LIBRARIES & MUSEUMS	4,191	1,286	602	1,464	620	219		
	LEISURE TRUST CLIENT - RECREATION								
941887	Bromley MyTime Investment Fund	3,768	1,607	931	1,230	0	0	Colin Brand	Revenue contribution to capital works
	TOTAL LEISURE TRUST CLIENT - RECREATION	3,768	1,607	931	1,230	0	0		
	OTHER								
917000	Feasibility Studies	40	0	10	10	10	10	Colin Brand	
941530	Bromley North Village Public Realm Improvements	6,652	6,549	103	0	0	0	Kevin Munnelly	Renewal and improvement of Bromley North; £3,298k TfL; £1,829k GLA Outer London Fund; £25k private sector; £1,500k Capital receipts.
941540	Penge Town Centre	746	77	100	569	0	0	Kevin Munnelly	Approved Executive 24/03/15 - funded by New Homes bonus
941541	Orpington Town Centre - Walnuts Centre & New Market infrastructure	794	136	350	308	0	0	Kevin Munnelly	Approved Executive 24/03/15 - funded by £400k New Homes bonus and £125k High Street Fund, Exec 30/11/16 £106k from S106 fund
941544	Bromley High Street Improvements	3,460	0	292	1,952	1,216	0	Kevin Munnelly	Approved Executive 22/03/17 - funded from Growth Fund / S106
950823	Site G	24,292	1,006	436	4,285	4,690	13,875	Kevin Munnelly	Funded from PIL (S106) receipts, Growth Fund , Capital Financing, Contribution. Approved Executive 07/11/17 Council 11/12/17
941894	Crystal Palace Park Improvements	2,583	816	450	1,317	0	0	Colin Brand	£160k LBB £2m GLA funded (Executive 22/07/14) £116k Historic England grant
941895	Crystal Palace Park - Alternative Management Options	1,120	361	430	329	0	0	Colin Brand	
941981	Chipperfield Road Development - St Paul's Cray	105	0	105	0	0	0	Michael Watkins	Approved by Executive 18/10/16
	TOTAL OTHER	39,792	8,945	2,276	8,770	5,916	13,885		
	TOTAL RENEWAL & RECREATION PORTFOLIO	**47,751**	**11,838**	**3,809**	**11,464**	**6,536**	**14,104**		

APPENDIX B

RENEWAL & RECREATION PORTFOLIO - APPROVED CAPITAL PROGRAMME 2017/18 - 3RD QUARTER MONITORING				
	3RD QUARTER 2017/18			
Capital Scheme/Project	Approved Estimate Dec 2017	Actual to 22.02.18	Revised Estimate Feb 2018	Responsible Officer Comments
	£'000	£'000	£'000	
LIBRARIES & MUSEUMS				
Central Library/Churchill Theatre - chillers and controls	0	0	0	Scheme completed. Residual Balance removed in Qtr 2 FY17/18
Penge/Anerley Libraries - 46 Green Lane	1	0	1	Project has finished and Officers are waiting for final invoices. The final account has been agreed at £669k.
Anerley Town Hall - Library Provision	36	0	36	Purchase and installation of libraries hardware at Anerley Town Hall. Scheme completed and Officers are waiting for final invoices.
Relocation of Exhibitions - Bromley Museum	43	18	43	Approved by Executive 10/06/15 - £395k allocation from capital receipts for the relocation of exhibitions from Priory, Orpington to Central Library. The two exhibitions and community exhibition space were installed in August and September 2016. Officers anticipate the remaining £43k will be spent in 17/18 on committed conservation works and salary costs.
Biggin Hill Memorial Museum	522	539	522	Approved 02/12/15. Executive approval on 20/06/17, for project to proceed with delivery. The build programme is on schedule and the payment schedule has now been agreed which has allowed the budget to be accurately profiled. The Exhibition and Fit out programme was postponed to avoid the tender being out over Christmas which has pushed costs in to the next financial year.
TOTAL LIBRARIES & MUSEUMS	602	557	602	
LEISURE TRUST CLIENT - RECREATION				
Bromley MyTime Investment Fund	931	536	931	A report was submitted to R&R PDS in Nov'17 on Mytime Active Annual Review which included Mytime's proposals for the Investment Fund for 2018/19. £550k was rephased into 18/19 as Mytime are still working up the scheme in respect of the Pavilion Leisure Centre.
TOTAL LEISURE TRUST CLIENT - RECREATION	931	536	931	
Feasibility Studies	10	0	10	
OTHER				
Site G	1,741	355	436	Four properties within the red line site have been purchased to date with potentially further purchases in the current financial year. A report was submitted to Council 11/12/17 formalising the Development Agreement with the preferred development partner and the Compulsory Purchase Strategy for the site. The total anticipated cost of £24,292k was noted.
Bromley North Village Public Realm Improvements	103	10	103	Final accounts confirmation received from Conway. A total of £70k underspend was reported to Executive on 02/12/15 to fund the enhancement projects as part of the contingency options.The scheme is near completion.
Penge Town Centre	369	50	100	The New Homes Bonus funded project consisting of public realm improvements, Shopfront improvements, Business Support, and Wayfinding. The scheme is to be implemented alongside planned TfL bus route and carriageway improvements.The scheme commenced implementation in November 2017 and is expected to be completed by September 2018.
Orpington Town Centre - Walnuts Centre & new market infrastructure	658	361	350	High Street Fund and New Homes Bonus funded project to enhance the pedestrian experience of the prime shopping areas to increase footfall. This includes paving, lighting, treatment for trees, new street furniture, and new market infrastructure. Berkeley Homes have made a further payment of £163k of Section 106 contributions towards the Walnuts Public Realm Improvement project. This constitutes two of the three remaining stages of payment, leaving a final outstanding balance of £81k which will be paid on the occupation of the 42nd unit of the development which is expected in May 2018.
Bromley High Street Improvements	716	307	292	Approved Executive 22/03/17. Funded from the Growth Fund, the programme of improvements to the public realm of Bromley High Street is a continuation of the Bromley North Village scheme which aims to enhance the pedestrian experience of the prime shopping areas to increase footfall in the town centre. Section 106 funding of £76k received from the Elmfield Road Travelodge development has been added to the scheme, increasing the total project budget to £3.64m. A further contribution of £76k is expected on the anticipated completion of the development in autumn 2018. This additional funding will be used to fund the programme of architectural lighting enhancements to the High Street as part of the public realm scheme.
Crystal Palace Park Improvements	450	321	450	Approved by Executive 22/07/14 £2,160k (£2m GLA, £160k LBB) GLA funding can only be used for capital works - improving the park landscape. Grant of £116k from Historic England in addition for conservation of the south terrace steps. Work has completed and £10k budget was reduced to reflect the works coming in under budget/ funding claimed. Turnstiles work completed, dinosaur and dinosaur landscape conservation works completed, and sphinxes and south terrace steps works completed. Café works expected to start in January 2018 following the December 2017 Executive contract award decision.
Crystal Palace Park - Alternative Management Options	430	241	430	Approved by Executive 24/03/15 - to explore and develop a sustainable regeneration plan, and business plan, for the establishment of an alternative management option for the park. The Regeneration Plan strategy was then approved by the Executive in July 2017 and an Outline Planning Application is due to be submitted in February, and an HLF Parks for People bid is due to be submitted in August.
Chipperfield Road Development - St Paul's Cray	105	0	105	Approved by Executive 18/10/16 - £45k to be spent on clarification of development potential and viability, £60k for marketing.
TOTAL OTHER	4,582	1,645	2,276	
TOTAL RENEWAL & RECREATION PORTFOLIO	**6,115**	**2,738**	**3,809**	

Report No.
ES18017

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **EXECUTIVE**

FOR PRE-DECISION SCRUTINY BY PUBLIC PROTECTION AND SAFETY POLICY COMMITTEE ON 6TH MARCH AND

RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE ON 27TH MARCH

Date: **28th March 2018**

Decision Type: Non-Urgent Executive Key

Title: **ASSET RECOVERY INCENTIVISATION SCHEME (ARIS)**

Contact Officer: Rob Vale, Head of Trading Standards & Community Safety
Tel: 020 8313 4785 E-mail: Rob.Vale@bromley.gov.uk

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

Ward: All

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1. Reason for report

1.1 This report provides Members with details of a Proceeds of Crime Investigation which has resulted in an award of monies to the local authority and requests release of the funds.

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2. RECOMMENDATION(S)

2.1 Executive are asked to

a) approve the drawdown of the full amount of £144,388 held in Central Contingency and allocate to the two service areas as set out in 3.14.

b) approve the carry forward of the unspent balance of £132,758 received under this Proceeds of Crime confiscation.

2.2 Members of the Scrutiny Committees are asked to note and comment on the content of this report.

Impact on Vulnerable Adults and Children

1. Summary of Impact: In this case a private landlord was providing residential properties to a number of low income earners and collecting the housing benefit from them for accommodation which was below the required living standards.

Corporate Policy

1. Policy Status: Existing Policy:
2. BBB Priority: Children and Young People Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley :

Financial

1. Cost of proposal: 144,388
2. Ongoing costs: N/A as one-off funding
3. Budget head/performance centre: Trading Standards and Planning Enforcement
4. Total current budget for this head: £84.6k and £59.8k
5. Source of funding: Asset Recovery Incentivisation Scheme (ARIS)

Personnel

1. Number of staff (current and additional): 3 FTEs (Planning Enforcement
   7 FTEs (Trading Standards)
2. If from existing staff resources, number of staff hours: N/A

Legal

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

Procurement

1. N/A

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

3.1 A significant proportion of crime is committed simply to make money. For those who commit crime, traditionally the punishment was either a community sentence or a term of imprisonment. Regardless of the punishment, criminals could still often profit from their criminal actions. The Proceeds of Crime Act 2002 (POCA) deals with the movement and use of criminal property and one of its main purposes is to disrupt criminal behaviour and remove the benefit obtained from crime.

3.2 The Asset Recovery Incentivisation Scheme (ARIS) was set up in 2006 and provides a mechanism for returning to law enforcement agencies a proportion of the assets they recover.

3.3 The objective of the scheme is to provide law enforcement agencies with incentives to boost asset recovery as a contribution to reducing crime and delivering justice by giving them a direct stake in the proceeds they generate from their work. Home Office rules encourage the agencies to reinvest incentive monies in asset recovery activities or increased financial investigation capacity, but the funds can be used for a number of purposes in the context of reducing harm. The agency is required to account for their spending and make a return to the Home Office confirming the amount of monies received, and how it has been spent.

3.4 Monies paid over by the defendant to satisfy a confiscation order are payable to Her Majesty's Court and Tribunal Service (HMCTS) who are given responsibility for administering distribution of the recovered sum and much of the enforcement process if payment is not made.

3.5 Once sums are paid, HMCTS will divide the sum paid in accordance with the Court's Order. This mechanism is known as incentivisation. In relation to most confiscations this is as follows:
Central Government: 50%
Prosecutor: 18.75% (in this case Planning)
Investigator: 18.75% (the Trading Standards AFI)
Enforcement (HMCTS and MOJ): 12.5%.

3.6 London Borough Bromley's Trading Standards team employs an Accredited Financial Investigator (AFI) who has been accredited with extended investigative powers that allow the officer to routinely carry out financial investigations. The Head of Trading Standards & Community Safety, accredited as a Senior Appropriate Officer (SAO) is responsible for ensuring enquiries are conducted proportionately and necessarily. Typically, any rogue trader case will attract a financial investigation in order that recipients of criminal gains are identified and considered for prosecution.

3.7 In this case the AFI was engaged on a part-time basis by the Planning Enforcement team in conjunction with legal services to conduct a confiscation investigation into a defendant's criminal lifestyle following conviction for breaches of the Town and Country Planning Act 1991.

3.8 The prosecution involved a private landlord providing housing to people on low income. The properties being provided were below the standards required by planning law and had been converted without planning authority from a commercial premises and one residential property into five one bedroomed flats. They would not have been provided planning permission at the time of construction, or retrospectively without significant changes.

3.9 The tenants in those properties were not acting illegally by claiming housing benefit. But the landlord was providing residential properties to a number of low income earners and collecting the housing benefit from them for accommodation below required living standards, and it should not have existed. This is considered benefit obtained through criminal conduct, i.e.

money obtained as a result of committing a criminal offence and therefore formed part of a confiscation investigation, and any subsequent Confiscation Order.

3.10 In June 2016 the Court granted a Confiscation Order against the defendant for the sum of £144,388 This amount is the balance remaining, following payments made to Central Government and the Ministry of Justice. The court ordered the monies to be paid within six months, however the defendant in this case returned to court on several occasions and was granted extensions to the date. Several payments were made in the interim, totalling £26,117

3.11 A final enforcement hearing took place at Westminster Magistrates Court on 16th January 2018 where the defendant was warned he faced prison if the balance was not settled. A final payment of £118,271 was subsequently made.

3.12 This is the first time the Trading Standards AFI has investigated a case on behalf of another enforcement team within the local authority. Further planning cases have been highlighted as potentially qualifying for investigations under the Proceeds of Crime Act.

3.13 A sum of £11,630 has been used to fund the work of a part time financial abuse/scams officer during 2017/18.

3.14 It is proposed to split the remaining balance of £132,758 between the two services as follows:-

Service	**Actual Spend 2017/18 £**	**Proposed Split 2018/19 £**	**Total £**
Planning Enforcement	0	84,633	**84,633**
Trading Standards	11,630	48,125	**59,755**
Total	**11,630**	**132,758**	**144,388**

3.15 Trading Standards plan to use the funds in the next financial year to continue funding the financial abuse/scams work for a further 12 months, increase the hours of the AFI for a further 12 months, invest in essential training for officers to tackle web based fraud which will include the need to purchase stand-alone IT equipment, and purchase additional materials to raise awareness of the trading standards rapid response service which investigates rogue trader activity.

3.16 There is also a scoping exercise in place to increase intelligence capacity for on-line investigations with the possibility of employing a specialist investigator for a short term to prepare an intelligence product identifying on-line criminal activity causing consumer detriment. There are also plans to increase Scams and Doorstep Crime awareness by providing sufficient material for a 2 year strategy.

3.17 Planning Enforcement proposes to use the confiscation monies to increase work in the area of POCA and other planning enforcement related matters. Officers have currently identified further possible planning enforcement cases where the team and legal services consider a successful prosecution may be obtained, this will allow for future joint working with Trading Standards.

Conditions of Use

3.18 Local Authorities are not governed by the same accounting rules as government departments and are able to carry forward unspent monies. The Home Office continually monitors how ARIS monies are spent and a report is submitted to the Criminal Finances Board which is chaired by the Minister for Security and Economic Crime. This is to ensure that the monies are

actually used to assess issues of propriety and regularity. All asset recovery agencies are therefore expected to account of the use of the incentive payments at the end of each financial year.

3.19 It is expected that incentive payments should be used to further drive up performance on asset recovery and, where appropriate, to fund local crime fighting priorities for the benefit of the community.

3.20 Information will be required as follows:

- details of how funds have been used
- for each initiative/project how much has been allocated
- how has this contributed to improving asset recovery performance, or tackling crime
- what are the particular asset recovery outcomes

4 POLICY IMPLICATIONS

4.1 The outcomes contribute to the Building a Better Bromley priorities, the Safer Bromley Partnership Strategy.

5 FINANCIAL IMPLICATIONS

5.1 The Council has been awarded a sum of £144,388 as part of the Asset Recovery Incentivisation Scheme. A sum of £26,117 was received earlier in the year and £11,600 has been spent. The remaining £118,271 is expected to be received before the end of the year and Home Office officials have confirmed that there are no restrictions on Local Authorities being able to carry forward any unspent balances.

5.2 This report is requesting approval to drawdown the full sum held in the Central Contingency and to seek approval to carry forward the unspent balance of £132,758 to 2018/19.

5.3 The table below provides a breakdown of the allocation and spend between Portfolios: -

	R & R Portfolio Planning Enforcement £'000	PPS Portfolio Trading Standards £'000	Total £'000
Allocation of funding	84.6	59.8	**144.4**
Spent to date	0.0	11.6	**11.6**
Unspent balance (carry forward request)	**84.6**	**48.2**	**132.8**

6. PERSONNEL IMPLICATIONS

6.1 Trading Standards propose to use some of the confiscation monies to increase work to protect vulnerable residents from scams and financial abuse, by increasing the hours of an officer who is currently working 16 hours a week. It also proposed that the AFI who is currently part time increases her hours for 12 months. This may allow for future additional POCA investigations on behalf of Planning.

7. LEGAL IMPLICATIONS

7.1 Due to the unpredictable nature of ARIS the Government has not provided any specific guidance on its use. However, it has indicated that ARIS money should be reinvested in asset recovery work and fund local enforcement and prevention activities.

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

Report No.
DRR 08/081

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**EXECUTIVE** **FOR PRE-DECISION SCRUTINY BY THE RENEWAL AND RECREATION PDS COMMITTEE ON 27 MARCH 2018**
Date:	**Wednesday 28 March 2018**
Decision Type:	Non-Urgent Executive Key
Title:	**WEST WICKHAM LEISURE CENTRE AND LIBRARY REDEVELOPMENT**
Contact Officer:	Michael Watkins, Manager - Strategic Property Tel: 020 8313 4178 E-mail: Michael.Watkins@bromley.gov.uk
Chief Officer:	Colin Brand, Director of Regeneration
Ward:	West Wickham

1. Reason for report

This report advises Members as to the opportunity to redevelop the West Wickham Leisure Centre and Library sites, which will generate funding for a new replacement leisure and library facilities on the existing Leisure site by the inclusion of a residential development.

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2. RECOMMENDATIONS

2.1 To note the contents of this report and to agree to the redevelopment of the Leisure and Library sites, subject to final Executive approval prior to Planning submission.

2.2 To agree that Officers proceed with Detailed Planning in respect of the replacement Leisure and Library facilities and Planning with Reserved Matters in respect of the residential elements on the Library and Leisure sites in accordance with the Consultancy and Survey Fee estimate of £913k.

2.3 To agree that Officers undertake the necessary works to market the scheme and appoint a developer to deliver the scheme in accordance with the £80k fee estimate. The outcome of which will be reported back to Executive prior to the final selection of a developer for approval.

2.4 That Officers undertake a Procurement exercise to appoint a Leisure Operator in advance of the development so that the operator can input into the detailed design of the new facility. The outcome of which will be reported back to Executive prior to the final selection of a Leisure Operator.

2.5 To agree that the £993k is funded from the 2017/18 Central Contingency and that the scheme is added to the Capital Programme.

Members of the R&R PDS Committee are requested to consider the report and make comments available to the Executive.

Impact on Vulnerable Adults and Children

1. Summary of Impact:

   It is considered that there will be no long term impact on vulnerable adults or children as the existing offering of library and leisure facilities will be replaced. There will be a lack of provision of leisure facilities during the construction phase of the scheme – estimated to be 24 months.

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost: £993k
2. Ongoing costs: Non-Recurring Cost: N/A at this stage
3. Budget head/performance centre: Capital Programme
4. Total current budget for this head: £N/A
5. Source of funding: Under spend from the 2017/18 Central Contingency

---

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Separate procurement exercises would be undertaken to secure a new Leisure Operator for the facility and a Developer to deliver the scheme.

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes

2. Summary of Ward Councillors comments: Two meetings with Ward Members have been held and the above approach and initial outcomes have been provided to them.

3. COMMENTARY

3.1 The West Wickham Leisure facility and the West Wickham Library are well used facilities but are outdated in design terms and require significant investment in terms of maintenance and asset replacement in order for them to carry on providing existing services. West Wickham was built in 1967 and last refurbished in 2003.

3.2 The existing Leisure Operator (Mytime Active) has identified that the facility is in need of significant investment in order to make it an attractive and viable offering. Initial estimates to bring both properties up to a sustainable standard have indicated sums in excess of £1m. The Mytime Active agreement is due to expire shortly and therefore the provision of a new operator for this facility can be market tested.

3.3 Consequently Officers have been investigating how these facilities could be replaced by releasing for development the land assets they occupy to fund replacement facilities.

3.4 Through the TFM Contract, Cushman and Wakefield were instructed to investigate the feasibility and viability of how to provide new leisure and library facilities at the site of the existing West Wickham Leisure Centre, supported financially through the sale of the two sites as residential development opportunities to a developer to deliver utilising their own financial resources.

3.5 In order to assist this process Cushman and Wakefield selected, following a mini competition, Pick Everard, an Architectural and Design Practice Firm who had suitable experience in the design of leisure facilities.

3.6 A high level capacity study to consider the optimum mix for the site, with the aim of optimising the site value, whilst re-providing the existing community facilities (leisure centre, library), has been provided the Council in considering the viability of the development and to aid the eventual site disposal.

3.7 This work has included an initial concept for the development of the site together with a high level massing / capacity study to help consider the appropriate quantum of development having specific regard to the re-provision of the existing facilities, other uses to provide cross funding such as housing and the sites general viability.

3.8 The proposed concept scheme provides for a new Leisure Facility comprising of a 25M 6 Lane Pool and Learner Pool. The design has been developed with reference to Sports England specifications and is considered to be a viable offering for the requirements at West Wickham. The new Leisure Facility will also provide studio space and a gym. The future Leisure Operator will need to put their input into the design and the timescales detailed further on in this report allow for that input to take place. It should be noted that the Library floor space will be at least the same size as the existing Library facility.

3.9 The Pick Everard High Level Capacity Study is attached at Appendix 2.

3.10 The Capacity Study shows that new replacement leisure and library facilities can be provided on the existing leisure site, allowing for disposal of the surplus sites for residential development based on 91 Flats (73 on Leisure site and 18 on Library site).

3.11 It should be noted that an option to acquire adjoining properties to enable a larger site footprint was considered but eliminated due to the negative impact on viability in that the acquisition costs would outweigh the additional disposal receipts from the increase in density of the scheme.

3.12 Cushman and Wakefield have also undertaken an initial Appraisal as to the costs of development of the concept design and the potential disposal receipts the scheme would generate. In addition a small number of site surveys have been commissioned to ensure that the ground conditions of the leisure site will allow for routine development. These are yet to be finalised, however no cause for concern has been raised at the time of writing this report.

3.13 The cost of the redevelopment scheme can be broken into two elements. The cost of provision for each element is detailed below but it should be noted that each is interdependent on the other for deliverability:

1) The provision of new leisure and library facilities together with the provision of a residential development on the existing leisure site – cost £30.5m
2) The provision of a residential development on the existing library site – cost £5.4m.

3.14 The total cost of provision of the scheme amounts to £35.9m. This sum will be borne by the Developer and includes an allowance for Developers profit. The costs incurred in Planning and survey fees – detailed at Appendix 1 are also included within this figure.

3.15 The anticipated disposal receipts for the two residential developments amount to £34.6m (£28.3m Leisure Site and £6.3m Library Site).

3.16 Therefore there is an estimated shortfall of £1.3m, which would be underwritten by the Council, and recovered from the amortised income received from the Leisure Operator. Assuming a minimum figure of £7per Square Foot (noting that income could be derived on a rental or profit share basis – the figure of £7 is based on initial discussions with potential operators and there is scope to increase this sum) ,the leisure Centre (based on 18,686 SqFt) could produce an annual rental of £130,800. Assuming a 6% rate the shortfall would be paid back in circa 15 years.

3.17 Meetings with Ward Members have been held and the above approach and initial outcomes have been provided.

3.18 Cushman and Wakefield in conjunction with Pick Everard have been instructed to prepare a cost estimate and time scale for the delivering the scheme in terms of securing planning permissions and taking to market secure a developer to deliver the scheme.

3.19 In order to safeguard the Council's key objective of providing replacement leisure and library facilities, it is recommended that the Council obtain Detailed Planning Approval for the design of these elements and Planning with Reserved Matters Approval in respect of the residential elements. This will ensure that the developer of the site will provide the Council with what it has specified whilst allowing potential changes to the residential element should the developer so wish.

3.20 Once the design and planning work has been undertaken, a report will be presented to the Executive (and Council if appropriate) for approval of the details and terms of the development, and requesting any additional sum to be added to the scheme in the

Capital Programme. The report will include further details of the estimated cost of the scheme, and consideration of how the risk relating to the net cost to the Council (see paragraph 3.16) will be managed e.g. if the cost of the development is higher than anticipated, or the total receipts are lower than estimated.

3.21 It is estimated that the marketing and OJEU process management/evaluation will cost circa £80k.

3.22 The table below summarises the initial cost of the scheme to deliver the planning outcomes and design work required with the full detail of the various cost elements attached as Appendix 1: -

Estimated Costs	**£'000**	**£'000**
Fees		
C & W costs	115.7	
Other Professional Fees	752.3	
Total Fees		868.0
Survey costs		45.2
Marketing & cost of developer		80
Total estimated costs		**993.2**

3.23 In terms of a % against the anticipated cost of the provision of the scheme these initial costs represent circa 2.77%.

3.24 As the design of the scheme progresses with input from both the, yet to be appointed, Leisure Operator and Greenwich Leisure Ltd in respect of the library a marketing strategy will be developed to attract suitable developers. Due to the sums involved the Council will need to procure the developer through an OJEU process.

3.25 Assuming that the Executive agree to the recommendations contained within this paper then the following timescales for delivery would be adopted:

04/18 – 03/19	Pre-construction period within which planning permission is obtained and conditions satisfied. Executive approval will be sought as to the final design prior to Planning submission. Competition to find Leisure Operator (April – July)
02/19 – 03/19	Marketing and OJEU preparation to commence on receipt of planning.
04/19 – 10/19	OJEU Process.
11/19 – 12/19	Bid Evaluation.
01/20 – 02/20	Contract Stage.
03/20 – 03/22	Site Development.
04/22	Site Completion.

3.26 It is therefore recommended that the Executive agree to the above costs and timescales.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 It is considered that there will be no long term impact on vulnerable adults or children as the existing offering of library and leisure facilities will be replaced. There will be a lack of provision of leisure facilities during the construction phase of the scheme – estimated to be 24 months.

5. POLICY IMPLICATIONS

5.1 The Council's aims include being an authority which manages its assets well.

6. FINANCIAL IMPLICATIONS

6.1 Member approval is sought to allocate £993k from the 2017/18 Central Contingency to undertake the initial work of the scheme in order to deliver the planning outcomes and to add the scheme to the capital programme.

6.2 It is anticipated that the overall scheme will cost £35.9m and will generate disposal receipts of £34.6m from the two residential developments. There is therefore a potential net shortfall of £1.3m. It is hoped likely that circa £131k annual rental income may be generated from the leisure facility.

6.3 It should be noted that it is likely that there will be a potential net reduction of income of £83k as a result of the loss of the car park.

7. LEGAL IMPLICATIONS

7.1 Section 123 of the Local Government Act 1972 requires a local authority to secure the best consideration reasonably obtainable when it disposes of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of State.

7.2 In this instance both sites will be subject to market testing and therefore the Council will be able to satisfy itself that it has received best consideration.

8. PROCUREMENT IMPLICATIONS

8.1 Separate procurement exercises would be undertaken to secure a new Leisure Operator for the facility and a Developer to deliver the scheme.

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

Appendix 1

	Outline - Residential with externals £	Detailed - Leisure & Library with externals £	Outline - Residential on existing Library Site £	Total £
C & W PM, Reporting & Viability / Feasibility				52,500
C&W Planning				63,150
Sub Total C & W costs				**115,650**
Cost Consultant	0	0	1,000	1,000
Principal Designer	0	0	500	500
Architecture	0	0	5,500	5,500
Fire Eng. (early advice)	0	0	550	550
Structural	1,000	1,000	500	2,500
Civil Eng.	1,000	1,000	500	2,500
ME&Ph	2,500	3,000	1,500	7,000
Thermal Modelling	1,000	1,000	500	2,500
Landscape Arch	500	500	250	1,250
Sustainability (early advice)	500	500	500	1,500
Acoustic Eng. (early advice)	1,500	1,500	1,000	4,000
Cost Consultant	29,400	18,750	12,150	60,300
Principal Designer	12,600	10,500	3,240	26,340
Architecture	140,000	125,250	37,800	303,050
Fire Eng.	2,800	5,250	1,620	9,670
Structural	51,800	38,325	12,150	102,275
Civil Eng.	16,800	15,750	5,130	37,680
ME&Ph	44,800	48,750	14,040	107,590
Thermal Modelling	4,340	6,075	1,377	11,792
Landscape Arch	7,000	9,000	2,700	18,700
Sustainability	1,540	7,800	999	10,339
Acoustic Eng.	14,000	15,000	6,750	35,750
Sub Total Professional Fees	**333,080**	**308,950**	**110,256**	**752,286**
Total Fees	**333,080**	**308,950**	**110,256**	**867,936**
Cost of Surveys				
Topographical (Library only) & Building Surveys – suggest PointCloud Surveys		8,000	4,000	12,000
Tree Surveys (Arboriculturalist)		0	750	750
Incoming services/ below ground services/ utilities surveys GPR		2,000	1,000	3,000
Geotechnical Survey (trial pits, boreholes and borehole logs, geology of site)		11,500	5,000	16,500
Asbestos Survey (Management survey)		2,000	1,500	3,500
Flood Risk		1,500	750	2,250
Bomb Surveys (unexploded ordnance(UXO) – Desk top		1,500	750	2,250
Air quality assessment		1,500	750	2,250
Noise Assessment		2,000	750	2,750
Total Surveys		**30,000**	**15,250**	**45,250**
Marketing of scheme & appointment of developer				**80,000**
Total (Consultancy Fees & Surveys)	**333,080**	**338,950**	**125,506**	**993,186**

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PICK EVERARD

West Wickham Leisure Centre & Library
High Level Capacity Study - Option Proposal

London Borough of Bromley

171623 17-2-2 R002 High Level Capacity Study - Option Proposal

Document History				
Issue	Date	Comment	Author	Checked
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1.0 Introduction

Pick Everard were appointed by Cushman & Wakefield on behalf of London Borough of Bromley Council, to undertake a high level capacity study for the redevelopment of both West Wickham Leisure Centre (WWLC) and West Wickham Library (WWL) sites. The study explored provisions for new and upgraded leisure facilities for the local community, alongside new library facilities while simultaneously introducing an element of residential development. Several options were considered in the first appraisal, please see document entitled *171623 17-2-2 R001 High Level Capacity Study* for further information.

1.1 Document Outline

This document outlines the proposed redevelopment options, following the outcome of the capacity study. This study comprises:

1. Site analysis: including site area restrictions, access, local traffic, adjacent properties and overlooking, orientation, existing trees and site levels.

2. Proposals: represented in the form of plans and high level massing, studies and in response to the brief, site opportunities and constraints. These proposals can be summarised as:

- Proposal for WWLC site: new leisure centre, library facilities, and residential development
- Proposal for WWL Site: residential development on all floors.

3. Outline cost estimate for the proposals.

This study is largely a desktop exercise supported by site visits, published guidance, and anecdotal information. It relies only upon the information that Pick Everard were able to obtain within the time available and should an option advance to detailed design there will be a requirement for more thorough investigation in some key areas.

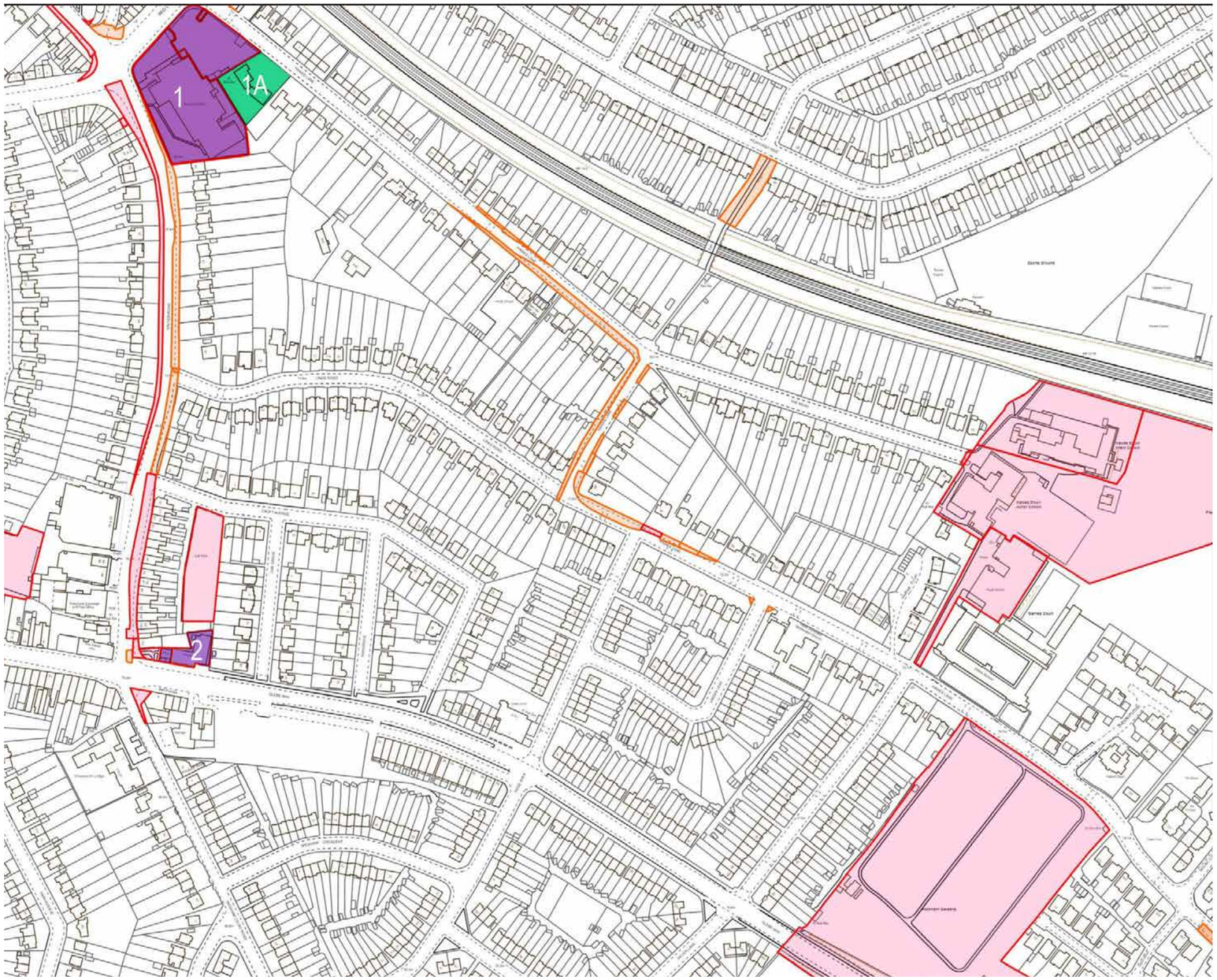


Figure 1 - OS map showing location of site options (received from Cushman and Wakefield)

2.1 Client and Design Team

2.1.1 Client

Cushman & Wakefield

on behalf of Bromley Borough Council

2.1.2 Architect and Quantity Surveyor/Cost Control

Pick Everard

2.2 Brief Objectives

With reference to Cushman & Wakefield document, *Brief for High Level Capacity Study – West Wickham Leisure Centre*, received November 2017, the key objective is:

"*A high level capacity study to consider the optimum mix for the site, with the aim of optimising the site value, whilst re-providing the existing community facilities (leisure centre, library), to assist Bromely Borough Council in considering the viability of the development and to aid the eventual site disposal.*"

Additionally, the following requirements have been stated:

- The high-level capacity study is envisaged to form a short form document providing an initial concept for the development of the site. This will be articulated in a plan format, pulling it together with a high level massing / capacity study to help consider the appropriate quantum of development having specific regard to the re-provision of the existing facilities, other uses to provide cross funding such as housing and the sites general viability.
- It is anticipated that the study will build on the previous work undertaken by TP Bennett.
- The proposals must have regards to the comments and concerns that have been raised about the previous proposals by Cushman & Wakefield, the promotion to the Local Plan in addition to the pre-application discussions.
-

2.3 Options Appraisal

An options appraisal was carried out and a summary document issued entitled *171623 17-2-2 R001 High Level Capacity Study*. This made reference to:

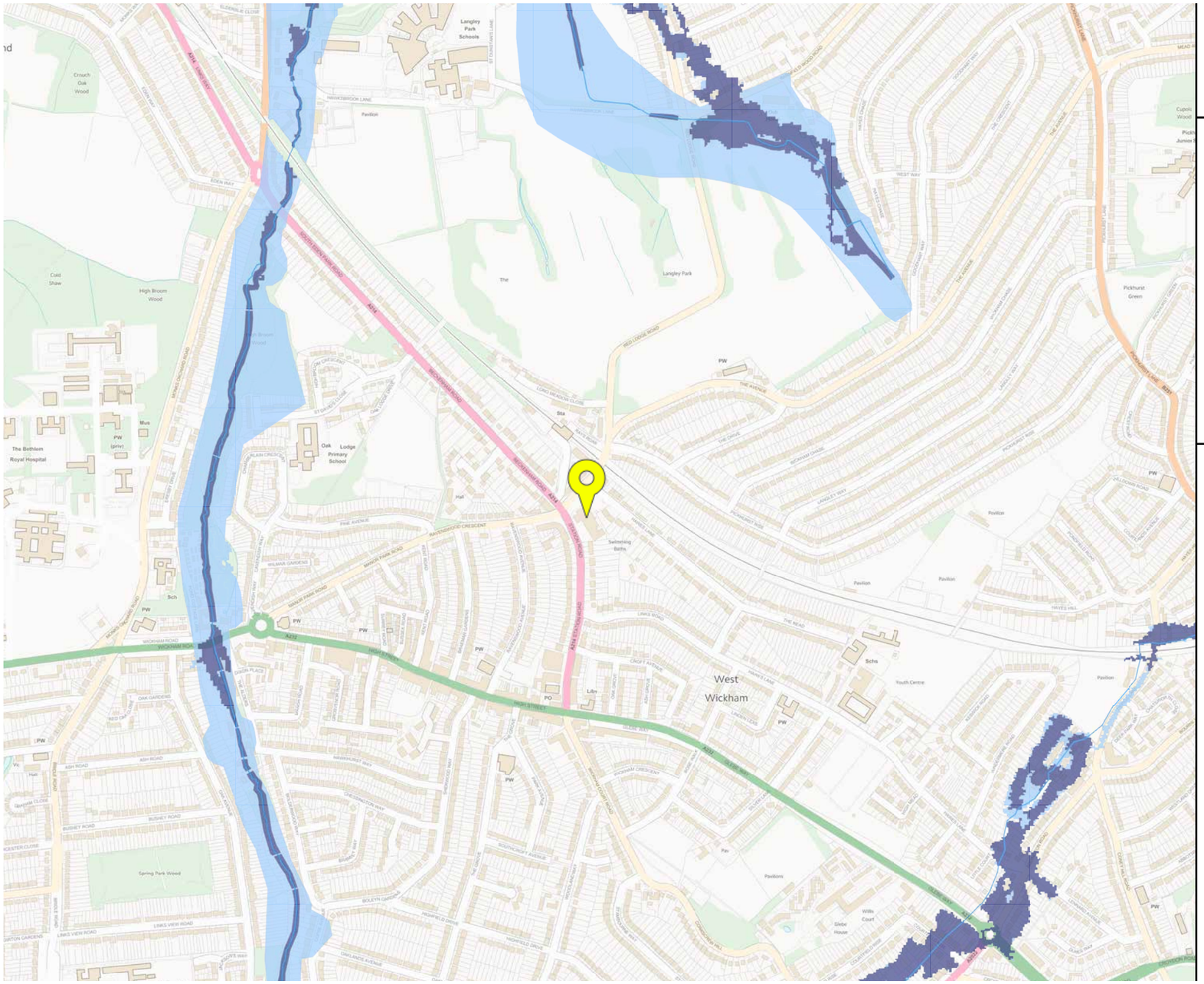
- Cushman & Wakefield brief document (Section 2)
- Site analysis (Section 3)
- London Borough of Bromley pre-consultation notes
- Analysis of existing leisure facilities and applying Sport England guidance as illustrated in *Affordable Sports Centres with Community 25m Pool Options*
- *London Plan 2016*, and other relevant housing standards

2.4 Process to Conclusion

The following process has been carried out in preparing this capacity study:

- Inception meeting with Cushman & Wakefield on 23/11/2017.
- Assessment of earlier work undertaken by TP Bennet and the document's associated LBB planning note.
- Site visit to WWLC, WWL and the surrounding context on 05/12/2017.
- Draft capacity study options have been issued on 08/12/2017 for initial review, followed by a conference call with Cushman & Wakefield on 12/12/2017 to agree on the finalised options.
- Presentation to London Borough of Bromley on 14/12/2017.
- Further cost reviews.
- Instruction to present option for WWLC with leisure centre, library, residential and WWL site with just residential in a concise report.

Full descriptions of the resultant scheme options are set out in the following sections.



Environment Agency

Flood map for planning

Your reference
West Wickham

Location
538323/166377

Scale
1:12500

Created
12 Dec 2017 5:04

Development location
Flood zone 3
Flood zone 3: areas benefitting from flood defences
Flood zone 2
Flood zone 1
Flood defence
Main river
Flood storage area

0 200 400 600m

Figure 2 - Flood risk plan relevant to all sites

3.1 Site Connectivity

Both the WWLC and WWL sites benefit from being in close proximity to West Wickham Station (5-10 minutes walking time) providing links to Charing Cross, Cannon Street, London Bridge and London Blackfriars. The site is easily accessible by bus also (nearest bus stop is on Station Road).

3.2 Flood Risk Plan

Based on information from Environment Agency Flood Map; both sites are outside the floodplain, so it is not likely to flood (see figure 6).

However, since these maps only cover flooding from rivers and the sea, it should be considered that flooding can occur at any time and in any place from sources such as rising ground water levels, burst water mains, road drains, run-off from hillsides, sewer overflows for example.

3.3 West Wickham Leisure Centre Site

3.3.1 Site Overview

The site comprises the existing West Wickham Leisure Centre which has road frontages on 3 boundaries to Station Road, Red Lodge Road and Hawes Lane, and is adjacent to and opposite semi-detached and terraced residential housing and opposite The Railway Public House.

Figuresv 3-5 - Aerial views of site containing WWLC

Figure 6 - WWLC site location plan

Figure 7 - View to leisure centre main entrance

Figure 8 - View of the level change along Hawes Lane

Figure 9 - View of single storey residential the neighbours WWLC site

Figure 10 - Existing trees on site; proposing a constraint

Figure 11 - 3 storey commercial and residential buildings and the existing car park

Figure 12 - 2 storey commercial buildings and busy crossroad

3.3.2 Constraints and Opportunities

The site analysis diagram illustrates the key site opportunities and constraints graphically, these include:

- Site boundary
- Adjacent land use
- Access
- Views from and towards the site
- Existing trees
- Pedestrian routes

The site is within a short walking distance from West Wickham train station and under 5 minutes walk from the town centre.

The site has prominent boundaries to the north and west corners, facing Red Lodge/Hawes Lane junction and Red Lodge road/Station Road junction respectively.

Immediately adjacent to the site's south-east boundary lies two single storey bungalows and to its south-west boundary are two storey houses. Facing the north-east edge of the site, across Hawes Lane is a three storey pub and hotel. To the north are commercial street frontages at ground level, with single storey residential above. To the west across Station Road is also commercial street frontages at ground level, but with two storey residential above.

The site is generally flat; however, the surrounding roads have a gentle slope towards the north, with a level drop across the site of approx. 2.5m.

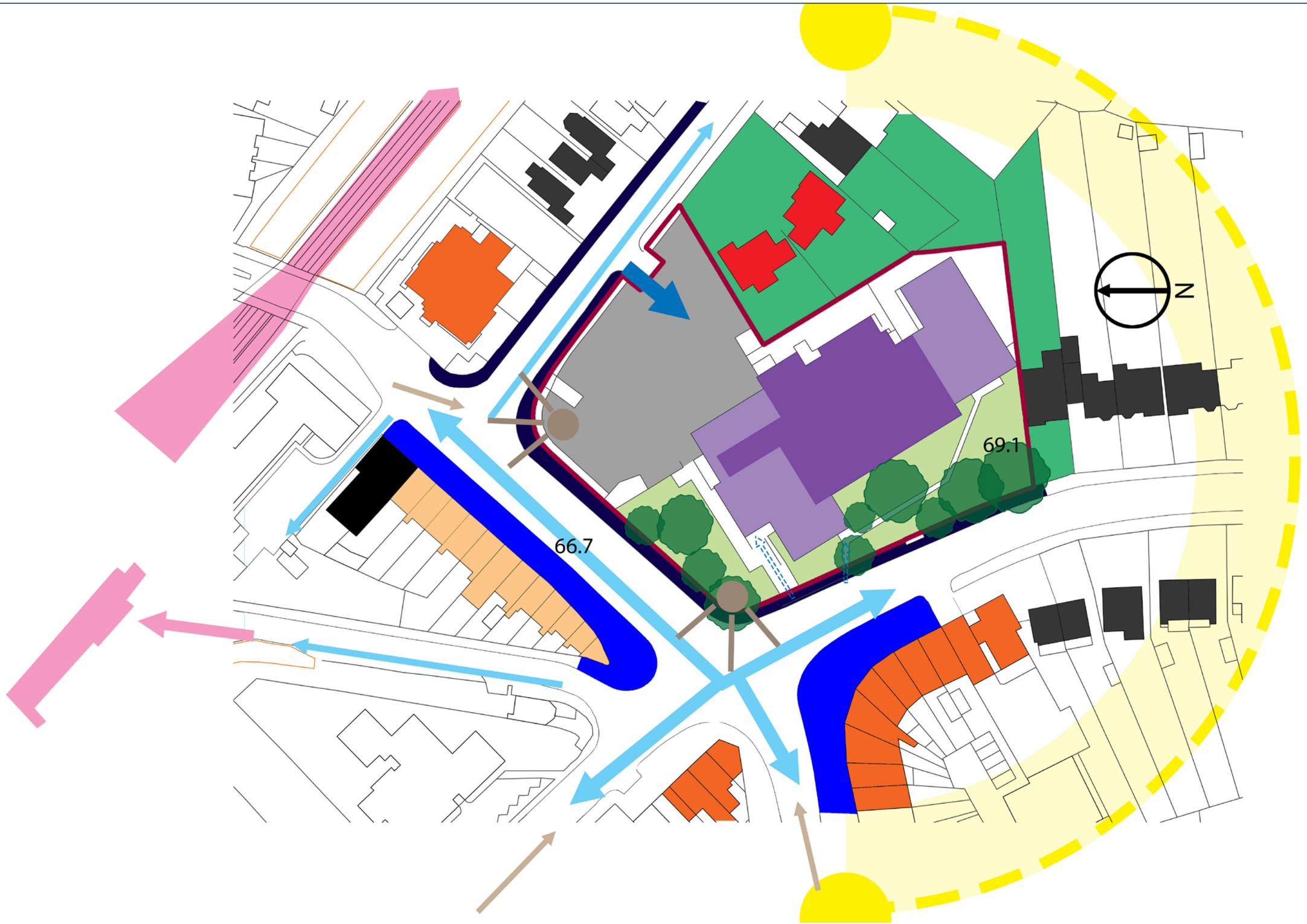
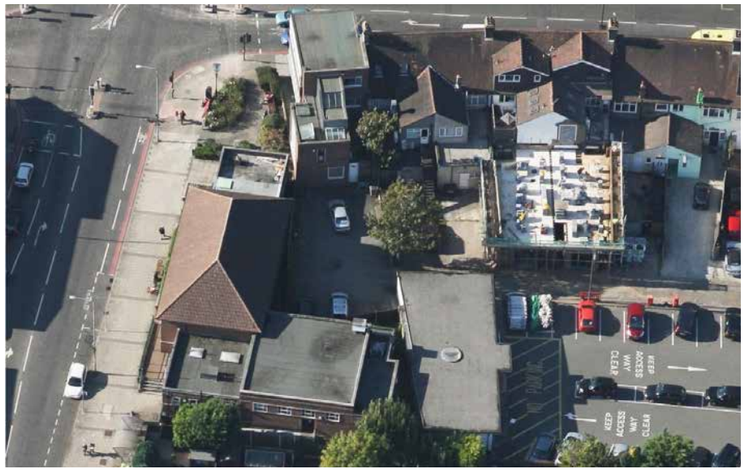


Figure 13 - WWLC site analysis diagram



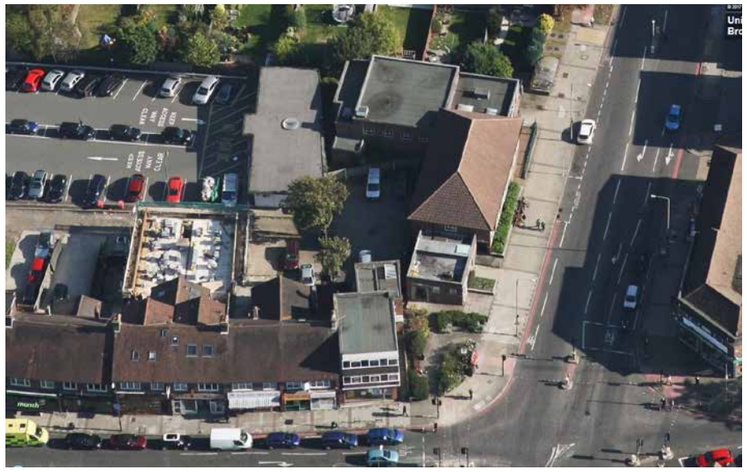


Figure 14-17 - WWL site aerial view showing the existing library

Figure 18 - WWL site location plan

Figure 19 - View to the back of the library and new 3 storey residential block

Figure 20 - Pedestrian access into car parking site

Figure 21 - 2 storey residential buildings adjacent to WWL site

Figure 22 - Ground floor windows and shop entrances adjacent to WWL site

3.4 West Wickham Library Site

3.4.1 Site Overview

The immediate area surrounding the WWL site is predominately residential in character, with the majority of West Wickham town centre situated further south, where the separate existing library site can be found.

3.4.2 Constraints and Opportunities

The site analysis diagram illustrates the key site opportunities and constraints graphically, these include

- Site boundary
- Adjacent land use
- Access
- Views from and towards the site
- Existing trees
- Pedestrian routes

The site is situated within the town centre and along a secondary shopping frontage, almost at the crossroad between Station Road and Glebe Way.

Facing the site from the south side and along Glebe Way are commercial frontages at ground level, with one and 2 residential storeys above.

With reference to London Borough of Bromley pre-consultation notes, the relocation of the library away from the town centre would not detrimentally impact on the services available to the residents of the town centre catchment.

To the east of the site, surrounding the car park, there are 2 and 3 storey residential buildings. The building to rear of the site, 105a Station Road, has planning permission for a first floor extension.

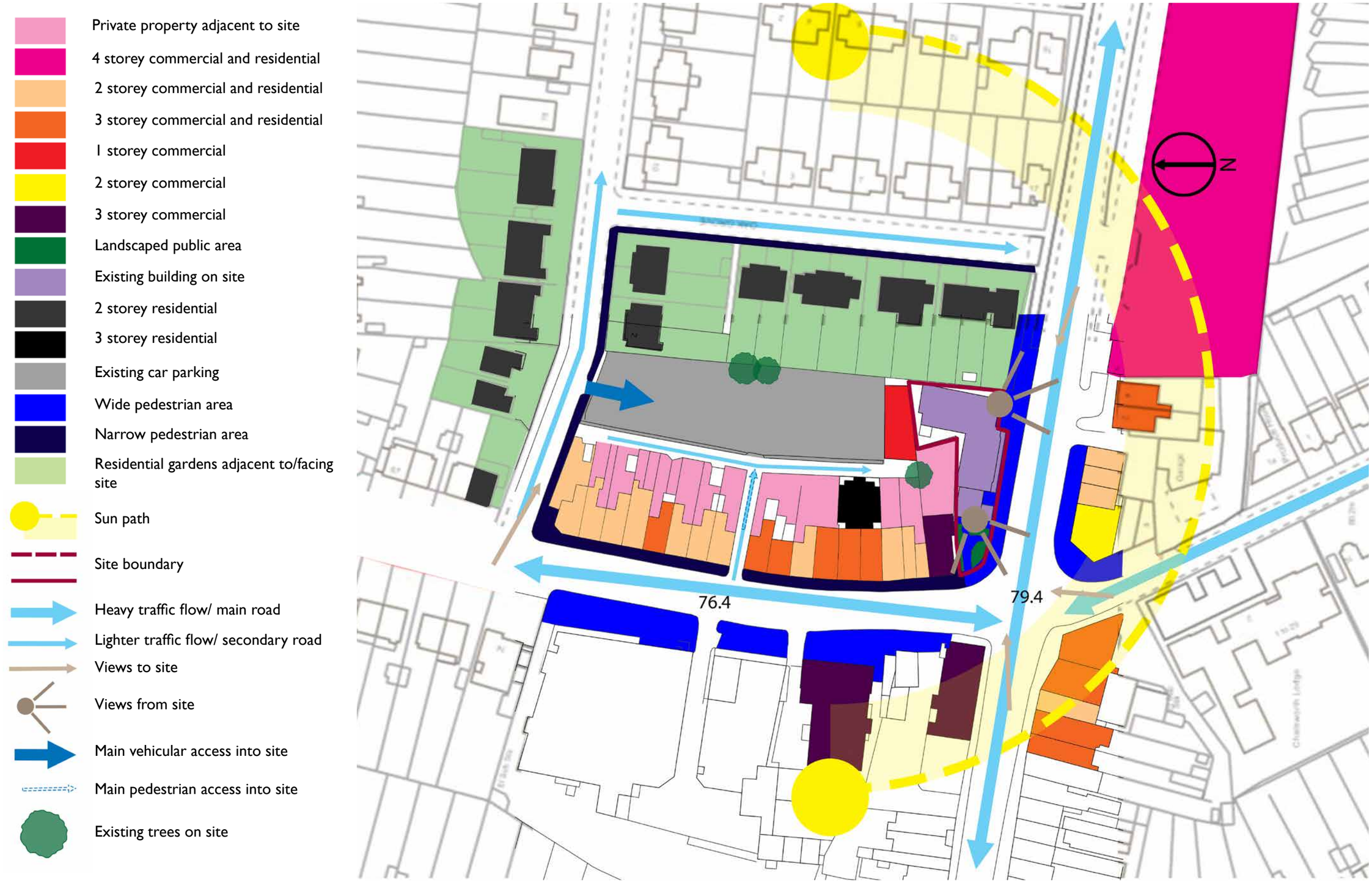


Figure 23 - WWL site analysis diagram

4.0 West Wickham Leisure Centre Site Proposal

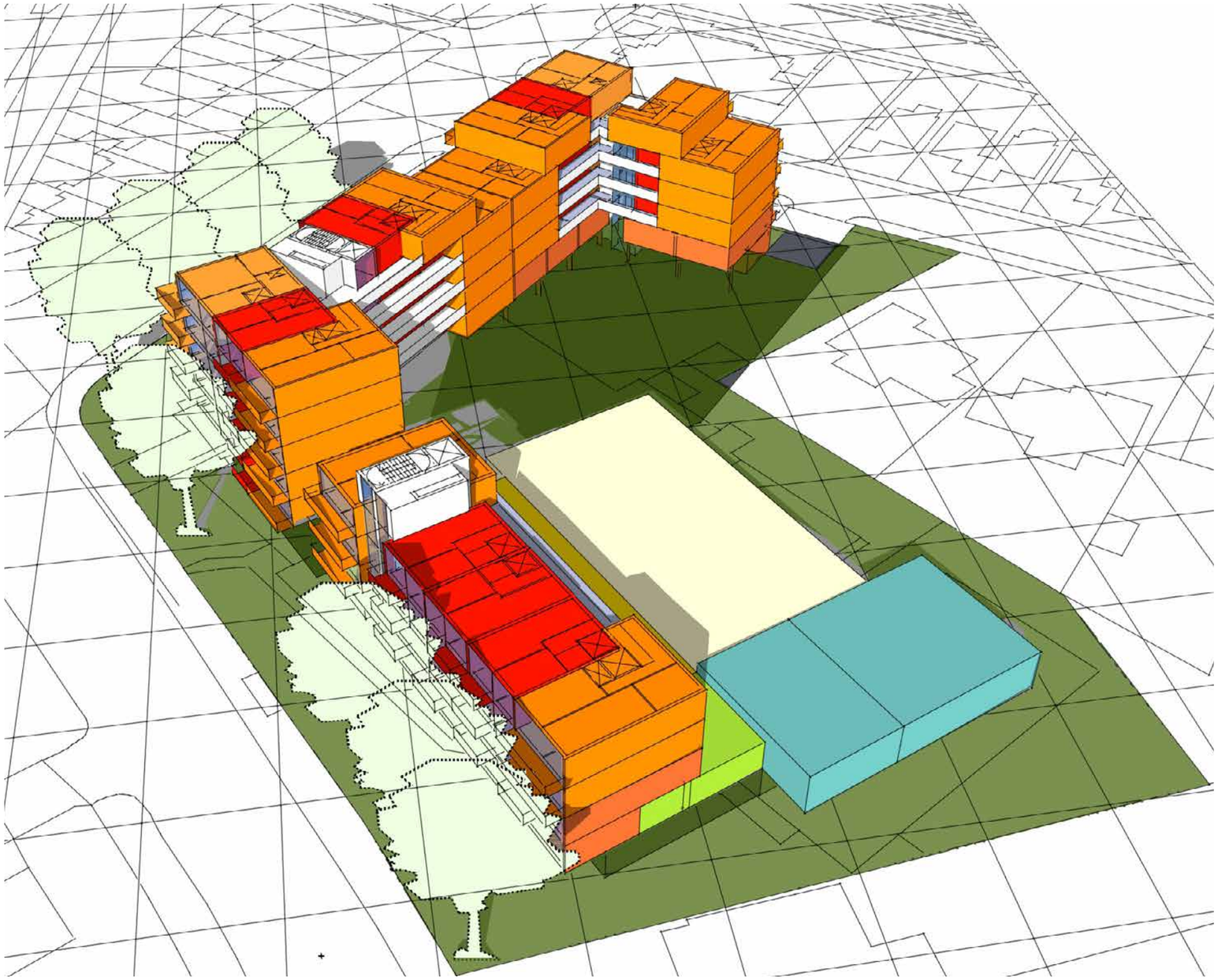


Figure 24 - WWLC site proposal sketch perspective view

4.1 Proposal Overview

The aim of this proposal is to provide a leisure centre, library facilities and residential accommodation on the current WWLC site. In doing so, the current WWL site can be developed as residential as illustrated in Section 5.0.

4.2 Response to Site

The proposal makes use of the level difference between the south and north edges of the site, by retaining the vehicle access at its current location, and introducing a submerged car park across the site for residents. Surface parking will be provided at podium/ground level for the leisure facilities; to facilitate effective management, this will be separate from the residential parking.

4.3 Layout

The leisure centre is split over 2 levels; the basement level (which comprises the double height pool hall, wet change and plant spaces) and ground level (which comprises the entrance, library, dry change, gym and studios). The prominent main entrance benefits from direct street frontage.

The library shares an entrance with the leisure facilities and is accessed directly from the reception hall.

The residential units, which are predominantly 4 storeys high, stretch along the site's north-west and south-west boundaries, therefore benefiting from street frontage to Station Road and Red Lodge Road, while simultaneously enclosing a communal space for residents' use.

The buildings are set back from Station Road and Red Lodge Road to provide wide pedestrian footpaths with complimenting landscaped buffers. The positioning of the development respects the location of the existing trees.

Figure 25 - WWLC site proposal sketch plan view

Use	Count	Flat GIA (m²)	Total Area
1b2p Flat Type A	30	51	1530
2b4p Flat Type A	23	71	1633
2b4p Flat Type B	11	71	781
3b5p Flat Type A	9	101	909
Total Flat GIA	**73**		**4853**
Circulation			971
Total Residential			**5824**
Car Parking			2061
External Landscaping			3050
Total External			**5111**
Pool	2		650
Wet Change	1		326
Dry Change	1		95
Gym	1		255
Fitness Studio	1		161
Plant	1		178
Circulation	1		71
Atrium/Library/Cafe	1		248
Total Leisure and Library			**1984**

Figure 26 - WWLC site proposal area schedule

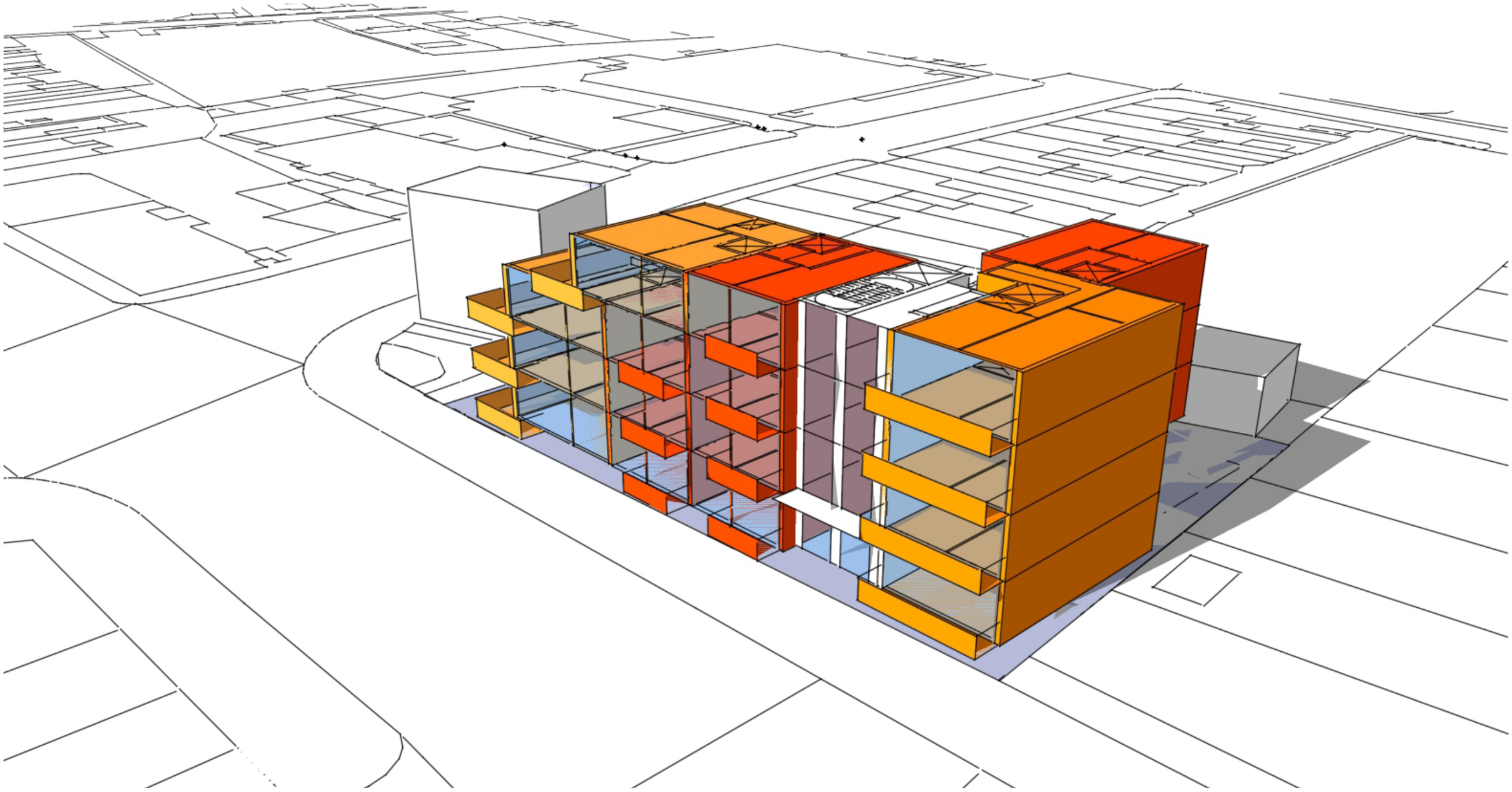


Figure 36 - WWL site proposal sketch perspective view

5.1 Proposal Overview

This proposal looks at developing the current WWL site for residential use. The proposal is laid out over 4 storeys and is comprised of 18 1,2 and 3 bed units with a total area of 1078m².

This option works in conjunction with the WWLC site proposal.

Use	Count	Area (m²)	Total Area
1b2p Flat Type A	10	51	510
2b4p Flat Type A	4	71	284
2b4p Flat Type B	4	71	284
3b5p Flat Type A	-	101	0
Total Flat GIA	**18**		**1078**
Circulation			216
Total Residential			**1294**
External Areas			160
Total Other			**160**

Figure 37 - WWL site proposal area schedule

5.2 Response to Site

The proposal is 4 storeys in height, responding to the massing of the surrounding buildings which are predominantly 3 storeys tall but 4 and above in some places.

The balconies overlook the busy Glebe Way which the entrance to the block is also on, making use of the public frontage seen along much of the immediate street and mimicking the flat typology seen across the road in the new mixed commercial and residential scheme.

The majority of the units are oriented so the front elevation is south facing so as to make the most of the site's orientation.

5.3 Layout

The development includes balconies facing north and south so as to not directly overlook nearby residential buildings, while the units to the west corner of the site have balconies that wrap around the corner of the unit, therefore making the most of the landscaped area adjacent to the south-west corner of the site and exploiting the unbroken views over the crossroads and down the high street.

Figure 38 - WWL site proposal sketch plan view

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Report No.
DRR18/008

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
Date:	**Tuesday 27 March 2018**
Decision Type:	Non-Urgent Non-Executive Non-Key
Title:	**LIBRARY CONTRACT - PERFORMANCE REVIEW**
Contact Officer:	Tim Woolgar, Principal Client, Libraries E-mail: Tim.Woolgar@bromley.gov.uk
Chief Officer:	Colin Brand, Director of Regeneration
Ward:	(All Wards);

1. Reason for report

1.1 This report sets out to update Members of the Renewal and Recreation PDS Committee on the performance of the Library Service Contract following award of the contract on 1st November 2017 to Greenwich Leisure Ltd. (GLL).

1.2 This report provides Members with a review of the performance of the contract since its commencement on 1st November 2017 demonstrating that the transfer has proceeded well.

2. RECOMMENDATION(S)

2.1 Members of the Renewal & Recreation Policy Development & Scrutiny Committee are asked to note the content of this report.

Impact on Vulnerable Adults and Children

1. Summary of Impact: An Equality Impact Assessment conducted indicated that there were not expected to be any adverse impacts from the performance of GLL in relation to the provision of Library Services to vulnerable adults or children or children and young people in Bromley. That is because the contract documents ensure that existing service levels are protected.

Corporate Policy

1. Policy Status: Existing Policy:
2. BBB Priority: Excellent Council Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley Regeneration:

Financial

1. Cost of proposal: Not Applicable:
2. Ongoing costs: Not Applicable:
3. Budget head/performance centre: Libraries
4. Total current budget for this head: £2,177,596
5. Source of funding: Existing 2017/18 revenue budget

Personnel

1. Number of staff (current and additional): 2.69ftes (Client team)
2. If from existing staff resources, number of staff hours:

Legal

1. Legal Requirement: Statutory Requirement: The Public Libraries and Museum Act 1964
2. Call-in: Not Applicable:

Procurement

1. Summary of Procurement Implications:

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): In 2017/18, Bromley's library service recorded 60,224 active users (an active user is defined as an individual who has had a transaction on their library account in the last year). The library service has a statutory duty to be available and accessible to all those who live, work and study in the borough. A 2014 estimate identified that 320,057 people live in the London Borough of Bromley.

Ward Councillor Views

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

3. COMMENTARY

Background

3.1 The contract is for a term of 10 years with the option of a further 5 years by mutual agreement. The contract commenced on 1st November 2017. The transfer was a complex operation involving a TUPE transfer of over 130 staff, decommissioning and commissioning of major IT systems and hardware as well as changes to operational management of multiple satellite sites. This process was achieved with minimal effect on customers and maintenance of all essential services.

3.2 The Specification sets out Bromley Council's requirements for the Library Service by identifying a series of outputs and minimum performance standards in relation to delivery of frontline and back office services, operational sustainability and facilities management. The approach used ensures that the service is provided on a like-for-like basis with that previously in place.

3.3 The majority of the specification does not prescribe how outputs are delivered to enable the Service Provider to think innovatively and creatively about how services could deliver better value for money. However the Service Provider must ensure compliance with the regulatory framework governing service delivery and with any additional requirements detailed in the Specification.

3.4 The services being managed by GLL include:

- The frontline/operational service.
- Specialist and Support functions including Strategic Management, Stock and Reader Development, Children and Families, Information and Learning, IT Support and Development, Improvement, Training and Marketing, Business Support.
- Bromley Historic Collections
- Facilities management including cleaning and security.

3.5 The contract is monitored by the Library Client Team ensuring adherence to the contract and specification using a suite of Key Performance Indicators (KPIs) included as Appendix 1. Financial sanctions are attached to non-compliance with the KPIs. Although performance is being recorded, it was agreed in the contract that no financial penalties would apply during a grace period of 6 months.

Staffing

3.6 As part of the TUPE transfer process 134 positions passed over to GLL ranging from Assistant Operations Manager to Customer Service Assistants.

3.7 GLL has followed a strategy of reviewing and evaluating the current staffing requirements to ensure that decisions are based on sound evidence. Previous and current staffing structures were critically analysed to ensure a long term strategy could be developed. GLL evaluated the current vacancy position and identified the immediate recruitment requirements which were as follows. There was a need to recruit one Senior Library Manager (Orpington), four Library Managers (Petts Wood, Chislehurst, Mottingham and

Shortlands), and three Senior Library Assistants. GLL also decided to extend an existing arrangement with 13 staff doing temporary additional hours, as previously set up by LBB, until the end of March 2018, to ensure continuity whilst recruitment took place.

3.8 As part of the mobilisation GLL has committed four officers to work in the London Borough of Bromley to support staff and advise on specialist areas such as facilities management and ICT.

Information Technology

3.9 GLL has replaced all public access computers in all the libraries. High quality Lenovo, Windows 10 based PCs provide users with access to the Internet, web-based email, Microsoft Office and image editing applications. The public PCs are managed by the Netloan booking and printing system, provided by Lorensbergs. Library members can book PCs in advance via a web interface, book at the public service desk or use a self-service option. At busy times, bookings enter a unique virtual queueing system, which alerts users when and where the next available PC can be located. This has been extended to all fourteen Bromley libraries.

3.10 GLL uses Forcepoint Triton APX to filter all web traffic to prevent access to inappropriate content.

3.11 Data Protection is provided by the use of Faronics Deepfreeze. This enables users to load their own applications and data during their session, whilst ensuring that all PCs are returned to their original configuration at the end of each session. Anti-virus software is installed on each PC, protecting the PCs and user USB sticks from virus infection.

3.12 Windows Eyes software is loaded on all PCs, helping users with visual impairments, offering magnification and text reading.

3.13 Public printing is available through Paper Cut, a software product that enables PC users to manage their own printing. Customers pre-load funds on an account which is reduced by the cost of each print job, when it is released at the printer (MFD). The same Paper Cut account can be used for photocopying and for printing from wireless and from home. The MFD will provide high speed duplexed colour printing (from PC and USB), up to A3 in size. It will also offer scanning and photocopying to the same size.

3.14 GLL's experience from previous deployments has concluded that Thermal People Counters produce the most accurate results to record the number of library visitors. These devices are therefore being installed in each library. These counters record data as well as being able to report counts back to a central database, via the GLL network for reporting and analysis. This will provide much more accurate data on library use.

Performance Management

3.15 The Library Service had an existing system of performance management recording such data as number of items borrowed; visitor count; activities held for adults and children; school visits; customer surveys; unplanned closures.

3.16 Under the commissioned service the Service Provider is required to report on an enhanced range of Key Performance Indicators (KPIs) as laid out in Appendix 1. These allow the Client Team to monitor performance in detail in key areas on a monthly,

quarterly and annual basis as appropriate. There are financial penalties for non-compliance.

3.17 The contract also makes specific provision for scrutiny by elected members twice a year. The Service Provider is required to present a progress report and their Service Plans for the following year in Quarter 3 of the financial year. They are also required to present their annual report including a summary of their full year performance for the previous year in Quarter 1 of the financial year.

3.18 Although it is at a very early stage in the contract the first three months since the transfer to GLL has seen initial positive performance. Issues in November 2017 saw a 2% increase compared to the period in 2016, December 2017 and January 2018 saw issues stay static at 0%. Visits in November 2017 saw a 4% increase compared to the period in 2016. December 2017 and January 2018 saw increases of 1% and 9% respectively.

Service Development

3.19 The contract is designed to encourage the Service Provider to think innovatively and continually look for ways to develop and improve the service.

3.20 A programme of refurbishment has commenced since the transfer of service to GLL. As a prologue to more sizeable projects, a number of minor improvements have been made including:

- Installation of new welcome signage – all libraries except Biggin Hill Library.
- Refurbishment of the entrance area Central – repainting & new reception desk / office chairs.
- Refurbishment of West Wickham kitchen – new kitchen counter and flooring / repainting staff room.
- Repair of windows West Wickham Library.
- Repair of guttering West Wickham Library.
- Replacement blinds at West Wickham Library
- Mini refurbishment of Children's section at West Wickham Library.
- Refurbishment of the staff room St Paul's Cray Library.
- Carpentry works for installation of MFD's at service points.

3.21 GLL have identified the potential to develop the use of space within the Central Library including improvements to the layout and a new look and feel. The Client Team will be working with them to develop and implement these proposals.

3.22 The Council is looking to take up all opportunities arising to continue the successful programme of rebuilding libraries and will be working with GLL to continue this major area of improvement to the service over the course of the contract with proposals

affecting West Wickham, Chislehurst and St Paul's Cray Libraries being examples of projects under consideration.

3.23 GLL will seek opportunities to bring in external funding to enhance and develop the service. As an example of this GLL is already working closely with the Council in submitting an application to the British Library to run a project called "Start up in London Libraries" (SiLL). Building on the British Library's successful Business & IP Centre at St Pancras, if successful, business start-up support would be available to aspiring and early stage entrepreneurs in Bromley libraries through the creation of a local Business & IP Centre. Project beneficiaries will be supported to develop the insight, skills and confidence they need to start and grow successful businesses, thereby making a significant contribution to local economic growth through safeguarding and creating jobs.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 The impact of the commissioned library service on children and young people was evaluated as part of an Equalities Impact Assessment at various stages during the commissioning process.

4.2 A Children's PLUS Survey undertaken in 2017 identified the age profile of children who use the library service in Bromley:

Age	**% of children visiting the library**
0-7 years (Key Stage 1)	60%
7-11 years (Key Stage 2)	30%
11-16 years (Key Stage 3)	10%

It also identified that 30% of children who use the library service are from ethnic minorities.

5. POLICY IMPLICATIONS

5.1 The Executive Committee approved the commissioning of the Library Service on 19th July 2017 following pre-decision scrutiny by the Renewal & Recreation Policy Development & Scrutiny Committee on 5th July 2017.

5.2 This approach is consistent with the council's stated ambitions around vibrant, thriving town centres, supporting independence, children & young people, and an excellent Council under its vision for Building a Better Bromley.

5.3 The Council's Corporate Operating Principles include a commitment that services will be provided by whoever offers customers and council tax payer's excellent value for money

6. FINANCIAL IMPLICATIONS

6.1 No variances are expected against the 2017/18 budget of 2,177,596.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	**DRR17/034 and DRR17/035** Contract Award for the Provision of Library Services – PARTS 1 AND 2 Reports to Executive Committee on 19th July 2017 (with pre-decision scrutiny by the Renewal & Recreation Policy Development & Scrutiny Committee on 5th July 2017)

Appendix 1

London Borough of Bromley

Part VII

SERVICE LEVELS AND KPIs

1. Contract Monitoring Arrangements

1.1 The Service Provider's performance in relation to the delivery of their obligations as identified in the Specification (Part VI) will be monitored through a series of Service Levels and Key Performance Indicators (KPIs) which are set out in this document.

1.2 The Service Levels and KPIs will be monitored by the Council through their Client Unit.

1.3 NOT USED.

1.4 The Service Provider will report against Service Levels and KPIs according to the frequency identified in this document. This will either be:

- Monthly
- Quarterly
- Annually

1.5 In accordance with the contract terms, the Service Provider's Contract Manager or nominated representative will meet with the Client Unit on a monthly basis to review performance and discuss any opportunities or challenges affecting the contract.

Scrutiny by elected members

1.6 In addition to reporting on the Service Levels and KPIs identified in this document, the Service Provider will also be required to report to the Council's relevant Committees on a biannual basis:

- The Service Provider will be required to present a progress report and their Service Plans for the following year in Quarter 3 of the financial year.

- The Service Provider will be required to present their annual report including a summary of their full year performance for the previous year in Quarter 1 of the financial year.

1.7 For the sake of clarity, the Service Provider will be expected to attend these meetings, (if requested), present their performance data and/or Service Plans and other associated documents and respond to questions from elected members. The Service Provider's Contract Manager, or if appropriate, Director, may be summoned to attend a member meeting and to report on their performance at any time.

2. Payment Mechanism

2.1 The Service Provider should submit their annual price for the delivery of this contract as set out in the Pricing Document (Part IX). This annual price is fixed, except where it might be amended from time to time in accordance with the Change Control Procedure or as otherwise allowed for in the contract terms, and as it is adjusted annually to reflect inflationary increases in line with the Consumer Price Index.

2.2 The Council will pay the Service Provider the fixed price on a monthly basis in arrears. The fixed price will commence on the date on which the service is transferred (the contract Commencement Date).

2.3 The monthly payment of the fixed price will be calculated by dividing the annual contract price by 12. The Service Provider shall invoice the Council(s) for payment in accordance with procedures established in the contract terms.

3. Performance Management System

3.1 The Service Provider's performance will be measured against the Service Levels and KPIs identified at paragraph 4 of this document, as varied from time to time in accordance with the contract terms.

3.2 Within ten (10) business days following the end of each month, the Service Provider shall submit to the Council a report containing, in respect of the month just ended, the following information:

- A summary assessment of all applicable Service Levels and KPIs
- The resultant financial consequence based on the points system expounded below
- A progress assessment of Service Levels and KPIs not monitored during that month where this is requested

3.3 The Council shall notify the Service Provider in writing within ten (10) working days of receipt by the Council of the relevant monthly report from the Service Provider if there is any part of that report which the Council (acting reasonably and without delay) dispute.

3.4 The Council and the Service Provider shall use all reasonable endeavours to resolve any dispute that arises in this respect. Should it not be possible to resolve the dispute before the end of the month following the month that the report relates to, they should make use of the dispute resolution procedures set out in the contract terms.

<u>Default Points</u>

3.5 The Council will monitor the Service Provider's performance in relation to the Service Levels and KPIs through a points based system. Default points will be accrued by the Service Provider where they fail to meet the required Service Level or do not perform to the level identified by the KPI. The number of points accrued will depend on the level of and impact of the failure and is identified in the Service Level and KPIs set out at paragraph 4.

3.6 The Service Provider will not accrue default points where the performance failure is due to force majeure as defined in the contract terms, or where non- performance is reasonably defined as being caused by the actions or omissions of a third party and which are outside the control of the Service Provider and which are not the responsibility of the Service Provider under this contract. These circumstances should be appropriately evidenced to the Client Unit where a failure to perform results. The Council expect that when such circumstances apply, the Service Provider will use their best endeavours to continue delivering the service through appropriate means.

3.7 The Service Provider will comply with the monitoring arrangements set out below. The Service Provider will provide monthly progress reports relating to all Service

Levels and KPIs for each borough, and will report on their overall performance relating to the service level of KPI on a monthly, quarterly or annual basis depending on the monitoring frequency identified.

3.8 The KPIs have been given a priority rating that applies as follows:

- Priority A
- Priority B
- Priority C

The number of points accrued for non-performance relating to each Service Level or KPI reflects the priority assigned by the Council to these performance areas. For example, Priority A items accrue a greater number of points where non-performance occurs than Priority C items. This is because they are deemed to have a greater impact on service levels experienced by service users.

3.9 Some Service Levels and KPIs are identified as being self-monitoring; the Service Provider will be responsible for reporting any failure to perform to the required level to the Council's Client Unit during the month in which the non- performance occurred. Where the Service Provider fails to report non- performance, they will accrue double the number of default points assigned for failure to meet that service level of KPI for non-performance. The Council's Client Unit reserves the right to make announced and unannounced inspections and to assign points where non-performance of a Service Level or KPI is identified.

3.10 When the Council's Client Unit become aware of a failure to meet a Service Level or KPI, whether through self-monitoring reports from the Service Provider of via any other means, they will issue with Service Provider with a Monitoring Notice. The Monitoring Notice will set out incident of non- performance, the number of default points being assigned, and a timeframe for rectification if the Service Provider has not already rectified the issue of non-performance. Where the Service Provider is issued with a Monitoring Notice for their non-performance and fails to implement changes to effect improvement within the rectification period identified in the Monitoring Notice, the Service Provider will be issued with a second Monitoring Notice and a charge of 5 default points additionally. Where the Service Provider still does not rectify the issue with their performance within the period identified in the second Monitoring Notice, a third and final Monitoring Notice will be issued and a charge of 10 default points will be made. If the Service Provider fails to rectify the issue with their performance within the timeframe specified within the third Monitoring Notice the Council(s) may, at their sole discretion, issue a default notice. In the event that there is a substantial issue of non- performance or under-performance by the Service Provider, the Council reserves the right to issue a default notice without instigating the Monitoring Notice procedure set out above.

3.11 The Service Provider will accrue points cumulatively on a monthly basis.There will be an initial bedding in period of three months from the date of contract commencement during which performance against Service Levels and KPIs will be monitored but non-performance will not be penalised through the accumulation of default points. After the expiry of the three month bedding in period, the Service Provider will accrue points cumulatively on a monthly basis. For the sake of clarity, on the 1st calendar day of each month, the number of points will revert to zero.

3.12 The Service Provider will be issued with a financial sanction for every point that they accrue in a calendar month. 1 point is valued at 0.001% of the contract value (as inflated in accordance with the contract terms). For example, based on a £3m contract, 1 point equates to £30. However, where a Monitoring Notice which identifies a rectification period is issued and additional points are issued for continued non-performance, as set out in 3.10, these points may continue across calendar months. The value of the points accrued over a contractual year will not exceed 10% of the annual contract value and the Council(s) may terminate the contract if the Service Provider accrues 10,000 points in one year, as set out in the contract terms.

3.13 Financial sanctions will be deducted from the monthly invoice for the relevant Council. A worked example is included at **Appendix A**.

3.14 Default Notices will be issued to the Service Provider in accordance with the contract terms when:

- The Service Provider fails to comply with the terms of the contract and this failure is not considered to be fundamental, and can be rectified.
- The Council(s) becomes aware that the Service Provider has failed to notify them of a failure to meet a Service Level or KPI identified in paragraph 4 (and accrues additional default points as established in 3.10)
- The Service Provider's performance against the KPIs demonstrates significant or consistent underperformance or non-performance.

3.15 Where a Default Notice is issued, the Service Provider will acknowledge receipt within 1 working day. The Service Provider will provide the Client Unit with a full plan for rectification for approval by the Client Unit, within the timescale specified within the Default Notice. Once agreed by the Client Unit, the Service Provider will implement the rectification plan within the agreed timescale.

4. Service Levels and Key Performance Indicators

4.1 Service Levels and Key Performance Indicators for the contract for the provision of Library Services are set out below. These are linked to the requirements set out in the Specification through the Specification Reference and Service Area/Output. Monitoring arrangements, including monitoring frequency for each Service Level or KPI are established.

4.2 Where the Service Level or KPI refers to a full day or half day, these have the following meanings:

- Where the Service Level or KPI is monitored within opening hours:
  - Half day: up to 3 hours 29 minutes
  - Full day: 3 hours 30 minutes or more
- Where the Service Level or KPI is monitored over a 24 hour period:
  - Half day: up to 11 hours 59 minutes
  - Full day: 12 hours – 24 hours

SERVICE LEVEL/KPI: 1			
Specification Reference	1.1	**Service Area / Output**	Opening Hours
Service Levels/KPIs		Libraries are open for the Minimum Opening Hours, except where planned closures are agreed at least 28 days in advance with the Client Unit in writing.	
Monitoring Arrangements		The Service Provider will maintain a daily record of the opening hours achieved and will report any unplanned closures to the Client Unit on a monthly basis. The Client Unit must be able to request the latest version of these records at any time and the Service Provider must provide it no later than the next working day. The Council's Client Units should be notified immediately verbally (or by email), and then formally in writing within 24 hours, where any unplanned closures occur. This includes failure to open on time, early closure or any other kind of unplanned variation to opening hours. For the avoidance of doubt an unplanned closure is defined as failure to open the library fully, including incidents in which there are insufficient staff to deliver all library services as outlined in the Specification, regardless of whether public access is maintained.	
Monitoring frequency		Monthly	
Priority Rating		A	
Sanction		Where a library fails to open in accordance with the agreed Minimum Opening Hours, except where planned closures are agreed, the Service Provider will accept the following default points: 10 minutes - 2 hours 59 minutes - 15 default points 3 hours – 5 hours 59 minutes - 30 default points 6 hours – a full day for that library - 60 default points	

SERVICE LEVEL/KPI: 2			
Specification Reference	1.2	**Service Area / Output**	Frontline Services
Service Levels/KPIs		The Service Provider will collect and provide to the Client Unit the following statistical indicators, including total figures and breakdowns by library branch • Number of visits • Number of issues • Number of active users • Number of new members • Number of transactions through self-service technology • Response time for requests • Benchmarking the Council's relative position in relation to other London boroughs in relation to the above statistics	
Monitoring Arrangements		The Service Provider will submit a quarterly update on these statistics that have been collected for each of the areas, except where these statistics are collected less frequently in line with CIPFA best practice. The Client Unit will use this update to assess progress. The Council expect that the Service Provider will drive for continuous monthly improvement but accepts that this may be affected by regional or national trends that are outside the control of the Service Provider and therefore the Service Provider will not incur financial sanctions in relation to statistical improvement. The Client Unit and Council will however use this data to inform their overall assessment of the Service Provider's performance and to analyse how improvements may be made. In the event that the Service Provider is able to increase annual performance in either or both of the following indicators by a minimum of 1%, a credit will be made to the Service Provider to the value of 30 default points: • Number of visits • Number of issues	
Monitoring frequency		Quarterly	
Priority Rating		C	
Sanction		The Service Provider will accept 5 default points for each day late that these statistics are provided after the specified deadline.	

SERVICE LEVEL/KPI: 3			
Specification Reference	1.2	**Service Area / Output**	Frontline Services
Service Levels/KPIs		The Service Provider will measure customer satisfaction through: • participation in the CIPFA Plus and CIPFA Children's Plus surveys (or any equivalent replacement surveys or schemes) • An annual customer satisfaction survey to be carried out in all libraries and Local Studies Centres (in each borough) that will provide a clear indication of customer satisfaction by a wide range of customers from a variety of ages and backgrounds • Evaluation of events and activities in libraries	
Monitoring Arrangements		The Service Provider will keep a record of the evaluation feedback and outcome of customer satisfaction surveys and will provide copies to the Client Unit on the working day following any request. The Service Provider will supply an annual report on customer satisfaction levels. The Client Unit and Council will use this data to inform their overall assessment of the Service Provider's performance and to analyse how improvements may be made.	
Monitoring frequency		Annually	
Priority Rating		C	
Sanction		The Service Provider will accept the following default points for non-performance: • 5 default points for each day late that the annual customer satisfaction report, based on the results of the annual customer satisfaction survey, is provided to the Client Unit • 30 default points for a decrease in customer satisfaction of more than 5% as an average of the total outcome of the annual customer satisfaction survey in each borough. • 30 default points for a decrease in customer satisfaction of more than 20% in any individual library (per library) • 50 default points for a decrease in customer satisfaction of more than 5% in any indicator recorded in the CIPFA Plus survey or CIPFA Children's Plus survey	

SERVICE LEVEL/KPI: 4			
Specification Reference	1.3 and 2.1	**Service Area / Output**	Back Office and Strategic Management
Service Levels/KPIs	The Service Provider will produce development plans that aim to increase use of libraries and in particular to achieve increases in the number of visitors to libraries and the number of stock issues. The actions identified in annual development, action and implementation plan for targeted services, including the number and range of activities, are to be delivered in accordance with the programme identified in the plan. There will be a plan for each of the following service areas: • Children and Families • IT • Stock and Reader Development • Information and Learning		
Monitoring Arrangements	All plans will be agreed annually with the Client Unit to the timetable specified. Quarterly progress reports against annual aims identified in these plans will be submitted to the Client Unit for review. Any proposed amendments to the aims/actions for the following quarters, including the programme of activities, should be submitted as part of this report and must be agreed by the Client Unit. Amendments should be based on clear evidence of a change in local need. The reports should demonstrate the percentage of activities identified in the service plans that were delivered in that quarter against the programme.		
Monitoring frequency	Quarterly progress reports with an annual assessment		
Priority Rating	A		
Sanction	90% of annual aims/actions identified for completion in each quarter in each plan should be delivered each quarter (unless the Client Unit agree in writing that an aim can be removed or transferred to another quarter). This must include 100% of priority 1 items as identified in the plans. The following number of default points will be received by the Service Provider for the percentage of actions performed in accordance with the table below 90% - 100% — 0 default points 76% - 90% — 45 default points 51% - 75% — 60 default points 26% - 50% — 100 default points 0% - 25% — 200 default points For every incomplete Priority 1 item (additionally) — 10 default points		

SERVICE LEVEL/KPI: 5			
Specification Reference	1.3	**Service Area / Output**	Back Office
Service Levels/KPIs		The Service Provider provides 24/7 access to web services, except where services are suspended for planned maintenance or as required and as agreed with the Client Unit in writing 24 hours prior to the event. Web services are deemed to include (but are not limited to) the public interfaces with the Library Management System and Archives Management System.	
Monitoring Arrangements		The Service Provider will maintain record of the availability of web services and will notify the Client Unit of any failure to meet the required service level. Any unplanned outage should be reported to the Council's Client Unit in writing and within 24 hours of the unplanned outage having occurred.	
Monitoring frequency		Monthly	
Priority Rating		A	
Sanction		Where web services are not available 24/7, except where services are suspended as agreed with the Client Unit in writing and in advance, the Service Provider will accept the following default points for unavailability: 1 hour – 2hours 59 minutes — 5 default points 3 hours – 5 hours 59 minutes — 15 default points 6 hours – 11 hours 59 minutes — 20 default points 12 hours – 24 hours — 30 default points	

SERVICE LEVEL/KPI: 6			
Specification Reference	1.3	**Service Area / Output**	Back Office
Service Levels/KPIs		Public IT facilities (such as People's Network terminals, public wifi and self-service kiosks) are working and available for use during Minimum Opening Hours except where planned maintenance is agreed at least 24 hours in advance with the Client Unit.	
Monitoring Arrangements		The Service Provider will notify the Council of any failure to make public IT facilities available during library opening hours. The Service Provider will log all IT issues, including any loss of availability. The Client Unit may request the latest version of these logs at any time and the Service Provider must provide it no later than the next working day. When notifying the Client Unit of any loss of service availability, the Service Provider will provide information relating to: • The reason for the lack of availability • The number of sites affected • The quantity of time for which facilities are not available • The number of People's Network or self-service terminals affected (if applicable) • What action was taken to resolve the issue and what action the Service Provider will take to prevent a similar occurrence in the future.	
Monitoring frequency		Monthly	
Priority Rating		A	
Sanction		For each site affected, the following number of default points will apply: • For every full business day (or 2 half days within a one month period) that public wifi is consistently not available in one library, for any reason other than the reasons established in paragraph 3.6, the Service Provider will receive 10 points per library affected • For every full business day that there is more than one Public Network terminal that is not available (per library), the Service Provider will receive 1 point for each terminal not available. • Alternatively, for every full business day (or 2 half days) where all Public Network terminals are unavailable for any reason other than the reasons established in paragraph 3.6, the Service Provider will receive 10 points for each library affected.	

	• For every full business day (or 2 half days) that self- service equipment is not available in one library (including community managed libraries with self- service kiosks), for any reason other than the reasons established in paragraph 3.6, the Service Provider will receive 10 points per library affected

Please note that the above penalties are **not** applied where the Service Provider accrues points in conjunction with KPI 1 (library closures).

SERVICE LEVEL/KPI: 7			
Specification Reference	1.3	**Service Area / Output**	Back Office
Service Levels/KPIs		The Service Provider will develop a Marketing Plan for the Council's Library Service which is approvedby the Client Unit in accordance with the Specification. Actions identified in the Marketing Plan are delivered in accordance with the submitted programme. The Marketing Plan will clarify the marketing channels to be used and will specify how quality marketing outputs will be achieved.	
Monitoring Arrangements		Quarterly progress reports against actions identified in the marketing plans are submitted to the Client Unit for review. Any proposed amendments to the actions for the following quarters should be submitted as part of this report and must be agreed by the Client Unit. Amendments should be based on clear evidence of changing circumstances. The report should demonstrate the percentage of activities identified in the Marketing Plans that were delivered in that quarter against the programme.	
Monitoring frequency		Quarterly	
Priority Rating		C	
Sanction		At least 90% of actions identified should be delivered each quarter to the agreed quality output standard (unless the Client Unit agree in writing that an action can be removed or transferred to another quarter). Default points will be accrued by the Service Provider for the percentage of actions delivered in accordance with the table below: 90% - 100% — 0 default points 76% - 90% — 5 default points 51% - 75% — 10 default points 26% - 50% — 25 default points 0% - 25% — 50 default points	

SERVICE LEVEL/KPI: 8			
Specification Reference	1.3	**Service Area / Output**	Back Office
Service Levels/KPIs		The Service Provider will manage the hire of space in libraries according to the conditions of hire, which are to be agreed annually by the Client Unit as set out in the Specification. All events will be managed and booked according to the conditions of hire as agreed by the Client Unit. No space or venue hire arrangements shall impact on normal library operations or the availability of library space and facilities to all customers, unless agreed in writing with the Client Unit in advance. The granting of such permission will be solely at the discretion of the Client Unit.	
Monitoring Arrangements		The Service Provider will keep a record of all hire of library premises, including the reason for hire, date, duration, space occupied and a log of any issues arising. A log of complaints received shall also be maintained, including the times complaints were received, or issues were identified, action taken to manage those complaints/issues and the time at which the complaint/issue was resolved The Client Unit may request a copy of these records at any time and the Service Provider must provide these on the next working day. The Service Provider will notify the Client Unit of any failure to comply with this KPI within 24 hours, and must report the failure formally within that month. The Service Provider must rectify any breach of the conditions of hire, or any adverse impact caused by space or venue hire on normal library operations, during any event, within 15 minutes.	
Monitoring frequency		Monthly	
Priority Rating		B	
Sanction		The Service Provider will accept 10 default points for any of the following: • If the Service Provider is found to have booked events that fall outside the scope of the conditions of hire • If the Service Provider fails to rectify breaches of the conditions of hire during events within 15 minutes of any breach being identified • The Service Provider allows space/room hire to have an adverse impact on library operations and fails to rectify this within 15 minutes of the impact being identified.	

SERVICE LEVEL/KPI: 9			
Specification Reference	1.4	**Service Area / Output**	Local Studies and Archives
Service Levels/KPIs		Local Studies and Archives services are available to the public during library opening hours, except where planned closures are agreed in writing and at least 28 days in advance with the Client Unit. Online Local Studies and Archives services are updated and available 24/7 except where they are suspended for planned maintenance or as required and is agreed at least 24 hours in advance by the Client Unit.	
Monitoring Arrangements		The Service Provider will maintain a record of the availability of Local Studies and Archives Services (both in Libraries and online) and will notify the Client Unit of any failure to meet the required service level within 24 hours. The Client Unit may request the latest version of these records at any time and the Service Provider must provide it on the next working day.	
Monitoring frequency		Monthly	
Priority Rating		A	
Sanction		Where online Local Studies and Archive services are not available, the Service Provider will receive the following default points: 1 hour – 2hours 59 minutes — 5 default points 3 hours – 5 hours 59 minutes — 15 default points 6 hours – 11 hours 59 minutes — 20 default points 12 hours – 24 hours — 30 default points Where Local Studies and Archive Centres are not available to the public during library opening hours, the Service Provider will receive the following default points: 10 minutes - 2 hours 59 minutes - 5 default points 3 hours – 5 hours 59 minutes - 15 default points 6 hours – a full day for that library - 30 default points Please note – this penalty **WILL** be applied in conjunction with KPI 1 (library closures), should closures at Central Libraries affect the availability of Local Studies and Archives services	

SERVICE LEVEL/KPI: 10			
Specification Reference	1.4	**Service Area / Output**	Local Studies and Archives
Service Levels/KPIs		The Service Provider will have full Archive Service Accreditation standard as detailed in the Specification.	
Monitoring Arrangements		The Service Provider will provide annual evidence of their accredited status. The Service Provider will notify the Council's Client Unit within 24 hours of a failure to meet this requirement and will provide the Client Unit with a written statement on their proposed action to achieve accreditation which will include their timescales for doing so. They will provide an update report monthly until they are awarded accreditation.	
Monitoring frequency		Annually	
Priority Rating		B	
Sanction		Any failure to sustain accreditation as defined in the Specification will result in the Service Provider receiving 150 default points, and thereafter a further 5 default points for every month that it continues to be without accreditation, except where there is clear evidence that accreditation has been delayed solely due to the actions of the awarding body not observing its own timetable for the award of accreditation.	

SERVICE LEVEL/KPI: 11			
Specification Reference	1.4	**Service Area / Output**	Local Studies and Archives
Service Levels/KPIs		The Service Provider will develop Local Studies and Archives Plan which will be agreed with the Client Unit in accordance with the Specification. The Service Provider will deliver the actions identified in this plan.	
Monitoring Arrangements		Quarterly progress reports against actions identified in the Local Studies and Archives Plan are submitted to the Client Unit for review. Any proposed amendments to the actions for the following quarters should be submitted as part of this report and must be agreed by the Client Unit. Amendments should be based on clear evidence of changing local need. The report should demonstrate the percentage of activities identified in the Plan that were delivered in that quarter against the programme.	
Monitoring frequency		Quarterly	
Priority Rating		B	
Sanction		At least 90% of actions identified should be delivered each quarter. This must include 100% of priority 1 items as identified in the plans. Default points will be accrued by the Service Provider for the percentage of actions delivered in accordance with the table below: 91% - 100% — 0 default points 76% - 90% — 20 default points 51% - 75% — 40 default points 26% - 50% — 60 default points 0% - 25% — 100 default points For each incomplete Priority 1 item (additionally) — 5 default points	

SERVICE LEVEL/KPI: 12			
Specification Reference	1.4	**Service Area / Output**	Local Studies and Archives – Bromley Museum Exhibitions and Collections
Service Levels/KPIs		The Service Provider will have Museum Accreditation as detailed in the Specification.	
Monitoring Arrangements		The Service Provider will provide annual evidence of their accredited status. The Service Provider will notify the Council's Client Unit within 24 hours of a failure to meet this requirement and will provide the Client Unit with a written statement on their proposed action to achieve accreditation which will include their timescales for doing so. They will provide an update report monthly until they are awarded accreditation.	
Monitoring frequency		Annually	
Priority Rating		A	
Sanction		Any failure to sustain Museum Accreditation as defined in the Specification will result in the Service Provider receiving 150 default points, and thereafter a further 5 default points for every month that it continues to be without accreditation, except where there is clear evidence that accreditation has been delayed solely due to the actions of the awarding body not observing its own timetable for the award of accreditation.	

SERVICE LEVEL/KPI: 13			
Specification Reference	1.5	**Service Area / Output**	Home Library Service
Service Levels/KPIs	The Service Provider will deliver the Home Library Service to ensure that: • A user should not wait more than one month from the date of their registration for an initial visit from the Home Library Service • All beneficiaries of the service receive monthly visits.		
Monitoring Arrangements	The Service Provider will report monthly on: • New registered users for the Home Library Service, including date of registration • The date that newly registered users receive their first visit • Total number of users of the Home Library Service • Number of users who received a monthly visit from the Home Library Service.		
Monitoring frequency	Monthly		
Priority Rating	A		
Sanction	If the number of beneficiaries who receives a monthly visit falls below 95%, including new clients receiving their first visit within 1 month of registering, the following default points for the percentage of beneficiaries receiving a visit will apply: 76% - 95% 15 default points 51% - 75% 30 default points 26% - 50% 75 default points 0% - 25% 150 default points		

SERVICE LEVEL/KPI: 14			
Specification Reference		**Service Area / Output**	NOT USED
Service Levels/KPIs			
Monitoring Arrangements			
Monitoring frequency			
Priority rating			
Sanction			

SERVICE LEVEL/KPI: 15			
Specification Reference		**Service Area / Output**	NOT USED
Service Levels/KPIs			
Monitoring Arrangements			
Monitoring frequency			
Priority Rating			
Sanction			

SERVICE LEVEL/KPI: 16			
Specification Reference		**Service Area / Output**	NOT USED
Service Levels/KPIs			
Monitoring Arrangements			
Monitoring frequency			
Priority Rating			
Sanction			

SERVICE LEVEL/KPI: 17			
Specification Reference		**Service Area / Output**	NOT USED
Service Levels/KPIs			
Monitoring Arrangements			
Monitoring frequency			
Priority Rating			
Sanction			

SERVICE LEVEL/KPI: 18			
Specification Reference		**Service Area / Output**	NOT USED
Service Levels/KPIs			
Monitoring Arrangements			
Monitoring frequency			
Priority Rating			
Sanction			

SERVICE LEVEL/KPI: 19			
Specification Reference	2.1	**Service Area / Output**	Service Management
Service Levels/KPIs		The Service Provider will produce: • Library Strategies • Medium Term Priorities • Annual Service Plans in accordance with section 2.1 of the Specification. These documents should be produced to a good standard and submitted to the Council in accordance with the identified timescales.	
Monitoring Arrangements		The Service Provider will submit the relevant documents to the Client Unit within the specified timeframe.	
Monitoring frequency		Quinquennially, annually, or as agreed between the Service Provider and the Client Unit depending on the document.	
Priority Rating		B	
Sanction		The Service Provider will accept 2 default points for every day that the documents are submitted after the specified deadlines, including any deadlines set by the Client Unit for re-drafting of documents that do not meet the required quality standards.	

SERVICE LEVEL/KPI: 20			
Specification Reference	2.3	**Service Area / Output**	Customer Service and Complaints
Service Levels/KPIs	Complaints are dealt with in accordance with timeframes identified in the Service Provider's tender submission. 98% of complaints that are received are responded to and resolved to the Council's satisfaction within the specified timescales.		
Monitoring Arrangements	The Service Provider will maintain a log of all complaints received and a separate log of all comments received by the public. The Service Provider will log the stage at which each complaint in the Complaints Log is within their complaints resolution process. Where a complaint has been through all stages in the Service Provider's complaint's resolution process, but has not been resolved and has therefore been referred to the Council, there complaints will be treated as unresolved until the Client Unit advise the Service Provider that they have been resolved. The Service Provider will submit a monthly report which summarises feedback from customers and which includes the main complaints received. The Client Unit may request the latest version of the complaints log and comments log and the Service Provider must provide it on the next working day.		
Monitoring frequency	Monthly		
Priority Rating	A		
Sanction	At least 98% of complaints should be responded to within the specified timeframe. The Service Provider will receive the following number default points for the percentage of complaints responded to within the specified timeframes: 98% - 100% — 0 default points 76% – 97% — 10 default points 51% - 75% — 20 default points 26% - 50% — 50 default points 0% - 25% — 75 default points		

SERVICE LEVEL/KPI: 21			
Specification Reference	2.5	**Service Area / Output**	Library Management System and Archives Management System
Service Levels/KPIs	The Library Management System and Archive Management System are available for staff and back office transactions during the Minimum Opening Hours, except where there is planned outage which is agreed with the Client Unit at least 24 hours in advance.		
Monitoring Arrangements	The Service Provider will maintain record of the availability of the systems and will notify the Client Unit of any failure to meet the required service level. The Client Unit must be able to request the latest version of these records at any time and the Service Provider must provide it no later than the next working day. Any unplanned outage should be reported to the Council's Client Unit immediately by telephone or by email and formally in writing and within 24 hours of the unplanned outage having occurred.		
Monitoring frequency	Monthly		
Priority Rating	A		
Sanction	Where the systems are not available **within the Minimum Opening Hours** except where services are suspended as agreed with the Client Unit in writing and in advance, the Service Provider will accept the following default points: 1 hour – 3 hours 29 minutes — 5 default points 3 hours 30 minutes – 6 hours 59 minutes — 10 default points Full day (7 hours or more) — 20 default points		

SERVICE LEVEL/KPI: 22			
Specification Reference	2.6	**Service Area / Output**	Stock Purchasing
Service Levels/KPIs		The Service Provider will produce an annual Stock Plan which demonstrates how they will deliver the Stock Policy for the relevant year. This plan should identify the budget for stock purchasing, the Service Provider's intended providers, the timeframe for the supply chain to get stock to libraries and make it shelf ready, and their specification for stock purchasing, based on clear evidence that identifies how the stock purchase will meet the needs of service users.	
Monitoring Arrangements		The Service Provider will provide a monthly update on annual Stock Plan, indicating how it is delivering the implementation of the Stock Policy including the amount that they have spent on stock, the quantity of items purchased, what they have purchased and how they have purchased it.	
Monitoring frequency		Monthly	
Priority Rating		B	
Sanction		Where the Service Provider deviates from the Stock Plan without the prior written consent of the Client Unit, the Service Provider will incur 10 default points for each deviation.	

SERVICE LEVEL/KPI: 23			
Specification Reference	2.8	**Service Area / Output**	Business Continuity
Service Levels/KPIs		The Service Provider shall update their Business Continuity Plan on an annual basis or when required by any significant change that impacts on operations, and supply a copy to the Client Unit.	
Monitoring Arrangements		The Service Provider will provide the Client Unit with an electronic copy of their Business Continuity Plan by the agreed submission date.	
Monitoring frequency		Annually	
Priority Rating		C	
Sanction		The Service Provider will receive 5 default points for every week that the plan is not submitted after the specified deadline.	

SERVICE LEVEL/KPI: 24			
Specification Reference	2.9	**Service Area / Output**	Mobilisation and Exit Planning
Service Levels/KPIs		The Service Provider shall update their Exit Plan on an annual basis and supply a copy to the Client Unit.	
Monitoring Arrangements		The Service Provider will provide the Client Unit with an electronic copy of their Exit Plan by the stated date.	
Monitoring frequency		Annually	
Priority Rating		C	
Sanction		The Service Provider will receive 5 default points for every week that the Exit Plan is not submitted after the specified deadline.	

SERVICE LEVEL/KPI: 25			
Specification Reference	3.3 and 3.10	**Service Area / Output**	Cleaning and Housekeeping
Service Levels/KPIs		The level of cleanliness must be visibly acceptable: • Floors should be litter and dust free, and free from spillages, spoilages, stains and scuff marks. • Furniture, fixtures and fittings should be mark, stain, graffiti and smear free and should have a polished appearance. • Walls should be kept mark and stain free • Windows and glass partitions should be cleaned so that there are no marks or smears • Chewing gum should be removed from floors, fixtures and fittings • Toilets should be cleaned appropriately and with germicidal detergent solutions. Waste bins and containers should be regularly emptied and disposal should be hygienic. • Kitchen areas should be cleaned so that all dirt, debris, spillages, grease and timescale is removed using appropriate agents.	
Monitoring Arrangements		The Client Unit reserve the right to inspect the libraries at any moment in time and without giving notice, but will undertake a quarterly check of cleanliness at each library via a planned monitoring tour. The Client Unit anticipate spot check libraries in response to complaints and reserve the right to undertake mystery shopper exercises in this respect. The Service Provider will keep a daily log of any issues with cleanliness and the cleaning undertaken, including the period within which issues were rectified which must be available to the Client Unit within 24 hours of their request.	

	The Service Provider will maintain up to date risk assessments, including COSHH sheets relating to cleaning and make these available to the Client Unit(s) within 24
Monitoring frequency	Quarterly
Priority Rating	B
Sanction	Where the level of cleanliness is deemed to be unsatisfactory at a library, the Service Provider will accept 30 default points in relation to any issue that is not resolved in the specified rectification period as detailed in the Monitoring Notice issued. The Service Provider will accept an additional sanction of 30 default points where any service area (including toilets, kitchen facilities, or significant public space) is not available due to the level of cleanliness. The Service Provider will accept a sanction of 30 default points if they do not maintain up to date risk assessments or COSHH sheets relating to cleaning.

SERVICE LEVEL/KPI: 26			
Specification Reference	3.2 and 3.9	**Service Area / Output**	Health and Safety and Safeguarding
Service Levels/KPIs		The Service Provider will fulfil its duties in relation to health and safety, safeguarding and community safety, as defined in the Specification, contract terms and leases.	
Monitoring Arrangements		The Service Provider will keep a record of all incidents The Service Provider will maintain a record of all procedures and processes relating to Health and Safety and will review these quarterly. The Service Provider will ensure that all staff are appropriately trained in all relevant matters relating to Health and Safety, safeguarding and community safety. The Client Team may request the above information at any time and it will be supplied no later than the next working day.	
Monitoring frequency		Quarterly	
Priority Rating		A	
Sanction		The Service Provider will accept 100 default points for any breach of the contract terms or lease terms relating to Health and Safety. (Please note that this penalty does not replace the contract or lease terms in relation to the Council's right to take action in relation to Health and Safety, safeguarding and community safety issues)	

SERVICE LEVEL/KPI: 27			
Specification Reference	3.1 and 3.8	**Service Area / Output**	Building maintenance
Service Levels/KPIs		The Service Provider will maintain library properties and undertake reactive and planned maintenance in accordance with the leases on these properties	
Monitoring Arrangements		The Service Provider will keep a record of all planned and reactive maintenance, including servicing of equipment. The Client Unit(s) may request this information at any time and it will be supplied no later than the next working day.	
Monitoring frequency		Quarterly	
Priority Rating		B	
Sanction		The Service Provider will receive 30 default points for each substantial incident of failure to maintain the properties in accordance with the terms of the leases. (Please note that this sanction does not replace the lease terms in relation to the Council's right to take action relating to maintenance) There will be a sanction where any service area (including toilets, kitchen facilities, or significant public space) is not available due to failure of the Service Provider to maintain the properties; the Service Provider will accrue an additional 30 default points in relation to any issue that is not resolved in the specified rectification period as detailed in the Monitoring Notice issued.	

SERVICE LEVEL/KPI: 28			
Specification Reference	2.4	**Service Area / Output**	Staff management
Service Levels/KPIs		The Service Provider will train and manage staff, including the application of disciplinary procedures, in accordance with the Specification and the contract terms.	
Monitoring Arrangements		The Service Provider will maintain a record of all staff training and all disciplinary action taken against staff. The Client Unit(s) may request this information at any time and it is to be provided no later than the next working day.	
Monitoring frequency		Monthly	
Priority Rating		C	
Sanction		The Service Provider will accept 10 default points for each identified incident in which it has failed to properly train or manage staff, as set out in the contract terms (This KPI is in addition to the contract terms)	

SERVICE LEVEL/KPI: 29			
Specification Reference	2.7	**Service Area / Output**	Managing the Council's reputation
Service Levels/KPIs		The Service Provider will manage the Council's reputation in accordance with the Specification	
Monitoring Arrangements		The Service Provider will liaise with the Client Unit regarding all external communications. The Service Provider will manage the display of materials in libraries. The Service Provider will manage staff use of social media in accordance with the duty to manage the Council's reputation and in accordance with its policy on social media use (which is to be agreed annually with the Client Unit)	
Monitoring frequency		Monthly	
Priority Rating		A	
Sanction		The Service Provider will accept 30 default points for each incident in which it engages in external communications (including entering into discussions with the press) without the prior consent of the Client Unit. The Service Provider will accept 15 default points for each incident of misuse of social media by staff or other representatives of the Service Provider, in accordance with its policy on social media. The Service Provider will accept 15 default points for each incident of the display of materials in a library that is outside of the agreed notice display policy and that is deemed to pose a reputational risk to the Council.	

SERVICE LEVEL/KPI: 30			
Specification Reference	N/A	**Service Area / Output**	Responding to information requests
Service Levels/KPIs		The Service Provider will respond to information requests by the Client Unit as set out in this document	
Monitoring Arrangements		The Service Provider will maintain a log of information requests from the Client Unit, including response times. Where a deadline for responding to a request is not set out in the log document (i.e. ad-hoc requests for information not recorded as standard monitoring), the Client Unit and the Service Provider will agree a deadline for providing the requested information within 1 working day of the request being received.	
Monitoring frequency		Monthly	
Priority Rating		C	
Sanction		The Service Provider will accept 5 default points for each day that it is late in providing information requested by the Client Unit.	

SERVICE LEVEL/KPI: 31			
Specification Reference	N/A	**Service Area / Output**	Quality Systems
Service Levels/KPIs		The Service Provider will implement the quality systems as set out in their submitted method statement(s).	
Monitoring Arrangements		The Service Provider will provide evidence that it has implemented its quality systems including the provision of any certificates of accreditation. The Client Unit may audit the quality systems upon giving reasonable notice in writing.	
Monitoring frequency		Annually	
Priority Rating		B	
Sanction		The Service Provider will accept 50 default points for each instance that they fail to follow the agreed processes and strategies in implementing their quality systems.	

Part VII Service Levels and Key Performance Indicators
Appendix A: Worked Example of Default Points

This worked example is to demonstrate how default points might be accrued, and the financial consequences they might have, over the course of one contract year.

This worked example is based on an annual contract price of £3million (which is being used for illustrative purposes only).

A financial sanction for non-performance is levied for every point that is accrued. Each point has a value of 0.001% of the annual contract price. For this worked example, 0.001% of £3million is £30.

Worked Example

Month 1

Service Level/KPI Reference	1
Description of performance failure	Failure to meet the minimum opening hours: • Library A closed for 1 hour between <times> on <date> • Libraries B, C and D fail to open for 10 minutes on <dates> • Library E fails to open for 30 minutes between <times> on <date>
Default points assigned	• 15 default points • 45 default points • 15 default points TOTAL: 75 default points

Service Level/KPI Reference	5
Description of performance failure	Web services are not available for 3 hours on <date>
Default points assigned	15 default points

Service Level/KPI Reference	21
Description of performance failure	Library Management System is not available for back office functions for 3 hours on <date>
Default points assigned	5 points

Service Level/KPI Reference	20
Description of performance failure	78% of complaints are managed within the agreed timeframe.
Default points assigned	10 points

Total Default Points

A	Total default points accrued in Month 1	105

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£3,150
Amount payable (fixed monthly price less the financial sanctions applied)	£246,850

Month 2

Service Level/KPI Reference	6
Description of performance failure	Public wifi is not available in libraries A, B and C for a day.
Default points assigned	30

Service Level/KPI Reference	6
Description of performance failure	2 Public Network Terminals are not available in Library E for 10 days
Default points assigned	20

Total Default Points

A	Total default points accrued in Month 2	50

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£1,500
Amount payable (fixed monthly price less the financial sanctions applied)	£248,500

Month 3

Service Level/KPI Reference	4
Description of performance failure	68% of actions identified in the Service Plan for Children and Families are delivered in Quarter 1 70% of actions identified in the Service Plan for Stock and Reader Development are delivered in Quarter 1
Default points assigned	120

Service Level/KPI Reference	25
Description of performance failure	Unsatisfactory cleaning inspection in Library F
Default points assigned	30

Total Default Points

A	Total default points accrued in Month 3	150

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£4,500
Amount payable (fixed monthly price less the financial sanctions applied)	£245,500

Month 4

Service Level/KPI Reference	25
Description of performance failure	Unsatisfactory cleaning inspection in Library F
Default points assigned	30

Service Level/KPI Reference	13
Description of performance failure	Number of users of the Home Library Services receiving a visit in the month was 80%
Default points assigned	15

Total Default Points

A	Total default points accrued in Month 4	45

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£1,350
Amount payable (fixed monthly price less the financial sanctions applied)	£248,650

Month 5

Service Level/KPI Reference	13
Description of performance failure	Number of users of the Home Library Services receiving a visit in the month was 75%.
Default points assigned	30

Total Default Points

A	Total default points accrued in Month 5	30

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£900
Amount payable (fixed monthly price less the financial sanctions applied)	£249,100

Month 6

Service Level/KPI Reference	21
Description of performance failure	The Archives Management System is not available for back office functions for one day.
Default points assigned	20

Service Level/KPI Reference	4/12
Description of performance failure	57% of actions identified in the Service Plan for IT are delivered in Quarter 2 72% of actions identified in the Service Plan for Local Studies and Archives are delivered in Quarter 2
Default points assigned	100

Service Level/KPI Reference	1
Description of performance failure	Library G failed to open for 20 minutes on <date>
Default points assigned	15

Total Default Points

A	Total default points accrued in Month 6	135

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£4,050
Amount payable (fixed monthly price less the financial sanctions applied)	£245,950

Month 7

Service Level/KPI Reference	10
Description of performance failure	Service Provider fails to achieve Accredited Archives status
Default points assigned	100

Service Level/KPI Reference	13
Description of performance failure	74% of new users receive an initial visit from the Home Library Service within a month of registering
Default points assigned	30

Total Default Points

A	Total default points accrued in Month 7	130

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£3,900
Amount payable (fixed monthly price less the financial sanctions applied)	246,100

Month 8

Service Level/KPI Reference	19
Description of performance failure	The Service Provider submits their Annual Service Plans to the Council 5 days after the specified deadline
Default points assigned	10

Total Default Points

A	Total default points accrued in Month 8	10

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£300
Amount payable (fixed monthly price less the financial sanctions applied)	£249,700

Month 9

Service Level/KPI Reference	4
Description of performance failure	79% of actions identified in the Service Plan for Information and Learning are delivered in Quarter 3
Default points assigned	45

Service Level/KPI Reference	20
Description of performance failure	73% of complaints are managed within the specified timeframe
Default points assigned	20

Service Level/KPI Reference	6
Description of performance failure	2 Public Network terminals are not available for 3 days in Library B
Default points assigned	6

Total Default Points

A	Total default points accrued in Month 9	71

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£2,130
Amount payable (fixed monthly price less the financial sanctions applied)	£247,870

Month 10

Service Level/KPI Reference	1
Description of performance failure	Library C fails to open for 7 hours on <date>
Default points assigned	60

Total Default Points

A	Total default points accrued in Month 10	60

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£1,800
Amount payable (fixed monthly price less the financial sanctions applied)	£248,200

Month 11

Service Level/KPI Reference	5
Description of performance failure	Web services are not available for 2 hours on <date>
Default points assigned	5

Service Level/KPI Reference	25
Description of performance failure	The level of cleanliness at Library C is unsatisfactory
Default points assigned	30

Total Default Points

A	Total default points accrued in Month 11	35

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£1,050
Amount payable (fixed monthly price less the financial sanctions applied)	£248,950

Month 12

Service Level/KPI Reference	24
Description of performance failure	The Exit Plan is submitted 2 weeks later than the specified deadline
Default points assigned	10

Total Default Points

A	Total default points accrued in Month 12	10

Impact on monthly invoice

Fixed monthly price (1/12 of annual contract value)	£250,000
Financial sanctions to be applied (A x 0.001% of the annual contract value)	£300
Amount payable (fixed monthly price less the financial sanctions applied)	£249,700

Summary of Annual Performance

Annual Contract Price	£3,000,000
Total number of default point accrued	831
Total value of sanctions (total number of sanctions x value per sanction)	£24,930
Total contract price paid (annual contract price – total value of sanctions)	£2,975,070

The threshold for the Council to consider termination of the contract is 10,000 points.

Report No.
DRR18/007

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **EXECUTIVE**

PRE-SCRUTINY BY RENEWAL AND RECREATION POLICY, DEVELOPMENT AND SCRUTINY COMMITTEE

Dates: **Tuesday 27 March 2018**

Wednesday 28 March 2018

Decision Type: Non-Urgent Executive Non-Key

Title: **NORMAN PARK ATHLETICS TRACK - UPDATE REPORT**

Contact Officer: John Gledhill, Head of Leisure Business Development

Tel: 0208 461 7527 E-mail: john.gledhill@bromley.gov.uk

Chief Officer: Director of Regeneration

Ward: (All Wards);

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1. Reason for report

This report provides members with an update on the proposals presented by Blackheath and Bromley Harriers Athletic Club (BBHAC) to the Council detailing an option for BBHAC to take over the management and operation of the Norman Park Athletics Track Council based on a 125 year full maintain, repair and insure lease. This report seeks approval to allocate £300k, provided to the Council through Section 106 funding in respect to the development at Kent County Cricket Club, to undertake the landlord improvement works required at the athletics track.

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2. RECOMMENDATIONS

2.1 That the R&R PDS Committee consider the report and make comments available to the Executive.

2.2 That the Executive agree to allocate £300k of the Section 106 receipts from developers in respect to Kent County Cricket Club development and add the scheme to the Capital programme to undertake landlord improvement works required at Norman Park.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Norman Park Athletics Track currently provides a range of initiatives and programmes that support vulnerable adults and children encouraging inactive people to become involved in physical activity develop their potential and their personal and leadership skills. The proposed landlord improvement works by the Council along with the proposals from BBHAC seek to improve the facilities and leisure offer at the athletics track and therefore to increase further activities that's support healthy lifestyles, wellbeing and personal development.

Corporate Policy

1. Policy Status: Existing Policy:
2. BBB Priority: Children and Young People Quality Environment Supporting Independence Healthy Bromley:

Financial

1. Cost of proposal: Estimated Cost: £300k
2. Ongoing costs: Only minor maintenance will be required, funded from the property maintenance budgets
3. Budget head/performance centre: Capital Programme
4. Total current budget for this head: £300k
5. Source of funding: S106 funding from the Kent County Cricket Club development

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Personnel

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

Legal

1. Legal Requirement: Statutory Requirement: section 123 of the Local Government Act 1972
2. Call-in: Applicable:

Procurement

1. Summary of Procurement Implications:

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
   Actuals for 2017: 68,219 Attendances, 491 Memberships and 506 Track Hire hours

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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes

Summary of Ward Councillors comments: None received

3. COMMENTARY

3.1 Blackheath and Bromley Harriers Athletic Club (BBHAC) in conjunction with Norman Park Track Management Limited have been developing proposals to take over the management and operation of the Norman Park Athletics Track from the Council based on a 125 year full repairing and insuring lease. Under this proposal BABHAC will invest over £2m into the development of the track, which will include a new pavilion and indoor track. The BBHAC proposals are predicated on their obtaining the necessary planning consents to redevelop the athletics track. BBHAC are proposing to submit the Planning Application for their proposals in late March or early April 2018. BBHAC have now competed all surveys and the site is currently being surveyed for asbestos. BBHAC, subject to receiving the required planning consents, are proposing to commence their scheme in September 2018.

3.2 The proposed arrangements for a 125 year lease would be for a full repairing and insuring lease under which the Council would no longer have any responsibility to undertake any future repairs, maintenance, replacements or upgrades at the site. Under the current lease arrangements the Council has landlord responsibility for maintenance and repairs at the track which includes responsibility for the track plus the throwing and jumping areas, floodlights, out buildings and the pavilion. If the proposed arrangements for BBHAC to take a 125 year lease from the Council do not for any reason get agreed, then the Council will continue to have the landlord maintenance responsibilities for the areas highlighted above.

3.3 In December 2016, the Council undertook a condition survey on the athletics facilities, excluding the pavilion and lights. The report indicated there are works estimated at around £260k required at the track and these works now need to be completed to ensure the track maintains its United Kingdom Athletics certification and therefore is able to host regional athletics meetings. These works are also required to ensure that the track remains safe to operate and therefore remains open.

3.4 Members may recall that on 26th January 2017 the Renewal and Recreation Policy and Development Scrutiny Committee considered a report on the proposed future arrangements for Norman Park Athletics Track. The Executive 8th February 2017, subsequently agreed that subject to BBHAC receiving the required planning consents that they be granted a 125 year full repair and insuring lease based on an agreed draft Heads of Terms. The Executive also agreed that the Council shall meet the estimated £260k costs of landlord responsibilities for improvement works as detailed within the Condition Survey that was provided.

3.5 The Council is in receipt of £300k of Section 106 monies received in respect to developments that took place at Kent County Cricket Club. It is proposed to use this Section 106 funding to undertake the landlord improvement works required at Norman Park. The works will be delivered through the Amey total facilities management framework. There was a stipulation within the Section 106 agreement that required the Council to consult with Sport England in respect to the proposals for spending these funds. Sport England has been consulted, and Officers are able to confirm that Sport England are supportive of the proposals.

3.6 Officers have been in discussions with BBHAC with regard to implementing these landlord works during late August and September 2018. These works are required to ensure the future operation of the track and will take place regardless of the outcome of any planning applications made by BBHAC. Officers are therefore seeking authority from the Executive to utilise the Section 106 funding for these works.

3.7 A timetable for the procurement and delivery of the works with a completion date at the beginning at the end of September 2018 is detailed in the table below. The actual value of the works required will be determined through the procurement process.

Report to Renewal and Recreation PDS and Executive	28 March 2018
Approval of short list of partner companies	4 May 2018
Full documents issued	11 May 2018
Briefing of potential partner companies / visits to site	11 May - 4 June 2018
Scheme proposals returned by partner companies	4 June 2018
Selection of preferred contractor	22 June 2018
Award of contract	6 July 2018
Start of Contract	20 August 2018
Completion of Contract	28 September 2018

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

Norman Park Athletics Track currently provides a range of initiatives and programmes that support vulnerable adults and children. They currently support and provide athletics activities that focus on getting inactive people to become involved in physical activity, and to encourage children and young people to develop their potential, and their personal and leadership skills. They provide facilities to schools and running clubs and encourage people to adopt healthy and active lifestyles. The landlord works and the new proposals being put forward by BBHAC seek to improve the facilities and leisure offer at the athletics track and therefore increase further activities that support healthy lifestyles and wellbeing.

5. FINANCIAL IMPLICATIONS

5.1 This report proposes to use the £300k S106 monies from the Kent County Cricket Club development to carry out the necessary landlord improvement works required at the track.

5.2 In accordance with the S106 Agreement, the monies need to be spent by February 2021.

5.3 Executive is asked to add the scheme to the capital programme, totalling £300k.

5.4 It should be noted that other than the replacement of the track, any revenue costs met by the Council are minimal. Should the proposed development go ahead, the full repairing lease arrangement will result in the Council no longer needing to meet the cost of any future year's capital works relating to the track.

6. LEGAL IMPLICATIONS

The section 106 agreement of 29th March 2012 provides for a Financial Contribution of £300,000 to be used, after consultation with Sport England, to enhance or provide facilities for sports pitches within the London Borough of Bromley. It is proposed to spend the monies on the works identified in the condition survey, that are required to ensure that the track maintains its United Kingdom Athletics certification and therefore able to host regional athletics meetings.

Non-Applicable Sections:	Policy Implications Personnel Implications Procurement Implications
Background Documents: (Access via Contact Officer)	Report to Executive 8 February 2017: Norman Park Athletics Track – Future Proposals Report to Renewal and Recreation PDS and Portfolio Holder: Norman Park Athletics Track – Outcome of Tender process, 18th September 2013. Report to Renewal and Recreation PDS and Portfolio Holder: Norman Park Multi Hub Site, 13th November 2012

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Report No.
DRR18/1017

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
Date:	**27 MARCH 2018**
Decision Type:	Non-Urgent Non-Executive Non-Key
Title:	**TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE**
Contact Officer:	Kevin Munnelly, Head of Renewal Tel: 020 8313 4519 E-mail: kevin.munnelly@bromley.gov.uk
Chief Officer:	Nigel Davies, Executive Director of Environment & Community Services
Ward:	All Wards

1. Reason for report

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

2. RECOMMENDATION(S)

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

Corporate Policy

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

Financial

1. Cost of proposal: N/A
2. Ongoing costs: N/A:
3. Budget head/performance centre: Renewal budget, Capital Programme and S106 Funding
4. Total current budget for this head: £34,918.3m
5. Source of funding: Town Centre Development Fund, Growth Fund, Investment Fund, S106 resources, NHB/GLA High Street funding, Capital Financing and TfL funding

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Staff

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

Legal

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

Customer Impact

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

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Ward Councillor Views

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

3. COMMENTARY

Development Programme

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

Site G: West of the High Street

3.2 The Executive on 17th July 2017 approved the detailed terms of the development agreement and lease for the development and on 11th December 2017, Full Council approved an increase to the capital programme for the purpose of acquiring properties within the red line area.

3.3 In accordance with the terms of the development agreement Countryside are required to prepare and submit a draft planning application to the Council for Approval as the freeholder of part of the Property and promoter of the Compulsory Purchase Order (CPO). A report seeking this approval is contained elsewhere on this agenda. Subject to the Executive approval, Countryside Properties intend to submit a full planning application for their scheme by the end of April 2018.

3.4 Following a review of the policy of Opportunity of Site G during the Local Plan examination and as required by the AAP Inspector, the Council is preparing to publish and consult on a Masterplan for Opportunity Site G. The Master Plan will be subject to a six week public consultation and the results of this consultation will be reported back to the Executive for consideration and approval.

3.5 The following development programme has been prepared based on Countryside submitting a full planning application for the scheme by the beginning of May 2018. The resulting milestones have been drafted based on this submission date and illustrate the estimated length of each stage in the process.

- Exchanged Development Agreement – Sept 17
- Public Planning Consultation on Countryside Scheme – Nov 17
- Consultation on Wider Site G Masterplan May 2018
- Executive Approval of Scheme March 2018
- Submit Planning Application May 2018
- Prepare Compulsory Purchase Order documentation March 2018
- Secure Planning Consent Sept 2018
- Make Compulsory Purchase Order Winter 2018
- Compulsory Purchase Inquiry Autumn 2019
- Commence Development Spring 2020
- Completion Spring 2025

3.6 Future updates on the progress of the development programme for Site G will be regularly reported to the R&R PDS committee and reported on a quarterly basis to the Executive.

Site A: Bromley North Station

3.7 The Draft Local Plan – with the allocation for Bromley North Station has been subject to an Examination which is currently ongoing and will conclude with receipt of the Inspector's final report. The Council will then move to adopt the new Local Plan which will replace the Unitary Development Plan in its entirety and selected elements of the Bromley Town Centre Area Action Plan.

3.8 Developers BE Living, have submitted a planning application for the first phase of development on the Sherman Road portion of the site for a mixed-use scheme comprising 215 Build to Rent apartments, flexible class B1/D1 floorspace, including class B1 meeting room space, car and cycle parking, associated access and public realm improvements. (Planning Application Number: 17/05790/FULL1). A determination of the application is expected to be made in Spring 2018.

Bromley Town Centre High Street Public Realm Improvements

3.9 The Executive of the 7th November 2017 approved the detailed design and implementation costs of £580k for market kiosks and pop up stalls to be located north from the Churchill Theatre and at Market Square and the authority to submit a planning application for the relocated market. In addition £152k of Section 106 funding was approved for a programme of architectural lighting improvements.

3.10 A planning application for the relocated market including 46 pop-up market stalls was approved by the Plans Sub-Committee on the 22nd February 2018. The relocation of the market will commence in mid-March. Phase 2 of the ground work improvements from the Churchill Theatre to Elmfield Road will also commence in Mid-March. The design of the market kiosks, commercial units and canopies are ongoing.

Beckenham Town Centre Public Realm Improvements

3.11 The Council's Highway term contractor FM Conway have completed the initial phase of works at the High Street junction with Albemarle, Rectory and Southend Road and the New kerb alignments and paving have been completed for the High Street between Beckenham Junction and Thornton's Corner (phases 1 and 2 of the improvements). Phase 3, the substantial redesign of Thornton's Corner and new paving on the south side of the High Street was also completed on programme. The rebuilding of the planters on Beckenham Green and associated other improvements were completed by the 2nd December to enable a community Christmas event on the Green. Two-directional traffic has been reintroduced between Southend Road and the junction with Bromley Road. Phase 4 works are now underway on the north side of the High Street between Thorntons Corner and The Drive. The Project Team are currently reassessing the works programme and any changes will be reported back to members.

3.12 A weekly newsletter is currently sent to a data base of local businesses and interested parties and a FM Conway's business liaison officer is continuing to meet local businesses to discuss their concerns and advise of forthcoming works that may affect them. The project team are continuing to provide regular updates to both the Beckenham Town Centre Working Party.

Beckenham Green Canopy

3.13 Beckenham Green's architectural competition for a concept design of a canopy is now undergoing review. The Council and members of Beckenham Town Centre Working Group reviewed 14 entries with two currently shortlisted (appendix 1). Pending a final decision, the winning entry will receive a cash prize of £500 and their design will form part of a brief for the detailed design and manufacture of the canopy.

Orpington Walnut Shopping Centre Public Realm Scheme

3.14 Term Contractors FM Conway (FMC) are prioritising all work associated with the fire escape. Officers are having ongoing discussions with the Leisure Centre and FMC to ensure all due diligence is done to ensure the long term safety of the structure. FMC will resolve all other snagging issues as and when deliveries are received and a crew commissioned for the works to be implemented.

3.15 FMC will be returning on site to commence the phase 2 works on 19th March 2018. As outlined in appendix 2, this includes the following:

Task Name	Duration	Start	Finish
Finishing Market Square on Brunswick Square's frontage	2 wks	Mon 19/03/18	Fri 30/03/18
Area D	5 wks	Mon 02/04/18	Fri 04/05/18
Area C	6 wks	Mon 07/05/18	Fri 15/06/18
Area E	3 wks	Mon 18/06/18	Fri 06/07/18
Area B	4 wks	Mon 09/07/18	Fri 03/08/18

Subject to funding Area F may also form part of phase 2, which has a duration of 3 weeks and would be sequenced into the programme between Area E and B. Therefore there is a potential for the scheme to be completed on Friday 24/08/18.

Orpington Regeneration Strategy

3.16 Cushman and Wakefield are in the process of producing a report on the review of the regeneration opportunities in Orpington town centre. It is anticipated that this work will be presented for consideration to both the R&R PDS and Executive Committees in Summer 2018 with appropriate recommendations as to a strategic approach for Orpington.

Penge Town Centre Improvements

3.17 The New Homes Bonus physical improvements to Arpley and Empire Squares on Penge High Street are anticipated to be completed by the end of April 2018. Following this, the implementation of the Highways scheme will resume with snagging works on the High Street and improvements to the Croydon Road/Green Lane junction, subject to the finalising of traffic designs by Transport for London.

3.18 As a result of a competitive tendering exercise, You&Me Architecture have been selected to implement the Penge High Street Shop Front Improvement Scheme. Their delivery programme will commence in March and conclude in November 2018. As part of their approach, they will be undertaking an round of consultations with local businesses to explain the scheme and encourage uptake. They have indicated that, following the required planning consents, the main phase of works on the shopfronts is likely to commence in Summer 2018.

Growth Projects Update

3.19 One of the main constraints to business growth across the borough is the variable coverage and quality of access to ultra-fast, gigabit broadband services. Whilst official figures indicate that overall some 98.25% of premises in the borough are already estimated to be within reach of a "superfast broadband" (24Mbps+) capable network. More detailed research has

identified significant areas of the borough, particularly in the identified growth areas, experience poor coverage and slow speeds. The Department of Culture, Media and Sport have recognised the negative impact of this poor coverage is having on business competiveness and they have created Local Full Fibre Network (LFFN) programme to address this issue. The LFFN is a £200m fund that has four main themes: harnessing long-term public sector internet demand; providing gigabit connection vouchers to increase business take-up; upgrading connections into public buildings with fibre; and improving access to publicly-owned infrastructure.

3.20 Following discussion with the Portfolio Holder officers are currently scoping out the feasibility of submitting a funding bid to the next round of the LFFN Challenge Fund in the Summer 2018. One focus of a potential bid could be to utilise the Council's existing dark fibre network, provided as part of a legacy infrastructure project with Nynex Communications in the 1990's. The spine of this existing fibre network currently covers Beckenham, Penge, Bromley, Shortlands, Orpington, Crystal Palace, and Elmers End. This dark fibre network is used predominately to provide the Council's CCTV service and there is significant spare capacity which could be used to expand ultra-fast broadband gigabit services to businesses and residents. There is also the options to develop this network to provide ultrafast broadband connectivity between a network of public buildings across the borough, including GP Surgeries and the capacity to provide Gigabit broadband services for many local businesses and residents.

Victoria Cross Commemorative Ceremony (SR)

3.21 Officers have organised a Victoria Cross commemorative ceremony for Private Herbet George Columbine, VC, MGC, was held at Penge War Memorial on 22nd March 2018 which will be officiated by the Mayor of Bromley.

4. POLICY IMPLICATIONS

4.1 Work delivering the Town Centres Development Programme is entirely consistent with Policy Objectives set out in Building A Better Bromley and the Renewal & Recreation Portfolio Business Plan 2016/17. The work of the Renewal team links to the Building a Better Bromley priorities by working towards the provision of Vibrant and Thriving Town Centres.

5. FINANCIAL IMPLICATIONS

5.1 On 11th of December 2017, Full Council approved a net increase of £18.4m resulting in a revised capital estimate of £24.292m for the Site G development programme. To date £1.361m has been spent on the acquisition of properties in Ethelbert Close leaving a balance of £22.930m.

5.2 Within the £24.292m was a sum of £1.1m allocated for specialist development consultancy for CPO related costs inclusive of all professional fees, legal and development consultancy and internal management costs. This sum includes the £200k previously allocated from the growth fund. To date £62k has been spent leaving a balance of £1.038m.

5.3 On 7th November the Executive approved the further appointment of Montagu Evans to provide development advice on the site acquisition and compulsory purchase order making process.

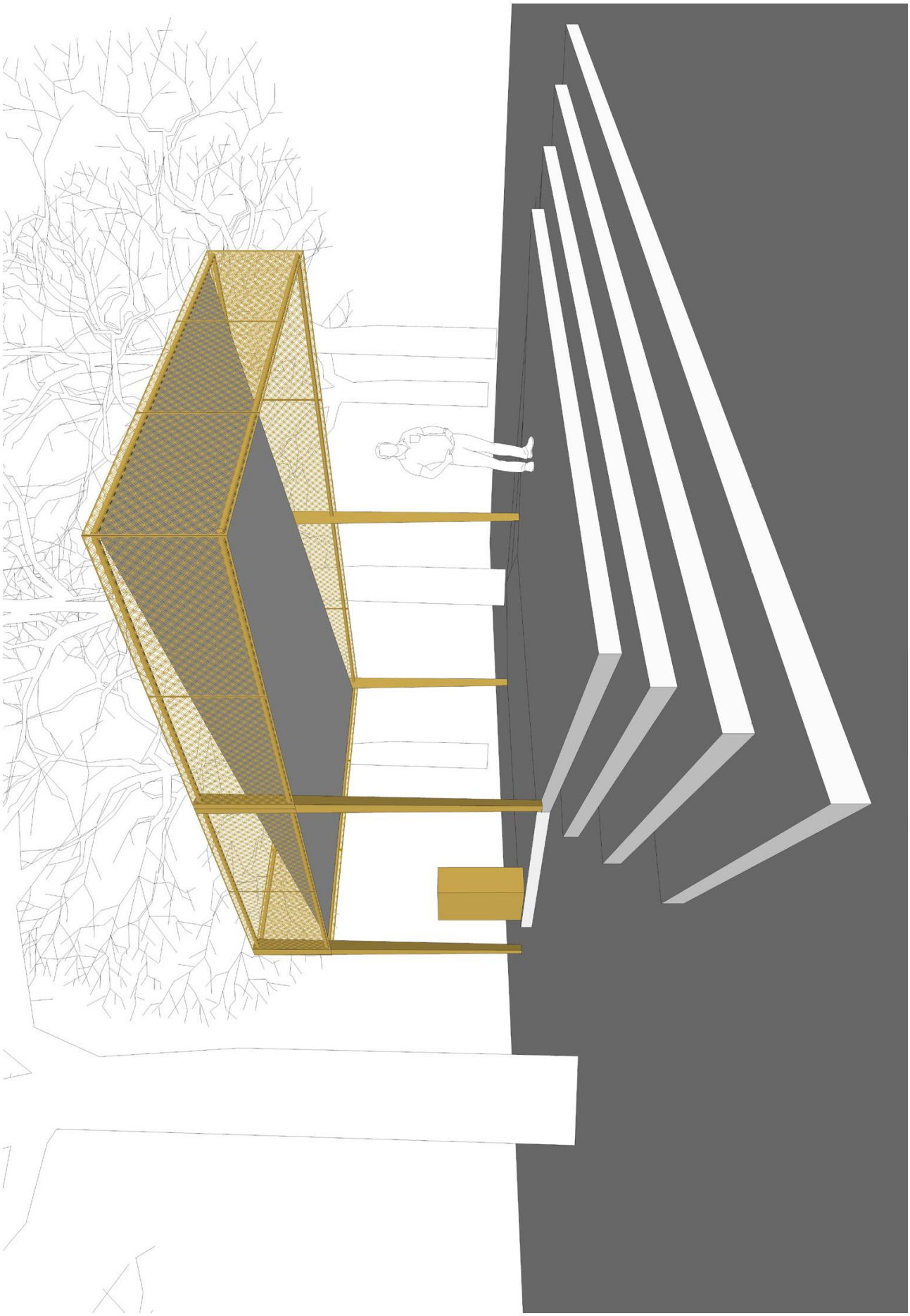
5.4 The Bromley High Street Public Realm scheme, approved by the Executive, will result in additional revenue costs of £60k per annum for enhanced cleaning of the area and maintenance costs for the trees and planting with effect from April 2018.

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

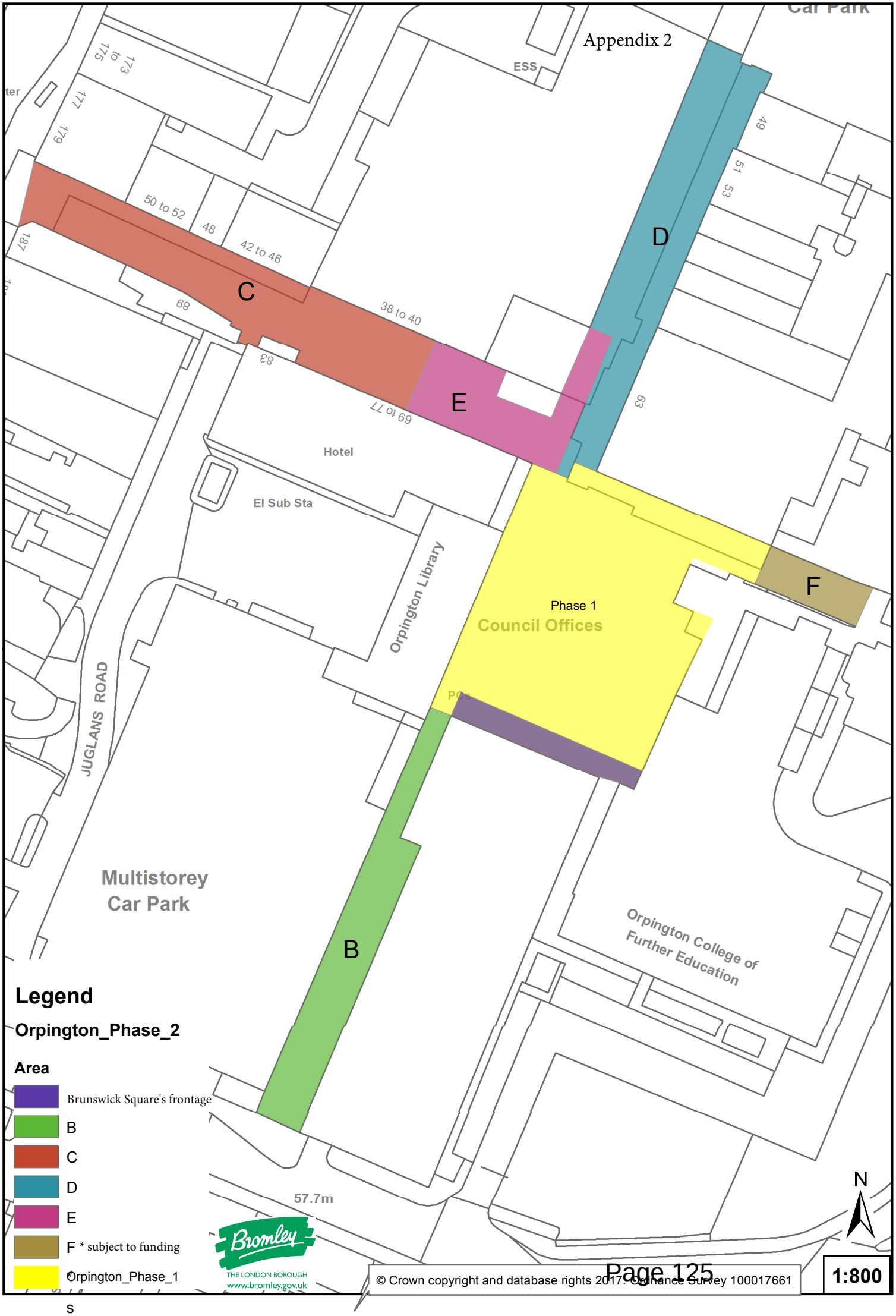
	Budget	Spend	Com'tmts	Total	Balance
Capital	**£'000**	**£'000**	**£'000**	**£'000**	**£'000**
Site G					
Properties within red line development site - capital financing	20,932.0	0.0	0.0	0.0	20,932.0
Growth Fund - Specialist legal & development advice	1,100.0	61.9	0.0	61.9	1,038.1
Growth Fund	1,800.0	939.7	0.0	939.7	860.3
Private Developer contribution	100.0	0.0	0.0	0.0	100.0
S106 PIL	359.6	359.6	0.0	359.6	0.0
	24,291.6	1,361.2	0.0	1,361.2	22,930.4
Beckenham Improvement Scheme *					
TfL Funding	2,846.0	1,411.5	226.1	1,637.6	1,208.4
TfL Funding - LIP allocation re Southend Rd/Rectory Rd	200.0	200.0	0.0	200.0	0.0
Capital receipts	995.0	0.0	0.0	0.0	995.0
Earmarked Reserve balance for Beckenham Improvements	150.0	0.0	0.0	0.0	150.0
Principal Road Maintenance TFL allocation (Subject to approval)	250.0	0.0	0.0	0.0	250.0
	4,441.0	1,611.5	226.1	1,837.6	2,603.4
New Homes Bonus and High Street Funded Projects					
Penge Town Centre Improvements	746.0	99.9	0.2	100.1	645.9
Orpington Town Centre	525.0	386.4	76.3	462.7	62.3
	1,271.0	486.3	76.5	562.8	708.2
Orpington Town Centre					
S106 funding towards Walnuts Shopping Centre area	269.0	113.9	0.0	113.9	155.1
	269.0	113.9	0.0	113.9	155.1
Bromley Town Centre Public Realm Scheme					
S106 funding - Town Centre contributions	152.0	0.0	0.0	0.0	152.0
Growth Fund (may be replaced by S106 from Langley Court funding when available)	3,424.0	407.4	0.7	408.1	3,015.9
	3,576.0	407.4	0.7	408.1	3,167.9
Total Capital	**33,848.6**	**3,980.3**	**303.3**	**4,283.6**	**29,565.0**
Revenue					
New Homes Bonus and High Street Funded Projects					
Penge Town Centre Improvements	200.0	99.1	0.0	99.1	100.9
Orpington Town Centre	100.0	81.4	0.0	81.4	18.6
Biggin Hill Aviation Technology & Enterprise Centre	150.0	118.0	0.0	118.0	32.0
Cray Business Corridor	150.0	101.2	0.6	101.8	48.2
	600.0	399.7	0.6	400.3	199.7
Bromley Town Centre High Street redevelopment programme					
Investment Fund - Initial feasibilty cost of development programm	118.0	80.8	2.4	83.2	34.8
Investment Fund - Detailed design cost & survey work	287.0	141.0	84.7	225.7	61.3
Broadband Infrastructure Investment project	64.7	64.7	0.0	64.7	0.0
Sub-total High Street Redevelopment	469.7	286.5	87.1	373.6	96.1
Total Revenue	**1,069.7**	**686.2**	**87.7**	**773.9**	**295.8**
Total Funding - Capital and Revenue	**34,918.3**	**4,666.5**	**391.0**	**5,057.5**	**29,860.8**

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

Appendix 1



Appendix 2


Car Park
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187
50 to 52
48
42 to 46
C
68
38 to 40
83
69 to 77
E
D
49
51
53
63
Hotel
El Sub Sta
Orpington Library
Phase 1
Council Offices
F
POS
JUGLANS ROAD
Multistorey
Car Park
B
Orpington College of
Further Education
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Bromley
THE LONDON BOROUGH
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Report No.
DRR00000

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker:	**RENEWAL AND RECREATION PORTFOLIO HOLDER**
Date:	**Tuesday 27 March 2018**
Decision Type:	Non-Urgent Executive Non-Key
Title:	**TOWN PLANNING PRE APPLICATION ADVICE - FEES AND SERVICE**
Contact Officer:	Tim Horsman, Planning Development Control Manager Tel: 020 8313 4956 E-mail: Tim.Horsman@bromley.gov.uk
Chief Officer:	Chief Planner
Ward:	(All Wards);

1. Reason for report

The report suggests changes to the pre-application advice service and changes to the fee structure in order to improve the flexibility of the service and encourage its use in accordance with government policy in the National Planning Policy Framework

2. RECOMMENDATION(S)

The Renewal & Recreation Portfolio Holder is asked to agree the proposed changes and updated fee structure for the planning pre-application advice service.

Impact on Vulnerable Adults and Children

1. Summary of Impact: An improved pre-application service may assist in successful planning applications relating to vulnerable adults and children.

Corporate Policy

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

Financial

1. Cost of proposal: No Cost: The pre-application advice service operates on a full cost recovery basis.
2. Ongoing costs: Annual income of £146k per annum based on average activity
3. Budget head/performance centre: Planning / Development Control
4. Total current budget for this head: £1.64m
5. Source of funding: Existing revenue budget 2018/19

Personnel

1. Number of staff (current and additional): 40 – no additional
2. If from existing staff resources, number of staff hours: Variable

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Legal

1. Legal Requirement: Non-Statutory - Government Guidance: Further Details Service required by government guidance in the National Planning Policy Framework, paragraphs 189 onwards
2. Call-in: Not Applicable:

Procurement

1. Summary of Procurement Implications: None

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 350 submissions per year at present, potential increase to 400

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 Local Planning Authorities are strongly encouraged by government planning policy to provide a planning pre-application advice service. In common with most other Local Planning Authorities, the Development Control team has been charging for pre-application advice for planning applications since 2008, with major changes to the scheme to include non-major and householder proposals in 2011. Local Planning Authorities can make charges for pre-application advice by virtue of powers in the Local Government Act 2003 and Planning and Compulsory Purchase Act 2004.

3.2 The planning pre-application advice service aims to provide informal advice to those considering submitting a planning application, to help guide the form and content of that application with a view to streamlining the actual planning application process by helping applicants shape their proposals prior to submission, ensuring that the application submission is complete and helping applicants to understand the relevant planning policies related to their application.

3.3 The National Planning Policy Framework, at paragraphs 188-190 gives the following advice regarding pre-application advice.

"*188. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.*

189. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they do offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community before submitting their applications.

190. The more issues that can be resolved at pre-application stage, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs."

3.4 This 'front loading' of the system means that planning applications can be determined more quickly and efficiently, as the scheme should be in the best possible form based on pre-application advice. In particular the providing of pre-application advice reduces the potential for requests to amend an application following submission, reducing the costs involved in processing revised plans and re-consultation.

3.5 The process can also help avoid unnecessary appeals. In general, the team do not negotiate during planning application stage as this undermines the pre-application advice service for those who chose to pay for it. More information on the current service can be found at www.bromley.gov.uk/planningpreapplication.

3.6 Users of the service have indicated that they would like a more flexible service, in particular for major development proposals. At present a set of drawings is required in order for advice to be

provided, however for major development proposals (10+ residential units / over 1,000sqm floorspace) where the costs of producing full drawings can be high, users have requested a higher level of pre-application advice where they can discuss the proposed use in principle and receive advice on that element before progressing further to design a full scheme.

3.7 It is also proposed to offer an affordable telephone appointment for advice for householders following determination of a householder planning application. This could be to give advice as to how to overcome a refusal, or to discuss whether changes might be acceptable following a grant of permission. This is in response to enquiries made along these lines and this would be expected to reduce unscheduled calls into the department and offer an affordable alternative to those who do not wish to enter into the full pre-application process. It is anticipated this would bring in additional fees as users of this service are those who are unlikely to use the written pre-application service.

3.8 The fees have also been adjusted to ensure that generally they are lower than the equivalent planning application fee at the time of reporting. It has been noted that some customers have stated their unwillingness to use the pre-application service due to it costing more than submission of a planning application. This is clearly a factor which would discourage users. At the same time, some fees have been adjusted to a sliding scale approach, similar to normal planning application fees. This would more accurately reflect the additional work for increasingly more complex proposals.

3.9 As well as reviewing the service offered, the fees have been re-examined in part by reviewing the fee structures of other nearby Boroughs. Whilst the approach differs fairly widely, the majority of nearby and comparable Boroughs tend to charge less than Bromley's current fees. The new fees proposed reflect a more common approach to this service to encourage take up.

3.10 The proposed revisions to fees also reflect the increased costs of operating the service in part due to increased staffing costs due to recruitment and retention issues around qualified and experienced Town Planners. The legislation which facilitates charging for this service does not allow a profit to be made, so the proposed fee structure fully covers the cost of operating the pre-application service. It is also intended to be more flexible to allow for lower charges for follow up queries in certain situations. The new fees proposed more closely reflect the planning application fees structure, however planning application fees rise considerably for larger developments, which largely reflects the likely work involved in managing consultation responses and reporting such applications, which is work that is substantially reduced for a pre-application which does not involve any public consultation, and limited consultee involvement. The fees proposed are on a less steeply sliding scale and are capped.

3.11 It is not anticipated that these changes will result in any reduction in income due to more flexible options and an expected increased uptake for the service.

3.12 The existing and proposed pre-application advice options and fees are set out in the attached tables 1 and 2. The main changes proposed are summarised below:

- New category for Major pre-application (over 10 residential units or 1,000sqm floorspace for 'in principle' advice about a land use proposed
- Slight reduction in householder pre-application fee to reflect a more streamlined approach to this type of advice and to attract users to the service
- New householder lower fee option to seek telephone advice following a decision
- New scale of fee categories for new dwellings to attract users to the service

- Capped fees to reflect more accurately work involved after proposals reach a certain scale
- Lower rate for telecommunications advice to improve take up

3.13 Members are asked to agree these changes to improve the operation of the service.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

An improved pre-application service may assist in successful planning applications relating to vulnerable adults and children.

5. POLICY IMPLICATIONS

The proposed changes are considered to accord with national planning policy and will assist in ensuring that planning applications received accord with national, regional and local planning policies.

6. FINANCIAL IMPLICATIONS

6.1 The proposed fees have been set to fully recover all costs, which include staff and associated overhead costs.

6.2 Using the average annual volume of activity, income is expected to be £146k, which is in line with the 2018/19 budget, which has had 2% inflation applied.

Non-Applicable Sections:	Personnel, legal and procurement
Background Documents: (Access via Contact Officer)	National Planning Policy Framework https://www.gov.uk/government/publications/national-planning-policy-framework--2

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Pre-planning application advice service fees from 1st August 2015

Category	Fee
Householder proposals (extensions to an existing dwelling, garden outbuildings (not new dwellings) & vehicular accesses to dwellings)	£195.52
1 to 4 new dwellings	£520
5 to 9 new dwellings	£977.60
10 to 25 new dwellings	£1903.20
26+ new dwellings	£4347.20
1 to 4 converted dwellings	£520
5 to 9 converted dwellings	£977.60
10 to 25 converted dwellings	£1903.20
26+ converted dwellings	£4347.20
1 to 499m² of floor space created	£520
500 to 999m² of floor space created	£977.60
1000 to 1999m² of floor space created	£1903.20
2000+ m² of floor space created	£4347.20
Shop fronts, advertisements and other commercial proposals	£195.52
Telecommunications development	£520
Changes of use: 1 to 499m^2 of floor space	£520
Changes of use: 500 to 999m^2 of floor space	£977.60
Changes of use: 1000 to 2000m^2 of floor space	£1903.20
Changes of use: over 2000m^2 of floor space	£4347.20
Minerals and waste developments	£1903.20
Development on site of >1ha not falling within above categories	£1903.20

- For any other category not listed above please contact us on 020 8313 4956 or at planning@bromley.gov.uk
- All charges include VAT
- Follow up pre-apps to a previously considered pre-app scheme will be charged at half the original fee.
- Pre-apps submitted following a refused application without any previous pre- applications will be charged full price.
- All floor space figures are gross measurements.
- Any mixed use schemes will be charged on the basis of combined fees.

Exemptions

- Alterations/extensions to a dwelling house for the benefit of a person with a disability.
- Works/operations solely for the purpose of providing a means of access for disabled persons to a building or premises to which members of the public are admitted.

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Planning Pre-Application Advice Fees

- Figures include VAT
- Floorspace figures are gross external
- For any other category not listed above please contact us at planning@bromley.gov.uk
- You can now pay pre-application fees online at www.bromley.gov.uk/preplanningpayment

Non Major Development Categories (no meeting)

Householder	**Fee**
Householder Telephone Advice Appointment (only available within 6 months of an application for the same site that has been granted or refused – no written response)	£50
Householder proposals (extensions to an existing dwelling, garden outbuildings (not new dwellings) & vehicular accesses to dwellings)	£150
Householder proposals following a refusal of planning permission for a similar proposal within six months of the decision notice (extensions to an existing dwelling, garden outbuildings (not new dwellings) & vehicular accesses to dwellings)	£100
New Dwellings (Non Major)	
1 new dwelling (including conversions)	£310
Each additional dwelling up to 9 dwellings (including conversions)	£150
Commercial Development (Non-Major)	
1 to 50sqm change of use, new or additional floorspace	£150
51 to 100sqm change of use, new or additional floorspace	£300
101sqm to 499sqm change of use, new or additional floorspace	£600
500sqm to 999sqm change of use, new or additional floorspace	£1000
Commercial proposals not involving change of use or increase in floorspace	£150
Advertisements	£150
Telecommunications development	£300

Major Development Categories (one meeting included)

In Principle (Major Development Only)	**Fee**
'In Principle' Planning Land Use Advice for Major Development Site (separate submission would be required for further advice – half fee follow up does not apply)	£1,020
New Dwellings (Major)	
10 new dwellings (including conversions)	£1,660
Each additional dwelling from 11 to 24 dwellings (including conversions)	£100
25 or more dwellings	£3,160
Commercial Development (Major)	
1,000 to 1,999sqm change of use, new or additional floorspace	£1,500
2,000sqm or more change of use, new or additional floorspace	£2,000
Minerals and / or waste developments	£3,000
Development on site of larger than 1ha not falling within other categories	£2,000

Exemptions and Resubmissions

Category	Fee
Follow up pre-application submission within one year of advice already provided through this service (does not apply to Major 'In Principle or householder telephone advice)	Half the original fee
Proposal involving mix of above categories	Highest category charged plus half of any other category
Alterations/extensions to a dwelling house for the benefit of a person with a disability or works/operations solely for the purpose of providing a means of access for disabled persons to a building or premises	No fee

Report No.
DRR00000

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **EXECUTIVE**

FOR PRE-DECISION SCRUTINY BY RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: **Wednesday 28 March 2018**

Decision Type: Non-Urgent Executive Non-Key

Title: **NATIONAL INCREASE IN PLANNING APPLICATION FEES**

Contact Officer: Tim Horsman, Planning Development Control Manager
Tel: 020 8313 4956 E-mail: Tim.Horsman@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

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1. Reason for report

To seek Member approval to spend the additional income expected to be received from an increase in nationally set planning application fees.

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2. RECOMMENDATION(S)

The R&R PDS Committee is requested to note the report and make Members' comments available to the Executive on 28 March 2018.

Executive is asked to: -

2.1 Agree that the £240k additional income be used to improve planning services as set out in Section 3 of the report.

2.2 Approve draw down of £30k for 2017/18 and £240k for 2018/19 held in the Central Contingency.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A

Corporate Policy

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

Financial

1. Cost of proposal: Net nil as £240k additional costs to be offset by additional income of £240k
2. Ongoing costs: Net nil as £240k additional costs to be offset by additional income of £240k
3. Budget head/performance centre: Planning and Renewal
4. Total current budget for this head: £1.525m
5. Source of funding: Income generated from planning application fees

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Personnel

1. Number of staff (current and additional):64ftes
2. If from existing staff resources, number of staff hours: N/A

Legal

1. Legal Requirement: Statutory Requirement: Nationally set fee income
2. Call-in: Not Applicable:

Procurement

1. Summary of Procurement Implications: None at present

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Planning applicants for circa 5,000 applications per year

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Ward Councillor Views

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

3. COMMENTARY

3.1 The 'Fixing our broken housing market' paper was published by the Government in February 2017. This set out the proposal to increase planning fees by 20%, and that the additional income generated be invested exclusively in planning services. This was to enable Local Planning Authorities to make improvements to their resourcing, leading to better services, improved performance and greater capacity to deliver growth as set out in the paper.

3.2 The Department for Communities and Local Government made it clear that if the extra income was not invested back into the planning service, the existing fees would remain in place.

3.3 A statutory instrument (The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017) was made on 20th December 2017 and came into force on 17th January 2018 to secure a 20% national increase in planning application fees. All Local Planning Authorities have accepted this increase on the basis the income be reinvested in their Planning Department.

3.4 This increase affects all planning application fees which are nationally set by the government, but not pre-application advice fees which are locally set.

3.5 Planning application income for 2017/18 is expected to be £1.2m and therefore the additional income in the next financial year is expected to be approximately £240k.

3.6 It is therefore proposed to spend the additional £240k to improve the planning services in the following ways: -

Retention and recruitment incentives for staff

3.7 Local Planning Authorities in the surrounding area are offering competitive salaries to new recruits, and the higher end of salaries being offered to the market is rising. The Council needs to remain competitive in the market but also ensure that existing excellent performing staff can be remunerated at an appropriate level. Investing in existing quality staff is essential to maintain and improve the service and to avoid the costs and disruption of replacing staff who may be incentivised to leave. The estimated cost is £49k.

Creation of planning enforcement administration post

3.8 In order to ensure the effective and efficient operation of the planning enforcement team, funding is proposed to be used to create a full time post to support the enforcement officers and manager with increased costs of £25k.

Securing temporary Planner posts

3.9 Over the last ten years as the number of planning applications received has risen steadily, temporary posts have been created to ensure that there are an appropriate number of qualified Planners. It is proposed to rationalise several of these temporary posts in the staffing budget to reflect the permanent status of the staff in these posts at an estimated cost of £111k.

Payment of Royal Town Planning Institute (RTPI) professional membership fees

3.10 Many Local Planning Authorities now offer payment of professional membership fees as part of their recruitment and retention offer. Existing staff have indicated that this is something that they would greatly value, and it is likely to be an effective recruitment incentive. Membership of the RTPI is actively encouraged for career grade staff and it is considered of significant importance that more senior staff are active members of this organisation which ensures high professional standards within Planning. The estimated cost of this proposal is £20k.

Increase in Local Plan Consultancy Budget

3.11 The Council relies on specialist consultants to assist in background work for Local Plan documents. This background work is ongoing irrespective of the stage of the process and a suitable budget is required to engage consultants for various areas of work. It is therefore proposed to increase the existing budget by £15k.

Upgrade an existing post to a supervisor post

3.12 It is proposed to create an additional supervisor post by upgrading an existing vacant post, which would incur additional cost of £20k.

4. FINANCIAL IMPLICATIONS

4.1 On 17 January 2018 the DCLG increased statutory planning fees by 20% and specified that the additional income generated had to be reinvested in the planning service to provide better services, improve performance and provide greater capacity to deliver growth set out in the 'Fixing our broken housing market' paper.

4.2 The increase in fees is expected to generate additional income of £30k in 2017/18 and £240k per annum from 2018/19.

4.3 Members should note that there was a requirement from the DCLG in March 2017, for the S151 Officer to confirm acceptance of the 20% fee increase, and confirmation that the amount raised through these higher fees would be spent entirely on planning functions.

4.4 This report is requesting drawdown of the additional income from Central Contingency and seeks approval to spend the income on the proposals detailed above and summarised below: -

Proposal	**£'000**
Retention and Recruitment	49
Creation of Enforcement Admin post	25
Conversion of temporary development control posts to permanent posts	111
Payment of professional fees	20
Increase in Local Plan Consultancy budget	15
Upgrade an existing post to a superviser post	20
Total	**240**

5. PERSONNEL IMPLICATIONS

5.1 Recruitment and retention improvements for difficult market (Planners). Some increase in allocated post hours and conversion of posts from temporary to permanent.

Non-Applicable Sections:	IMPACT ON VULNERABLE ADULTS AND CHILDREN; POLICY IMPLICATIONS; LEGAL IMPLICATIONS; PROCUREMENT IMPLICATIONS
Background Documents: (Access via Contact Officer)	The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 https://www.legislation.gov.uk/uksi/2017/1314/contents/made

Report No.
CSD18062

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker:	**Renewal and Recreation PDS Committee**
Date:	**27 March 2018**
Decision Type:	Non-Urgent Non-Executive Non-Key
Title:	**RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME (JUNE 2018-MARCH 2019)**
Contact Officer:	Lisa Thornley, Democratic Services Officer Tel: 020 8461 7566 E-mail: lisa.thornley@bromley.gov.uk
Chief Officer:	Mark Bowen, Director of Corporate Services
Ward:	N/A

1. Reason for report

1.1 This report updates the Committee's work programme.

2. RECOMMENDATION

2.1 The Committee is invited to review its work programme for the period June 2018-March 2019.

Corporate Policy

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

Financial

1. Cost of proposal: No cost
2. Ongoing costs: N/A.
3. Budget head/performance centre: Democratic Services
4. Total current budget for this head: £343,810
5. Source of funding: Existing 2017/18 revenue budget

Staff

1. Number of staff (current and additional): There are 8 posts (6.87 fte) in the Democratic Services Team.
2. If from existing staff resources, number of staff hours: Preparation of the Work Programme report can normally be expected to take 2-3 hours

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Legal

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

Customer Impact

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

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Ward Councillor Views

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

3. COMMENTARY

3.1 Each PDS Committee has a responsibility to develop and review its work programme balancing the key roles of:

- Holding the Executive to account;
- Policy development and review; and
- External scrutiny.

3.2 The Committee is invited to consider its work programme having regard to guidance at Section 8 of the Scrutiny Toolkit and in consultation with the Renewal and Recreation Portfolio Holder and Chief/Senior Officers.

3.3 The Committee's Work Programme for the period June 2018-March 2019 is attached at **Appendix A**.

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

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ANNEX A

Report Title	Report Author	PH Decision (Yes/No)
Renewal and Recreation Policy Development and Scrutiny Committee – 26 June 2018		
Appointment of Co-Opted Member	LT	No
Matters Arising from Previous Meetings	LT	No
R&R PDS Work Programme 2018/19 including re-appointment to BTCWP	LT	No
R & R Budget Monitoring	CM	Yes
Provisional Outturn 2017/18	CM	Yes
Town Centres Development Programme Update	KM	No
Renewal and Recreation Portfolio Plan	RD	No
Planning Appeals Monitoring Report April 2017 to March 2018	JS	No
Planning Appeals – Costs 2017-2018	JS	No
Enforcement Monitoring Report (April 2017 to March 2018)	JS	No
Delegated Enforcement Action – April 2017 to March 2018	JS	No
Renewal and Recreation Policy Development and Scrutiny Committee – 18 September 2018		
R&R PDS Work Programme 2018/19	LT	No
R & R Budget Monitoring	CM	Yes
Provisional Outturn 2017/18	CM	Yes
Town Centres Development Programme Update	KM	No
Renewal and Recreation Portfolio Plan	RD	No

Report Title	Report Author	PH Decision (Yes/No)
Renewal and Recreation Policy Development and Scrutiny Committee - 13 November 2018		
Matters Arising from Previous Meetings	LT	No
MyTime Active Annual Report 2017/18	JG	Yes
Budget Monitoring 2018/19	CM	Yes
Capital Programme Monitoring – 1st Quarter 2018/19	JM/AL	Yes
Town Centres Development Programme Update Report	KM	No
Contract Register and Contract Database Update	CB	No
Expenditure on Consultants 2017/18 and 2018/19	PG	No
R&R PDS Work Programme	LT	No
Exempt Reports		
Contract Register and Contracts Database Update	CB	No
Renewal and Recreation Policy Development and Scrutiny Committee – 22 January 2019		
Matters Arising from Previous Meetings	LT	No
Renewal and Recreation PDS Work Programme	LT	No
Capital Programme Monitoring - 2nd Quarter 2018/19	JM	Yes
Draft Budget 2019/20	CM	No
Contract Register	M S-C	No
Town Centres Development Programme Update	KM	No
Exempt Reports		
Contract Register – Part 2	M S-C	No

Report Title	Report Author	PH Decision (Yes/No)
Renewal and Recreation Policy Development and Scrutiny Committee – 6 March 2019		
Matters Arising from Previous Meetings	LT	No
R&R PDS Work Programme	LT	No
R & R Budget Monitoring	CM	Yes
Portfolio Plan Review and Contracts Register	??	Yes/No
Town Centres Development Programme Update	KM	No
Planning Performance and Planning Enforcement	JK/JS	No
Chairman's Annual Report	Chairman	No
To be arranged		
Member Visit to Crystal Palace Park		
Penge High Street Report		
Chipperfield Road		
Lease to Bromley and Blackheath Harriers for Norman Park Athletic Track		

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Report from Renewal and Recreation PDS Committee

Chairman: **Cllr. Michael Rutherford**
Vice-Chairman: **Cllr. Julian Benington**

1.1 The Committee met four times this municipal year. Each meeting has scrutinised the reports for decision by the Renewal and Recreation Portfolio Holder and considered policy development for key areas across the portfolio. Alongside the elected Members on the PDS Committee, we were also pleased to welcome a co-opted member from the Bromley Youth Council, Mr. Nicolas Weaks. Through this past year, the R&R PDS Committee has scrutinised a range of proposals and performance metrics and added further scrutiny to the planning service.

1.2 The Committee have monitored performance against the Renewal and Recreation strategic outcomes for the municipal year, which it agreed to support in the July 2017 meeting.

1.3 Topics the PDS Committee have focused on include:

Town Centres

1.4 *Bromley:* The R&R PDS Committee scrutinised proposed Bromley High Street public realm improvements and the relocation of the market. It expressed concerns about the consultation being performed on the proposals and asked for further engagement with market. The Portfolio Holder took these comments and additional consultation led to changes to market layout, an increase in the number of stalls and an additional focus on stall branding and advertising the market. The Committee also scrutinised proposals for Site G. Following its scrutiny a proposed land swap in Library Gardens was withdrawn.

1.5 *Beckenham:* Through its Sub-Committee, the Beckenham Town Centre Working Group, it supported an architectural student competition to design the Beckenham Green Canopy. The working group was also crucial in enabling Beckenham to get its Purple Flag status for a safe night-time economy. The PDS Committee strongly supported the proposed Beckenham Business Improvement District and is pleased that traders voted in favour of it.

1.6 *Orpington:* At the Committee's final meeting of the civic year, it will review development opportunities for Orpington town centre. It will hear and challenge the potential opportunity sites in the town for sustaining and improving the local economy and for new homes. Earlier in the civic year it gave its input to the second Orpington BID term and its comments were taken into account in the Executive meeting.

1.7 *Penge:* The Committee discussed updates throughout the year on the scheme to improve Penge town centre. The PDS Committee strongly supported the proposed Penge Business Improvement District and is pleased that traders voted in favour of it.

Leisure and Culture

1.8 *Library Service:* In the July 2017 meeting, the Committee gave its support for Greenwich Leisure Limited being awarded a contract to run the library service for 10 years. It was assured that the number of libraries and opening times would not reduce and that savings would be achieved for the Bromley taxpayer in every year of the contract.

1.9 *Cultural Activities:* Continued support was given to the Biggin Hill Memorial Museum, and progress on the scheme was tracked throughout the year. It thanked officers for their excellent work on the museum for their work on the proposals and fundraising support.

1.10 *Crystal Palace Park:* The Committee was pleased to support plans for the regeneration of Crystal Palace Park. It considered both the proposals and the business case and considered that the proposals would both improve the park and deliver an appropriate number of new homes.

Planning

1.11 The performance of the planning service was assessed, with a particular focus on the performance of planning enforcement. The Committee also scrutinised planning appeals, considering those appeals received and decided and the costs incurred by the Council.

1.12. The Committee succeeded in bringing about a change of approach to ensuring tall buildings in the borough are safe. Following the Grenfell Tower disaster the committee wanted reassurance that Bromley did not have tall buildings that contained similarly flammable cladding. It was satisfied with the council's proactive approach with public sector providers and housing associations, but wanted a similarly rigorous approach with private sector tall buildings. As a result of the Committee's scrutiny, the Council has confirmation from landlords that there is no such cladding in Bromley's tall buildings.

Scrutiny of the Portfolio Holder

1.13 The Committee scrutinised the portfolio budget, requesting that officers and the Portfolio Holder explained areas where spending was increasing. Particular attention was given to ensure that where third parties run Council services, the quality remains unchanged or better and that cost reduces throughout the contract.

1.14 The Committee also analysed the contract register twice throughout the year, challenging on specific contracts to ensure that contracts avoid being managed effectively and there is suitable foresight of where new contracts are required.

Presentations

1.15 The Committee is grateful to MyTime and GLL for visiting and presenting to it.

Thanks

I would like to thank all the members of the Committee for their diligence and hard work throughout the year. A lot of work has been carried out which has covered a very broad range of subjects. I would also like to thank the officers in the R&R department and Mrs Lisa Thornley for their tireless work at the Committee meetings and the ongoing day to day running of the department.

Councillor Michael Rutherford
Chairman, Renewal and Recreation PDS Committee

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

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