

ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 10 July 2018

Present

Councillor Will Harmer (Chairman)

Councillors Mark Brock, Ian Dunn, Colin Hitchins,
Will Rowlands, Melanie Stevens and Kieran Terry

Also Present

Councillor William Huntington-Thresher and
Councillor Kira Gabbert

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor David Jefferys and Councillor Samaris Huntington-Thresher.

2 DECLARATIONS OF INTEREST

Related to item 6d on the agenda (Appointments to the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel 2018/19) the following Members declared interests:

- Cllr Dunn (nomination for appointment to the Countryside Consultative Panel and Cllr Dunn's partner being a nomination for appointment to the Leisure Gardens and Allotments Panel);
- Cllr Kieran Terry (nomination for appointment to the Leisure Gardens and Allotments Panel);
- Cllr Kira Gabbert (nomination for appointment to the Countryside Consultative Panel); and
- Cllr William Huntington-Thresher, Portfolio Holder, (nomination for appointment to the Countryside Consultative Panel).

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

There were no questions to the Committee.

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4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 15TH MARCH 2018 AND THE SPECIAL ENVIRONMENT PDS COMMITTEE MEETING HELD ON 19TH APRIL 2018

The minutes were agreed.

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

Questions had been received for oral and written reply. Details of the questions and replies are at **Appendix A**.

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

a PROVISIONAL OUTTURN 2017/18

Report FSD18057

The Portfolio Holder was asked to endorse the provisional 2017/18 outturn for the previous Environment Portfolio showing a £1.831m under-spend against a controllable budget of £38.5m (a 4.76% variation). Excluding £280k carry forward sums, the under-spend amounted to £1.551m. Details of variations were outlined in Report FSD18057.

The Portfolio Holder was also asked to approve drawdown of the following carry forward sums from Central Contingency:

2017/18 Carry Forward Sums - Request to Drawdown		£
Green Garden Waste - Direct Debits	On 21 May 2018 Executive agreed to carry forward the £120k set aside for developing a direct debit system for the GGW service during next year. The debt management system has recently gone live and therefore the work required to enable direct debit payments to be taken for the GGW service will not start until April 2018. The new system will separate the financial and operational functions in preparation for the new contractual arrangements for the service in 2019. It will enable officers to collect the income in a more timely fashion through direct debits. This will make the service more efficient, providing easier cash reconciliation and debt management, and provide customers with an alternative method of payment.	120,000
Management and Contract Support	Executive, on 21 May 2018, agreed to carry forward £80k to procure additional support and evaluation expertise for the Waste contracts in 2018/19 when the majority of the contract evaluation will take place.	80,000
Parks Infrastructure Works	Due to a lack of staffing capacity to procure the additional works, coupled with the poor weather during the final quarter of the year, the planned parks infrastructure works were unable to be progressed. Executive agreed to carry forward £80k to enable the works to be undertaken in 2018/19.	80,000
Total		280,000

In discussion, and in considering the variations for Waste Services, reference was made to a diversion of 16,540 tonnes from landfill to Mechanical

Biological Treatment (MBT). The treatment included recovery of as many recyclable materials as possible with remaining waste then stabilised and compressed for energy recovery. No guaranteed volume from L B Bromley was necessary for MBT and the plant used by the waste contractors had been affected by a fire issue. However, the aim would be to deliver as much to MBT as projected for 2017/18. The new contracts would also incentivise suppliers to provide innovative waste treatment solutions e.g. compacting waste into pellets for fuel at continental power plants. Trade waste income also increased more than previously expected in the remaining three months of 2017/18 resulting in additional income of £53k above budget.

Highlighting a reduction in emptying recycling banks (contributing to a £61k underspend on the waste collection contract), a Member stated that he had seen recycling banks overfull with material dumped alongside, a particular example being at the High Street Car Park in Chislehurst. With operatives unlikely to sort through bags, the Member was concerned that the material would be landfilled. However, reductions in material to recycling banks and fly-tipping resulted in a lower fee paid to Veolia. With Veolia paid according to price per tonne of material collected, Veolia had an incentive to collect recycle. Some of the material might have been left outside due to the small window in the paper banks; these were designed to avoid non-recyclable packaging being left in cardboard boxes. The current waste contract was also near to expiry; vehicles were becoming old with those involved in recycling bank collections breaking down more regularly. However, with extra vehicles now acquired it was reasonable to expect a reduction in material left outside of recycling bins.

On Parking Services, a delay was highlighted in rolling out additional paid parking bays. They were still intended but it was a question of timing and matters related to consultation. In some cases traders can initially oppose schemes but subsequently welcome them on seeing a positive impact following installation. Pay and Display bays enable short period parking and prevent commuters parking at certain locations e.g. local shopping parades.

Although a year-end income deficit of £187k for on and off-street parking was partly due to early problems with the new parking contract, the deficit was mainly attributed to reduced usage. A Member enquired about any measures being taken to encourage further use of (Council-owned) car parks; introducing further reduced parking fees (for Bromley Town Centre) on a Thursday (evening) was suggested. However, store closures and encouragement for alternative transport modes contributed to a reduced use of car parks. Motorists might also use the car parks for shorter periods and the Civic Centre Car Park was underused during evenings and weekends. Cllr Melanie Stevens (Biggin Hill) also suggested that a reduced level of enforcement contributed to less use of car parks. However, it was understood that APCOA (Parking Services contractor), is now enforcing well and should the contractor not be enforcing in Biggin Hill the Executive Director asked to be informed. It was possible to request parking enforcement via the Council's

website; additionally, the complement of Civil Enforcement Officers (CEOs) employed by the contractor was now at an appropriate level.

Concerning the Green Garden Waste Collection Service, it was suggested that any second collection bin be provided at half of the cost of the first bin; currently, a second bin costs a resident £60 – the same as the cost of a first bin. Should a first bin be full, a second bin could receive remaining garden waste but a further £60 cost for the bin might be off-putting to some residents. However, provision of the bins was included and the service charge to the Council by the contractor was per bin; the waste services budget would therefore be charged twice for two containers. A discounted cost of a second bin would only provide marginal cost savings at best and a 50% discount would be too costly for the service's business model. But it would be possible to review the model overall and look again at how charging is undertaken for the GGW service. There might be potential for some discount. But the Council also provided a chargeable collection service for bagged green garden waste. Using a sticker costing £1.60 from libraries or the Civic Centre on a standard refuse sack with garden refuse might be a preferred option for residents who only occasionally need a second bin.

On street and gully cleansing, adverse weather in the previous quarter meant that it was not possible to spend part of the street cleansing and gully cleansing budgets. A Member was unable to see reference to carrying the underspend forward to 2018/19 and enquired of the aim for clearing gullies. However, at service level, it was understood that the programme for the year would have completed and officers will check that this is the case.

In concluding, the Chairman highlighted delivery within budget last year for the Portfolio and less waste being sent to landfill. The Chairman hoped it would be possible to extend the use of Mechanical Biological Treatment.

RESOLVED that the Portfolio Holder be recommended to:

(1) endorse the 2017/18 provisional outturn position for the previous Environment Portfolio; and

(2) approve drawdown of the carry forward sum of £280k held in Central Contingency as set out at paragraph 5.23 of Report FSD18057.

b BUDGET MONITORING 2018/19

Report FSD18049

Based on expenditure and activity levels to 31 May 2018, the latest 2018/19 budget monitoring position for the Environment & Community Services Portfolio showed a £1k overspend with the controllable budget projected to be underspent by £14k at year-end.

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

The Executive Director particularly highlighted the Central Contingency Adjustments outlined at Appendix 1A to Report FSD18049. Along with details of the Carry Forward Requests approved from 2017/18 (also outlined at Appendix 1A to Report FSD18049), the latest approved budget for the Portfolio now stood at £38,852,000 (the original 2018/19 budget for the Portfolio having been previously set at £39,281,000).

RESOLVED that the Portfolio Holder be recommended to endorse the latest 2018/19 budget projection for the Environment & Community Services Portfolio.

**c ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO
PLAN 2018/21**

Report ES18035

Members considered the draft 2018/21 Environment & Community Services Portfolio Plan setting out the Portfolio's key service outcomes, associated issues (service drivers), aims, and performance measures.

A review of 2017/18 performance against the Portfolio Plan was also appended to Report ES18035 as was a list of Formally Adopted Environmental Policies.

With specific aims constantly evolving to reflect new challenges, a number of initiatives would be undertaken in 2018/19 including:

- completing the £11.8m highways capital programme;
- implementing a number of major town centre public realm improvement projects;
- improving parking management with the new contractor;
- delivering local enhancements including tree planting, flower beds, and improved street furniture;
- developing the successful Green Garden Waste Collection Scheme to reach more customers and to reduce traffic at Household Waste & Recycling Centres; and
- supporting delivery of commissioning options for the Portfolio's larger contracts from 2019 onwards.

Including a limited number of carefully chosen indicators to measure performance against service outcomes, the Plan outlined performance for 2017/18 and the previous three years (for comparison) along with targets for 2017/18 and subsequent three years (to gauge ambition).

A six-month progress update would be provided to the Committee's meeting on 20th November 2018. Additionally, as a performance overview for each meeting, a dashboard of performance indicators against targets would be provided with a RAG status assigned to each (similar in format to the 2017/18 performance summary at Appendix 2 to Report ES18035).

The Portfolio Plan's aims are delivered through the service contracts summarised in the ECS Contracts Register; delivery is also taken forward within the context of the Council's formally adopted environmental policies.

In considering the Plan, Members put a number of questions to the Portfolio Holder.

On Fix My Street, the Portfolio Holder indicated that the facility can be accessed via the "Report it" tab on the home page of the Council's website or via the Fix My Street Link (accessed from the home page via letter F). The reporting link had also been published in *Environment Matters* and Ward Members were encouraged to promote the facility.

For large amounts of paper and card generated by local business, high street businesses can work together to make their own recycling arrangements, often through facilities organised via a Town Centre Business Improvement District (BID). Council facilities were effectively a disposer of last resort for business and the Council was unable to compete with large organisations such as BIFFA plc which concentrate on locations with many adjacent businesses.

With weekend opening of the Waldo Road and Churchfields facilities more limited (compared to weekdays), it was suggested that residents might be discouraged from visiting the sites at weekends (often more convenient for residents at work in the week). However, the opening hours are limited by planning requirements and major noise abatement measures (effectively, covered facilities) would be needed to extend weekend opening. The Development Control Committee or its Planning Sub-Committees would need to consider any proposals. Open paper and cardboard containers at the sites had also been replaced with enclosed containers having an aperture size to prevent contaminants being deposited e.g. polystyrene; material prices for paper and cardboard had reduced and China had placed restrictions on paper/cardboard imports.

Residents not currently recycling were encouraged to do so through an ongoing recycling campaign. More residents were also encouraged to use the Council's food waste collection service (current studies indicated that food waste comprised some 24% of black bag waste). Where needed, residents can also order extra recycling containers via the Council's website. Flats had a lower recycling rate and presented challenges. To help ensure facilities at new flatted developments, comments are made where possible at Planning Stage. Within a block of flats, an item placed incorrectly risked contaminating other items in a container and there was a desire to see the position improve

e.g. taking forward initiatives with freeholders and having smaller apertures for containers of certain materials.

A kerbside collection service for textiles had also been investigated previously but conclusions suggested the provision would not be economically viable. However, it was possible to take unwanted shoes and clothes to many of the Council's recycling banks and some charities offered a doorstep collection of clothes/textiles. The Council was doing its best within budget on recycling and was one of the top recycling authorities in London.

On street cleansing and autumn leafing, measures had been taken to identify when tree species shed their leaves and to coordinate removal accordingly. Horse chestnut trees were known to be the first to shed leaves and roads known to have such trees receive early clearance. For some locations known to have a variety of species e.g. Summer Hill, Chislehurst, leaf fall would be present over a longer period; it was intended to visit a location once for clearance and then collect further leaves through the normal street cleansing cycles. Consideration was being given to a bespoke FMS response to leaf fall reports rather than indicate when a cleansing visit is next programmed.

On transport and the percentage of children travelling to school by car, it was suggested that the target of <30 for each of the next three years should improve on actual performance over previous years or at least reflect a stable position. However, there was no complacency on reducing car travel to school, even though car numbers on the road continued to rise; support also continued for schools in encouraging alternative travel modes. As the school cohort changed every year, even to maintain a stable position required effort.

On the aim to reduce road casualties, the methodology used by the Metropolitan Police to collect statistics on accident victims seriously injured changed in 2016. This affected figures on numbers Killed or Seriously Injured (KSI) and as a consequence numbers started to rise. Data cleansing was now necessary to align pre-2016 performance with subsequent and current performance. Reference was also made to the Mayor of London's *Vision Zero* target on casualties killed or seriously injured on London's roads.

Responding to a Member question, the Portfolio Holder referred to school visits highlighting for older students the need for considerate driving and the dangers/consequences of drink/drug driving. Emergency services are also represented on the visits. Additionally, cycle training is available to young people of varying ages. On future performance targets for Children killed/seriously injured in road accidents (NI 48), it was highlighted that the target for each of the next three years in the Portfolio Plan appeared incorrect.

The Chairman encouraged more performance indicators and felt that some targets could be more ambitious e.g. operatives on collection rounds should return emptied bins to the place they were retrieved. A greater use of public satisfaction surveys could also be made to gauge views from residents. However, emptied bins not in their original location could be attributed to

reasons such as windy weather. (*Democratic Services note: following the meeting, it was confirmed that this would not be a KPI moving forward but any failure on the part of the contractor to return boxes to the correct place would be managed through the contract and penalties applied if applicable*). More generally, it was necessary to choose funding priorities and achieve targets against the budgetary framework. In the current funding climate additional resources for change are difficult to provide and in a number of areas maintaining current performance required work. It was always an aim to ensure that residents become less inconvenienced by traffic congestion and waste matters in the borough.

The Chairman also suggested that the Council might want to consider bidding for funds from TfL's *Liveable Neighbourhoods Programme*. The Portfolio Holder confirmed that the programme would be considered but from schemes submitted by other boroughs, only one in three bids had been successful in obtaining funds. Any bid submitted by L B Bromley would need to be successful and for TfL's *Quietways Programme* the Council had chosen successful schemes. The next Local Implementation Plan (LIP) was also being written for submission to TfL. If approved, funds would be provided with decisions then needed on funding priorities. The Portfolio Holder welcomed any Member input to the LIP.

On parking services, the Chairman noted an absence of targets for matters such as out of date payment machines, unable to accept new coins or bank notes. Referring to the quality of provision at Bromley town centre, the Chairman also enquired on levels of customer satisfaction and asked that parking targets be reviewed.

RESOLVED that:

- (1) the draft Portfolio Plan (Appendix 1 to Report ES18035) be noted;**
- (2) the 2017/18 performance (Appendix 2 to Report ES18035) be noted;**
- (3) the formally adopted environmental policies, against which the Plan is delivered (Appendix 3 to Report ES18035), be noted; and**
- (4) the Environment & Community Services Portfolio Holder be recommended to take into account the views of the Committee, and 2018/19 budget, in endorsing the outcomes, aims, and performance measures set out in the draft 2018/21 Environment & Community Services Portfolio Plan.**

d APPOINTMENTS TO THE COUNTRYSIDE CONSULTATIVE PANEL AND THE LEISURE GARDENS AND ALLOTMENTS PANEL 2018/19

Report CSD18095

Members supported nominations to the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel for 2018/19.

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

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

(1) Councillors Julian Benington, Ian Dunn, Kira Gabbert, William Huntington-Thresher, Christopher Marlow, and Harry Stranger to the Countryside Consultative Panel for 2018/19; and

(2) Councillors Vanessa Allen, Mary Cooke, Harry Stranger, Kieran Terry, and Stephen Wells to the Leisure Gardens and Allotments Panel.

7 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

a DEPOT STRATEGY - CAPITAL WORKS

Report ES18032

For the new waste management, street cleansing, and grounds maintenance contracts from April 2019, the Council's depot provision had been strategically reviewed so that cost-effective, flexible facilities can be provided enabling a contractor to provide modular buildings and storage facilities to reduce ongoing Council costs.

Identified capital works included replacing hard standings and demolishing dilapidated buildings. At larger depots, particularly those associated with waste management, the improvements would help maintain site safety and environmental compliance, sustaining fitness-for-purpose during the contracts.

The review (including a condition survey on each site by Cushman and Wakefield) concluded that a number of existing premises would not be required to support the new contracts and in some cases better use of existing sites would bring operational efficiencies. Report ES18032 briefly summarised improvement works needed to each depot along with estimated costs (with final costs to be provided following design works by appointed consultants). As all sites were unlikely to be ready at the start of the new contracts, the contractors would be able to participate in design and phasing of the works. It was proposed to deliver the project through Amey's Capital Project Team using multi-disciplinary consultancy services.

Along with Central and Churchfields depots seven smaller sites would be retained with seven existing sites not required after April 2019. It was also proposed to transfer three other sites to the Crystal Palace Trust in 2022.

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The anticipated project programme comprised:

Task	Completion Date
Approval to project	July 2018
Appointment of Consultancy Services and Programme Manager	October 2018
Design Development and Tender	October 2019
Construction/ demolitions	October 2020

The estimated costs of the scheme were also summarised as follows:

Summary of estimated costs and funding	£'000
Estimated costs	
Capital works	5,158.2
Consultant costs	515.9
Programme Manager	200.0
Additional 10% contingency for depot works	587.4
Total estimated costs	<u>6,461.5</u>

With the Council's capital receipts currently projected to be fully utilised by the end of 2019/20, building up again from 2022/23, it was proposed, where possible, to fund the scheme costs from unallocated capital receipts and internal borrowing. Projections for capital receipts currently included those estimated from depot disposals; should insufficient disposals be identified to fund scheme costs, a future report would include alternative funding options including longer term external borrowing if necessary e.g. from the Public Works Loan Board.

In discussion, Members were advised that in reviewing depots needed for the future, and those surplus to requirements, the existing contractors were consulted on matters such as the effect on operations should certain depots be removed. Bidders for the new environment contracts were also advised of depots proposed for retention. For sites no longer needed, various options would be considered (including a capital receipt for those that can be sold). Such options would be considered in a future report to the Resources Portfolio Holder.

More detail was requested on works related to headings such as hardstandings, concrete slabs and utilities particularly at Central Depot in view of an estimated £2.3m cost. As such officers would circulate a more detailed description of what is covered by such headings.

The estimated costs of the scheme included a 10% construction contingency. Rather than delegate the Programme Manager to authorise variations against construction and/ or consultancy contracts within the tolerance – as per Recommendation 2.2 of Report ES18032 - Members preferred the delegation to be authorised to the Executive Director (given the level of sum represented by 10%).

In view of the short timescale between award of the new Environment Contract and commencement date, Report ES18032 also recommended an additional 10% contingency should extra work at short notice be identified through the negotiation process with authority to spend any of the contingency given to the Executive Director in consultation with the Portfolio Holder.

RESOLVED that the Executive be recommended to:

- (1) recommend that Council approves the addition of the scheme for Depot Improvement Works to the capital programme, at a total cost of £6.5m, to be financed as set out at paragraph 5.2 of Report ES18032;**
- (2) delegate authority to the Executive Director of Environment and Community Services (rather than the Programme Manager) to authorise variations against the construction and/or consultancy contracts within the 10% tolerances (but see Democratic Services Note below);**
- (3) approve an additional 10% contingency of £587k for any additional depot works identified through the negotiation process for the Environment contract;**
- (4) delegate authority to use the additional 10% funding for depot works to the Executive Director of Environment and Community Services (ECS) in consultation with the ECS Portfolio Holder;**
- (5) agree to utilise a suitable framework for the appointment of consultancy services; and**
- (6) agree the procurement of contractors for works as outlined in Report ES18032.**

(Democratic Services Note: Following the meeting it was highlighted that a Programme Manager is given delegated powers to represent the Council's interest as appropriately qualified and competent to make technical decisions, with scrutiny of the Programme Manager undertaken by the Budget Holder at the Council (to whom the Programme Manager reports) i.e. the Director of the Environment via the Transport Operations Manager. Both would expect to be consulted by the Programme Manager when he/she makes decisions where an issue is complex, where options need to be discussed with the client, or where the preset tolerances for time, money or quality will be exceeded. With such decisions often needed quickly, delegation to an Executive Director (two steps removed) would delay decision making and the works. As such a revised recommendation to the Executive at (2) above comprised:

(2) delegate authority to the Programme Manager to authorise variations against the construction and/ or consultancy contracts within the 10% tolerances, with the Programme Manager accountable to the Council's relevant budget holder.

8 ORPINGTON STATION FORECOURT IMPROVEMENTS

Report ES18054

An update was provided on the progress of forecourt improvements at Orpington Station. Via a partnership and joint funding arrangement with Southeastern (leaseholders of the land) it is intended to improve pedestrian routes and crossing points as well as the taxi rank, cycle parking, and lighting.

Following a tendering exercise in April/May 2018, five compliant bids were received and having jointly assessed the tender submissions, Southeastern and L B Bromley are now in a position to appoint a contractor. Consequently, the Council's share of the cost is now ready to be released to Southeastern so they can formally award and programme the works.

A sum of £371k allocated to the project comprises £142k from L B Bromley and £229k from the Rail Delivery Group, administered by Southeastern. The Council's cost includes improvement works to the bus stop and footway immediately adjacent to the Station forecourt, funded by £82.5k from the Orpington Tesco development S106 allocation and £59.5k from the 2018/19 LIP Public Transport and Access budget (the TfL LIP budget currently has £100k allocated to the scheme). As the forecourt and cycle facilities will be maintained by Southeastern there will be no on-going costs for the Council.

RESOLVED that the contents of Report ES18054 be noted.

9 CONTRACT REGISTER

Report ES18036

From the Contracts Register presented to the Contracts Sub-Committee on 29th March 2018, Members received an extract on Environment contracts. A further copy provided under Part 2 proceedings included commentary for each contract.

Key Environment information from the Part 1 extract comprised:

Item	Category	September 2017	November 2017	March 2018
Contracts	£50k+	20	21	23
Concern Flag	R	11	10	3
Risk Index	Red	7	7	7
	Amber	6	6	7
	Yellow	5	5	6
	Green	2	3	3
Portfolio Total		20	21	23
Procurement Status	Red	4	14	16
	Amber	10	2	2
	Yellow	2	1	1
	Green + New	4	4	4
Portfolio Total		20	21	23

Environment has 23 (~10%) of the Council's 238 (£50k plus) contracts

Since March, the following notable activity had taken place:

- The major and minor highway works contracts had been awarded to JB Riney for an initial term of eight years;
- Purchase orders had been placed with AECOM for the Highways Engineering Consultancy for 2018/19 with future options for the service being considered including working through JB Riney's supply chain (consultancy services was identified in the PIN for the new Highways contracts), as well as other existing Frameworks;
- The current major works contractor, FM Conway, would continue to work in the borough until early 2019 to complete a number of larger projects, including Beckenham and Bromley town centres; and
- The Depot Security Contract is included as part of Lot 2 (Waste Management), of the Environmental Services contracts currently out to tender.

For the contract on Supply of Contract Hire (Lease) cars currently provided by Crown Commercial Suppliers - Vehicle Lease Framework, Report ES18036 highlighted a correction to the extract, specifically that the CCS framework RM3710 is used, which was extended for one year from 15th May 2018 to 15th May 2019. Authorisation to continue such use was given by DOE in an exemption ('waiver') document on 7th December 2017 and options for future commissioning arrangements are being considered; recommendations would be reported to Members later in the year.

RESOLVED that the Part 1 £50k+ Contracts Register (which also forms part of the Council's commitment to data transparency) appended to Report ES18036 be noted.

10 RISK REGISTER

Report ES18037

Members received the revised Environment and Community Services (ECS) Risk Register, also forming part of the 2017/18 Annual Governance Statement evidence base.

The Register had been reviewed by ECS Departmental Management on 15th March 2018, by the Corporate Risk Management Group on 10th April 2018, and by the Audit Sub-Committee on 24th May 2018.

On income variation and loss, a Member was concerned that an annual review of parking tariff structures might see parking fees rise. However, specific actions would not amount to establishing policy and any policy change on parking tariffs would be brought to Members. Although the Council was prohibited from using on street only parking fees for profit, it was possible to offset parking income against other expenses e.g. costs related to processing Freedom Passes.

Democratic Services Note: Section 55 of the Road Traffic Regulations Act 1984 requires local authorities to keep a separate account of income and expenditure relating to the on-street parking places and parking enforcement for on and off street parking. This is referred to as the Parking Account (PA). Under this legislation, any surplus made from the Parking Account must be used to meet the cost of providing and maintaining parking facilities, highways and street improvement schemes, traffic management schemes, highway maintenance, and provision of facilities for public passenger transport services (e.g. concessionary fares). Any surplus from off-street parking (which is excluded from the PA) is not bound by the same restrictions and can therefore be used at the Council's discretion.

A case of free parking was highlighted close to paid for parking at Royal Parade, Chislehurst. But as explained to Members, care was necessary on the effect of any changes to off-street parking charges and to ensure that on-street parking provision does not block traffic along a street (at the location or as a result of motorists parking further away at free locations to avoid charges). It was necessary to be mindful of any knock on effect from parking charges at a location. On occasions, charges can reduce during the day to encourage commuters. However, there will always be locations where paid for parking ends and free parking starts.

On risks associated with the waste budget, a suggestion was made that green bins (bottles, cans and plastic) are supplied with a sticker to provide clarity on materials for the bin. A number of people might appreciate stickers that are

easy to see and contamination would be avoided from materials such as polystyrene in the bins. As a new contract will start next April, it was explained there might be some slight changes going forward. Collection arrangements for recyclables are also publicised regularly. It was preferable to hold off introducing changes at this stage, at least until the start of the new contract and the opportunity would be taken to remind residents on materials for each bin. New bin stickers might also be costly for residents and a number of measures are already in place to manage the process. Additionally, the new contract will incentivise the service provider to take appropriate measures - it will be at the provider's risk not to take such measures.

RESOLVED that the E&CS Risk Register appended to Report ES18037 be noted.

11 FORWARD WORK PROGRAMME AND MATTERS ARISING

Report ES18034

Members considered the Committee's 2018/19 work programme and noted progress on a request made at a previous meeting.

It was possible that consideration of the report on the Environmental Services Contract Award might need to be moved to the 20th November meeting. Should this be the case the Chairman asked for an update at the 10th October meeting.

A Member also raised a matter on the use of pesticides in the borough and their use by Council contractors. In view of the range of chemical/biological substances included as pesticides (e.g. herbicides, insecticides etc.) the Member sought information on the use of any pesticide as a chemical agent. The Executive Director suggested that that the issue related more to any use of herbicides and officers would provide information on the methodology used by contractors to treat weeds.

RESOLVED that:

- (1) the Committee's 2018/19 Forward Work Programme be agreed; and**
- (2) progress related to a previous Committee request (Appendix 2 to Report ES18034) be noted.**

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

**13 EXEMPT MINUTES OF THE SPECIAL ENVIRONMENT PDS
COMMITTEE MEETING HELD ON 19TH APRIL 2018**

The exempt (Part 2) minutes were agreed.

14 CONTRACT REGISTER

Members considered a Part 2 £50k+ Contracts Register extract (for the Environment Portfolio) which included commentary on most of the contracts listed.

The Meeting ended at 9.24 pm

Chairman

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

From Mr Richard Gibbons

1. Orpington's Priory Ponds Bridge has been closed for 37 weeks awaiting balustrade repair. Does the Portfolio Holder consider this an acceptable level of service, given Priory Gardens' Grade II status within Historic England's 'Register of Historic Parks and Gardens', and his Portfolio Plan's aims and outcome 'Enhancing Bromley's Parks & Green Spaces'?

Reply

Repairing vandalised equipment in our parks is a costly expense, and a listed park requires something more than a quick unsympathetic repair. I am concerned that you as a tax payer seem to be more challenging to the Council for the repairs than challenging the vandals who caused this destruction in the first place. We are currently finalising options to replace the balustrades with a more substantial replacement which is appropriate for a listed park and will benefit and be a pleasure for visitors to the gardens plus has a chance of withstanding the attentions of the dregs of our society for many years to come. Just replacing the bridge yet again with something that has been shown to need regular repairs and replacement is not the sensible option.

The need to survey the bridge, establish a viable solution and then obtain competitive tenders does take time. We now have those quotes and are evaluating them.

Supplementary Question

Mr Gibbons highlighted that since submitting his question, the Priory Ponds Bridge had been closed for 38 weeks. Mr Gibbons then asked his supplementary question.

In view of the Portfolio Holder's compliments regarding Friends of Parks groups (40,000+ hrs pa valued, vital, voluntary conservation work) and the Leader of the Council's comments on 16th May to "work more closely with Bromley's voluntary sector and friends groups", Mr Gibbons asked if the Portfolio Holder would include engagement and practical support for volunteer groups within the Depot Strategy? For example, Mr Gibbons suggested that a 'Friends Space' with secure tool storage in Priory Gardens would help Friends attract volunteers and work more efficiently.

Reply

In his reply, the Portfolio Holder referred to communicating with Friends and suggested the Council could communicate better with Friends; in regard to the depot strategy, the Portfolio Holder confirmed that the Parks and Grounds Maintenance contractor would continue to support Friends groups.

Re: Agenda Item 8 - to inform and aid proper scrutiny by seven committee members not present at November 2016 meeting

2. Can the Portfolio Holder demonstrate how a commuter would cycle safely up Station Road, under the railway bridge, to reach the proposed Orpington cycle hub? Specifically, with one or more buses in situ at the bus stop, and traffic travelling on Crofton Road towards the station manoeuvring to pass stationary buses?

Reply

The cycle hubs in this borough are an important addition to encourage cycle to rail, and I would hope that you support and appreciate them. As you are aware from previous reports to the Environment PDS we are in the process of developing cycling options along Crofton Road and intend to move on to address routes from Sevenoaks Road to Orpington town centre and station in the next couple of years which may or may not result in routes along Station Rd. We are also looking at how these routes can be connected on a quieter alignment than Station Road provides. I would be happy to demonstrate cycling and I intend to be trained shortly by our cycle trainers, after that I would be happy to demonstrate how I would cycle this route, though it is a fairly steep hill. I would only attempt to pass a stationary bus if safe to do, a similar approach I take when driving a car. My understanding is that in general for both cyclists and motorcyclists weaving through traffic is not advised on safety grounds. However I would also point out that I, along with current policy would attempt to find a quieter and more pleasant route to get to destinations, which as I have previously mentioned we are looking at, but these are complex projects which take time to develop into a network. Those using the buses to commute are of course also participating in an active lifestyle and shouldn't be discouraged, it is not unreasonable for other road users to wait for buses to drop off pedestrians.

I would hope that you (Mr Gibbons) and other cyclists will work with the Council to constructively support the development of proposals and more directly help us give more residents, more confidence to cycle more frequently. In pure number terms, we are aware that the current mode share indicates that there are more residents who choose to walk than cycle to the station and other destinations. A number of residents do report feeling intimidation from cyclists when they are pedestrians which needs to be addressed so we can bring forward proposals that benefit all of those residents wishing to use more active forms of transport. I hope that you are supportive of the cycle hubs we are developing and will help us to help you as we add cycle facilities across the borough.

Supplementary Question

Suggesting the scheme is potentially life threatening, Mr Gibbons highlighted that he raised concerns about the scheme last November. Mr Gibbons offered Members, through the Portfolio Holder, an opportunity to ride and experience cycling along Crofton Road in peak times (to the proposed cycle hub). The cycle hub would also effectively be in the middle of a roundabout, at the borough's second busiest station. Mr Gibbons enquired whether the proposed scheme met CLoS and/or Healthy Street Check standards.

Reply

In his reply, the Portfolio Holder referred to developing Crofton Road (and proposed cycle route) and the report previously presented on the item identified the funding basis for the scheme. The Portfolio Holder also disagreed with the description from Mr Gibbons that the cycle hub would effectively be in the middle of a roundabout.

3. Currently, does the Portfolio Holder consider a 12-year-old can cycle safely to school on roads around the Bromley South junction, specifically Masons Hill and Westmoreland Road, as is the aim of his party's Transport Minister, Jesse Norman?

Reply

I'm sure that you (Mr Gibbons) can find many junctions and roads across our borough that cyclists and indeed drivers would tend to avoid for congestion and other reasons. Over time we aspire to improve many of these as they invariably are poor junctions for all road users. We live in a borough that has developed over time with limited space for transport plus topography challenges. This creates issues with the allocation of road space and for providing a pleasant street environment that we aspire to. We are developing a number of facilities for cycling and walking and are working with TfL to refine our proposals for the Quietways, the first of which will be delivered later in 2018/ early 2019. This is not new, we have previously developed routes under different guises off the main thoroughfares. Officers also engage with TfL to lobby for cycling improvements on the A21, however the complex nature of the junctions and limited space makes these projects long term aspirations. The Council works with schools when they are developing their travel plans to help students and staff access the school by active means which could include identifying improved routes and infrastructure.

I also refer you to my answer to your previous question.

Supplementary Question

Mr Gibbons asked the Portfolio Holder what his response would be to developers who regularly submit Planning Applications with Transport Assessments that include extracts from TfL's London Cycle Maps featuring such roads as Westmoreland Road as evidence of safe routes for children to cycle to school?

Reply

The Portfolio Holder indicated an aspiration to hopefully improve poor junctions for all road users including this (Bromley South) junction but time and money was needed in support. The Portfolio Holder would also hope that the planning system would expose the limitations of such travel plans in planning applications such as those referred to by Mr Gibbons.

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY

From Cllr Ian Dunn

Please provide the following information:

Description of change, date of Member decision, date change control notice formally applied to the contract, and financial implications on every change control notice which has been issued on the following contracts:

Waste disposal,
Waste collection,
Street environment, lot 1 - Street Cleaning,

Grounds Maintenance.

Reply

Please see attached the list of Change Control Notices in place for the current Waste collection, Waste Disposal, Street Environment (lot 1 Street Cleaning) and Grounds Maintenance contracts.

The attached includes a brief description of the change taken from each CCN, the date of member decision (where applicable) and any financial implications.

All of this information, along with more detailed descriptions of each CCN can be found on the Contracts Database.

From Colin Willetts

1. Could the Portfolio Holder explain why there is a 'no entrance markings' sign (8 to 9-30 am/2-30 to 4-00 pm) opposite 291 Chipperfield Road for no apparent reason as it appears that rear entrance/exits to/from Leasons School are located opposite 279 & 303 Chipperfield Road?

Reply

Please see attached drawing showing the proposal for this location. The drawing shows a length of 'School Keep Clear Marking' with zig zags. A time restriction plate is also included which indicates the time that vehicles are permitted to park on them.

2. With regard to your replies 26/2/18, could you tell us why there is a lack of progression on:

i) flooding problems in Pops alley (lead from 8 Arbrook Close)

Reply

- This alleyway has never had any surface water drainage, there are no existing assets to be maintained.
- There is no history of reported 'flooding' at this location on file here.
- Our Highway Inspector will continue to try to gather evidence to justify an intervention but has not yet managed to attend the site immediately after protracted rainfall.

ii) bus stops upgrades 297/299 Chipperfield Road (including junction with Petersham Drive)

Reply

The stops near numbers 297/299 Chipperfield Road have now been completed.

iii) relocation of lamp column Chipperfield Road junction Petersham Drive?

Reply

A replacement column was erected on 7th June 2018. A date for connection to the power supply is currently awaited from the street lighting contractor's independent connection provider (ICP).

3. Concerning Page Heath Villas, including the recent planning approval for four flats without car parking facilities, parking is already at a premium and residents are unable to park nearby due to commuter parking. Would the Portfolio Holder now consider a CPZ review or resident parking permit scheme urgently?

Reply

As far as our records show there have not been any particular requests for residents in Page Heath Villas showing a desire to be added to the local CPZ. The last recorded written request was in May 2014. Therefore at present this is not a proposal for a scheme currently showing on a programme of works for consideration.

Where there are new build developments permitted within current CPZs or in areas expected to require CPZs in the foreseeable future they are regularly excluded from joining the existing or future permit schemes.

The Council has a tried and tested approach to deciding which areas are appropriate for CPZs and their relative priority to other parking schemes across the borough. The information provided in the question would not appear to justify grounds of urgency.

All proposed schemes are subject to consultation. Issues highlighted in the consultation can result in even proposed schemes not progressing. For example it is important to note that there are also a number of businesses registered in Page Heath Villas with parking requirements. Permits do not guarantee a space outside a property or in a specific road and officers would not necessarily look to remove all free (i.e. non-resident) parking spaces from the location.

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List of Change Control Notices for Waste, Grounds Maintenance and Street Cleansing Contracts as at 6th July 2018

CHANGE CONTROL NOTICES FOR WASTE MANAGEMENT CONTRACT				
CCN REF	Reason	Description	Contract Cost Implications	Committee Sign Off
Deed of Variation	Extension of contract to 2016			
CCN WM01	Change to EOC collections	A front of property (Edge of Curtiledge) refuse collection service resulting in a saving of £135k per annum to the Council. Changes took affect borough wide on 01/02/03.	Cr £135k pa	03.09.02 ES02312
CCN WM02	Flats recycling additional crew	Additional crew for collection of recycling from flats from 01/04/13.	£56k pa indexed	Member approval not required. Decision within scope of the management of the service.
CCN WM03	Cessation of delivered refuse sacks to listed addresses	Cessation of delivery of refuse sacks to specifed properties from 01/04/05 due to move to EOC collections.	£0	04.04.05 ELS05064
CCN WM04	Borough wide weekend GGW Satellite sites	Introduction of Green Garden Waste satellite sites from 01/04/2005.	Cr £213,048 pa indexed	11.01.05 and 19.01.05 ELS05006
CCN WM05	Collection of food waste trial in specified area (Collection)	Food Waste collection trial for domestic collection service which commenced 01/09/07.	Cr £272k	17.04.07 ELS07062
CCN WM06	Collection of food waste trial in specified area (Disposal)	Food Waste collection trial for domestic collection service which commenced 01/09/07.		17.04.07 ELS07062

CHANGE CONTROL NOTICES FOR WASTE MANAGEMENT CONTRACT				
CCN REF	Reason	Description	Contract Cost Implications	Committee Sign Off
CCN WM07	EOW residual waste in specified food trial area	Alternate Week Residual Waste Collection Trial for domestic customers. Commenced 01/09/08.	£0	20.05.08 and 28.05.08 ED08057
CCN WM08	Extension of contract to 2016	Term of the Waste Collection Services element of Contract to be extended to end of 21 Feb 2016 to align with the Waste Management Services element. Contract extended from midnight on 1 November 2008.	Cr £40k per annum indexed Cr £5k in 2008/09 Cr £12k per annum from 2009/10 indexed	17.04.07 ELS 07060 and 28.08.07 ELS07060 (part 1) ELS07130 (part 2)
CCN WM09 & 10	Extension of food waste trial (Collection and Disposal)	Expansion of trial of food and residual waste collection services from domestic properties. One-off set up costs funded from waste budget underspend for 2008/09. Approximate disposal contract savings of £220k.	£341k collection contract cost	08.01.09, 15.01.09, 02.02.09 ELS ESO9019
CCN WM11 & 12	Introduction of food waste and EOW Borough wide (Collection and Disposal)	Provision of domestic recycling service changed from a weekly basis to a two-weekly basis. Provision of residual waste collection services changed to a two-weekly basis. Cessation of the provision of the trial Green Garden Waste (GGW) collection services. Introduction across the whole borough of weekly food waste domestic collection services. Approximate disposal contract savings of £312k.	£713,587 per year	01.09.10 ES10122
CCN WM13	Introduction of food waste for flats	Provision of domestic food waste collection service to 16,000 flats.	Dr £58k	05.04.11 and 25.05.11 ES11049

CHANGE CONTROL NOTICES FOR WASTE MANAGEMENT CONTRACT				
CCN REF	Reason	Description	Contract Cost Implications	Committee Sign Off
CCN WM14/15	Extension of contract to 2019 (Collection)	The extension of the current waste management contract with Veolia Environmental Services from 22 February 2016 to 31 st March 2019 with revisions implemented from January 2012. Extension of both the disposal and collection services contracts to make the Waste Management Contract coterminous with the Street Cleansing Contract (indicative costs £44m for extension period 2016-2019).	£0	20.07.11 ES11092
CCN WM16	Discount against vehicle costs	Guaranteed savings against vehicle costs at £150k per annum (to be increased in line with inflation each year). Revisions implemented from January 2012.	Cr £150k pa indexed	20.07.11 ES11092
CCN WM17	Revised contract price inflationary increase (Collection)	The scheduled Review Date due on 04.11.2012 should instead be deemed due on 01.04.13 and subsequent Review Dates should be on the anniversary of that revised Review Date. The indexation to be applied on 01.04.13 and subsequent Review Dates should be calculated using the CPI (not RPIx) for the March immediately prior to the Review Date as published by ONS in April each year (see also CCN WM18).	£0	20.07.11 ES11092
CCN WM18	Revised contract price inflationary increase (Disposal)	The scheduled Review Date due on 24.02.2013 should instead be deemed due on 01.04.13 and subsequent Review Dates should be on the anniversary of that revised Review Date. The indexation to be applied on 01.04.13 and subsequent Review Dates should be calculated using the March CPI (not RPIx) for the March immediately prior to the Review Date as published by ONS in April each year (see CCN WM17).	£0	20.07.11 ES11092
CCN WM19	Minimum price for paper tonnage	Guaranteed minimum price for paper recycled per tonne with no uplift being applied to this price. Revisions implemented from 1 st January 2012.	N/A (The price per tonne is commercially sensitive)	20.07.11 ES11092

CHANGE CONTROL NOTICES FOR WASTE MANAGEMENT CONTRACT				
CCN REF	Reason	Description	Contract Cost Implications	Committee Sign Off
CCN WM20	Reduction in price of incineration and guaranteed 45,000 tonnes per annum to SELCHP and reduction in price of incineration	Negotiation of price per tonne of incineration and tonnage volumes	N/A (commercially sensitive)	20.07.11 ES11092
CCN WM21	Commissioning of LBB Site Supervisors	Outsourcing of service and Transfer of LBB Site Supervisors to Veolia UK, commencing on the 1 st January 2014.	Dr £93k	19.11.13 ES13107
CCN WM22	Green Garden Waste wheeled bin collection service	Introduction of Green Garden Waste wheeled bin collection service from 01.02.2012.	2012/12 £272k per year indexed 2013/14 £506k per year indexed.	14.12.11 ES11108
CCN WM23	Weekly paper collection to EOW service	Change from a weekly kerbside collection of paper Borough wide service to an Every Other Week (EOW) collection schedule	Cr £577,688 per year. One off implementation cost £100k.	18.02.15 ES14081
CCN WM24	Diversion of 18,000 tonnes from landfill to Veolia IWMF	The Contractor proposes the diversion of approximately 18,000 tonnes of waste from landfill using alternative treatment methodologies. This is a non-guaranteed volume (and non-binding agreement), but is designed to provide innovation and further income opportunity within the scope of the contract.	Commercially sensitive	Member approval not required. Decision within scope of the management of the service.
CCN WM25	Introduction of new Performance Management Framework	The introduction of a new Performance Management Framework to replace the Special Conditions of Contract appended to the Specifications A (Waste Collection), B (Household Segregated Collections) and C (Clinical Waste Collections and Disposal).	N/A	Member approval not required. Decision within scope of the management of the service.

CHANGE CONTROL NOTICES FOR WASTE MANAGEMENT CONTRACT				
CCN REF	Reason	Description	Contract Cost Implications	Committee Sign Off
CCN WM26	Minor changes and obsolete material	This Change Control Notice formally records the changes in the names of the parties that have occurred since Commencement. The CCN also records the fact that the Parties acknowledge and agree that a number of Clauses in the Contract and requirements in the specifications – including changes specified in certain Change Control Notices – are no longer applicable to the performance of the Agreement.		20.07.11 ES11092
CHANGE CONTROL NOTICES FOR GROUNDS MAINTENANCE CONTRACT				
Deed of Variation - Changes to Schedule terms – signed on 14 th December 2017.				N/A
The original contract has been amended by a Deed of Variation (December 2017) to include additional activities and scope beyond the original contract.				
No CCNs in place for this contract.				
CHANGE CONTROL NOTICES FOR STREET CLEANSING CONTRACT				
Contract Extension in 2017 (to 2019).				15.07.18
No CCNs in place for this contract.				(Executive - agenda item 23)

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Leesons Primary School

Existing DYL

CHIPPERFIELD ROAD



Diag 642.2a

2 x 2m guardrailing

Proposed footpath
(2m wide)

Proposed 'School Keep Clear'
marking to Diag 1027.1
(43.0m long)

Existing DYL

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Job Title: CHIPPERFIELD ROAD ST. MARY CRAY	Drawing Title: PROPOSED SCHOOL KEEP CLEAR AND GUARDRAILING	Scale @ A4 1:500	 Environmental Services Civic Centre, Stockwell Close, Bromley, BR1 3UH Tel : 020 8464 - 3333 Fax : 020 8313 - 4555 Email : www.bromley.gov.uk	Rev B 06.06.18 Proposed double yellow lines removed. J.J.
		Date: 23/10/17		Rev A 14.05.18 Location of proposed footpath revised and determined. J.J.
Drawn by: J.J.		Checked by: I.A.	Nigel Davies Executive Director of Environment & Community Services	Rev Date Description By
				Drawing Number 12658-01

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