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DATE: 28 January 2019

To: Members of the
**ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND
SCRUTINY COMMITTEE**

Councillor Will Harmer (Chairman)
Councillor David Jefferys (Vice-Chairman)
Councillors Mark Brock, Ian Dunn, Colin Hitchins, Samaris Huntington-Thresher,
Will Rowlands, Melanie Stevens and Kieran Terry

A meeting of the Environment and Community Services Policy Development and
Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY**
5 FEBRUARY 2019 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

A G E N D A

PART 1 AGENDA

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

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC
ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to this Committee must be received in writing four working days before the date of the meeting. Therefore please ensure that questions are received by the Democratic Services Team by 5pm on Wednesday 30th January 2019.

- 4 MINUTES OF THE ENVIRONMENT AND COMMUNITY SERVICES PDS COMMITTEE MEETINGS HELD ON 20TH NOVEMBER 2018 AND 17TH DECEMBER 2018 (SPECIAL MEETING) (Pages 5 - 28)**

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

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

In accordance with the Council's Constitution, questions to the Portfolio Holder must be received in writing four working days before the date of the meeting. Therefore please ensure that questions are received by the Democratic Services Team by 5pm on Wednesday 30th January 2019.

- 6 ECS PERFORMANCE MONITORING 2018/19 (Pages 29 - 30)**

A Performance Monitoring overview of the Portfolio is provided to each meeting of the Committee.

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

Portfolio Holder decisions for pre-decision scrutiny.

- a CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2018/19 (Pages 31 - 38)**
- b PARKING FEES AND INCOME REVIEW 2019 (To Follow)**
- c COMMERCIAL WASTE FEES AND CHARGES (To Follow)**
- d PROPOSED MAKING-UP OF CLARENCE ROAD, BICKLEY (PART) - SECOND RESOLUTION (Pages 39 - 44)**

POLICY DEVELOPMENT AND OTHER ITEMS

- 8 DRAFT BUDGET 2019/20 (Pages 45 - 66)**
- 9 LIP3 CONSULTATION REPORT (Pages 67 - 72)**
- 10 PARKING SERVICES - CONTRACTOR PERFORMANCE REVIEW, APCOA PARKING, YEAR 2 (Pages 73 - 110)**
- 11 FOOD WASTE RECYCLING CAMPAIGN - UPDATE (Pages 111 - 116)**
- 12 CONTRACT REGISTER (Pages 117 - 126)**
- 13 RISK REGISTER (Pages 127 - 138)**

14 FORWARD WORK PROGRAMME & MATTERS ARISING (Pages 139 - 146)

PART 2 AGENDA

15 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

16 EXEMPT MINUTES OF THE ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 20TH NOVEMBER 2018 (Pages 147 - 154)

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

17 CONTRACT REGISTER (Pages 155 - 156)

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

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ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 20 November 2018

Present

Councillor Will Harmer (Chairman)
Councillor David Jefferys (Vice-Chairman)
Councillors Ian Dunn, Samaris Huntington-Thresher,
Will Rowlands, Melanie Stevens and Kieran Terry

Also Present

Councillor William Huntington-Thresher,
Councillor Kira Gabbert and Councillor Michael Tickner

28 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllr Mark Brock and from Cllr Colin Hitchins.

29 DECLARATIONS OF INTEREST

There were no declarations.

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

There were no questions to the Committee.

31 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 10TH OCTOBER 2018

The minutes were agreed.

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

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

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

a BUDGET MONITORING 2018/19

Report FSD18088

Based on expenditure and activity levels to 30th September 2018, the latest 2018/19 budget monitoring position for the Environment & Community Services Portfolio shows an underspend of £114k with the controllable budget projected to underspend by £141k at year-end.

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

Commenting on the current parking position, the Portfolio Holder highlighted a continued underuse of Council-owned car parks and a reduced level of income for on and off-street parking (with a £129k deficit projected). An income shortfall was also projected for parking enforcement (£300k) with certain parking suspensions at Beckenham potentially contributing to the shortfall along with changes to Bromley Town Centre Parking Zone A (signs being reviewed/ policy changes concerning shared use bays). Although enforcement existed to prevent contraventions, an understanding was being sought of causes for the present position and reduced income level. Conversely, bus lane and blue badge contraventions had both increased.

Lower parking enforcement income could also be attributed to APCOA's deployment plan currently being considered by the Head of Parking Services and APCOA. A growing number of ad-hoc enforcement requests were being received from residents using the available online form. In responding to a request, Civil Enforcement Officers (CEOs) would be diverted from routine patrols; however, on a number of occasions they are called to locations where it is not possible to enforce. To increase deployment effectiveness, it is necessary to call CEOs to locations where it is believed an enforceable offence will be committed.

Lower enforcement income could not be attributed to APCOA's previous poor performance as they are now performing to an improved level and not failing their performance targets. Instead, it was necessary to look at where to deploy CEOs more effectively.

Concerning the use of automated cameras for enforcement, those used successfully for bus lanes can be redeployed and it was confirmed that mobile cameras can be legitimately used for the enforcement of zig-zag restrictions outside of schools (e.g. fixed to school gates). However, legislation prevented officers from using CCTV equipment to enforce against a number of wider offences.

Concerning Waste Services, and noting that it might be necessary to carry forward to 2019/20 some of the £120k budget from 2017/18 to develop a direct debit payments system for the GW service, a Member felt that it is necessary to implement a system and for as long as the budget is not spent, money is being lost through the CRM system. The Assistant Director of Environment indicated that a need to integrate a service provider solution with a system wanted by the Council. The service has awaited the outcome of the Environment Commissioning Programme and it is necessary to speak to the new contractor for the service. There is an integrated solution through a cloud based system and next April a date might be available to take a direct debit payment system forward. To renew an annual fee, the Member suggested a system where a credit card can be automatically activated.

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

b ORPINGTON: CROFTON ROAD CYCLE ROUTE

Report ES18063

TfL's London-wide Strategic Cycling Analysis identifies Crofton Road as potentially having a high volume of short trips by cycling (switching from car and bus) with appropriate infrastructure. The section of Crofton Road proposed for a scheme is within the top 5-10% of connectors for potential cycling trips in London with analysis showing a potential to switch over 21,000 trips per day to cycling to and from Orpington town centre.

The scheme proposed for Crofton Road also offers improvement for pedestrians and bus passengers, primarily on the narrower section of Crofton Road, between Crofton Avenue and Ormonde Avenue. Additionally, provision is made for new trees and some landscaping.

Following approval of outline proposals in July 2017 for a safe and segregated cycle facility on Crofton Road (A232), Ward Members and the Crofton Residents Association (CRA) raised concerns. A number of meetings were held and the CRA subsequently circulated 2,073 consultation letters (December 2017) outlining changes to the proposals in response to concerns. With residents invited to comment to the Council, 26 responses were received - 65% being supportive or wanting the scheme to go further; 23% opposing; and 12% supporting some aspects of the scheme.

As the CRA felt that insufficient consultation had taken place and were unable to agree the analysis results, further meetings were held to understand the issues and concerns. One concerned a need to fell 33 trees. However, this was due to their potential impact on surrounding boundary walls rather than a result of the scheme. It is hoped to replace a number of trees through the scheme with precise locations being discussed with the Council's Arboriculture Officer.

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Local Ward Councillors raised additional concerns in October on the design of a revised scheme and its £850k cost. A further revised scheme now removes proposed cycle facilities between Ormonde Avenue and Crofton Avenue, although pedestrian improvements remain. Improved cycle and pedestrian facilities continue along the Crofton Avenue/Orpington Station section (drawings for the scheme being appended to Report ES18063). The scheme benefits pedestrians as well as cyclists through improved footways, wider refuges, and new zebra crossings. Bus users also have improved waiting facilities and lower vehicle speeds can be expected from reduced carriageway width throughout the whole length of the scheme.

The revised cost of the scheme was outlined at the meeting as £673k (sufficient to cover any realistic contingency) with the works phased over 2018/19 and 2019/20. A sum of £390k would be funded from the 2018/19 TfL LIP budget for Cycling and Walking with the remaining balance funded from the TfL LIP budget for Cycle Infrastructure 2019/20. Any future maintenance costs would be funded from the existing highway maintenance budgets.

Members were also advised that the CRA Chairman had offered comments on the latest scheme design drawing and Ward Members were more favourable to the latest design. In view of objections, proposed amendments at the mouth of Ormonde Avenue would not now proceed (the existing pedestrian refuge however remaining as it is to the east of Ormonde Avenue).

Options to extend the cycle route along Lovibonds Avenue will also be investigated at a later stage taking account of local current and potential cycling demand in streets to the south of Crofton Road and the demand from Darrick Wood School which is located in Lovibonds Avenue.

A potential conflict was envisaged between pedestrians boarding and alighting buses with passing cyclists, although, cyclists are obliged to stop in such circumstances. In developing the latest design, reference has been made to the London Cycle Design Standards guide and it is possible to design measures to encourage cyclists to ride at sensible speeds.

Regarding the trees that had to be removed, it was intended to plant some 25 replacements (or more if possible) and Transport officers were working with the Arboriculture Officer on appropriate tree types.

Differences between the latest scheme design and the earlier (October) design include:

- provision of a walking scheme only on the northern side of Crofton Road west of Crofton Avenue;
- no new refuge just east of Ormonde Avenue;
- fewer changes to the roundabout at Crofton Lane;
- lower cost for the latest scheme design at £673k (sufficient to also cover any realistic contingency).

The Transport Strategy & Projects Manager also referred to other minor changes in the latest design to reduce its cost.

RESOLVED that:

(1) the following be noted –

- **undertaking of the consultation and level of public support**
- **design changes made to address the concerns raised.**

(2) The Portfolio Holder be recommended to approve -

- **progression of the scheme to detailed design and implementation and**
- **the cost of the scheme being met from the 2018/19 TfL LIP budget for Cycling and Walking and the 2019/20 TfL LIP budget for Cycling and Walking.**

c ACCESS ROAD TO DEVELOPMENT ADJACENT TO SITE OF 2, STATION COTTAGES, CHELSFIELD - PROPOSED LIGHTING UNDER PRIVATE STREET WORKS PROCEDURE - SECOND RESOLUTION

Report ES18080

A Resolution of Approval was sought under the Private Street Works Code in respect of lighting the access road from Station Approach Chelsfield to the site of the development adjacent to 2 Station Cottage.

In 2011, planning consent for Robust Developments Ltd to build two pairs of semi-detached houses adjacent to the site of 2, Station Cottages, Chelsfield. was refused but subsequently allowed on appeal. The Planning Inspector placed conditions on the permission, requiring a passing bay and lighting to be in place in the access road ahead of the development commencing. However, the developer was unable to reach an agreement with the owners of the access road (who are the several owners of the various dwellings fronting the road) enabling construction of a passing-bay and installation of street lighting.

A further application resubmitted in 2015 was permitted, with the same conditions applying – the application having to be started within three years of the permission date which expired on 30th September 2018. For a subsequent single dwelling application in 2017, the lighting condition was applied but due to the reduced number of dwellings, and the access road junction having been realigned, the passing bay condition was not included.

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The street lighting can be addressed by means of the Private Street Works Code and in the circumstances the Council has been advised to use its powers, even though the lighting will not be adopted upon completion. The developer will meet the Council's costs in full and it is not proposed to pass the lighting cost to frontage owners. Should the Council refuse to use its powers under the Private Street Works Code, this could be seen as an attempt to frustrate implementation of the award of planning consent by the Planning Inspector. The Council would then be vulnerable to legal challenge for wrongful use of its discretion.

A First Resolution under s.205 (1) of the Highways Act 1980 was made by the former Portfolio Holder on 12th September 2013 and documents have now been prepared to enable the Resolution of Approval to be made. Frontagers of the access road have been initially contacted regarding ownership and property width to enable the Provisional Apportionment (which contains details of property ownership) to be as up to date as possible.

In line with Policy T14 of the Unitary Development Plan (UDP) adopted in July 2006, unadopted highways will normally be considered for making-up and adoption, as resources permit, but only following a referendum conducted in each road in which the owners of the majority length of frontage are in favour. In exceptional circumstances a referendum may be dispensed with. In this case, it is not proposed to make-up the road for adoption, but only to light it to enable the development to proceed.

As well as the Developer agreeing to meet all costs for lighting the access road, estimated to be £9.5k (including any costs for appearing before Magistrates to resolve any objections), there will be no costs falling to the Council for future maintenance of the lighting (subject of a legal agreement).

As the Developer will meet the full cost of the scheme without charge to the frontagers, it will not be possible for the frontagers to raise objections to the proposals on financial grounds. Any objections that are raised by the frontagers that cannot be resolved by negotiation will have to be referred to the Magistrates Court for determination, increasing the cost to the Developer and potentially delaying the scheme. The Developer has been made aware of this.

The developer would be responsible for arranging all the works and the Council's term contractor, AECOM, will carry out the site supervision.

Documents required for a resolution – a plan, specification, estimate, and provisional apportionment of estimated costs – were available with the Assistant Director, Highways at the meeting should Members wish to see them. On Members being so advised, Cllr Samaris Huntington-Thresher asked to see the documents which were accordingly passed over.

It was confirmed that the Developer, rather than the Council, included the conditions for street lighting and all land will be taken within curtilages rather

than from frontagers. Nothing was being taken from residents and only bollards had been included. As a private street, the consent of frontagers is needed and this was being undertaken on the developer's behalf.

With the development only allowed on appeal, Cllr Samaris Huntington-Thresher understood that the Council does not become involved in a civil case (going instead to the developer) and expressed concern about the Council's involvement. However, the Assistant Director, Highways referred to the view from legal advice which indicated that it would be wrong for the Council not to use the approach in this way. The frontagers are aware and can make objections within 30 days, objecting initially to the Council. The matter can then come back to Members and if there continue to be objections it can be referred to a Magistrates Court.

Members agreed by a majority to support the recommendations in Report ES18080. However, Cllr Samaris Huntington-Thresher asked for her name to be recorded in objection to the recommendations.

RESOLVED that the Portfolio Holder be recommended to approve and resolve the following:

(1) the specification and layout shown on drawing no. 60508978/12773/01, estimate and provisional apportionment now submitted by the Executive Director of Environment and Community Services, in respect of a scheme approved by the Portfolio Holder for the Environment on 12th September 2013, be approved; and

(2) the Portfolio Holder further resolves that the Council bears the whole of the cost of the street works which will in turn be funded by the developer of the site, under the provisions of s236(1) of the Highways Act 1980.

d HIGHWAYS CODE OF PRACTICE

Report ES18083

A new highway guidance document, *'Well – managed Highway Infrastructure – A Code of Practice'*, published by the UK Roads Liaison Group (UKRLG) in October 2016, supersedes previous versions of the Code (following an initial implementation period) and covers management of the carriageway, footways, street lighting/structures, and highway assets.

The new Code of Practice (CoP) is designed to *"promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment"*. The UKRLG guidance recommends formally approving this asset management approach.

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Although the CoP is not a legal requirement, it does recommend highway maintenance standards and is frequently a key component in court decisions. It is also used to determine whether or not a highway authority is complying with good industry practice and its statutory duty to maintain and repair the highway. As such, failure to adopt the CoP and its recommendations might compromise the Council's defence.

A summary of 36 recommendations from the CoP, covering all areas of highway maintenance for roads was appended to Report ES18083 together with the Council's progress in implementing the recommendations. Also appended to the report were:

- the Council's Highway Asset Management Policy and Strategy demonstrating how highway asset management supports the Council's corporate vision and aims and responds to the Mayor's Transport Strategy;
- L B Bromley's network hierarchy or series of related hierarchies; and
- the Council's methodology for implementing highway safety inspections, including inspection frequency.

The Highway Asset Management Policy and Strategy document will be implemented according to a Highway Asset Management Framework, documenting how the Council is working towards an integrated asset management approach to manage its highway. A Framework document is being developed and revised in light of the new CoP.

Members supported the Code of Practice (and its implementation).

RESOLVED that:

(1) the Portfolio Holder be recommended to approve -

- **adoption of the publication '*Well – managed Highway Infrastructure – A Code of Practice*', its recommendations and risk based approach for management of the highway network**
- **the '*Highway Asset Management Policy and Strategy*'**
- **the content of documents included in the appendices to Report ES18083 outlining a risk based approach for highway inspections, a network hierarchy/frequency of highway inspection, and investigatory levels; and**

(2) the Portfolio Holder be recommended to note the progress in meeting remaining recommendations of the Code of Practice.

e KINGS MEADOW PLAYGROUND IMPROVEMENT PROJECT

Report ES18085

Approval was sought to apply for Reaching Communities England funding to upgrade the existing Kings Meadow playground and extend play opportunities into a new play area, creating a larger, coherent play space. L B Bromley would act as grant holder.

The Friends of Kings Meadow community group have developed the project details in conjunction with the local community having initially consulted the public at the beginning of 2018 with objectives for the project to:

- cater for children of all ages;
- provide wheelchair accessible equipment, designed in such a way that children in wheelchairs can interact with others;
- include features to encourage imaginative play;
- offer thoughtful seating throughout the playground for parents and carers; and
- deliver easy access to the open field beyond.

By removing a fence between the current playground and field the space will be opened for a large integrated play area and a fundraising budget of £60k for capital costs was considered adequate.

Further public consultation (online) over a two-week period checks agreement on priorities for the play space and preferences for equipment (plus a one-day face to face consultation in the park). Following consultation, a final brief would be drawn-up for the works and tendered in line with the Council's Contract Procedure Rules. Completion of the project was expected during 2019/20.

The first stage of the application process involves a short, online form - a decision being provided within 15 working days. If successful, the main proposal is developed and a decision made about six months following submission.

Match funding at £10k was recommended (although not required) towards the capital project costs - £5k being proposed from the community group with £5k from the Community Fund. The group will continue its fundraising activities and the final figure will be applied to the second stage application. The Community Fund will further support the project to delivery stage.

For ongoing costs, up-front funds of approximately £10k are necessary, secured towards additional maintenance (play equipment and grounds maintenance) associated with the larger play area. The funds also cover the estimated life span of the new equipment (approximately 20 years). The £10k will be funded from the Community Fund, on behalf of the Friends group, and

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held in an LBB ring-fence account. There is no provision for replacing the equipment at the end of the 20-year period; however, L B Bromley will continue its existing financial obligation for play equipment maintenance and grounds maintenance at the same rate. idverde will also work with the Friends to secure in-kind funding for launch of the new playground and any other associated events and activities.

A full list of the Reaching Communities Fund standard terms and conditions was appended to Report ES18085 as was a mood board for the second public consultation.

Members supported the recommendation to the Portfolio Holder and in so doing health benefits of the scheme were also highlighted.

RESOLVED that the Environment Portfolio Holder be recommended to agree that officers submit a grant application for up to £60k from the lottery funded Reaching Communities England fund to support improvements to the Kings Meadow playground.

34 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE

a AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUNDS MAINTENANCE

Report ES18082

Executive approval was sought to award a contract for the provision of Waste Disposal (Lot 1), Waste Collection (Lot 2), Street Environment (Lot 3), and Parks Management & Grounds Maintenance (Lot 4). A Part 2 report provided further detail under exempt proceedings for the meeting.

The Part 1 report considered by Members was a replacement (final) report made available on 16th November 2018 to replace the report version published with the agenda. It outlined the competitive tendering procedure - the tender documents being published on 18th January 2018 (under a negotiated procedure) with Supplier Shortlisting at the end of March and expressions of interest returned by mid-June 2018. An option was also included for providers to submit bids on a “variant” basis enabling options to be explored around changes to service provision if required, given the Council’s budget gap in future years. Comprehensive evaluation was undertaken from initial tender bids submitted in June 2018, based on 60% Finance and 40% Quality with outcomes then incorporated into a final evaluation and scoring process.

The Tender process was conducted in compliance with the Public Contracts Regulations 2015, as appropriate, for a Competitive Tender Procedure with Negotiation. As identified in the Contract OJEU Notice, the evaluation of submitted tenders, including Variant bids and any Negotiated proposals

made, was completed in line with the Council's standard tender evaluation procedure, which views financial and quality matters in line with its pre-tender estimate of value and its stated quality criteria. A minimum quality score was also incorporated into the evaluation process for quality matters, which also considered any additional value from bidding across several Lots.

Concerning one bid for each of Lots 2 and 3, no more than two or three bids were expected for the Waste Collection service given its specialist nature. Bids were also based on a lotting structure to attract smaller providers, although the market is limited for Lot 2. On value for money, discounts were offered and should the tender process not have taken place, contract extensions would have been necessary incurring significant costs. Additionally, tendering would still be necessary after any extension period and the number of bids would continue to be limited. It is also necessary for a provider to have the necessary infrastructure to manage waste; moreover, franchises with a provider having a regional approach can offer lower discounts on rates e.g. for a recycling franchise.

For the Committee's July meeting, it was not possible to disclose receipt of only a single bid for each of Lots 2 and 3. Officers first needed to undertake a thorough evaluation of the tender proposals. Information needed to be worked through the process to ensure that bids, and a recommended award, are robust. Until the evaluation is complete, details cannot be published.

It was also confirmed that the Director of Finance is represented on the Management Board for the tendering process by the Head of Finance for Environment and Community Services and Corporate Services.

RESOLVED that the Part 1 report be noted with the Committee's comments passed to the Executive for consideration.

35 AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES

Report ES18077

The Arboricultural Maintenance contract looks to maintain the Council's tree stock across the borough including tree inspection (for any remedial work), tree removal and tree replacement. The existing contract supports the Council's 2016-20 arboricultural strategy. The current contract with Gristwood & Toms was extended to 31st March 2019 to align with the tendering of all Environmental Services contracts to commence next Spring.

In line with the lotting structure and procurement route for the Environmental Services Contracts, Arboricultural Services was included as Lot 5 for tendering under a standard restricted process. The services were subsequently tendered separately to the other Environmental Services contracts using the agreed procurement route.

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The contract term comprised an initial eight-year period from 1st April 2019, with an option to extend for a further two four-year periods, not exceeding eight years, subject to the service provider's performance. The contract would then again align with a co-terminus procurement strategy with other Environmental Services contract renewals, including Grounds Maintenance, for any planned re-modelling options on environmental contracts at that time. The Conditions of Contract format for the 2019 Environmental Services Contracts was also used to provide a consistent contract management approach and uniformity in performance monitoring.

Tender submissions were originally requested by 23rd October 2018, subsequently extended to 31st October 2018, with two compliant bids received. A 60% Finance/ 40% Quality criteria was used to evaluate the initial tenders. As part of the evaluation, officers corresponded with the providers on elements of their bids to clarify areas of uncertainty or corrections required.

Details of the qualitative and financial evaluation of the bids were outlined in an accompanying Part 2 report under exempt proceedings of the agenda.

Members had no comment on the Part 1 report.

RESOLVED that the Executive be recommended to:

(1) award the Arboricultural Services contract for a contract period of eight years from 1st April 2019, with the option to extend for a further two four-year year periods; and

(2) delegate the option to extend the contract, under the terms of the contract, to the Executive Director of Environmental and Community Services in consultation with the Portfolio Holder for Environment and Community Services, the Director of Commissioning and Procurement, the Director of Corporate Services, and the Director of Finance.

36 COMMISSIONING STRATEGY AND CONTRACT VARIATION - HIGHWAY ENGINEERING CONSULTANCY SERVICES

Report ES18088

To support Council responsibilities for the safe use of its highway infrastructure and multi storey car park asset, Consulting Engineers deliver the professional services element of the duties including inspection/studies of structures (bridges, culverts, retaining walls), engineering emergencies involving the highway, ad hoc Transport and Flood Studies, larger highway development schemes, and inspection/studies of the Council's stock of multi storey car parks. The professional services have been regularly tendered since 1993 and the current arrangement with AECOM, originally tendered via an access agreement to a Framework Contract, ends on 31st March 2019.

Although the services were a provision within Highway Major Works, previously considered as Lot 6 to the Environmental Services Procurement Strategy, Highways Major Works and Street Lighting were subsequently taken as a separate procurement with a contract awarded to JB Riney from 1st July 2018 for an eight year period (with the option to extend for up to a further year) at an estimated whole life value of £90m.

A Common Procurement Vocabulary (CPV) code for Professional Services was included in the OJEU Notice to the Major Highway Works and Street Lighting Contract, providing an option for the Council to issue a contract variation for Highway Engineering Professional Services. Lower unit cost rates from a further tender via a Framework were considered unlikely as the supply chain chosen by JB Riney includes the same service providers accessible through a Framework. Furthermore, a Framework (where a Consulting Engineer is directly employed) would also not realise efficiencies and improved quality through Early Contractor Involvement. There would also be costs for tendering and creating a new Framework Access Agreement. The current contract with JB Riney is for eight years (with the possibility of a one year extension) and with frameworks having a maximum four-year duration, the service would need to be tendered twice with two access agreements formed during the nine-year period.

Early contractor involvement (ECI) in working with JB Riney and their supply chain would enable their expertise in building schemes to be drawn into the design/project management processes thereby helping in the choice of materials and scheme programming, and minimising disruption to highway users. Given previous experience of 'design and build' public realm projects, (e.g. Bromley North and Beckenham Town Centres), the benefits would result in a saving in scheme design costs of between 5% and 10%. ECI processes can also improve the quality of schemes, reduce overall costs, and offer better value solutions.

Under the terms of the Highways Major Works and Street Lighting Contract 2018, JB Riney would charge a sliding scale of handling/overhead fee, (dependant on the service element) in managing the consultancy services through their supply chain and providing ECI throughout the project delivery.

The value of consultancy services that can be commissioned through a new contract arrangement was estimated at up to £330k per annum to be met (along with full charges of the commissions) from individual revenue maintenance or capital project scheme budgets.

With JB Riney's unit rates competitive, working through the supply chain was expected to herald benefits through the ECI approach, representing a best value delivery of the service required in the original lotting of the Major Highway Works and Street Lighting Contract 2018. An appropriate change control notice was recommended for JB Riney to provide the consultancy services for the remaining term of the Major Highway Works and Street Lighting Contract taking account of:

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- estimated Variation Value – up to £3m
- other Associated Costs – none
- proposed Variation Period – 7.25 years with the potential to extend by 1 year, as per the current contract.

The use of design and build and ECI would also reduce the requirement for project management by the Council resulting in a saving of £10k per annum from staffing and a reduction of 0.2 FTE officer time.

Members had no comment on the report.

RESOLVED that the Executive be recommended to agree that the The Highway Engineering Consultancy Services is included as part of the Highway Major Works and Street Lighting contract with JB Riney via a contract variation.

37 ECS PORTFOLIO PLAN - SIX MONTH PERFORMANCE UPDATE

Members considered a six month overview of performance against the ECS Portfolio Plan. As well as comprising 2018/19 targets for indicators and quarterly performance to date (including monthly performance for July, August and September) the review document also provided (where appropriate) a RAG status and commentary against the indicators. Annual performance for the previous four years and targets for the previous two years provided further information.

New parking related indicators were also shown on the review document: indicator 27 (ES29) relating to the cleanliness of surface and multi-storey car parks; indicator 28 (ES31) relating to Pay and Display parking machine maintenance; and indicator 29 (ES32) relating to cashless parking usage in on and off street locations. The 2018-19 RAG status for indicator 27 was also highlighted as needing to be green with the RAG status for indicator 28 needing to be amber.

More drivers are choosing to pay for parking via RingGo. Although this reduces maintenance costs for conventional parking machines, credit card payment via RingGo incurs a charge to the Council and the parking service will look to make the proportion of charge more transparent.

On Q1 and Q2 performance for non-operational time of Pay and Display machines (0.8% and 1.3% respectively), the year-end projection was revised to 1.5% in view of an increased level of reporting (of machines non-operational) during October.

Concerning adults and children killed or seriously injured (KSI) in road traffic accidents, more clarity had now been received on TfL's interpretation of data which they had backdated to 2005. TfL had taken samples of KSI data

attributed to the borough and had published revised data ten days previously. Compared to a 2005 to 2009 baseline, TfL's revised data is now showing L B Bromley as having a 52% decrease in KSI numbers.

In regard to Total Road Accident Injuries and Deaths, slight accidents are not (now) reported. However, for KSI data there is now consistency and each London borough will now change its Local Implementation Plan (LIP) in line with TfL targets. Officers will have new updated L B Bromley figures for the Committee's next meeting.

On municipal waste to landfill, a 0% target for 2018/19 is not possible as processes relate to the current contract expiring next March. Targets for the contract were considered at a time when they were considered advantageous; nevertheless, subsequent changes have meant that further waste can go to alternative treatment methods.

38 FORWARD WORK PROGRAMME AND MATTERS ARISING

Report ES18057

Members agreed the Committee's remaining work programme for 2018/19.

As the Director of Environment, Mr Dan Jones, would shortly be leaving L B Bromley, the Chairman thanked Mr Jones for his work, conveying his best wishes to Mr Jones for the future.

RESOLVED that:

- (1) the latest 2018/19 Forward Work Programme be agreed; and**
- (2) progress concerning previous Committee requests be noted.**

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

40 PRE-DECISION SCRUTINY OF PART 2 REPORTS TO THE EXECUTIVE

- a AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUND MAINTENANCE**

Report ES18082

Under exempt proceedings, Members considered further information (including evaluation and financial details) on Lots 1 to 4 of the proposed Environmental Services Contracts for Waste Disposal (Lot 1), Waste

20 November 2018

Collection (Lot 2), Street Environment (Lot 3) and Parks Management & Grounds Maintenance (Lot 4).

The report made recommendations for award of the Lots which the Committee agreed to support by a majority.

b AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES

Report ES18077

Further to the accompanying report on Part 1 of the meeting agenda, the Part 2 report provided certain evaluation information including scoring and financial details. The report also made a recommendation on award of contract which the Committee supported.

**c COMMISSIONING STRATEGY AND CONTRACT VARIATION -
HIGHWAY ENGINEERING CONSULTANCY SERVICES**

Report ES18088

The exempt report provided further information under Part 2 of the agenda, particularly in regard to evaluation details leading to a recommendation that the Highway Engineering Consultancy Services be included as part of the Highway Major Works and Street Lighting contract with JB Riney via a contract variation.

The Meeting ended at 9.40 pm

Chairman

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

From Clive Lees, Chairman, Ravensbourne Valley Preservation Society

(Questions asked at the meeting by Cllr Michael Tickner on behalf of Mr Lees)

With reference to our earlier questions of the meeting on 15 March 2018.

1. We note that no review, contrary to the earlier answer, of the parking at Ravensbourne Station has been carried out. Residents have been waiting for two years for this unsatisfactory scheme to be altered. Would the Portfolio Holder now undertake to immediately proceed with such a review?

Reply

It was possible that the area around Ravensbourne Station might be incorporated in walking and cycling schemes being considered in the department. This is now unlikely in the near future. Officers are currently reviewing the parking in Crab Hill adjacent to Ravensbourne Station with the expansion of the Thameslink Service and have recommended that the current maximum fee for a full day's parking be reduced from £2.60 to £1.30 and that this be publicised to commuters using the station. This will be implemented once the legal process is complete. The impact of this change will be monitored over the coming months and then reviewed. The current use of the bays is running at about 30%.

Supplementary Question

In his supplementary question, Cllr Tickner sought an understanding of how long the review will take and how long it will take before there are improvements around the station.

Reply

On behalf of the Portfolio Holder, the Assistant Director, Traffic and Parking, indicated that a Traffic Management Order will be needed and that this takes in the order of eight weeks.

2. Notwithstanding the above, residents have clear ideas of the alterations to the scheme that are needed. Would the Portfolio Holder now undertake to consider these ideas in the absence of any action from the Council.

Reply

I would rather wait to see if there is an increased take up of the pay by phone bays before considering new changes, although I would be happy to consider other suggestions put forward by the residents' association. A couple of the issues Mr Lees raised were the bay in Foxgrove Road and parking in Ravensbourne Avenue near Farnaby Road. I will refer to Foxgrove Road in the next question. I will ask officers to consider the section in Ravensbourne Avenue in parallel with the parking charges.

3. No review of signage, contrary to a previous answer, appears to have been carried out. Would the Portfolio Holder now arrange for this to be implemented?

Reply

A review of the HGV diversionary signage has been completed. This process started with the remodelling of the refuge in the mouth of Downs Hill where it meets Foxgrove Road, along with the removal of the nearby bay in Foxgrove Road. An improved and more appropriate refuge is shortly to be installed here. However, even with this new refuge, undertaking a tracking model on the new design, to simulate a large HGV turning here, shows that the manoeuvre is not likely to be at all easy, which would therefore put any pedestrians crossing here at risk. Tracking modelling has also been undertaken at the junction of Crab Hill with Ravensbourne Road, which shows that this turn can be made by even large HGVs.

It has therefore been decided that the Unsuitable for HGV signs in Ravensbourne Avenue and Foxgrove Road, approaching Crab Hill, will be removed shortly and this will become the recommended route for any overheight HGVs approaching from Bromley that miss the warning signs and arrive at Shortlands bridge.

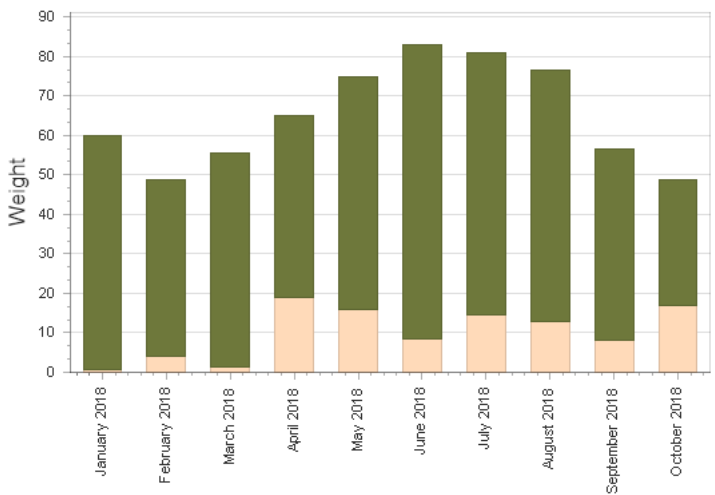
From Richard Gibbons

Re: Agenda Item 7a

1. With the awarding of a new contract for Parks Management & Grounds Maintenance, would the Portfolio Holder consider measures to increase the Council's recycling rate by recycling litter collected in our parks and green spaces, places which are for many residents an extension of or substitute for their domestic garden?

Reply

The Council, through its partnership working with the service provider, has already made significant strides in maximising recycling from litterbins in Parks. The waste management process applied ensures a reduction in the volume of waste that is sent to landfill by using the expertise of waste management facilities that mechanically separate recyclables from the litterbin waste stream. To demonstrate the effectiveness of this process (from January 2018 to October 2018), 641 tonnes of park litter has been transferred to the sorting facility to enable the recovery of recyclable materials with 85% of the waste being successfully recycled and the balance (15%) transferred to landfill either due to contamination or its unrecyclable components. The attached graph demonstrates the periodical waste volumes and the allocation of landfill (light colour) and recycling (solid colour).



Supplementary Question

Having understood that material collected (from park litterbins) goes to waste, Mr Gibbons sought confirmation that this is not the case and also suggested that separate bins are provided in parks.

Reply

The Portfolio Holder indicated that park litter is taken to the waste management sorting facility so that recyclable materials can then be recovered. Costs would also be reduced by recycling through the new Environmental Services contract from next April.

Concerning separate bins in parks, the Portfolio Holder indicated that the logistics involved in collecting and transporting separate waste streams could well not be economical and referred to an approximate 85% recycling level (January to October 2018) achieved from the existing management process for park litter.

Re: Agenda Item 8

2. To what does the Portfolio Holder attribute the increase in school trips by car by 4.4% from 22.0% in 2015-16 to 26.4% in 2017-18, and what does the increase equate to in terms of numbers of children and extra car journeys?

Reply

I would first comment that this change is likely to be due to the travel choice of new pupil cohorts rather than a change in pupil/parent travel choice. I can provide extra detail if required; in summary in the period you highlight, a number of new schools have opened increasing the number of schools from 116 to 123. Some of those schools have opened in temporary premises, which can be some distance from their catchment area, whilst their premises are completed. New schools often have larger catchment areas which typically reduce as they become established. We attribute the increase primarily due to these new schools. The increase equates to 879 extra children travelling by car, though car sharing would suggest a lower number of car journeys.

Supplementary Question

Mr Gibbons suggested that the increased 2018-19 target of <30% provided little incentive for behaviour change by parents.

Reply

In response, the Portfolio Holder referred to schools being encouraged through Travel Plans (to promote non-car travel to school) and it was intended to see as many students as possible undertake active travel.

3. Given the regular occurrence of road works in the borough and increase in congestion that ensues, would the Portfolio Holder commit to promoting active travel and public transport alternatives in associated media communications to help reduce said congestion?

Reply

As Mr Gibbons will know from the Borough's draft LIP3, we are committed to promoting active travel alternatives especially for short switchable car trips, so we see this as vital to reducing congestion not just at times of perturbation on the road network. We certainly recognise the impact of road works on residents and businesses with the associated frustrations long term or frequent works on the same section of road can cause. This includes to bus passengers who suffer from deteriorating reliability and journey times. Road works are often unplanned emergency works so the Council has limited resources within the time available to implement travel demand management to switch trips to other modes. We are also conscious that road users may well respond negatively to suggestions of mode change when frustrated due to delays due to road works, with the negative consequences that could have to the achievement of the aims detailed in our draft LIP. However, we will consider ways of using existing channels to provide generic advice to consider alternatives but will not be able to offer bespoke journey planning. For larger Bromley street investment schemes, we will consider how we communicate the benefits of schemes along with alternatives for the duration of works at the engagement stage.

Supplementary Question

In view of recent data showing people walk/cycle to a shopping centre, Mr Gibbons asked whether encouragement would be given to future BIDS to encourage active travel.

Reply

The Portfolio Holder confirmed that BIDS would be made aware of data sources so they can see the value of this.

**ENVIRONMENT AND COMMUNITY SERVICES
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the special meeting held at 7.00 pm on 17 December 2018

Present:

Councillor Will Harmer (Chairman)
Councillor David Jefferys (Vice-Chairman)
Councillors Mark Brock, Colin Hitchins, Angela Page,
Will Rowlands, Melanie Stevens, Kieran Terry and
Angela Wilkins

Also Present:

Councillor Kira Gabbert, Councillor William Huntington-
Thresher, Councillor Russell Mellor, Councillor Keith
Onslow, Councillor Tony Owen and Councillor Michael
Tickner

**41 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Ian Dunn and Samaris Huntington-Thresher. Councillors Angela Wilkins and Angela Page attended as substitutes.

42 DECLARATIONS OF INTEREST

There were no declarations of interest.

**43 ORPINGTON: CROFTON ROAD CYCLE ROUTE: CALL-IN
Report CSD18184**

At its previous meeting on 20th November 2018 the Committee had considered a report on the proposed Crofton Road Cycle Route in Orpington. The Committee had supported the proposals and the Environment and Community Services Portfolio Holder had subsequently decided on 26th November 2018 to approve the scheme. On 3rd December 2018 notice of a call-in had been received from Councillors Tony Owen, Simon Fawthrop, Russell Mellor, Keith Onslow and Harry Stranger. The reasons for the call-in were that -

1. The expenditure proposed was not a good use of taxpayers' money;
2. The demand for the works proposed was not proven;
3. The works would make travel times worse for buses and other vehicles;
4. The works would lengthen emergency vehicle response times on a critical major route from the Princess Royal University Hospital.

The two options before a PDS Committee when considering a call-in were –

17 December 2018

- (i) to take no further action on the call-in; or
- (ii) to refer the decision back to the Executive giving reasons why it should be re-considered.

A message from the Crofton residents Association objecting to the scheme had been tabled; Committee Members had also received messages from Bromley cyclists, the local borough group of the London Cycle Campaign.

The Chairman invited Cllr Tony Owen to explain the reasons for the call-in. Councillor Owen took the Committee through the report to the meeting on 20th November, highlighting that the scheme was not a good use of taxpayers' money and there was no evidence to support the decision to proceed, such as accident statistics or demand from pedestrians or cyclists (who would probably use other routes to get to the Station.) He did not consider the figure quoted of 21,000 journeys per day diverted to cycle trips was credible, and questioned whether there was actually any public support for the scheme given the low response to consultation. The additional refuges and crossings would slow traffic, adding to congestion and pollution, delaying emergency vehicles and causing difficulty with bus schedules. He had spoken recently with two of the ward councillors, neither of whom were very happy with the scheme. In conclusion, he considered that the scheme was unnecessary and costly, and that some carefully placed lines and signs at modest cost were all that were needed.

The Chairman read out messages received from Councillor Robert Evans, one of the ward councillors, and from the Orpington BID.

The Chairman invited the Portfolio Holder for Environment and Community Services to address the Committee in support of his decision to approve the scheme. He set the proposals, which were in accordance with the Mayor's Transport Strategy promoted by TfL, in the context of the Council's policy of encouraging active travel and a range of transport options, and the importance of Orpington Station as a cycling hub. Take up of cycling was low in the borough, and this could be related to the level of provision of cycle facilities. As the population of the borough increased, with road space being limited, it was important to minimise conflict between cyclists and pedestrians, and one of the aims of this scheme was to prevent cyclists from cycling close to property boundaries and entrances.

Officers confirmed that funding for the scheme was being provided by TfL, and was justified by their analysis. It was confirmed that the figure of 21,000 journeys related to the whole town centre, not just the Crofton Road route. Officers had worked closely with ward councillors and the Crofton Residents Association, but it was agreed that the response to the consultation was low at just 26 responses, so the 65% in support of the scheme was from a very small total of replies. It was also clarified that the scheme should not slow buses; the aim was to reduce speed closer to 30mph, not to promote more dramatic speed reductions. The whole length of the road was fairly wide, with central hatching and refuges already in place. A Member commented, as a former emergency service driver, that the scheme would not make any difference to ambulances travelling to and from the PRUH.

Councillor Keith Onslow also addressed the Committee in support of the call-in, stating that this was not a good use of public money and that the scheme should be re-considered. A Council survey had taken place on one day in June 2018 and had found only 91 cyclists using the route between 7am and 7pm, which cast doubt on the 21,000 figure. He had experienced a traffic jam next to a cycle superhighway - he had seen only two cyclists use the route in 15 minutes, while pollution had been dreadful.

In response to questions from Members, it was confirmed that if the scheme did not proceed TfL would reclaim the money they had allocated and it would not be available to the Council to use for other purposes. The different uses of zebra and pelican crossings were discussed – TfL charged £5k per annum for maintenance of each signal controlled crossing. Officers explained that TfL used a very thorough methodology to assess cycling potential.

A Member referred to the disproportionate number of cyclists killed or seriously injured on Bromley's roads, and suggested that people would cycle where good facilities were available. Although the scheme had been reduced, it still covered the key piece of the route where demand was expected to be at its greatest. Ward Councillors had been concerned about the stretch from Ormonde Avenue to Crofton Avenue, and the cycle facilities had been removed from this section, although improved pedestrian facilities and public realm enhancements had been retained. The scheme included a substantial 25% contingency, so an overspend was not likely.

The Chairman commented that the scheme fitted into the Council's overall strategy to encourage cycling. The Portfolio Holder confirmed that this route had been given a higher priority than the route from Green Street Green to Orpington town centre.

The Chairman invited Cllr Owen to sum up his opposition to the scheme. He reminded the Committee that there was very little public support for the scheme, that it was a questionable use of public money and that there were potential knock-on effects to roads in his ward.

RESOLVED that no further action be taken on the call-in.

The Meeting ended at 7.54 pm

Chairman

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ES19013																	ECS PERFORMANCE MONITORING (2018/19)																
Outcome	No.	INDICATOR (National / Local)	DESCRIPTION	ECS PORTFOLIO PLAN AIM	2014-15 ACTUAL	2015-16 ACTUAL	2016-17 TARGET	2016-17 ACTUAL	2017-18 TARGET	2017-18 ACTUAL	Q1	Q2	Q3	Year End Projection	GOOD PERFORMANCE	2018-19 TARGET	2018-19 RAG STATUS	COMMENTARY (BY EXCEPTION)															
1: Improving the Street Scene	1	ES11	Public Satisfaction with Cleanliness (% Streets / Neighbourhoods / Town Centres)	Aim 1.3	71% 88% 90%	69% 79% 87%	70% 70% 75%	71% 86% 90%	70% 80% 90%	74% 79% 84%	Annual	72% 79% 88%	Annual	72% 79% 88%	HIGH	>74% >80% >90%	AMBER	An Annual Public Satisfaction Survey is undertaken as part of the Street Cleansing contract. The survey for 2018 has been conducted by WYG Environment and comprises both a postal return and on-street survey. On-street survey results were from 209 interviews with members of the public in Bromley Town Centre. Postal surveys were sent to 1000 households and there were 225 responses. WYG advise that 23% is a good response rate for this type of distribution. Though we have seen a modest increase of 4.7% on enquiry volumes from Jan-Aug 2017 to 2018, this year's enquiry numbers are lower than in both 2015 and 2016 so the decline in the satisfaction survey results is not congruent with a corresponding increase in enquiry volumes: Jan - Aug 2018 - 9,265 Jan - Aug 2017 - 8,849 Jan - Aug 2016 - 9,328 Jan - Aug 2015 - 9,715 (Jan to Aug used as the reporting period as the surveys are undertaken in August each year). This is in addition to an increase in client monitoring inspections for street environment activities from 2017 to 2018 of 25%. A minimum of 23,200 client inspections will be undertaken in the year 2018/19.															
	2	ES12	Streets Meeting Acceptable Cleanliness (%)	Aim 1.3	97.60%	99.00%	95.00%	90.44%	95.00%	99.00%	96.30%	94.13%	93.95%	94.79%	HIGH	>98.00%	AMBER																
	3	ES13	Defect correction notices issued to contractor (%)	Aim 1.1, 1.3	1.94%	0.70%	<3.00%	4.46%	3.00%	2.35%	0.83%	0.83%	1.09%	0.92%	LOW	<3.00%	GREEN																
2: Minimising Waste and Increasing Recycling	4	ES16	Total Waste Arising (refuse and recycling) (tonnes)	Aim 2.2	144,660	146,192	145,000	149,875	149,000	145,748	39,714	35,336	35,610	144,266	LOW	146,000	GREEN	Year end projection based on Q1-Q3 actuals and profiled Q4 projected tonnage.															
	5	NI 192	Household Waste Recycled or Composted (%)	Aim 2.2, 2.3, 2.4	49.02%	47.30%	50.00%	48.35%	50.00%	48.50%	49.78%	49.00%	47.89%	50.00%	HIGH	50.00%	GREEN	Q3 Decrease is due to lower performance in December of 44% which is a normal seasonal variant. Profiled projected outturn to date is 49.07%.															
	6	NI 193	Municipal Waste Landfilled (%)	Aim 2.6	27.00%	27.22%	25.00%	23.68%	24.00%	18.00%	24.19%	23.92%	19.93%	24.00%	LOW	24.00%	GREEN	Q3 has seen improvement with the diversion of waste from landfill and it is anticipated that the annual diversion rate <24% will be achieved.															
	7	NI 191	Residual Household Waste per Household (kg)	Aim 2.1, 2.2, 2.3	464.6	478.3	445.0	486.7	485.0	434.0	121.9	109.6	114.0	449.0	LOW	485.0	GREEN																
	8	ES24	Number of Green Garden Waste customers	2.3	15,864	18,192	20,000	21,845	26,500	23,863	27,015	27,320	27,441	27,259	HIGH	26,500	GREEN	The 2018/19 target is based on a 10.7% Compound Annual Growth Rate (CAGR). Further growth can still be improved through investment in marketing of the service and the programmed implementation of a direct debit system as well as other improvements to the service that will be identified as part of the Environment Commissioning Programme, commencing from April 2019.															
3: Enhancing Bromley's Parks and Green Spaces	9	ES6	Waste & Recycling collections - homes missed (per 000,000)	Outcome 2	78	128	60	182	180	119	154	166	121	140	LOW	120	AMBER	Performance regarding the number of missed bins per 100,000 households has seen an improvement in November (121) and December (105), though is predicted to be at 140 at the end of Q4, falling short of the 120 target. Missed bins are usually higher in January due to a backlog over the Christmas period where collection dates have been changed and there is an increase in residents reporting missed bins. Inconsistency with service delivery during 2018 can mostly be attributed to the aged fleet as the contract is coming to an end (following a one year extension).															
	10	ES10.4 / 10.6	Parks Fully Managed Service (formerly Grounds Maintenance and Ranger Services) (Service Standard sub-data)	Aim 3.1	92.72% 90.28%	97.8%	95%	99.2%	95%	99.9%	99.08%	99.04%	99.96%	99.36%	HIGH	98%	GREEN																
	11	ES17.1	External Funding* (£000)	Aim 3.5	337	207	340	437	Outcome	175	32	61	6	400	OUTCOME	N/A	OUTCOME	*money raised by LBB, Friends Groups, Allotments and Sports Clubs. The focus of our work currently being on large projects including the bandstand (awaiting c90k), Scadbury moated manor (progressing c95k) and Kings Meadows (progressing c70k). Idverde often hold-back funds secured 'along the way' for these projects until the total sums are secured in full, in order to avoid any double-counting. Idverde currently have x5 grants which we cannot submit, totalling c50k, due to the fact that the allotment leases are to be finalised. Development of a number of other smaller grants towards submission. Hopefully the progression of the above throughout Q4 should result in a higher figure and annual sum.															
	12	ES17.2	Partnership Funding** (£000)	Aim 3.5	£172	£43	Outcome	£60	Outcome	£20	Annual	Annual	Annual	Annual	OUTCOME	N/A	OUTCOME	**Partnership Funding is money which idverde help to bid for or define projects for, but where LBB is the recipient e.g. S106, LIP Funding, and Public Health Funds.															
	13	ES18	Improve Grounds Maintenance Service (%)	Aim 3.2	New	84%	73%	91.7%	90%	95%	Data due in Q4	Data due in Q4	Data due in Q4	Data due in Q4	HIGH	92%	GREEN																
4: Managing our Transport Infrastructure & Public Realm	14	ES25	Number of Hours Worked by Friends of Parks Volunteers	Aim 3.3	39,000	45,000	N/A	45,000	N/A	40,902	Annual	Annual	Annual	Annual	HIGH	47,000		This is a new indicator for 2018/19. Figures were not captured for 2016/17 whilst a review was undertaken, therefore the figure shown was estimated based on the previous year's data. In 2017/18, only 29 out of 46 friends groups returned their statistics, but the Service Provider, idverde, is working to ensure a 100% return rate during 2018/19. A target has therefore been included for 2018/19.															
	15	NI 168	Principal Roads where Maintenance Should be Considered	Aim 4.1, 4.2, 4.3	1%	2%	<6%	2%	6%	2%	Annual	Annual	Annual	Annual	LOW	<6%																	
	16	NI 169	Non-principal Classified Roads where Maintenance should be Considered	Aim 4.1, 4.2, 4.4	3%	2%	<8%	2%	8%	2%	Annual	Annual	Annual	Annual	LOW	<8%																	
	17	ES19	Number of FPNs Issued (to utilities in relation to permits)	Aim 4.8	534	509	n/a	427	Outcome	145	25	22	0	63	OUTCOME	N/A	OUTCOME																
	18	ES20	Number of Defect Notices (to utilities in relation to reinstatement)	Aim 4.9	4,300	4,588	4,000	3,887	4,000	2,009	426	598	130	1,539	OUTCOME	N/A	OUTCOME																
5: Supporting the Local Community	19	NI 198	Children Travelling to School by Car	Aim 5.6	23.00%	22.00%	<30.00%	24.00%	30.00%	26.40%	Annual	Annual	Annual	Annual	LOW	<30.00	GREEN	17/18 data shown is for the previous academic year.															
	20	ES21	Daily Trips Originating in the Borough made by Bicycle (%)	Aim 5.2 & 5.6	1.0%	1.7%	1.4%	1.2%	1.5%	Data Due January 2019	Annual	Annual	Annual	Annual	HIGH	1.5%		Awaited data will relate to the previous calendar year.															
	21	ES22	Daily Trips Originating in the Borough made by Foot (%)	Aim 5.2 & 5.6	25.0%	25.3%	28.4%	25.3%	28.5%	Data Due January 2020	Annual	Annual	Annual	Annual	HIGH	28.5%		Awaited data will relate to the previous calendar year.															
	22	ES23	Average Vehicle Delay (mins per km - principal roads)	Aim 5.5, 5.4 & 5.1	0.77	0.80	0.70	0.80	0.70	Data Due January 2021	Annual	Annual	Annual	Annual	LOW	0.70		Awaited data will relate to the previous calendar year.															

Outcome	No.	INDICATOR (National / Local)	DESCRIPTION	ECS PORTFOLIO PLAN AIM	2014-15 ACTUAL	2015-16 ACTUAL	2016-17 TARGET	2016-17 ACTUAL	2017-18 TARGET	2017-18 ACTUAL	Q1	Q2	Q3	Year End Projection	GOOD PERFORMANCE	2018-19 TARGET	2018-19 RAG STATUS	COMMENTARY (BY EXCEPTION)
5: Improving Travel, Transport & Parking	23	NI 47	People Killed or Seriously Injured in Road Traffic Accidents	Aim 5.9	107	131	...	129	...	107	Annual	Annual	Annual	Annual	LOW	...		The data now reflects the results of TfL's back-casting project. Targets being finalised in LIP3 document for submission to TfL in February.
	24	NI 48	Children Killed or Seriously Injured in Road Traffic Accidents	Aim 5.9	6	5	≤8	10	8	6	Annual	Annual	Annual	Annual	LOW	...		
	25	ES7	Total Road Accident Injuries and Deaths	Aim 5.9, 5.10 & 5.11	868	943	≤765	924	765	1024	Annual	Annual	Annual	Annual	LOW	...		This target cannot be updated until the final LIP3 is submitted.
	26	ES26	Customers using online self-serve transactions to challenge PCNs (%)	Aim 5.13	60.8	66.9	N/A	67.5	71.9	70.5%	62.7%	64.6%	68.3%	65.2%	HIGH	74.1	AMBER	The percentage of customers using online self-serve transactions to challenge PCNs has steadily increased over the past few years. An ambitious target of 74% was established by the parking team for this year, but average performance currently stands at around 63%. It becomes increasingly difficult to shift the remaining users onto the web service – particularly with formal appeals. The parking team will review the original target during Q4 in order that it may be adjusted for 2019/20, perhaps from a linear increase from prior years to a logarithmic.
	27	ES29	Cleanliness of surface and Multi-storey car parks Number of incidents of graffiti, rubbish, fly tipping etc. not cleared proactively as part of routine maintenance	Aim 5.7	N/A	N/A	N/A	N/A	N/A	228	21	19	2	50	LOW	100	GREEN	The Parking Contractor is responsible for the cleanliness of all the car parks, this includes instances of graffiti, rubbish and fly tipping. The Civil Enforcement Officers must report any problems with the car parks whilst they are enforcing. A Bromley officer also conducts inspections. Customers can also report problems online. Parking Services are working with the parking contractor to ensure that when these instances are reported they are rectified within the timescales specified in the contract. Where timescales are not achieved, defaults are issued to the contractor. 137 defaults were issued in 2017/18 and the expectation is that significantly less defaults will be issued in 2018/19.
	28	ES31	Pay and Display machine maintenance Percentage of machine non-operational time during full period	Aim 5.7	N/A	N/A	N/A	N/A	N/A	1.5%	0.8%	1.3%	3.3%	1.5%	LOW	1.0%	AMBER	In the first few months of the contract, the parking contractor had problems collecting from the pay and display machines and this resulted in many machines being full and then being put out of order. Due to these problems, the Council had to issue a high default against the parking contractor for the first year (2017/18) of the contract. When machines are reported as being out of order they should be fixed within the specification timescales. There are other Key Performance Indicators linked with this part of the service, which deal with how long an individual machine is out of operation.
29	ES32	Cashless parking usage in on and off street locations Percentage of users paying for on and off street parking by RingGo	Aim 5.7	N/A	10%	N/A	15%	N/A	22%	27%	28%	33%	30%	HIGH	31%	GREEN	The percentage of on & off street paid sessions via the cashless solution RingGo has been increasing steadily. This is the result of a gradual increase in awareness and ease of access to the app, phone and text parking methods on offer. One particular benefit of this trend is that it reduces the frequency of physical cash collections and simplifies the reconciliation process. Continuing improvements to signage and other avenues of communication are predicted to raise performance against this indicator.	

Report No.
FSD19016

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO
HOLDER

Date: For Pre-Decision Scrutiny by the Environment and Community Services
PDS Committee on 5th February 2019

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2018/19

Contact Officer: Jo-Anne Chang-Rogers, Principal Accountant
Tel: 020 8313 4292 E-mail: Jo-Anne.Chang-Rogers@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All

1. Reason for report

On 28th November 2018, the Executive received a report summarising the current position on capital expenditure and receipts following the 2nd quarter of 2018/19 and agreed a revised Capital Programme for the four year period 2018/19 to 2021/22. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Environment and Community Portfolio. The revised programme for this portfolio is set out in Appendix A and detailed comments on individual schemes are shown in Appendix B.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 28th November 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 increase of £1.0m over the four years 2018/19 to 2021/22, due to the approval and addition of £1.12m for the Local Highways Maintenance (Potholes) scheme and a reduction of £0.2m from the TfL Formula Funding scheme.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £29.1m for the Environment & Community Portfolio over the four years 2018/19 to 2021/22
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

Staff

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

Legal

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Capital Monitoring – variations agreed by the Executive on 28th November 2018

3.1 A revised Capital Programme was approved by the Executive on 28th November 2018, following a detailed monitoring exercise carried out after the 2nd quarter of 2018/19. The base position is the programme approved by the Executive on 11th July 2018, as amended by variations approved at subsequent Executive meetings. All changes to schemes in the Environment & Community Portfolio Programme are itemised in the table below and further details are included in paragraphs 3.2 to 3.5. The revised Programme for the Portfolio is attached as Appendix A, whilst Appendix B shows actual spend against budget in 2018/19, together with detailed comments on individual scheme progress.

	2018/19	2019/20	2020/21	2021/22	TOTAL
	£'000	£'000	£'000	£'000	2018/19 to 2021/22 £'000
Programme approved by Executive 11/07/18	15,394	5,210	5,372	2,210	28,186
<u>Variations approved by Executive 28/11/18</u>					
Reduction to TfL Formula Funding (Para 3.2)	Cr 192	0	0	0	Cr 192
Removal of Woodlands Improvements Programme (Para 3.3)	Cr 4	0	0	0	Cr 4
Local Highways Maintenance - Potholes etc (Para 3.4)	1,117	0	0	0	1,117
Schemes rephased from 2018/19 into 2019/20 (Para 3.5)	Cr 976	976	0	0	0
Total amendments to the Capital Programme	Cr 55	976	0	0	921
Total Revised Environment & Community Programme	15,339	6,186	5,372	2,210	29,107

3.2 Decrease in TfL funding for Highways & Traffic Scheme

A decrease to the 2018/19 budget of £192k was approved by the Executive to reflect the revised allocations. TfL budgets change frequently and any further variations will be reported in subsequent capital monitoring reports.

3.3 Removal of Woodlands Improvements Programme

The scheme completed last year and a small budget of £4k was rephased at the end of 2017/18 for outstanding payments, however this is no longer required as no further spend is expected. Members at 28 November 2018 Executive approved the removal of this sum from the Capital Programme.

3.4 Local Highways Maintenance – Potholes, Damaged Roads

On 28th November 2018, Executive approved an increase in the 2018/19 Capital Programme to reflect additional local transport funding of £1.1m to fund carriage maintenance schemes. A report will be submitted to the Environment and Community Services PDS Committee in February 2019 to identify progress on schemes during 2018/19 and agree additional capital schemes for completion during 2019/20.

3.5 Schemes rephased from 2018/19 into 2019/20

As part of the 2nd quarter monitoring exercise, a total of £976k has been rephased from 2018/19 into 2019/20 to reflect revised estimates of when expenditure is likely to be incurred. This is primarily due to a number of schemes currently going through design and development before being delivered in 2019/20. Scheme rephasings are itemised in the table below and comments on scheme progress are provided in Appendix B.

Capital Expenditure - Rephasing in Q2 Monitoring		2018/19	2019/20	TOTAL
		£'000	£'000	£'000
Winter Maintenance - Gritter Replacement	Cr	250	250	0
Central Depot Wall Scheme	Cr	576	576	0
Depot Improvement Works	Cr	150	150	0
Total Renewal, Recreation and Housing Portfolio rephasing	Cr	976	976	0

Post-Completion Reports

3.6 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in prior years, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. Post completion reports on the following schemes are currently due for the Environment & Community Portfolio before the end of the 2018/19 monitoring cycle:

- Borough Cycling
- Depots – Standby generators
- Land Acquisition (Cornwall Drive)

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 28th November 2018. Changes agreed by the Executive for the Environment & Community 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 Qtr 1 2018/19 (Executive 11/07/18) Capital Programme Monitoring Qtr 2 2018/19 (Executive 28/11/18)

ENVIRONMENT & COMMUNITY PORTFOLIO - APPROVED CAPITAL PROGRAMME 28TH NOVEMBER 2018									
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.18	Estimate 2018/19	Estimate 2019/20	Estimate 2020/21	Estimate 2021/22	Responsible Officer	Remarks
		£'000	£'000	£'000	£'000	£'000	£'000		
	SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	6,600	0	0	2,200	2,200	2,200		100% TfL funding, based on Borough Spending Plan submission to TfL and will only proceed if 100% funding.
922608	Cycling on Greenways	563	554	9	0	0	0	Angus Culverwell	
922660	Borough Transport Priorities (not allocated)	386	189	197	0	0	0	Angus Culverwell	
922668	Biking Boroughs	797	747	50	0	0	0	Angus Culverwell	
	TFL - New funding streams								
922661	Maintenance	9,515	8,931	584	0	0	0	Garry Warner	
922672	LIP Formula Funding	18,140	15,109	3,031	0	0	0	Angus Culverwell	
922673	Borough Cycling	12	12	0	0	0	0	Angus Culverwell	
922674	Bus Stop Improvement works	205	157	48	0	0	0	Angus Culverwell	
922677	Flexi Lane	70	66	4	0	0	0	Angus Culverwell	
941539	Widmore Road - BNV	366	61	305	0	0	0	Garry Warner	
	TOTAL SCHEMES FUNDED BY TRANSPORT FOR LONDON	36,654	25,826	4,228	2,200	2,200	2,200		
	OTHER								
917242	Winter maintenance - gritter replacement	1,210	924	36	250	0	0	Paul Chilton	
917247	Orpington Public Realm Improvements	2,200	2,166	34	0	0	0	Garry Warner	£1.2m TfL funding
941536	Beckenham Town Centre improvements	4,441	1,864	2,577	0	0	0	Kevin Munnely	Executive 16/10/13 and Executive 02/12/15 (Full Council 14/12/15), Executive 20/09/16 £3,046k TfL funding; £150k Members' Initiative reserve; £995k Capital Receipts; £250k Principal Road Maintenance (TfL funded)
922675	Gosshill Road	293	250	43	0	0	0	Angus Culverwell	Funded from TfL £80k and S106 £213k
922676	Orpington Railway Station	133	1	132	0	0	0	Angus Culverwell	Funded from TfL £50k and S106 £83k
941901	Central Depot Wall Scheme	716	0	140	576			Cathy Pimm	Exec approval on 28/03/2018 - Funded from £163k c/fwd and £553k from infrastructure investment fund.
941902	Depot Improvement Scheme	6,462	0	150	3,150	3,162	0	Paul Chilton	Exec approval on 11/07/18. Funded from Capital Receipts.
941863	The Woodland Improvements Programme	108	108	0	0	0	0	John Bosley	Approved by Executive 02/04/14. Funded by Forestry Commission
917252	Street Lighting Invest to Save Initiative	8,507	8,257	250	0	0	0	Garry Warner	Funded by Invest to Save Fund (Executive 28/11/12)
917254	Betts Park Canal Bank Stabilisation Project	136	128	8	0	0	0	John Bosley	Approved Executive 14/09/16
917256	Highway Investment	11,800	5,341	6,459	0	0	0	Garry Warner	Approved Exec 18/10/16, Council 09/12/16
917257	Scadbury Park Moated Manor	155	0	155	0	0	0	John Bosley	Approved Exec 07/02/18
917258	Local Highways Maintenance (Potholes, Damaged Roads etc)	1,117	0	1,117	0	0	0	Garry Warner	Approved Exec 28/11/18 (Funded by DfT)
927000	Feasibility Studies	40	0	10	10	10	10	Claire Martin	
	TOTAL OTHER	37,318	19,039	11,111	3,986	3,172	10		
	TOTAL ENVIRONMENT & COMMUNITY PORTFOLIO	73,972	44,865	15,339	6,186	5,372	2,210		

ENVIRONMENT & COMMUNITY PORTFOLIO - APPROVED CAPITAL PROGRAMME 2018/19 - 2ND QUARTER MONITORING				
2nd QUARTER 2018/19				
Capital Scheme/Project	Revised Estimate July 2018	Actuals to 03.01.19	Revised Estimate Nov 2018	Responsible Officer Comments
	£'000	£'000	£'000	
SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON				
Cycling on Greenways	9	0	9	
Borough Transport Priorities (not allocated)	197	Cr 1	197	TfL funding allocated to individual scheme
Biking Boroughs	50	0	50	
TFL - New funding streams				
Maintenance	584	155	584	TfL funding allocated to individual scheme
LIP Formula Funding	3,223	540	3,031	TfL funding allocated to individual scheme
Borough Cycling	0	0	0	
Bus Stop Improvement works	48	Cr 69	48	TfL funding allocated to individual scheme
Flexi Lane	4	0	4	
Widmore Road - BNV	305	0	305	
TOTAL SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON				
	4,420	625	4,228	
OTHER				
Winter maintenance - gritter replacement	286	0	36	Currently no planned gritter replacement however funds are available for any unplanned replacement of winter equipment over the next season taking account of the new Highways contracts. Spend of £36k anticipated in 18/19 - if there is no serious winter experienced this year. £250k rephased into 2019/20.
Orpington Public Realm Improvements	34	0	34	Balance of funding being utilised for minor redesigns to scheme. Works are due to be completed this financial year, subject to weather and contractor availability
Beckenham Town Centre improvements	2,577	1,956	2,577	Final design and implementation costs funded by TfL. Scheme is on budget and anticipated to complete by March 2019 with retention and final account, likely circa £300k, to be settled in 2019/20.
Gosshill Road	43	0	43	Funded from TfL and S106. Works completed. Scheme delivered under budget.
Orpington Railway Station	132	0	132	Funded from TfL and S106. Scheme is with Southeastern for final detailed design.

ENVIRONMENT & COMMUNITY PORTFOLIO - APPROVED CAPITAL PROGRAMME 2018/19 - 2ND QUARTER MONITORING				
2nd QUARTER 2018/19				
Capital Scheme/Project	Revised Estimate July 2018	Actuals to 03.01.19	Revised Estimate Nov 2018	Responsible Officer Comments
	£'000	£'000	£'000	
Central Depot Wall Scheme	716	0	140	Approved by Executive in March 2018. Budget of £716k funded from £163k carry forward & £553k from Infrastructure Investment. Structural Engineer selected and design and tender to be completed by financial year end and on-site by Q1 2019/20. Project is likely to take 3-4 months to complete.
Depot Improvement Scheme	300	0	150	Approved by Exec on 11th July 2018. It is anticipated that once project resource is in place that works on site will commence Q1 2019/20.
The Woodland Improvements Programme	4	0	0	No further spend anticipated - scheme completed.
Street Lighting Invest to Save Initiative	250	15	250	Funded by Invest to Save Fund (Exec 28/11/12) - Report presented to Exec 15/10/14 to amend the project in replacing fewer lamp columns and convert more lanterns. The remaining connection works are due to be completed this financial year. Delays have been encountered in agreeing the final account for works completed as the contract has been ended.
Betts Park Canal Bank Stabilisation Project	8	0	8	Approved Executive 14/09/16 - works are required to limit the risk to the Council of further claims for damage to properties at Betts Park Canal Bank. Project is complete pending any outstanding invoices.
Highway Investment	6,459	3,669	6,459	Approved Exec 18/10/16, Council 09/12/16, £11.8m for investment in planned highway maintenance funded from capital receipts. All carriageway schemes are due for completion by November 2018, although footway schemes may continue until March 2019. The first and second phases of the project have completed, and third phase has commenced.
Scadbury Park Moated Manor	155	0	155	New scheme approved by Executive 7th February 2018 for urgent repairs and stabilisation of brickwork at the Medieval Moated Manor within Scadbury Park Local Nature Reserve.
Local Highways Maintenance (Potholes, Damaged Roads etc)	0	0	1,117	Department for Transport Funding - Executive approved 28 November 2018. To be used to tackle potholes, repair damaged roads, and invest in keeping bridges open and safe.
Feasibility Studies	10	0	10	
TOTAL OTHER	10,974	5,640	11,111	
TOTAL ENVIRONMENT & COMMUNITY POR	15,394	6,265	15,339	

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Report No.
ES19015

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT PORTFOLIO HOLDER

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

Date: 5th February 2018

Decision Type: Non-Urgent Executive Non-Key

Title: PROPOSED MAKING-UP OF CLARENCE ROAD, BICKLEY
(PART) – SECOND RESOLUTION

Contact Officer: Laura Warner, Traffic Engineer
Tel: 020 8313 4231 E-mail: Laura.Warner@bromley.gov.uk

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

Ward: Bickley

1. Reason for report

To obtain a Resolution of Approval under the Private Street Works Code contained in the Highways Act 1980, in respect of the making up and adoption as a highway maintainable at the public expense of Clarence Road, Bickley between Page Heath Lane and Southlands Grove.

2. **RECOMMENDATION(S)**

2.1 The Committee recommends that the Portfolio Holder makes a Resolution of Approval in respect of a scheme for Clarence Road and approves the specification, plans, sections, estimate and provisional apportionment, to be prepared by the Executive Direction of Environment and Community Service in due course.

2.2 In future, where this Committee recommends that the Portfolio Holder makes a First Resolution in respect of a scheme proposed under the provisions of the Private Street Works Code, it simultaneously recommends that the Portfolio Holder makes the further Resolution of Approval upon receiving the necessary specification, plans, sections, estimate and provisional apportionments prepared by the Executive Direction of Environment and Community Services.

Impact on Vulnerable Adults and Children

1. Summary of Impact: No negative impacts.
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost: £400k
 2. Ongoing costs: Future maintenance costs will be funded from existing highway maintenance budget.
 3. Budget head/performance centre: TfL 2018/2019 LIP budget for Cycling and Walking
 4. Total current budget for this head: £924k
 5. Source of funding: TfL LIP Formula Funding 2018/19
-

Personnel

1. Number of staff (current and additional): 2
 2. If from existing staff resources, number of staff hours: 50
-

Legal

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

Procurement

1. Summary of Procurement Implications: None, as the works will be carried out by the Council's highways term contractor.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Local residents fronting Clarence Road, cyclists and pedestrians using Clarence Road.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Cllr Smith has advised that he is supportive of the scheme provided external funding is available for the scheme.

3. COMMENTARY

- 3.1 Following the Environment PDS Committee on the 10th October 2018, the Environment Portfolio Holder received a report regarding the use and condition of Clarence Road between its junction with Page Heath Lane and Southlands Grove. The street has not been made up and adopted as a highway maintainable at the public expense, and therefore the Council is not responsible for its maintenance, which includes repair.
- 3.2 The Council is entitled to make-up the Highway for adoption under the provisions of the Private Street Works Code, contained in the Highways Act 1980. Section 236 of the Act enables the Council, as the Street Works Authority, to resolve to bear the whole of the cost of the works, rather than recharge most of the cost to the frontage owners. In this instance, it is proposed that the cost of the works would be met from the LIP budget.
- 3.3 Approximately half way along the unmade section of the street, it crosses a railway line via a bridge, the maintenance of which is the responsibility of Network Rail. The bridge is considered to be in a weak condition, with a maximum limit of 13 tonnes. If Clarence Road is to be made-up, not only would this bridge have to bear the additional weight of the road construction, but also the weight of the additional traffic which the improved running surface would attract, including heavy vehicles which might not take heed of the weight limit. It is therefore intended to implement an experimental road closure between the southern boundary of number 62 Clarence Road and the driveway access to numbers 79-87 Clarence Road. The closure will prohibit all vehicles except pedestrians, pedal cycles and Network Rail service vehicles engaged on maintenance of the bridge. The closure will be reviewed after 6 months with a view to making it permanent.
- 3.4 By introducing a permanent restriction, works over the bridge could be to reduced design standards, compared with the remaining parts of the street.
- 3.5 The completed scheme will also support Bromley's ambition to promote quality cycle routes in the Borough.
- 3.6 To enable the street to become a highway maintainable at public expense, the Council needs to adopt it. The Council will only do this following improvement to the appropriate standards. The improvement works may be carried out under the provisions of the Private Street Works Code, but for this to occur the Council has to make two distinct resolutions: a First Resolution, giving details of those aspects of the street with which it is dissatisfied; and a further resolution, a Resolution of Approval. This Resolution approves details of the works required to bring the street up to a suitable standard, an estimate of the cost of such works and a provisional apportionment of these costs amongst the owners of the premises fronting the street, which includes adjoining and abutting.
- 3.7 The Portfolio Holder made a First Resolution in respect of Clarence Road under S.205(1) of the Highways Act 1980, following the Environment PDS Committee on the 10th October 2018.
- 3.8 The appropriate documents are being prepared to enable the Resolution of Approval to be made and these documents will be presented to the Environment Portfolio Holder outside of this meeting for approval. Once the Resolution of Approval is made these documents will be placed on deposit for inspection.
- 3.9 The requirement for a Resolution of Approval is contained in the Private Street Works code. If such a resolution is not properly made it is possible that an objection could be successfully raised by an owner of premises shown in the Provisional Apportionment of estimated expenses as liable to be charged with the cost of making up, on the grounds contained of S.208(b) of the Highways Act 1980 "that there has been some material informality, defect of error in, or

in respect of, the Resolution, notice, plans, sections or estimates. This would be the case even where no charge falls upon the frontage owner.

- 3.10 The second recommendation is designed to streamline the Private Street Works process without incurring the risk of a successful objection under the above ground.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 No negative impacts.

5. POLICY IMPLICATIONS

- 5.1 Policy T14 of the Unitary Development Plan (UDP) adopted in July 2006 says that un-adopted highways will normally be considered for making-up and adoption, as resources permit, following a referendum. The referendum is not part of the statutory procedure however.
- 5.2 In this case, where there is a clear demand for the Council to take action and it is not proposed that the cost of making up the carriageway will be charged to the frontage owners, a referendum has not been conducted.

6. FINANCIAL IMPLICATIONS

- 6.1 The estimated cost of construction, design and project management is £400k . This will be funded from TfL LIP Formula Funding 2018/19 Budget for Cycling and Walking, which has an allocation of £400k set aside for this scheme, from a total budget of £924k.
- 6.2 Future maintenance costs will be contained within existing highway maintenance budgets.

7. PERSONNEL IMPLICATIONS

- 7.1 No additional staff resources will be required.

8. LEGAL IMPLICATIONS

- 8.1 The closure of the bridge to traffic other than pedestrians, pedal cycles and Network Rail service vehicles will be achieved by means of making a Traffic Regulation Order under Section 9 of the Road Traffic Act 1984.
- 8.2 The Council must proceed under the requirements of the Private Street Works Code, which will involve serving notices of provisional apportionment on the frontage owners. Because the intention is that the full cost of the scheme will be met without charge to them, the notices will show the individual frontage charges being met by the Council. This means that the frontage owners will not be able to raise objections to the proposal on financial grounds, but may choose to pursue objections on other grounds.
- 8.3 Any objections which could not be resolved by negotiation would have to be referred to the Magistrates Court for determination, which could delay the scheme.
- 8.4 The Highways Act 1980, Section 208, sets out the grounds upon which the owner(s) of premises shown in a Provisional Apportionment may object to the proposed works. Only residents liable to be charged with any part of the costs of executing the proposed street works may, by notice, object to the proposed works.

9. PROCUREMENT IMPLICATIONS

- 9.1 None as the works will be carried out by the Council's highways term contractor.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	None

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Agenda Item 8

Report No.
FSD19007

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT AND COMMUNITY SERVICES PDS
COMMITTEE

Date: 5th February 2019

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

Title: DRAFT BUDGET 2019/20

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: All

1. Reason for report

- 1.1. The prime purpose of this report is to consider the Portfolio Holder's Draft 2019/20 Budget which incorporates future cost pressures and initial draft budget saving options which are being reported to Executive on 16th January 2019. Members are requested to consider the initial draft budget being proposed and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.
 - 1.2. Executive are requesting that each PDS Committee consider the proposed initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to the Executive making recommendations to Council on 2019/20 Council Tax levels.
 - 1.3. There are still outstanding issues and areas of uncertainty remaining. Any further updates will be included in the 2019/20 Council Tax report to the next meeting of the Executive.
-

2. **RECOMMENDATION(S)**

2.1 **The Environment and Community Services PDS Committee is requested to:**

- i) **Consider the update on the financial forecast for 2019/20 to 2022/23;**
- ii) **Consider the initial draft 2019/20 budget as a basis for setting the 2019/20 budget; and**
- iii) **Provide comments on the initial draft 2019/20 budget for the February meeting of the Council's Executive.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: Adult Care and Health Portfolio budget setting supports the provision of services to vulnerable adults
-

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Environment & Community Services Portfolio Budgets
 4. Total current budget for this head: £40.759m
 5. Source of funding: Draft revenue budget for 2019/20
-

Personnel

1. Number of staff (current and additional): Full details will be available with the Council's 2019/20 Financial Control Budget to be published in March 2019
 2. If from existing staff resources, number of staff hours: Not Applicable
-

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 Local Government Act 2000; the Local Government Act 2002 and the Accounts and Audit Regulations 2015.
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2019/20 budget reflects the financial impact of the Council's strategies, service plans etc. which impact on all of the Council's customers (including council tax payers) and users of the services.
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Ward Councillor Views

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

3. COMMENTARY

3.1. APPROACH TO BUDGETING, FINANCIAL CONTEXT AND ECONOMIC SITUATION WHICH CAN IMPACT ON PUBLIC FINANCES

3.1.1. In considering this report further background information was available through the Members' seminars as follows:

- Members' Finance Seminar on 20th June 2018;
- Members' Welfare Reform Seminar on 2nd July 2018;
- Members' Pension Fund Seminar on 5th November 2018.

3.1.2. Forward financial planning and financial management is a key strength at Bromley and this has been recognised previously by our external auditors. This report continues to forecast the financial prospects for the next 4 years and includes the Government's final year of the four year funding settlement period (2016/17 to 2019/20). At the time of writing this report, further details on various grant funding is awaited and it is important to note that some caution is required in considering any projections for 2020/21 to 2022/23 as this represents the Government's next awaited Spending Review period.

3.1.3. A strong economy with growth increases revenues which supports the Government's ability to reduce public sector debt as the gap between finances raised and spend on public services is reduced. The slowing down of the global economy and many sources of uncertainty has resulted in a downgrading of the level of economic growth in the UK economy. It is important to consider the key national issues that could impact on public finances over the next four years. The overall national debt stands at £1.8 trillion with annual debt servicing costs of £43bn. It is expected that Public Sector Debt will decline from a peak of 85.2% of GDP in 2016/17 to a forecast 74.1% in 2023/24 and that public sector borrowing will be £19.8bn in 2023/24 (lowest level for 10 years). The Autumn Budget 2018 identified that public sector net borrowing is expected to be 1.4% of GDP in 2019/20 falling to 0.8% in 2023/24. Bank of England have referred to domestic inflation being partly driven by high wage growth and lower productivity levels per head which is expected to keep CPI above 2% until at least 2021. The Spring Statement due in March 2019 is expected to be upgraded to a full budget depending on the outcome of the Brexit negotiations.

3.1.4. Local Government has borne the brunt of austerity and savings compared with other areas of Government expenditure. Despite the announcements by the Government that "austerity is over", local government funding remains 'unprotected' and the impact of additional funding for NHS and other 'protected' services results in a likely real term funding reductions remaining for local government.

3.1.5. The financial forecast assumes ongoing funding reduction over the four year period, although at a lower rate, compared with previous years. Even with the planned Green Paper on social care which has now been delayed until later in 2019, no additional funding has been announced by the Government for adult social care from 2020/21, at this stage. For local government, the fiscal squeeze is expected to continue and with ongoing protection of health, education police and other security services.

3.1.6. The Government remains committed with the aims of devolution which includes enabling local government to be more self-sufficient. The Government views the new flexibilities such as the future growth forecasts from business rates, to be mainly devolved (75% of total quantum) to local government by 2020 combined with scope for the ongoing ability to increase council tax as methods which can reduce the impact of grant reductions. However, it is not the full solution for local government given its costs pressures and service demands.

- 3.1.7. The Budget Strategy has to be set within the context of a reducing resource base, with Government funding reductions in real terms likely to continue beyond 2020 – the on-going need to reduce the size and shape of the organisation to secure priority outcomes within the resources available. There is also a need to build in flexibility in identifying options to bridge the budget gap as the gap could increase further. The overall updated strategy has to be set in the context of the national state of public finances, with austerity continuing given the level of public sector debt, and the high expectation from Government that services should be reformed and redesigned with devolution contributing to the transformation of local government. There is also an on-going need to consider “front loading” savings to ensure difficult decisions are taken early in the budgetary cycle, to provide some investment in specific priorities, to fund transformation and to support invest to save opportunities which provide a more sustainable financial position in the longer term. Any decisions will need to consider the finalisation of the 2019/20 Budget as well as the longer time frame where the Council has to ‘live within its means’.
- 3.1.8. Bromley has the second lowest settlement funding per head of population in 2018/19 for the whole of London. Despite this, Bromley has retained the third lowest council tax in outer London (other low grant funded authorities tend to have higher council tax levels). This has been achieved by having one of the lowest costs per head of population in outer London. Despite being a low cost authority, Bromley has achieved general savings of around £97m since 2011/12 but it becomes more challenging to achieve further savings with a low cost base.
- 3.1.9. One of the key issues in future year budgets will be the balance between spending, council tax levels, charges and service reductions in an organisation starting from a low spending base. It is important to recognise that a lower cost base reduces the scope to identify efficiency savings compared with a higher cost organisation.

3.2. CHANGES SINCE THE 2018/19 BUDGET THAT IMPACT ON THE FINANCIAL FORECAST

- 3.2.1. The 2018/19 Council Tax report reported to Executive in February 2018 identified a significant “budget gap” over the four year financial planning period. Some key changes are summarised below.
- 3.2.2. The draft budget and future years forecast reflect a continuing reduction in core grant funding to local government. After allowing for the Government’s concession on negative Revenue Support Grant (RSG) there is a core grant funding reduction of £3.6m in 2019/20 reflected in the draft 2019/20 Budget increasing to £12.6m per annum by 2022/23.
- 3.2.3. The main measure of inflation for annual price increases for the Council’s contracted out services is Retail Price Index (excluding mortgage interest rates) i.e. RPIX. This measure is normally up to 1% above the Consumer Price Index (CPI) level. The Draft 2019/20 Budget assumes contract price increases of 3.0%, reducing to 2.7% per annum from 2020/21, which compares with the existing RPIX of 3.1%. Action will need to be taken by Chief Officers to fund increasing costs through alternative savings in the event that inflation exceeds the budget assumptions.
- 3.2.4. Given the scale of savings identified and any inherent risks, the need for longer term financial planning, the uncertainty on future year cost pressures, significant changes that may follow relating to future new burdens, effect of ongoing population increases and the potential impact of other public agencies identifying savings which impact on the Council’s costs, a prudent approach has been adopted in considering the Central Contingency Sum required to mitigate against these risks. If the monies are not required during the year the policy of using these resources, in general, for investment, generate income/savings and provide a more sustainable financial position should continue. To illustrate the benefit of the investment

approach the Council has potential income in 2019/20 totalling £15.4m from a combination of treasury management income and rents from investment properties. Without this income, equivalent service reductions may be required. Investment in economic growth (Growth Fund) will also be the key to generate additional business rate income.

3.2.5. The latest forecast indicates that despite having a balanced budget in 2019/20 there remains a significant budget gap in future years that will need to be addressed, particularly from 2020/21.

3.3. FINANCIAL CONTEXT

3.3.1. Key issues include:

- Two of the Council's main activities which are grant funded are schools and housing benefits. Both of these areas of spend continue to be ring-fenced.
- A high proportion of the Council's spend relates to third party payments, mainly contracts, which can limit flexibility to change spend levels as well as providing greater inflationary pressures (e.g. the impact of the National Living Wage).
- As reported in previous years, the majority of the Council's spend relates to just a few service areas.
- Even though the draft budget would be broadly balanced next year, the future years budget gap is projected to increase to £32.2m per annum by 2022/23. Without any action to address the budget gap in future years reserves will need to be used followed by a significant 'cliff edge' budget gap remaining thereafter.

3.3.2. The reasons for the budget gap by 2022/23 include, for example:

- inflation pressures partly offset by assumed council tax increase (2.99% in 2019/20 and 1.99% thereafter) and social care precept (2019/20 only) of 2% leaving a balance required of £10.6m;
- Loss of core grant funding of £12.6m;
- Growth/cost pressures less mitigation of £18.8m relating to education, social care and housing ;
- Additional income of £3.2m from Government social care funding assumed to continue beyond 2019/20 which partly offsets the social care cost/growth pressures;
- Savings from reduction in the Council's provision for risk/uncertainty held within the Central Contingency Sum (saving of £8m per annum).
- Other variations leading to an increase of £1.4m.

3.3.3. Even using a 'best case scenario' that there are no government grant reductions over the four year period, the final budget gap in future years will remain significant (£19.6m).

3.3.4. In the financial forecast, after allowing for inflation, council tax income and other changes we have an unfunded budget gap due to reductions in government funding and net service growth/cost pressures. Therefore service growth/cost pressures are effectively unfunded. This highlights the importance of scrutinising growth and recognition that corresponding savings will need to be found to achieve a statutory balanced budget. It is timely as we all have to consider what level of growth the council can afford and the need for significant mitigation or alternative transformation options.

3.4. LATEST FINANCIAL FORECAST

3.4.1. A summary of the latest budget projections is shown the table below:

	2019/20	2020/21	2021/22	2022/23
	£m	£m	£m	£m
Variations Compared with 2018/19 Budget				
Grant Loss	3.6	6.6	9.6	12.6
Cost Pressures				
Increased costs (3.0% 2019/20 then 2.7% per annum)	6.0	13.3	20.5	27.7
Reinstatement of highways maintenance (previously capitalised)	0.0	0.0	0.0	2.5
Total Additional Costs	6.0	13.3	20.5	30.2
Income / Savings				
Acquisition of Residential Properties to Accommodate Homeless (Mears)	-1.0	-1.0	-1.0	-1.0
Additional Income Opportunity (Amey)	-0.2	-0.4	-0.4	-0.4
Additional income from business rate share to reflect new developments in borough and Section 31 funding and increase in business rate base	-1.5	-1.8	-1.8	-1.8
Fall out of London pilot of business rates (as approved by Council 25/9/17) - one year only	2.9	2.9	2.9	2.9
Continuation of London Business Rate Pool 2019/20	-2.2	0.0	0.0	0.0
Business Rates Surplus levy	-0.6	0.0	0.0	0.0
Interest on balances - reduction in income to reflect use of balances and temp. funding for Site G	0.2	0.1	0.3	0.4
Release general provision in contingency for significant uncertainty/variables	-0.7	-0.7	-0.7	-0.7
Savings from recommissioning/retendering of various contracts	-0.1	-0.1	-0.1	-0.1
Savings from Childrens Social Care linked to Invest to Save funding	-0.2	-0.7	-1.0	-1.0
Potential release of draft contingency in future years re provision for risk/uncertainty	0.0	-4.0	-8.0	-8.0
Extra Social Care Funding through Government grants	-3.2	-3.2	-3.2	-3.2
Leisure Service Lease approved by Executive on 28th November 2018	-1.5	-1.5	-1.5	-1.5
Review of staffing across organisation	-0.6	-1.5	-1.5	-1.5
Other savings	-0.4	-1.1	-1.5	-1.5
Total Income / Savings	-9.1	-13.0	-17.5	-17.4
Other Changes (includes use of non-recurring funds)				
Fall out of New Homes Bonus funding	3.2	4.5	5.1	5.6
Real Changes and other Variations	-0.9	-1.3	-1.2	-0.5
Total Other Changes	2.3	3.2	3.9	5.1
ECHS Growth and Mitigation (8.0	17.2	18.5	18.8
Council Tax				
Increase in Council Tax Base to reflect additional properties and increased collection rates	-1.6	-2.3	-2.9	-3.6
Fall out of Collection Fund surplus 2014/15 set aside as one off support towards meeting the funding shortfall in 2018/19	4.9	4.9	4.9	4.9
Fall out of Collection Fund surplus 2015/16 set aside as one off support towards meeting the funding shortfall in 2018/19	0.7	0.7	0.7	0.7
Increase in council tax (assume 2.99% per annum in 2019/20 and 1.99% thereafter)	-4.5	-7.6	-10.9	-14.1
Impact of Adult Social Care Precept (assume 2% per annum)	-3.0	-3.0	-3.0	-3.0
Collection Fund Surplus 2017/18	-6.8	0.0	0.0	0.0
Projection of future year collection fund surplus	0.0	-4.0	-3.0	-2.0
Total Council Tax	-10.3	-11.3	-14.2	-17.1
Remaining "Budget Gap"	0.5	16.0	20.8	32.2

The above table shows, for illustrative purposes the impact of a council tax increase of 3.99% in 2019/20 (including adult social care precept). Each 1% council tax increase generates on-going annual income of £1.5m. The financial forecast assumes that any future increases in the Adult Social Care precept cease beyond 2019/20. It should be noted that the current legislation only provided powers for this precept until the end of 2019/20.

- 3.4.2. The table above highlights that, although it has been possible to achieve a potential balanced budget for next year through identifying savings and continuing with prudent financial management, there remains a “budget gap” of £16m in 2020/21 rising to £32.2m per annum in 2022/23. The projections in later years have to be treated with some caution, particularly as the Government’s next spending review is expected to be implemented from 2020/21 which will include the revised levels of funding for individual local authorities following the ‘Fair Funding’ review. The Government is consulting on the early stages of the ‘Fair Funding’ review.
- 3.4.3. In considering action required to address the medium term “budget gap”, the Council has taken significant action to reduce the cost base while protecting priority front line services and providing sustainable longer term solutions. Significant savings of around £97m were realised since 2011/12. Our council has to balance between the needs of service users and the burden of council tax on council tax payers. With the Government placing severe reductions in the level of grant support, the burden of financing increasing service demand falls primarily upon the level of council tax and business rate income.

3.5. DETAILED DRAFT 2019/20 BUDGET

3.5.1. Detailed Draft 2019/20 Budgets are attached in Appendix 1 and will form the basis for the overall final Portfolio/Departmental budgets after any further adjustments to deal with service pressures and any other additional spending. Under the budget process previously agreed, these initial detailed budgets are forwarded to PDS committees for scrutiny and comment prior to the next Executive meeting in February.

3.5.2. Appendix 1 sets out:-

- A summary of the Draft 2019/20 Revenue Budget for the Portfolio showing actual 2017/18 expenditure, 2018/19 budget, 2019/20 budget and overall variations in planned spending between 2018/19 and 2019/20.
- A summary of the main reasons for variations per Portfolio in planned spending between 2018/19 and 2019/20 together with supporting notes.
- A high level subjective summary for the Portfolio showing expenditure on employees, premises etc.

3.6. REVIEW OF FEES AND CHARGES

3.6.1. There will need to be an ongoing review identifying opportunities as the medium term ‘budget gap’ remains significant. Chief Officers will continue to review fees and charges during 2019/20 to identify opportunities to reduce the future years ‘budget gap’

3.7. IDENTIFYING FURTHER SAVINGS/MITIGATION

3.7.1. There were 1,335 statutory duties as at June 2011, as identified by the National Audit Office. There has been no overall reduction in statutory duties to date despite significant funding reductions.

3.7.2. Chief Officers previously undertook “Baseline Reviews” which identified the full cost of services and their resultant statutory and non-statutory functions with scope for achieving savings as well as action to mitigate any negative service impact.

3.7.3. The scale of savings required in future years cannot be met by efficiency alone – there will be a need for a reduction in the scope and level of services. The council will need to continue to

review its core priorities and how it works with partners and key stakeholders and the overall provision of services.

- 3.7.4. A significant challenge is to consider discretionary services which, if reduced, could result in higher cost statutory obligations. Therefore, it is important to consider the risk of 'unintended consequence' of reducing discretionary services adversely impacting on the cost of statutory services.
- 3.7.5. Chief Officers are currently exploring further saving/income opportunities as part of finalising the 2019/20 Budget and any updates will be provided for the meeting of the Executive.
- 3.7.6. The Director of Corporate Service is leading on a core statutory minimum review to determine what the Council can afford within its overall budget envelope. This work will be very challenging given the visibility and importance to residents of some discretionary services. Even after identifying the core statutory minimum there may be opportunities to reduce costs through ensuring VFM is realised and the best method of service delivery and outcomes are achieved.
- 3.7.7. Apart from the core statutory minimum review, Chief Officers will plan to undertake a significant transformational review across all services, focussing on higher spend services first to be completed by mid - 2019/20 with options for members to consider significant transformation change for implementation by 2020/21. The outcome of the transformation review will be a key consideration within the Council Tax report in determining future arrangements for addressing the budget gap

3.8. RISK AREAS WITHIN THE ECS PORTFOLIO

- 3.8.1. Expenditure pressures and service risks in relation to services in the Environment and Community Services Portfolio are detailed in Appendix 2.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The draft 2019/20 Budget reflects the Council's key priorities which includes, for example, supporting vulnerable adults with children and being ambitious for all our children and young people.

5. POLICY IMPLICATIONS

- 5.1 The Council's key priorities include, for example:

- Ensure financial independence and sustainability;
- Invest in our business and our people
- Ambitious for all our children and young people
- Enhance our clean and green Borough.

- 5.2 Ensure financial independence and sustainability priorities include:

- Strict management of our budgets to ensure we live within our means
- Working to achieve the benefits of the integration of health and social care
- Early intervention for our vulnerable residents

6. FINANCIAL IMPLICATIONS

- 6.1 Financial implications are contained within the overall body of the report.

7. PERSONNEL IMPLICATIONS

- 7.1 Staff, departmental and trade union representatives will be consulted individually and collectively on any adverse staffing implications arising from the Draft 2019/20 Budget. Managers have also been asked to encourage and facilitate staff involvement in budget and service planning.

8. LEGAL IMPLICATIONS

- 8.1 The adoption of the budget and the setting of the council tax are matters reserved for the Council upon recommendation from the Executive. The Local Government Finance Act 1992 (as amended) requires the Council to set an amount of Council tax for each financial year and provides that it must be set before 11th March in the financial year preceding that for which it is set. Sections 73-79 of the Localism Act 2011 amended the calculations, billing and precepting authorities need to make in determining the basic amount of Council tax. The changes included new sections 31 A and 31 B to the Local Government Finance Act 1992 which has modified the way in which a billing authority calculates its budget requirement and basic amount of Council Tax.
- 8.2 Schedule 5 to the Localism Act 2011 inserted a new section 52ZB in the 1992 Act which sets out the duty on billing authorities, and precepting authorities to each determine whether their relevant basic amount of council tax for a financial year is excessive. If an authority's relevant basic amount of council tax is excessive, the provisions in relation to the duty to hold a referendum will apply.
- 8.3 The making of these budget decisions at full Council is a statutory responsibility for all Members. Members should also have regard to the changes from the Localism Act relating to council tax increases and the recent introduction of the Adult Social Care precept. The Council has a number of statutory duties which it must fulfil by law – although there can be an element of discretion on level of service provision. The Council also discharges a range of discretionary services. The Council is not bound to carry out such activities in the same way as it is for statutory duties – although it may be bound contractually to do so. A decision to cease or reduce provision of a discretionary service must be taken in accordance with sound public/administrative law decision making principles. The Council must also comply with the Public Sector Equality Duties in section 149 of the Equality Act 2010. In doing so, the council must have due regard to elimination of discrimination, harassment and victimization, advance equality of opportunity and foster good relations with persons who share a protected characteristic.
- 8.4 The Local Government Act 2003 included new requirements to be followed by local authorities, which includes the CIPFA Prudential Code. This includes obligations, which includes ensuring adequacy of future years reserves in making budget decisions and section 25 of that Act requires the Director of Finance to report on the robustness of the estimates made for the purposes of calculating the Council Tax and the adequacy of the reserves. Further details to support these obligations will be reflected in the 2019/20 Council Tax report to be reported to the February meeting of the Executive.

Non-Applicable Sections:	Procurement Implications
Background Documents: (Access via Contact Officer)	Finance monitoring, Estimate Documents, etc all held in Finance Section

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ENVIRONMENT COMMUNITY SERVICE PORTFOLIO**DRAFT REVENUE BUDGET 2019/20 - SUMMARY**

2017/18 Actual	Service Area	2018/19 Budget	Increased costs	Other Changes	2019/20 Draft Budget
£		£	£	£	£
	Street Scene & Green Spaces				
5,070,015	Parks and Green Spaces	5,231,570	205,530	Cr 36,000	5,401,100
326,675	Street Regulation	366,680	7,260	0	373,940
Cr 83,550	Business Support and Markets	Cr 15,030	Cr 20	16,110	1,060
16,930,468	Waste Services	18,119,880	542,320	Cr 665,000	17,997,200
4,103,523	Street Environment	4,413,800	146,100	725,430	5,285,330
907,175	Management and Contract Support	1,085,250	23,880	115,140	1,224,270
800,940	Tree Maintenance	748,690	14,940	0	763,630
28,055,246		29,950,840	940,010	155,680	31,046,530
	Transport Operations and Depot Management				
705,897	Transport Operations and Depot Management	700,800	13,950	0	714,750
705,897		700,800	13,950	0	714,750
	Traffic, Parking & Highways				
285,568	Traffic & Road Safety	324,380	7,170	0	331,550
Cr 7,892,942	Parking	Cr 7,118,810	189,680	Cr 300,000	Cr 7,229,130
6,588,342	Highways (Including London Permit Scheme)	6,688,710	131,670	Cr 86,430	6,733,950
Cr 1,019,032		Cr 105,720	328,520	Cr 386,430	Cr 163,630
27,742,111		30,545,920	1,282,480	Cr 230,750	31,597,650
6,599,962	TOTAL NON CONTROLLABLE	6,195,360	28,860	21,020	6,245,240
2,323,347	TOTAL EXCLUDED RECHARGES	2,539,650	0	376,520	2,916,170
36,665,420	PORTFOLIO TOTAL	39,280,930	1,311,340	166,790	40,759,060

ENVIRONMENT COMMUNITY SERVICE PORTFOLIO**SUMMARY OF BUDGET VARIATIONS 2019/20**

Ref		VARIATION IN 2019/20 £'000	ORIGINAL BUDGET 2018/19 £'000
1	2018/19 BUDGET	39,281	
2	Increased Costs	1,311	
	Movements Between Portfolios/Departments		
3	Transfer of the Procurement System team	140	140
4	Transfer of resources to the ECS department from RC&CM portfolio	13	13
5	Transfer of a communications post to RC&CM portfolio	Cr 39	Cr 39
6	Transfer of resources for the Mortuary Contract to PPE portfolio	Cr 70	Cr 70
	Real Changes		
	<i>Other Real Changes:</i>		
7	Award of Environment Contract	492	30,358
8	Increase in landfill tax above inflation	60	3,979
9	Increase in refuse/recycling disposal of residual waste	50	10,627
10	Increase in refuse/recycling collection to reflect additional units	42	7,415
11	Increase in refuse/recycling disposal of recyclate waste	32	2,433
12	Absorption of inflation increase for NRSWA income	32	Cr 1,065
13	Award of Highways Maintenance Contract	Cr 173	4,413
14	Waste Disposal tonnage	Cr 240	13,388
15	Parking Bus lane contraventions	Cr 300	Cr 567
	<i>New Savings Identified for 2019/20 (subject to approval)</i>		
16	Reduction of Highways Maintenance expenditure	Cr 170	
17	Variations in Capital Charges	Cr 184	
18	Variations in Recharges	377	
19	Variations in Building Maintenance	57	
20	Variations in Insurances	48	
21	2019/20 DRAFT BUDGET	40,759	

ENVIRONMENT COMMUNITY SERVICE PORTFOLIO**Notes on Budget Variations in 2019/20****Ref Comments****Movements Between Portfolios/Departments**

- 3 Transfer of the Procurement System team (Dr £140k)
Following the restructure of the Procurement and Commissioning team in early 2018/19, part of the Procurement System team has returned to the ECS Management and Contract Support Division.
- 4 Transfer of resources to the ECS department from RC&CM portfolio (Dr £13k)
This reflects the transfer of resources for contract monitoring and performance management, from the Chief Executive's division to the ECS Portfolio.
- 5 Transfer of a communications post to RC&CM portfolio (Cr £39k)
This budget adjustment reflects the transfer of the remaining communications post to the RC & CM Portfolio.
- 6 Transfer of resources for the Mortuary Contract to PPE portfolio (Cr £70k)
To mitigate the extra costs expected from the new negotiated contract, resources have been transferred from the Street Lighting energy budget from within the ECS Portfolio.

Real Changes

- 7 Award of Environment Contract (Dr £492k)
This adjustment reflects the additional cost as a result of the award of the new Environment contracts for Waste Disposal, Waste Collection, Street Environment and Parks Management & Grounds Maintenance, as agreed by the Executive on 28 November 2018.
- 8 Increase in landfill tax above inflation (Dr £60k)
This represents the expected cost of the Government increasing the landfill tax above inflation built into the 2019/20 budget.
- 9 Increase in refuse/recycling disposal of residual waste (Dr £50k)
The additional costs for the disposal contract reflect the anticipated increase in tonnage of residual waste generated from new properties for 2019/20.
- 10 Increase in refuse/recycling collection to reflect additional units (Dr £42k)
The refuse and recycling collection contract is based on the number of premises rather than bins. The additional costs reflect the anticipated increase in new properties for 2019/20.
- 11 Increase in refuse/recycling disposal of recyclate waste (Dr £32k)
The additional costs for the disposal contract reflect the anticipated increase in tonnage of recyclate waste generated from new properties for 2019/20.
- 12 Absorption of inflation increase for NRSWA income (Dr £32k)
Estimates are prepared on the basis that inflation is added to both income and expenditure. As NRSWA fees are statutory, savings have to be found to absorb the inflation rate.
- 13 Award of Highways Maintenance Contract (Cr £173k)
This reflects the financial impact of the award of contract for the Major and Minor Highways Maintenance works as agreed by the Executive on 20 April 2018.

- 14 Waste Disposal tonnage (Cr £240k)
The budget for waste disposal costs has been realigned to reflect the full year effect of the reduction in tonnage during 2017/18 and Executive on 11 July 2018 agreed a sum of £240k was to be returned to the Central Contingency.
- 15 Parking Bus lane contraventions (Cr £300k)
Executive on 11 July 2018 approved a budget adjustment within the Parking Services for an additional £300k income to reflect the current number of bus lane contraventions, as the drop in the number of contraventions has been far slower than originally estimated.
- 16 Reduction of Highways Maintenance expenditure (Cr £170k)
Proposed reduction of the Highways Maintenance budget.
- 17 Variations in Capital Charges (Cr £184k)
The variation in capital charges is due to a combination of the following:
(i) Depreciation – the impact of revaluations or asset disposals in 2017/18 (after the 2018/19 budget was agreed) and in the first half of 2018/19.
(ii) Revenue Expenditure Funded by Capital Under Statute (REFCUS) – mainly due to variations in the value of schemes in the 2019/20 Capital Programme that do not add value to the Council's fixed asset base.
(iii) Government Grants – mainly due to variations in credits for capital grants receivable in respect of 2019/20 Capital Programme schemes, which are used to finance expenditure that is treated as REFCUS.
These charges are required to be made to service revenue accounts, but an adjustment is made below the line to avoid a charge on Council Tax.
- 18 Variations in Recharges (Dr £377k)
Variations in cross-departmental recharges are offset by corresponding variations elsewhere and therefore have no impact on the overall position.
- 19 Variations in Building Maintenance (Dr £57k)
Variations in building maintenance are due to the realignment of budgets to reflect business priorities. There are corresponding adjustments in other portfolios and these are balanced out across the council with a net nil variation.
- 20 Variations in Insurance (Dr £48k)
Insurance recharges to individual portfolios have changed between years, in some cases significantly, partly because an extra year of claims experience since the 2018/19 budget was finalised has been factored in. The overall variation across the Council is Dr £66k.

ENVIRONMENT COMMUNITY SERVICE PORTFOLIO
DRAFT REVENUE BUDGET 2019/20 - SUBJECTIVE SUMMARY

Appendix 1D

Service area	Employees	Premises	Transport	Supplies and Services	Third Party Payments	Transfer Payments	Income	Controllable Recharges	Capital Charges/Financing	Total Controllable
	£	£	£	£	£	£	£	£	£	£
Street Scene & Green Spaces										
Parks and Green Spaces	80,450	3,336,950	4,490	73,080	2,255,250	0	Cr 89,120	Cr 260,000	0	5,401,100
Street Regulation	348,490	0	14,590	10,860	0	0	0	0	0	373,940
Business Support and Markets	325,780	12,410	770	160,040	0	0	Cr 497,940	0	0	1,060
Waste Services	225,220	37,730	18,620	471,790	23,186,370	0	Cr 5,892,430	Cr 50,100	0	17,997,200
Street Environment	194,760	21,220	26,900	112,960	4,937,770	0	Cr 8,280	0	0	5,285,330
Management and Contract Support	1,163,510	0	5,820	54,940	0	0	0	0	0	1,224,270
Tree Maintenance	222,630	102,190	4,970	433,840	0	0	0	0	0	763,630
	2,560,840	3,510,500	76,160	1,317,510	30,379,390	0	Cr 6,487,770	Cr 310,100	0	31,046,530
Transport Operations and Depot Management										
Transport Operations and Depot Management	380,580	263,570	21,580	188,030	0	0	Cr 139,010	0	0	714,750
	380,580	263,570	21,580	188,030	0	0	Cr 139,010	0	0	714,750
Traffic, Parking & Highways										
Traffic & Road Safety	1,599,110	0	15,080	32,410	0	0	Cr 104,020	Cr 1,211,030	0	331,550
Parking	614,990	1,133,690	2,130	561,980	1,977,230	0	Cr 11,563,190	44,040	0	Cr 7,229,130
Highways (Including London Permit Scheme)	1,474,120	1,394,230	122,270	4,983,380	53,310	0	Cr 1,181,840	Cr 111,520	0	6,733,950
	3,688,220	2,527,920	139,480	5,577,770	2,030,540	0	Cr 12,849,050	Cr 1,278,510	0	Cr 163,630
	6,629,640	6,301,990	237,220	7,083,310	32,409,930	0	Cr 19,475,830	Cr 1,588,610	0	31,597,650

Service area	Capital Charges/Financing	Repairs, Maintenance & Insurance	Property Rental Income	Not Directly Controllable	Recharges In	Total Cost of Service	Recharges Out	Total Net Budget
	£	£	£	£	£	£	£	£
Street Scene & Green Spaces								
Parks and Green Spaces	337,000	694,010	Cr 300,130	730,880	579,790	6,711,770	Cr 777,260	5,934,510
Street Regulation	0	810	0	810	118,550	493,300	Cr 425,330	67,970
Business Support and Markets	0	940	0	940	177,800	179,800	Cr 164,140	15,660
Waste Services	32,000	600	0	32,600	1,454,530	19,484,330	Cr 166,440	19,317,890
Street Environment	39,000	9,340	0	48,340	831,680	6,165,350	Cr 238,960	5,926,390
Management and Contract Support	0	1,160	0	1,160	281,980	1,507,410	Cr 1,222,310	285,100
Tree Maintenance	0	331,160	0	331,160	100,460	1,195,250	Cr 607,240	588,010
	408,000	1,038,020	Cr 300,130	1,145,890	3,544,790	35,737,210	Cr 3,601,680	32,135,530
Transport Operations and Depot Management								
Transport Operations and Depot Management	32,000	196,010	Cr 9,000	219,010	462,750	1,396,510	Cr 1,227,630	168,880
	32,000	196,010	Cr 9,000	219,010	462,750	1,396,510	Cr 1,227,630	168,880
Traffic, Parking & Highways								
Traffic & Road Safety	0	3,970	0	3,970	542,750	878,270	Cr 92,920	785,350
Parking	233,000	27,910	Cr 50,380	210,530	11,120	Cr 7,007,480	671,150	Cr 6,336,330
Highways (Including London Permit Scheme)	4,113,000	569,490	Cr 16,650	4,665,840	2,790,160	14,189,950	Cr 184,320	14,005,630
	4,346,000	601,370	Cr 67,030	4,880,340	3,344,030	8,060,740	393,910	8,454,650
	4,786,000	1,835,400	Cr 376,160	6,245,240	7,351,570	45,194,460	Cr 4,435,400	40,759,060

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RISK AREAS WITHIN ENVIRONMENT AND COMMUNITY SERVICES
PORTFOLIO FOR 2019/20 ONWARDS

Waste Services

Landfill Tax

Landfill Tax continues to increase annually by RPI and currently stands at £88.95 per tonne. The Government has confirmed that in 2019/20 Landfill Tax will be £91.35, increasing to £94.15 in 2020/21. The procurement of the new waste disposal contract has been successful in mitigating the increase in growth pressure through the use of alternative disposal solutions with the full benefit of alternative treatment facilities becoming apparent in 2020/21.

The Government has not pursued the introduction of an Incineration Tax, it remains willing to consider this option if the Government's wider policies do not improve recycling rates, having the potential to add future budget pressure due to the use of Energy from Waste (EfW) as a disposal solution in the new service contract.

Increasing property numbers

Growth in the number of properties incurs additional expenditure, as extra collections are required and additional waste is generated. Each new property will attract a cost of £122 per year for collection (refuse, recycling and food waste), and waste disposal from April 2019. On average, the number of properties in the borough has increased by about 740 each year, although the increase in the last year was 558 properties.

Municipal Waste Tonnages

After a long period of falling tonnages, the quantity of municipal waste collected in Bromley had been rising and current projections are that the waste tonnage will be maintained at current levels :

2014/15 144,337
 2015/16 145,866
 2016/17 149,118
 2017/18 145,748

In the first 6 months of 2018/19 tonnages have decreased by 1,950 tonnes (2.5%). The local and national trend for the last few years has been a moderate waste growth increase but there has been a recent slowing in line with consumer growth and the recent dry summer impact on the overall weight of biodegradable waste collected. Therefore, while it is plausible that embedded recycling services and waste minimisation campaigns will contribute to restraining increases in waste, there is greater confidence that that overall waste tonnage will rise as the economy and consumer confidence revives.

The average cost of waste disposal for 2018/19 is around £87 per tonne. Each 1% increase in waste tonnage would increase disposal costs by £126k per annum.

However, elements of the increased tonnage are due to commercial waste for which a charge is made, which would mitigate this slightly.

Recycling Income

Recycling prices remain relatively depressed with no significant recovery expected. This currently has little impact on our recycling income since we currently have a secured fixed rate through the current service provider. However, the continued depression and uncertainty of the recycle commodity market has moderated the rate and income share offered for the new waste collection contract. Provision has also been made to base future recycle income base on market indices which has reduced risk based pricing in the contract but will add potential volatility in future income.

The negotiated Brexit package, once finalised, may influence future trade patterns for recycle and the regulatory framework for waste, having a net impact on recycle indices prices. The regional trend and industry concern relating to the decreased quality of recycling materials available for collection will have the potential impact reducing our recycling income. This is further complicated by the potential development of Government legislation in relation to levies on plastics and possible 'bring back' schemes which may deteriorate the quality of material processed through Council services.

Street Environment Contracts

The Street Environment Contracts, having been newly commissioned, have experienced an overall increase in service costs based on an as-is service delivery model. This in itself is a cause for pressure on the budget which will be reviewed by the client team during the mobilisation and implementation of the new service solution. Annual contract reviews of the service delivery model will drive efficiencies in the service as far as practicable, whilst ensuring that minimum contract standards are maintained in order to moderate any future growth risk.

Street works

LB Bromley has a responsibility under the New Roads & Street Works Act to monitor the works of Statutory Undertakers (SUs) which affect highway infrastructure. When defects are identified in road or footway reinstatements, a defect notice is issued and a charge made on the SU concerned to cover additional inspections. Charges are also raised when works over-run their approved programme (S74) and when other issues are found on site (FPN's)

Income levels have fluctuated during recent years in line with the performance of utility companies. The quality of works undertaken by Thames Water Utilities (TWU) for example had deteriorated, which led to additional income for the Council between 2007/8 and 2010/11. However TWU have been working hard in recent years to improve their performance, and have introduced new contracts to minimise defective works in the future.

Although Income from defect notices peaked at £903k in 2010/11, it has reduced in subsequent years down to £60k in 2017/18. It is anticipated to increase back to £91k as SU performance improves. At the same time income from Section 74 is estimated to increase to around £120k, and FPN's to reduce to £6k due to improved performance and changes in regulations.

LB Bromley also administers the London Permit Scheme for all road and streetworks, with permit fees received being ring-fenced to cover administration of the scheme. As the number of permits issued depends on actual work on the network, income will vary year on year. Income peaked in 2011/12 at £1,021k, reducing to £814k in subsequent years, and is estimated to drop to £700k in line with the reduced defects, each of which requires a permit.

Winter service

Budgets have historically been based on patterns of spend for precautionary salting, primarily for frost or ice, with relatively little actual snow clearance. During the winter of 2017/18 we suffered from prolonged sub-zero temperatures followed by heavy rain in early spring, which led to an overspend of £66k but it is unclear at this stage whether this is a permanent shift in weather patterns. The Government has commissioned research into this issue. In the meantime there continues to be a significant risk of incurring additional cost.

Highways Contracts

The Highways contracts have price fluctuation clauses based on actual cost indexing, whereas budget increases are based on the BCIS Price Index for civil engineering works. Although the budgets are cash limited, over time the variation between the two will lead to a reduction in spending power in real terms.

The current highway investment budget has provided £11.8m for footway and carriageway maintenance works. It was originally envisaged that the programme would be completed prior to the new Highway Contracts being let in 2019. With the revised timescale for tendering, which required the new Contract to be let by July 2018, this was not possible, and the programme will be completed by the new contractor.

The revenue budgets for planned highway maintenance of borough roads and footways are not due to be reinstated until 2022/23, which will increase the demand for reactive highway repairs in the meantime as the condition of the asset deteriorates.

TfL Funding

In 2017/18 TfL provided £0.9m for maintenance, however this funding was withdrawn from April 2018. Although this is capital funding, reduced expenditure in planned maintenance will result in increased revenue costs for reactive and emergency repairs as the condition of the assets deteriorates.

Street Lighting Contract

The street lighting invest to save programme has been completed , and future savings from reduced energy and maintenance will be used to repay the 'loan'. With the intense investment period, future expenditure on maintenance will not follow historic spend profiles, i.e. electrical safety inspections are required every six years, which has required one sixth of the stock being tested each year. However, there will be no testing of the LED units during the next five years, although they will all require testing in year six. A similar situation will apply to cleaning and maintenance. The street lighting service has been included in the new highways contract as a fully managed service, which will minimise budget fluctuation between years.

Parking

Charges and tariffs for on and off-street parking places are set by LB Bromley. A fundamental review of the Council's charging policy took place during 2011/12, leading to Member agreement to increase prices and simplify the tariff structure. A review of these charges was agreed in Feb 2015 to cover the period 2015-2019 and a report will come to members in early 2019 in consideration of price increases. Members are aware of the potential impact of a further increase in charges, whilst recognising the pressure on the service to meet its budgeted income in the light of fluctuating demand and inflationary pressures.

It should be noted that the parking service operates in a restricted legal environment which cannot include "maximisation of revenue from Penalty Charge Notices as one of the relevant considerations to be taken into account in securing the...movement of traffic" (Traffic Management and Parking Guidance for London).

For a number of years there has been a general decline in 'paid for' car parking in the borough. The introduction of new on-street parking schemes and restricted zones has prevented the reduction from being even greater. Although new schemes will continue to be implemented to meet localised traffic and parking needs, there is no reason to suspect that the downward trend will be reversed, particularly in regard to off-street parking. Again this puts greater pressure on the service to meet its financial obligations. In the changing economic climate it is difficult to make reliable estimates of parking demand in the short to medium term, or forecast the longer term effects on parking behaviour.

The Executive agreed a proposal to extend pay & display parking around shopping centre and railway stations which is being rolled out and is improving management of parking in these areas, with associated income. However, Bromley's LIP funded programme for the development of parking schemes is threatened by the planned 15% funding announced by TfL for 2019/20 and possible further cuts in the future.

The Shared Service is continuing to perform well and led on a joint Tender exercise with Bexley for the provision of all parking functions. The contract was awarded to APCOA and went live in April 2017. The performance of the contract in the first year was poor but has improved since April 2018.

Traffic Congestion and Road Safety

The Council's ongoing work to reduce traffic congestion and improve road safety is currently funded by the TfL LIP capital programme. From 2019/20 the LIP funding is to be cut by 15%. There can be no guarantees that further cuts will not follow.

Promotional Activity in the High Street

The changes to the layout and design in Bromley High Street have greatly reduced the available spaces for promotional activity from charities and organisations and the income stream that generates. Alternative locations and opportunities will be investigated as works complete and a better understanding of the space is garnered.

Pressures from Public Demand

Apart from the identifiable financial pressures arising from such items as budget reductions, contract costs and price increases, there are other pressures due to growing public expectations, social change and legislation. Increased public expectations of local services may be difficult to respond to during a period of tight restraints on resources.

Past surveys of public opinion have shown that four issues were consistently recognised as making Bromley a good place to live. These were low levels of crime, good health services, clean streets and public transport. The Environment and Community Services department leads for the Council on clean streets and on crime issues, particularly enviro-crime and anti-social behaviour; and the department has an input to TfL and others on public transport. There is continued public demand for high service standards in all these areas.

In terms of what needs most improvement in the local area, activities for teenagers, traffic congestion, road and pavement repairs, the level of crime and clean streets were regularly mentioned by residents. All of these service areas are either the lead responsibility of the Environment and Community Services department (clean streets, road & pavement repairs) or ones to which the department makes a significant contribution.

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Report No.
ES19018

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 5th February 2019

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

Title: LIP3 CONSULTATION REPORT

Contact Officer: Alexander Baldwin-Smith, Senior Transport Planner
Tel: 020 84643333 x 3566
E-mail: Alexander.Baldwin-Smith@bromley.gov.uk

Chief Officer: Nigel Davies

Ward: All

1. Reason for report

- 1.1 To inform members of the LIP3 consultation results and changes to the draft LIP3 subsequent to the October PDS committee after consultation.
 - 1.2 To ask Members to consider any further changes that could be made to the LIP (see 2.3 below).
 - 1.3 To inform members of the final LIP allocation for 2019/20 which represents a reduction as expected from the allocation made in 2018/19 with the loss of the Mayoral Transitional Funding allocated to boroughs that year.
-

2. **RECOMMENDATION(S)**

- 2.1 To note the LIP3 consultation results;
- 2.2 To consider how the consultation results should inform future policy and scheme development;
- 2.3 To consider any further changes that could be made to the LIP for decision by the Executive Director of Environment and Community Services in consultation with the Portfolio Holder under the delegation provided by Portfolio Holder Decision ENV 18006 made on 29th October 2018, pursuant to Report ES18060 considered by the Committee at its meeting on 10th October 2018; and
- 2.4 To note the final LIP allocation for 2019/20.

Impact on Vulnerable Adults and Children

1. Summary of Impact: A full equalities impact assessment was prepared alongside the development of the draft LIP and has been updated to reflect the finalised LIP for submission to the Mayor.
-

Corporate Policy

1. Policy Status: New Policy: The LIP once approved by the Mayor of London will become the Borough's approved transport strategy.
 2. BBB Priority: Quality Environment Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley Regeneration:
-

Financial

1. Cost of proposal: Not Applicable: No Cost: There is no spending associated with the LIP3 itself, however proposals for projected TfL allocations are set out in the document. The 2019/20 programme is set out in section 3 of the LIP.
 2. Ongoing costs:: N/A
 3. Budget head/performance centre: Capital Programme – TfL funded schemes incl Bridge Strengthening
 4. Total current budget for this head: £2.176m and £885k
 5. Source of funding:TfL LIP funding allocation for 2019/20
-

Personnel

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: 10
-

Legal

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

Procurement

1. Summary of Procurement Implications:

There are no direct procurement implications as the scheme is to be implemented by the Council's term highways contractor. This is provided for by the inclusion of this type of work, within an EU compliant tender, and therefore there is not a requirement to tender this work separately.

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents and visitors to the Borough
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Ward Member and other views from organisations are provided in the Consultation report.

3. COMMENTARY

- 3.1 The draft LIP3 was considered by the Environment Policy Development and Scrutiny Committee on 10th October 2018 who endorsed it and recommended that the Portfolio Holder for Environment permit public consultation to take place. The committee however requested a report on the consultation responses
- 3.2 The GLA Act 1999 places a duty on all boroughs, when preparing a LIP, to consult with the following organisations
- The relevant Commissioner or Commissioners of Police for the City of London and the Metropolis
 - TfL
 - Such organisations representing disabled people as the boroughs consider appropriate
 - Other London boroughs whose area is, in the opinion of the council preparing the LIP, likely to be affected by the plan
- 3.3 Any other body or person required to be consulted by the direction of the Mayor The Borough undertook a consultation exercise between 5th November 2018 and 13th January 2019, The draft LIP3 had a dedicated webpage on the Council's website (<https://www.bromley.gov.uk/localimplementationplan>) where it and all associated documents were available to be downloaded, along with details of how to respond to the consultation.
- 3.4 Response to the consultation was intended to be as straightforward as possible with a simple online survey, although there was the option to send more detailed comments by email or post should someone wish to.
- 3.5 Additionally, a total of 526 bodies were directly consulted, including the statutory consultees mentioned above. Representatives of all direct consultees were be written to either by post or email; drawing attention to the consultation, where it could be found on the Borough's website, and the closing date, consultees were be able to request a printed copy of the documents if they require them.
- 3.6 To generate as wide exposure as possible amongst the general public, the Borough published a [press release](#) which was shared on the Council's Facebook and Twitter accounts. This was reported in the News Shopper, Bromley Times and Bromley Borough News. Furthermore, information about the consultation was included in the Bromley Winter Newsletter which was emailed to around 50,000 residents who have provided their email addresses to the council for this purpose.

3.7 The direct consultees fall into a number of broad categories as follows:

Statutory consultee	Number consulted
TfL	1
Police	2
Disability groups	5
Local authorities	10
Non-statutory consultee	
Emergency services	3
National agencies	5
Transport groups and operators	29
Business groups	10
Community groups	22
Friends of Groups	37
Residents' groups and associations	194
Other groups	197
Other	11

- 3.8 The results of the consultation are summarised in the LIP3 Consultation Report which is available for members and the public to view on the Bromley LIP3 webpage after the publication of this report.
- 3.9 TfL has assessed the boroughs' draft LIP on behalf of the Mayor of London to ensure that the requirements set out in the guidance provided to boroughs have been met.
- 3.10 At this draft stage TfL has submitted a number of comments to the Borough which it would like addressed or has sought clarifications on prior to submission of the finalised LIP that will go to the Mayor for approval in March 2019. In the case of Bromley's LIP3, it should be stressed that these changes are generally minor and do not change the broad approach of the draft LIP approved by the Environment PDS committee in October 2018.
- 3.11 LIPs that meet these LIP guidance requirements will be recommended for formal approval by the Mayor. If the Mayor does not consider that a LIP satisfies the requirements set out in this guidance, or if a LIP is not submitted, the Mayor may exercise his powers under section 147 of The GLA Act and require a new LIP to be prepared or prepare one on behalf of the borough.
- 3.12 The Borough has considered the responses made by stakeholders to the consultation and overall it believes that there is a good level of support for the broad approach outlined within each of the LIP's 9 outcomes. Therefore, no major changes are required to the LIP; however a number of small changes have been made in response to comments made by stakeholders which clarify the Borough's position and proposals or add more detail to a particular proposal.

3.13 A number of stakeholders have made detailed comments about particular locations in the Borough. It has not possible to provide a full response to all of these very specific and detailed comments within this report, however these comments will be considered in more detail following the submission of the LIP as the annual programmes for delivery during LIP3 are developed.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 A full equalities impact assessment was prepared alongside the development of the draft LIP and has been updated to reflect the finalised LIP for submission to the Mayor. This will be available to download from the LIP3 webpage on the Council's website.

5. POLICY IMPLICATIONS

5.1 The LIP is a new transport strategy for the next three years, and sets out a longer term vision to 2041. However it is an evolution of current policy set out in the Environment Portfolio Plan, Draft Local Plan and 'Building a Better Bromley' priorities.

6. FINANCIAL IMPLICATIONS

6.1 The Borough has set out its TfL funded programme of works in the LIP. As expected there has been a reduction in LIP Corridors and Neighbourhoods funding to £2.076m in 2019/20 in addition to £100k of Local Transport Initiatives funding. This funding is £373k less than the amount allocated for 2018/19 programme and therefore a review of staffing funded by LIP will need to be undertaken, which would also need to take account of any additional funding that may be awarded as a result of funding bids. Additionally, the Borough has requested £885k funding for Bridge Strengthening from TfL.

6.2 The Borough has also submitted bids to TfL's Liveable Neighbourhoods programme, the Mayor's Air Quality Fund for a Low Emission Neighbourhood in Clockhouse and will submit bids to TfL's Buses Priority Programme during 2019/20. The Borough is expecting an allocation to complete the proposed Quietway cycle routes during the lifetime of LIP3.

7. PERSONNEL IMPLICATIONS

7.1 No personnel implications are anticipated as a result of the LIP3, however a review of staffing may be required during the lifetime of the LIP3 to account for the lower formula funding allocation made to boroughs by TfL however this may be off-set through funding from bids such as the Liveable Neighbourhood.

8. LEGAL IMPLICATIONS

8.1 Section 151 of The GLA Act requires Boroughs to deliver the proposals set out in their LIP document.

9. PROCUREMENT IMPLICATIONS

9.1 There are no direct procurement implications as the scheme is to be implemented by the Council's term highways contractor. This is provided for by the inclusion of this type of work, within an EU compliant tender, and therefore there is not a requirement to tender this work separately.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	(i) LIP3 Consultation Report (ii) Final LIP 3 Both available from https://www.bromley.gov.uk/localimplementationplan

Report No.
ES18089

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PUBLIC PROTECTION AND ENFORCEMENT PDS COMMITTEE
ENVIRONMENT AND COMMUNITY SERVICES PDS COMMITTEE

Date: 30th January 2019 and 5th February 2019

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

Title: PARKING SERVICES – CONTRACTOR PERFORMANCE REVIEW, APCOA PARKING, YEAR 2

Contact Officer: Chloe Wenbourne, Acting Head of Parking Services
Tel: 020 8313 4647 E-mail: chloe.wenbourne@bromley.gov.uk

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

Ward: All

1. Reason for report

- 1.1 This Report sets out to update Members on the performance of the Parking Services Contract. This contract is responsible for the enforcement of all parking restrictions within the Borough, the maintenance of the car parks, all pay and display machines maintenance and back office functions.
- 1.2 In particular, this report highlights the continual efforts to ensure adequate deployment of Civil Enforcement Officers and that the Parking Contractor is achieving compliance.
- 1.3 The contract is approaching the end of the second year and overall, the contractor is performing to a satisfactory level.

2. **RECOMMENDATION(S)**

- 2.1 That the PDS Committees note the content of this report and in particular the on-going work to ensure that adequate deployment and compliance is taking place around the Borough.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Minimal impact, however the parking contract includes enforcement around all schools within the Borough as well as the School Crossing Patrol Officers, which is aimed to protect children as they go to and from school. The contract also includes the use of enforcement agents who will take into consideration vulnerable adults and children when they are enforcing.
-

Corporate Policy

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

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Parking Contract
 4. Total current budget for this head: £1.9m
 5. Source of funding: Existing budget for 2018/19
-

Personnel

1. Number of staff (current and additional): 14.5FTEs
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Procurement

1. Summary of Procurement Implications: n/a
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

Award and contract background

- 3.1 The contract is for a fixed term of 10 years with a value of £1.9m pa. The procurement process was a joint one, undertaken between LB Bromley and LB Bexley who also awarded a contract to APCOA for the provision of Parking Services.
- 3.2 Although both authorities entered into a contract with APCOA, the contracts are separate and distinct from each other. Neither authority is dependent on the other for the continuation of the contract. Executive approved the award to APCOA on the 30th November 2016. Formal award took place on the 15th December 2016 and the Contract commenced on the 3rd April 2017.
- 3.3 This contract is managed through the Shared Parking Service and is based on a joint specification and Key Performance Indicators (KPIs).
- 3.4 The contract will be entering year 3 of the 10 years in April 2019.

Scope of Contract

- 3.5 The Services being managed /provided by APCOA include but are not limited to the following:
- Enforcement and Associated Services
 - Suspensions and Dispensation Management
 - Car Park Management, including Cleaning and Maintenance
 - Signs and Lines maintenance
 - Pay and Display machine maintenance and monitoring
 - Cashless Parking Solution (Ringo)
 - Parking and Permits IT system
 - Cash collection and counting
 - Enforcement Agents (Bailiffs)
 - Business Processing Solutions, i.e. printing and sending of correspondence
 - Reconciliation of all income streams, PCN, P&D, Ringo and permits
 - School Crossing Patrols
- 3.6 As detailed in report ES18007 that went to committee on the 30th January 2018, APCOA had a number of challenges within year one of the contract, which APCOA were not equipped to deal with.
- 3.7 Year two of the contract has seen a general overall improvement in all service areas, however a close working relationship needs to be maintained between the parking Contractor and the Authority to ensure the service is as efficient as possible.
- 3.8 It should be noted that in the previous contract there were only four KPIs, including staff retention, staff training, minimum deployment and on street performance. Those that are in some way similar in nature in the current contract are recorded and monitored in such a different way that to elicit meaningful comparisons are not possible.

SERVICE PERFORMANCE

- 3.9 This contract covers all aspects of Parking Services and therefore the specification has been separated into 18 service areas. Each service area is monitored monthly using Key Performance Indicators.

ENFORCEMENT

- 3.10 The table below provides a breakdown of all PCNs that were issued by a CEO (Civil Enforcement Officer), Bus Lanes CCTV cameras and school zigzag CCTV cameras, over the last five years.
- 3.11 It should be noted that as of the 1st April 2015, changes in legalisation meant local authorities could no longer enforce as many parking restrictions via CCTV, which is reflected in the 14% reduction in CCTV PCNs in 2015/2016.
- 3.12 In the same year, the Bus Lane cameras were replaced with automated Bus Lane cameras in the Borough, which explains the increase of Bus Lane PCNs from 2015/2016.

	CEO	CCTV (bus lanes)	CCTV (school zigzag contraventions)	Total PCNs issued
	Total	Total	Total	Total
01/04/13- 31/03/14	71,720	4,439	16,760	92,919
01/04/14- 31/03/15	69,816	4,539	15,572	89,927
01/04/15- 31/03/16	70,994	12,150	2,399	85,543
01/04/16- 31/03/17	69,351	18,068	1,766	89,185
01/04/17- 31/03/18	60,118	19,264	1,113	80,495

The table below shows the predicted PCNs for 2018 /2019.

	CEO	CCTV (bus Lanes)	CCTV(school zigzag contraventions)	Predicted Total PCNs Issued
	Predicted Total	Predicted Total	Predicted Total	Predicted Total
01/04/18- 31/03/19	55,378	18,358	940	74,676

- 3.13 The prediction highlights that there will be a further decrease of 4,740 PCNs issued by CEOs and an overall decrease of 5,819 PCNs when compared to 2017/18. This represents an 8% decrease for CEO issued PCNs compared to 2017/18 and a 20% decrease of CEO PCNs compared to the last year of the previous Contractor in 2016/17.
- 3.14 It should be noted that it was formally recorded in September 2018 that whilst a review of Bromley Town Centre was being undertaken, enforcement of the shared use bays in seven roads, between 18:30 – 20:00 would be stopped, as the signage was causing confusion for drivers. Further details of this review will be submitted to the Environment Committee in April 2019.

3.15 APCOA were issuing an average of 423.25 PCNs in these seven roads per month, therefore if APCOA could have continued to enforce these bays since September, they could have potentially issued 1,693 more tickets, bringing the total issue rate for CEOs on street to 61,811 and the overall total to 76,369.

3.16 The Council and APCOA are looking at the below factors to ensure that the decrease in the PCNs issue rate is due to more vehicles observing the parking regulations and it is not due to poor deployment by the Parking Contractor:

- **Enforcement Requests:** This online service has become very popular, increasing by 132% in the last 3 years; however, only 29% of requests this year have resulted in an actual parking contravention being committed resulting in a PCN being issued.

APCOA will make every effort to respond to all requests, however whilst this service does result in positive enforcement, these visits can take CEOs away from other busier areas of the Borough where enforcement is of a higher priority.

Work is being undertaken with APCOA to make certain that the balance against responding to Ad-Hoc requests does not deter from enforcing busier parts of the Borough, such as town centres and car parks.

There is currently a KPI for all Enforcement requests being responded to within a set time depending on the time of day, this is currently being reviewed to see whether a more targeted approach can be adopted rather than responding in an adhoc manner.

Parking Services will also review the information on the website around enforcement requests to ensure that it is more informative for customers and to prevent any unnecessary reports being logged. Where no contravention has taken place, Parking Services may contact the complainant to inform them of the outcome and to educate them as to why the “offending” vehicle had not committed a parking contravention.

- **Beat Sheets:** APCOA are currently reviewing their deployment beat sheets with the help of the Council to ensure there is adequate enforcement around the Borough and ensuring that the deployment is intelligently led. The local Borough knowledge of the officers within Parking Services is crucial to these beat sheets being successful.
- **ANPR Vehicle:** Since October 2018 APCOA have been trialling an ANPR vehicle in the permit zones around the Borough. The vehicle is updated twice a day with all permit information, the vehicle will then drive around the roads within the Controlled Parking Zones allowing the ANPR camera to check all parked vehicles. If the ANPR vehicle detects a vehicle parked without a valid permit, the CEO will pull over to check if the vehicle is in contravention and then if necessary, issue a PCN by using their handheld device.

The trial has only been operating for 4 months, however the data provided to date, seems to show that the use of the vehicle has been successful. On average the vehicle will drive around 300 roads per day, some of these roads being visited more than once, checking all the parked vehicles. The use of the ANPR vehicle allows the Controlled Parking Zones to be covered more efficiently, allowing APCOA to reallocate their resources of CEOs to other busier parts of the Borough.

Once a full analysis of the trial is complete, the Authority will review all reports and assess whether it would be worthwhile investing in more ANPR vehicles to help with the deployment and enforcement around the Borough.

- **Virtual Briefings:** APCOA are looking at the possibility of virtual briefings being introduced in some parts of the Borough. This will allow the CEO to go straight to their beat, instead of going to APCOA's main office in the morning. This should decrease the CEOs travelling time and allow more time to be concentrated on enforcement.
- **Retention of staff:** The role of a CEO is challenging, therefore APCOA have experienced a high level of staff turnover, including the Enforcement Contract Manager. Unfortunately this is very common in this line of work, however APCOA are trying to stabilise their workforce by looking at the CEOs wage and ensuring the staff feel valued in the workplace. A new Contract Manager will be starting in February 2019 and will be meeting with the Parking Services Management Team to discuss the requirements of this contract.
- It has been agreed that from February 2019 a joint review of compliance around the Borough will take place. Monthly reports will be produced by APCOA to analyse what roads have not been visited as much as previous years or where there has been a big decrease in PCNs being issued. This will ensure that the whole Borough is being enforced as efficiently as possible.

3.17 73.75% of the defaults that have been applied so far this year have been around the enforcement section of the contract and cover the following: -

PCNs being uploaded onto the parking system within 24 hours;

CEOs wearing Body Worn Videos;

PCNs that have had to be cancelled due to an error being made by the CEO;

The amount of hours the CEOs are on street each day;

The number of CEOs that are on street each day;

The CEO responding to the public enforcement request.

CAR PARKS

- 3.18 APCOA are responsible for the maintenance of all the car parks in the Borough, this includes litter, fly tipping, reporting pot holes and the maintenance of the pay and display machines and Pay on Foot machines.
- 3.19 There has been a gradual decrease in the usage of car parks across the Borough and this is something that Parking Services are currently investigating further. The analysis of the usage of the car parks will be compared to other non-Council run car parks in the local area.
- 3.20 Parking Services are also considering a proposal from APCOA to improve the customer experience of the Civic Offices Car Park, if the business case looks viable, the details will be brought back for Members to consider in April 2019.
- 3.21 For a number of years there has been a general decline in 'paid for' car parking in the Borough. The introduction of new on-street parking schemes and restricted zones has prevented the reduction from being even greater. Although new schemes will continue to be implemented to meet localised traffic and parking needs, there is no reason to suspect that the downward trend will be reversed, particularly in regard to off-street parking. Again this puts greater pressure on the service to meet its financial obligations. In the changing economic climate it is difficult to make reliable estimates of parking demand in the short to medium term, or forecast the longer term effects on parking behaviour.

3.22 3.77% of the defaults that have been applied so far this year have been related to car park maintenance, Pay and Display machine maintenance and the cleaning of the car parks.

OTHER SERVICE AREAS

3.23 APCOA are responsible for other parking service areas, not just enforcement and car park maintenance. Every Service area is monitored both operationally and with any KPIs linked to that service area.

3.24 The table below shows the percentage breakdown of the KPIs that have been applied against the all the service areas so far this year, it should be noted that not all sections of the contract have triggered defaults.

Parking Contract Service Areas	% of Defaults Issued
Enforcement	73.75%
Business Processing	17.24%
Parking Suspension Maintenance	2.92%
P & D Machine Maintenance	1.82%
Cleaning of Car Parks	1.70%
Signs & Lines Maintenance	1.22%
General KPIs	1.09%
Car Park Maintenance	0.24%

3.25 The service area with the highest defaults triggered is Enforcement at 73.75% follow by the business processing section at 17.24%.

3.26 The Business Processing Section are responsible for all of the administration around the PCNs, such as ensuring appeals are logged on the system within a set time, banking any cheque payments, answering emails to the public on general enquiries, printing of all formal documents and registering the cases with the Traffic Enforcement Centre and Enforcement Agents (Bailiffs).

3.27 This section is also responsible for all the permit processing. In the last financial year 7,009 resident permits and 428 business permits were applied for, the majority of these would have been applied for online and APCOA staff would have needed to verify the evidence before approving the application. They also sold 2,446 visitor vouchers in the same period.

3.28 Whilst these KPIs have been applied, they are not fundamental to the service. The Council have set a high level of Customer Service requirement from APCOA around this service area, which sometimes they have failed to meet.

MANAGEMENT

3.29 There is a good working relationship between the Contractor and the Client. Regular operational meetings are held, as well as there being daily contact via emails and phone calls. Personal involvement by Kim Challis Managing Director UK & Ireland since the end of May 2017 has seen a positive impact on the contract and it's performance.

3.30 Weekly and Monthly operational meetings are held for all service areas with the relevant managers from both the Client and Contractor.

- 3.31 APCOA have had difficulties in retaining an Enforcement Contract Manager on this contract, the fourth Contract Manager is due to start on the contract in February 2019. There have been various reasons as to why the managers have left this position, however both the Authority and the Contractor will work with the new Manager to make sure they fully understand the service that they need to be delivering to the Borough.
- 3.32 The Shared Service Parking management team will be reviewing all KPIs within the contract and where necessary they may be amended, added to or removed. This review is intended to take place every two years so that the Contract and service delivery is adapted to meet any changes within the parking service.

REVIEW OF CONTRACT PURPOSE

- 3.33 There is a continual ongoing need to review all areas of this Contract, however aspects of the service have changed since the Contract went live. Change Control Notices have recorded this.
- 3.34 A recent internal audit demonstrated the need to record the contract documentation differently and for some documentation to be updated in line with Change Control Notices that have been processed. This is something that Parking Services are currently working on with support from the Performance Management and Business Support section, in order to apply the Council's Contract Monitoring Framework (CMF) and the ECS Contract Filing System (CFS).

4. SERVICE PROFILE / DATA ANALYSIS

- 4.1 Appendix 1 has a list of all the KPIs against this contract.
- 4.2 A Key element of this contract are the 60 Key Performance Indicators (KPIs) covering the 18 sections of the contract. These KPIs range from ensuring that all notices are sent to the customer, to ensuring the correct amount of monitoring of the (CEOs) takes place.
- 4.3 Every month, all 60 KPIs are reviewed and where necessary a default has been charged against the Contractor. The KPIs are enforced so that where a financial loss has occurred to the Council, some of this loss can be recovered. The KPI monitoring is also a positive approach to continually ensure that the Council are receiving the service that they are paying for.
- 4.4 In 2017/18, the first year of the contract, 12% of the overall contract price was paid back by APCOA in performance related reductions. The table below shows a breakdown of this by each month.

KPI Deduction	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Total
% of defaults against contract price	30%	23%	4%	12%	7%	5%	4%	6%	7%	3%	5%	34%*	12%

** this represents an annual default applied at the end of the contract year.*

- 4.5 As detailed in report ES18007 that went to the Environment PDS Committee in January 2018, the first couple of months of the contract were challenging for APCOA and as a result a high level of Performance Related Reductions were triggered, however the table above shows an improvement in their monthly development as the year went on.

4.6 In 2018/19, the second year of the contract, from April to November, 2% of the overall contract price has been paid by APCOA in performance related reductions. The table above shows a breakdown of this by each month.

KPI Deduction	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Total
% of defaults against contract price	3%	2%	2%	3%	5%	3%	5%	3%	2%

4.7 All but one of the KPIs are monitored monthly, the other KPI is monitored annually. When this default is triggered it will be paid after the end of the contract year.

4.8 This annual default was triggered in year one of the contract, and was of a substantial value and this is reflected in the high percentage of 34% for that month.

4.9 Should the Parking Contractor continue to perform at the same standards as they have been throughout the year, it is anticipated that APCOA will have to pay a default for the annual performance KPI for year 2 of the contract, although it will be considerably lower than in year 1.

4.10 A review will be undertaken of all KPIs to ensure that the KPIs are still relevant to the contract and the service delivery. The revised KPIs will apply from year 3 of the Contract.

PLANS FOR ONGOING IMPROVEMENTS IN VALUE FOR MONEY

4.11 In the long term the Council is keen for all aspects of the contract to improve and there is considerable scope for this. Officers will be considering plans for future innovation and investment moving forward.

4.12 A proposal has been received from APCOA to potentially convert the running of the Civic Centre car park to improve the customers' experience . There are a number of potential benefits operationally which officers are currently reviewing and if it is a viable option, the details will be presented in a future report for the Environment and Community Services Portfolio Holder to consider.

IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.13 There is minimal impact on vulnerable adults and children, however the parking contract includes school crossing patrols and enforcement of school zig zags, which is aimed to protect children as they move to and from school. The contract also includes Enforcement Agent activity that will take into consideration vulnerable children and adults. Furthermore the contract includes Blue Badge enforcement which assists children and adults with mobility issues.

5. POLICY IMPLICATIONS

5.1 The Parking Contract is fundamental to the delivery of the Parking Strategy (2011) which sets out Bromley's parking and enforcement policies.

6. FINANCIAL IMPLICATIONS

6.1 The 2018/19 budget for the parking contract is £1.9m. The table below sets out the budget and projected spend for the contract for the current year: -

Current Budget Position for 2018/19	Latest Budget	Projected Outturn	Variation
	£'000	£'000	£'000
Off Street Parking	497.4	488.7	-8.7
On Street Parking	78.5	66.7	-11.8
Enforcement	1,289.3	1,236.6	-52.7
Permit Parking	33.3	35.5	2.2
	<u>1,898.5</u>	<u>1,827.5</u>	<u>-71.0</u>

6.2 The projected underspend is made up from performance deductions and additional income relating to parking charges paid through Ringo.

6.3 The annual default applied at the end of the Contract year for 2017/18 was not finalised and agreed with the Contractor until after the accounts were closed. The additional defaults totalling £50k are reported as a variance in the budget monitoring.

6.4 Members should note that the reduction in the annual numbers of PCNs of just under 14,000, from 69,351 in 2016/17 to the predicted number for 2018/19, equates to approximately £550k using the average ticket price of £39.60 for PCNs issued by CEOS's.

7. PERSONNEL IMPLICATIONS

There may be a review of the structure of the Shared Parking Services as a result of the changes this contract has brought to the team.

8. LEGAL IMPLICATIONS

The Council as an Enforcement Authority have the legal power under the Traffic Management Act 2004 to operate Civil Parking Enforcement and to enter into a services contract with the provider for the provision of the services as identified in this report and the contract. The report does not appear to raise any particular legal issues at this point. However should officers require advice on the law and any interpretation of the contract in relation to performance and default then legal advice should be requested.

9. PROCUREMENT IMPLICATIONS

The Contract Procedure Rules note in 23.2 - For all *Contracts* with a value higher than **£500,000**, or which are *High Risk*, an annual report must be submitted to the *Portfolio Holder*, the responsible *Officers* having submitted for consideration a formal *Gateway Review*, covering, as appropriate, the matters identified in the Council's standard *Gateway Review* Template for consideration as part of Contract Monitoring/Management requirements.

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



**The London Authorities of Bromley and Bexley
Parking Services**

**Bromley
KPIs Schedule**

**July 2016
Version 3**

Update – 20/07/2016

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GENERAL PROVISION

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
GP1	Training standards as set out in method statement	Each failure to achieve standards set out = 1 event in KPI table	£100
GP2	Payments as set out in specification and method statements to be processed and received into respective accounts within agreed time tables	For each working day after target date payment is not made = 1 event on the Master KPI Table	£250
GP3	<p>Compliance with PCI regulations and financial standards. i.e. Failure to re-register for PCI compliance will equal a failure. Adequate action must be made to rectify in agreement with the authority, or further KPI failings may result.</p> <p>The Service Provider will also be liable for any expenses incurred by the authority which are attributed to the Service Provider not complying with PCI regulations.</p>	For each occasion a service does not adhere to this KPI = 1 event on the Master KPI Table	£500+ expenses incurred by the Authority
GP4	Unacceptable behaviour or customer service in any service area of this contract will result in a failure to meet this KPI. The decision of unacceptable conduct will be at the sole decision of the Authorities.	For each occasion a service does not adhere to this KPI = 1 event on the Master KPI Table	£100

HEALTH AND SAFETY MATTERS

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
H&S 1	Health & Safety (General Adherence to Policies) Adhere to all Health & Safety matters. E.g. fire certificate, appropriate training, etc.	Each failure = 1 event of the Master KPI Table	£250
H&S 2	Health & Safety (Make good, low risk) Make good and repair all Health & Safety matters within 48 hours.	Each failure = 1 event of the Master KPI Table	£250
H&S 3	Health & Safety (Make good, HIGH risk) Report and make safe or repair any matters of any Health & Safety in which a member of the public may be at risk, within 4 hours For each subsequent 4 hours the repair is not completed or made safe, it will be recorded as an additional event on the Master KPI Table	Each failure = 1 event of the Master KPI Table	£250
H&S 4	Health & Safety (Reporting) Failure to report a safety issue which reasonably should have been observed and was brought to the Authorities attention by a member of the public or the Authorities own inspection	Each failure = 1 event of the Master KPI Table	£250

ENFORCEMENT AND ASSOCIATED SERVICES

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
Enf. 1	Processing of all Regulation 9 CEO issued PCNs and Warning Notices. To be processed and uploaded onto the ICT system with associated photographs, BWV within 24 hours of issue.	Each 1% below = 1 event on the Master KPI Table.	£25
Enf. 2	CCTV notice Processing (PCN and Warning Notices included). 100% of CCTV footage must be reviewed and PCN's entered and processed onto the notice processing system within three working days of the contravention being recorded, including uploading of evidence onto the public facing module of the IT system. This will be measured using the daily log sheet recorded by the CCTV Operatives.	Each 1% below = 1 event on the Master KPI Table.	£25
Enf. 3	Civil Enforcement Error. For the purposes of assessing performance, CEOs error which have been cancelled as part of a client processing procedures. Voids & Spoilt are not included in this KPI <ul style="list-style-type: none"> • Insufficient or poor quality evidence, notes, photographs etc. • Incorrect information on PCN e.g. Incorrect contravention code, incorrect street etc., • PCNs issued in error i.e. driver complied with rules and regulations • Failure to follow Enforcement Guidelines e.g. observation times, • Other errors originating with the CEO that results in a cancelled PCN, which should have been rectified by the Service Provider not including performance Related reductions 	Each error = 1 event on Master KPI Table	£25
Enf. 4	Minimum Deployment level on a given day Measured against the method statement provided or agreement throughout the contract.	1 person under minimum deployment levels = 1 event on Master KPI Table	£250

Enf. 5	<p>Deployed Hours (CEOs on Street only) – (not linked to actual CEOs) Measured against the method statement provided or agreement throughout the contract.</p> <p>Permitted variation to planned hours Hours Met/Not Met. (up to - 5% and +10% each month. Up to end of March per annum 100% must be achieved).</p>	For each 1 x hour over the minimum 5% = 1 event on the Master KPI Table	£25 per hour
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Enf. 6	<p>Number of CEOS deployed per day</p> <p>Measured against the method statement provided or agreement throughout the contract.</p>	1 CEO/Shift under minimum deployment levels = 1 event on Master KPI Table	£250
Enf. 6	<p>Deployed hours</p>	Worked calculation set out in pricing schedule.	As per pricing schedule.
Enf. 7	<p>Compliance rate</p> <p>The compliance rate will be monitored by client Officers observing vehicles in the defined areas to assess if adequate enforcement coverage is being achieved. Failure to address non-compliance of parking regulations will result in a failure to meet this KPI.</p>	Each event of inadequate enforcement occurs will result in 1 event on the master KPI table	£50
Enf. 8	<p>Urgent enforcement requests. The Service Provider must attend requests within times set in the table set out in 4.11.2.</p>	Each 1% under 100% will result in 1 occasion /instants on the master	£50
Enf. 9	<p>BWV quantity. 95% of PCNs must have body worn video unless the Service Provider has highlighted a problem in advance. i.e. 100 PCNs issued and 10 of those do not have any BWV Video. This would result in 5 individual failures.</p>	Each 1% under will result in 1 occasion/instants on the master	£50
Enf. 10	<p>Quality BWV Video. This KPI will be measured by random sampling up to 100 body worn video checks in any monthly period, and the percentage of checks where the standard of body worn video has fallen below the satisfactory level cannot be lower than 95% at any time throughout the contract term. The Authorised Officer will have the final decision on what constitutes a pass or fail.</p>	Each 1% under will result in 1 occasion/instants on the master	£25

SUSPENSION AND DISPENSATION MANAGEMENT

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
S&D 1	The Service Provider must erect applicable signage no later than 3 working days before the suspension is due to commence or within 24 hours, if notified later.	Each failure = 1 event on the Master KPI Table	£50
S&D 2	The Service Provider must take down all signage within 24 hour of the end of suspension	Each failure = 1 event on the Master KPI Table	£50
S&D 3	Digital images of the erected signage shall be taken and sent to the Authorities on the day the signs were erected.	Each failure = 1 event on the Master KPI Table	£50

MSCP MAINTENANCE (Non Structural)

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
MSCP1	Replacement of bulbs within 7 days of discovery.	1 failure = 1 event on the Master KPI Table	£25

SURFACE AND CAR PARK MAINTENANCE

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
CP_ M1	Potholes and Minor repairs (vehicle movement areas) Including area of the car park. Make good within 1 week of discovery.	Each failure = 1 event of the Master KPI Table	£50
CP_ M2	Potholes and Minor repairs (pedestrian walkways) including the often used area of the car parks, which may result in a trip hazards) and unused area of the car park. Make good within 1 day of discovery.	Each failure = 1 event of the Master KPI Table	£50

CLEANING AND MSCP SPECIFICATION

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
Clean 1	Graded standards (consistency) All Car Parks to meet Grade A (High Public use area) or B (All other areas) as set out in the specification.	Each inspection resulting in a car park not meeting the standard = 1 event.	£200
Clean 2	Graded Standards (making good) Any area found to be below the standard set in the spec to be rectified 24 hours.	Failure to make good within 24 hours = 1 event on the Master KPI Table	£100
Clean 3	Timing of works Failure to carry out cleaning works outside of busy times, which resulted in an inconvenience being caused to the public without prior approval.	Each failure to meet = 1 event on the Master KPI Table	£100
Clean 4	Graffiti The removal graffiti on all signage, walls and pay and display machines to be undertaken within 5 working days of being reported. Continued failure to meet KPI will result in 1 event on Master KPI Table for every 5 days thereafter. Racist or offensive graffiti must be removed with 2 working days. Continued failure to meet KPI will result in 1 event on Master KPI Table for every 2 days thereafter.	Each failure to meet = 1 event on the Master KPI Table	£100
Clean 5	Fly Tipping The removal of Fly Tipping and other significant dumping of rubbish to be undertaken within 2 working day of being reported. Continued failure to meet KPI will result in 1 event on Master KPI Table for every 2 days thereafter.	Each failure to meet = 1 event on the Master KPI Table	£100

SIGNS AND LINE MAINTENENCE

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
S&L 1	Replacement of less common Signs No more than 28 working days from date of reported fault to replace sign. For each 14 days thereafter the sign is not replaced it will be recorded as an additional event.	Each failure to meet = 1 event on the Master KPI Table	£100
S&L 2	Replacement of Common Signs No more than 14 working days from date of reported fault to replace sign. For each 7 days thereafter if the sign is not replaced it will be recorded as an additional event.	Each failure to meet = 1 event on the Master KPI Table	£100
S&L 3	High Priority CPZ & RPZ signs. Replacement 2 working days. For each 2 working days thereafter if the sign is not replaced it will be recorded as an additional event.	Each failure to meet = 1 event on the Master KPI Table	£100
S&L 4	Cleaning and realignment of signs. 10 working days to clean or realign. For each 5 working days thereafter if the sign is not made good it will be recorded as an additional event. Cleaning and realignment of High Priority signs 24 hours. For each 24 hours thereafter if the sign is not made good it will be recorded as an additional event.	Each failure to meet = 1 event on the Master KPI Table	£50
S&L 5	TSRG 100% adherence to legislative requirements or approval by Local Authority.	Each failure to meet = 1 event on the Master KPI Table	£50
S&L 6	Line refreshing – Within 14 working days. For each 7 days thereafter if the line is not made good it will be recorded as an additional event.	Each failure to meet = 1 event on the Master KPI Table	£100

CASH COLLECTION SERVICE

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
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CC 1	<p>Cash Delivery Times All monies delivered within 24 hours of collection (Monday-Thursday) or within next working day for Friday to Sunday.</p> <p><i>For each 24 hours thereafter if the cash is not delivered it will be recorded as an additional event.</i></p> <p>Each 24 hours thereafter the Performance Related Reduction will be doubled. More than 48 hours = £400 More than 72 hours = £800 More than 96 hours = £1,600 More than 120 hours = £3,200 Etc.</p> <p>Continued failure will invoke termination clauses as set out in the contract.</p>	Each failure to meet the KPI = 1 event in the Master KPI Table	£200
CC 2	<p>Reports/Data As set out in specification -</p>	Each failure to meet the KPI = 1 event in the Master KPI Table	£100
CC 3	All faulty P&D machines to be notified to the Authorities within 24 hours.	Each failure to meet the KPI = 1 event in the Master KPI Table	£50
CC 4	<p>Emergency collections Made within 24 hours of notification by Authorities.</p>	Each failure to meet the KPI = 1 event in the Master KPI Table	£200
CC 5	<p>End of year collection At financial year end all machines to be collected at least once from machines and passed to banking house on 7 days leading up to 31st March.</p>	Each failure to meet the KPI = 1 event in the Master KPI Table	£200
CC 6	<p>Investigate/reporting of discrepancy</p> <p>Investigate discrepancies of greater than £10 between collected amount (audit ticket) and counted/banked amounts, within 14 working days of notification by Counting House of amount banked including a full reconciliation.</p> <p>For each 7 days thereafter if reconciliation if not undertaken (with satisfactory explanations of any discrepancies, it will be recorded as an additional event.</p>	Each failure to meet the KPI = 1 event in the Master KPI Table	£100

KIOSK STAFF FOR MULTISTORY CAR PARK

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
KM 1	Manning of Kiosk. The kiosk shall be manned in accordance with the specification.	For each 1 hour unattended = 1 event on the Master KPI Table.	£50
KM 2	Failure to be contactable for the remote operation or barrier rises.	For each 1 hour unattended = 1 event on the Master KPI Table.	£50

ASSET MANAGEMENT

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
AM 1	<p>Availability of assets 98% of all machines to be working order between 08:30 and 18:30. e.g. if only 88% of the machines are working at any one time = 2 x 5% which = 2 events.</p> <p>To record this performance a report shall be run by the Service Provider each morning at 09:00 stating how many machines are non-operational and also record the number of machines which should be optional. At the end of the month the total number of machines should be totalled, then divided by the number of calendar days in that month. That number should then be divided to find the percentage. See example.</p>	Each 5% under will = 1 x event on the Master KPI.	£200
AM 2	<p>Repair of assets Location where if the machine(s) is/are not working and the facility becomes inoperational. 24 hours to make operational.</p>	Each failure = 1 x event on the Master KPI. Each 24 hour period thereafter = 1 x additional event.	£150

AM 3	Repair of assets (Multi machine location) Locations where the facility can remain operational 3 days to make operational	Each failure = 1 x event on the Master KPI. Each 2 day period thereafter = 1 x additional event.	£150
AM 4	Reports Provide monthly usage and income reports for each car park, including by tariff category.	Each failure = 1 x event on the Master KPI.	£100

CASHLESS PARKING SOLUTION

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
MP 1	Availability All elements of the system must have 99% availability during 24/7, including web pages, apps and pay by phone.	Each 1% under this requirement = 1 x event on the Master KPI.	£250
MP 2	New Zones and tariff changes, etc. To amend errors within 24 hours and create zones and tariffs within 7 days.	Each failure = 1 x event on the Master KPI.	£50
MP 3	Contact Authority with 30 mins of system failure.	Each failure = 1 x event on the Master KPI.	£50
MP 4	Payment of Parking Tariff. All payments to the local authority to be made as set out in the specification. Twice monthly, once on the 16 th and another at the month end. Failure to make payment within 7 days thereafter will result in further failure event. Each 7 days thereafter the Performance Related Reduction will be doubled. More than 7 days = £100 More than 14 days = £200 More than 21 days = £400 More than 28 days = £800 Etc. Continued failure will invoke termination clauses as set out in the contract.	Each failure to make payment = 1x event on the Master KPI.	£100

CIVIL ENFORCEMENT SYSTEM

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
CES1	<p>The failure of an automatic progression to run by the following evening (24 hours), after a single failure will be considered a failure to meet this KPI.</p> <p>A failure of the automatic progression to run on:</p> <p>2 consecutive days will equal £300</p> <p>3 consecutive days will equal £600</p> <p>4 consecutive days will equal £900</p> <p>5 consecutive days will equal £1,500</p> <p>7 consecutive days will equal £3,000</p> <p>(Any period longer than stated above will result in Service Provider attend Authorises offices with resolution plan).</p>	Each failure to make payment = 1 x event on the Master KPI	£100
CES 2	<p>System Availability</p> <p>The service managed by supplier shall have service availability, excluding planned system outage time, of not less than 98.5%. Between 06:00 & 21:00 hrs.</p>	Each 1% under will = 1 x event on the Master KPI	£2,000
CES 3	<p>Business Critical Impact (2 Hours)</p> <p>System Availability, Severe Business disruption – Service Unit unable to operate, critical system failed or severely impaired, Unable to issue PCNs or FPNs or Blue Badge or Permits, Data is severely corrupted, not manually correctable and requiring full restore, all users sites affected. Between 06:00 & 21:00 hrs.</p>	Each failure = 1 x event on the Master KPI. Each 2 hour period thereafter = 1 x additional event	£2,000
CES 4	<p>Major Operational Impact 4 Hours</p> <p>Unable to progress cases or issue Recovery Documents, User group or Key user unable to operate, or experiencing significant reduction in system performance, Financial Queries by User group or Key user, scanners malfunction/failure, the system hangs indefinitely in use causing highly unacceptable or indefinite delays for resource</p>	Each failure = 1 x event on the Master KPI. Each 4 hour period thereafter = 1 x additional event	£2,000

	<p>or response, duplicate payment files being processed, payment files not being processed.</p> <p>Service Provider shall monitor the progress of all scheduled interface processes, scheduled tasks and outputs, including primary auto progression. In the event of any failure, supplier shall In the situation where the Service Provider has not availed itself of supplier's disaster recovery service and in the event of a request from the Service Provider for a need for restoration of data the supplier will respond to such a request within 2 Support Hours. Between 06:00 & 21:00 hrs.</p>		
CES 5	<p>Minor Operational Impact 2 working days Single user unable to operate with no available work around, Queries raised by user group or key user regards to financial reporting, configuration error/software fault causing incorrect operation of a function, missing reports, part of the system is unusable but not preventing users from carrying out their duties. User or user group experiencing problems, but with a work around that does not affect service delivery, test database faults, software errors causing inconvenience, general customer queries and advise. Including adding/removing codes (cancellation/hold etc.) minor adjustments to progression paths, (day to progress to nest stage etc.) amendments to templates, (merge fields etc.).</p> <p>A request for information or a problem which does not affect service delivery or user productivity, Escalation management process and effectiveness (Quarterly), Calls outstanding at end of month, approved change requests, request for service team assistance, minor cosmetic bugs, follow up fault investigation</p>	<p>Each failure = 1 x event on the Master KPI. Each 24 hour period thereafter = 1 x additional event</p>	£500
CES6	<p>The contractor must provide reports specifies in appendix 6 within 14 days of the end of the month.</p> <p>A failure to provide the reports for every 7 days thereafter will result in an additional performance related reduction of £250</p>	<p>Each failure to produce reports = 1 x event on the Master KPI</p>	£250

PERMITS SYSTEM

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
PS 1	<p>Configuration Amendments - 10 Working Days To be responsible for making any necessary changes to the system, in relation to new locations being added to existing zones, any new zones being added to the system or any charge amendments.</p>	Each failure = 1 x event on the Master KPI. Each 2 day period thereafter = 1 x additional event.	£25
PS 2	<p>System Availability The service managed by supplier shall have service availability, excluding planned system outage time, of not less than 98.5%. Between 06:00 & 21:00 hrs.</p>	Each 1% under will = 1 x event on the Master KPI.	£500
PS 3	<p>Business Critical Impact (2 Hours) System Availability, Severe Business disruption – Service Unit unable to operate, critical system failed or severely impaired, Unable to issue PCNs or FPNs or Blue Badge or Permits, Data is severely corrupted, not manually correctable and requiring full restore, all users sites affected. Between 06:00 & 21:00 hrs.</p>	Each failure = 1 x event on the Master KPI. Each 2 hour period thereafter = 1 x additional event.	£500
PS 4	<p>Major Operational Impact 4 Hours Unable to progress cases or issue Recovery Documents, User group or Key user unable to operate, or experiencing significant reduction in system performance, Financial Queries by User group or Key user, scanners malfunction/failure, the system hangs indefinitely in use causing highly unacceptable or indefinite delays for resource or response, duplicate payment files being processed, payment files not being processed.</p> <p>Supplier shall monitor the progress of all scheduled interface processes, scheduled tasks and outputs, including primary auto progression. In the event of any failure, supplier shall In the situation where the Service Provider has not availed itself of supplier's disaster recovery service and in the event of a request from the Service Provider for a need for restoration of data the supplier will respond to such a request within 2 Support Hours. Between 06:00 & 21:00 hrs.</p>	Each failure = 1 x event on the Master KPI. Each 4 hour period thereafter = 1 x additional event.	£500

BUSINESS PROCESS SOLUTION

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
BPS 1	Failure to inform the automated progression has failed by 9am	Each failure to make event = 1 x event on the Master KPI.	£50
BPS 2	Stuck Cases Report. To provide on a weekly basis a list of all cases that have not progressed in accordance with the statutory progression.	Each failure to make event = 1 x event on the Master KPI.	£50
BPS 3	Printing, posting and ensuring accuracy of all outgoing post and associated attachments in relations to the PCN process within the statutory deadlines.	Each event = 1 event on the Master KPI table.	£50
BPS 4	Scanning & logging 100% entered on by next working day,	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 5	Emails PCN/Permits 95% of emails relating to Challenges or Representations (PCN) and Permit are to be processed on the date of receipt if received before 16:30 hours. The remaining 5% to be completed on the next working day.	Each 1% under 95% not sent = 1 event on the Master KPI table.	£50
BPS 6	Emails (Non PCN) General Parking Enquires are to be replied to within 2 working days.	Each 1% under 95% not sent = 1 event on the Master KPI table.	£50
BPS 7	Reconciliation of all PCN and Permit (inc dispensation/suspension etc.). To provide a daily, weekly, monthly and annual reconciliation statement of all payments received and banked against ICT software and all payment systems, including web, phone and authorities payment files. 100% reconciliation to be achieved and conformation report sent with any differences to the attention of the Authorities by the next working day.	Each occasion failure to provide reports = 1 event on the Master KPI table.	£150
BPS 8	Payment Files including payment files from enforcement agents. 100% of payment files to be completed by the end of same working from when received. Each 1 day thereafter the Performance Related reduction will be doubled. More than 2 days = £500	Each event = 1 event on the Master KPI table.	£250

	<p>More than 3 days = £1000 More than 4 days = £2000 More than 5 days = £4000 Etc.</p> <p>Continued failure will invoke termination clauses as set out in the contract.</p>		
BPS 9	<p>Cheque processing including Part Payments and Refunds 100% of cheques to be processed by the next working day.</p>	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 10	<p>Processing Royal Mail Returns 100% Royal Mail returns to be processed within 10 working.</p>	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 11	<p>Processing hardcopy VQ5s For 100% hard copy VQ5 returns to be processed within 14 days.</p>	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 12	<p>DVLA – VQ4 & VQ5s 100% of cases to be sent to the DVLA by next working day and returned DVLA data to be uploaded on day of receipt from the DVLA.</p> <p>2 consecutive days = £50 3 consecutive days = £75 4 consecutive days = £150 5 consecutive days = £500 6 consecutive days = £1000 7 consecutive days = £1500</p> <p>(Any longer will result in Service Provider attending Council offices with resolution plan).</p>	Each file not sent or uploaded = 1 event on the Master KPI table.	£50
BPS 13	<p>London Tribunals (Formally PATAS)) – 100% of footage including CCTV and or BWV to be uploaded onto ICT system within 3 working days of the request.</p>	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 14	<p>London Tribunal (formally PATAS) and witness statement – summery packs. 95% within 3 working days from summery being provided. Remaining 5% within statutory deadline date.</p>	Each 1% under 100% not sent = 1 event on the master KPI table.	£50
BPS 15	<p>Processing the Enforcement Agent Return files 100% returned cases to be processed within 14 days of receipt.</p>	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50

BPS 16	Warrants Re-seals. To process all warrant re-seals and holds when received from the Enforcement Agent on to the parking system. 95% to be completed within 3 days and remaining 5% to be completed by the end of the 5th working day	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 17	Enforcement Agents Returned Warrants – All warrants returned by the Enforcement Agents should be processed onto the ICT system on a weekly basis. 100% of all warrants to be processed within 14 days	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 18	Enforcement Agents Resealed Warrants Requests – All weekly reseal request reports from the Enforcement Agents should be reviewed within 2 days of receipt of the report.	Each 1% under 100% not sent = 1 event on the Master KPI table.	£50
BPS 19	Progression of Debt Recovery cases to TEC – Ensure that cases are progressed within timescales of recovery (36 Days after the Charge Certificate has been sent out.)100% of all case to be sent between 36 and 60 days.	For every case not sent = 1 event on the Master KPI Table	£50
BPS 20	Order for Recovery – 100% of all Order for Recovery documents must be sent out within 14 days of receiving authorisation from TEC. Failure to adhere will result in an actual loss to the authority, the PCN must be cancelled.	For every case not sent = 1 event on the Master KPI Table	£50
BPS 21	Progression of Warrants to TEC– 100% of all cases to be progressed within timescales of recovery (28 to 40 Days after the Order for Recovery has been sent out.)	For every case not sent = 1 event on the Master KPI Table	£50
BPS 22	Warrant of Control – 100% of Warrant of Controls must be sent to the Enforcement Agents within 7 days of receiving authorisation from TEC. Failure to adhere will result in an actual loss to the authority, the PCN must be cancelled.	For every case not sent = 1 event on the Master KPI Table	£50
BPS 23	Parking Dispensations/Suspensions. 100% of dispensations and suspensions to be approved or referred to the authorities for decision by end of the 2nd working day after receipt.	Each failure = 1 event on the Master KPI table.	£50

PERMIT PROCESSING ADMINISTRATION

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
PPA 1	Permit Applications, Reminders & change of vehicles For 100% of all applications & reminders to be processed within 10 working days.	Each failure = 1 x event on the Master KPI.	£25
PPA 2	Scanning hardcopy documents For 100% of all applications & reminders to be processed within 10 working days.	Each failure = 1 x event on the Master KPI.	£25
PPA 3	Refunds permits/ Dispensations/Suspensions For all refunds to be actioned within 5 days.	Each failure = 1 x event on the Master KPI.	£25

ENFORCEMENT AGENTS

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
EA 1	100% of complaints must be fully dealt with, within 10 days.	For each complaint under = 1 event on the Master KPI Table	£50
EA 2	Adherence to the Audit Procedures	For each occasion, incomplete or inaccurate data sent = 1 event on the Master KPI Table	£500

FPN KPIs

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
FPNS 1	System Availability The service managed by supplier shall have service availability, excluding planned system outage time, of not less than 98.5%. Between 06:00 & 21:00 hrs.	Each 1% under will = 1 x event on the Master KPI	£250
FPNS 2	Business Critical Impact (2 Hours) System Availability, Severe Business disruption – Service Unit unable to operate, critical system failed or severely impaired, Unable to issue PCNs or FPNs or Blue Badge or Permits, Data is severely corrupted, not manually correctable and requiring full restore, all users sites affected. Between 06:00 & 21:00 hrs.	Each failure = 1 x event on the Master KPI. Each 2 hour period thereafter = 1 x additional event	£250
FPNS 3	Major Operational Impact 4 Hours Unable to progress cases or issue Recovery Documents, User group or Key user unable to operate, or experiencing significant reduction in system performance, Financial Queries by User group or Key user, scanners malfunction/failure, the system hangs indefinitely in use causing highly unacceptable or indefinite delays for resource or response, duplicate payment files being processed, payment files not being processed. Service Provider shall monitor the progress of all scheduled interface processes, scheduled tasks and outputs, including primary auto progression. In the event of any failure, supplier shall In the situation where the Service Provider has not availed itself of supplier's disaster recovery service and in the event of a request from the Service Provider for a need for restoration of data the supplier will respond to such a request within 2 Support Hours. Between 06:00 & 21:00 hrs.	Each failure = 1 x event on the Master KPI. Each 4 hour period thereafter = 1 x additional event	£250
FPNS 4	Minor Operational Impact 2 working days Single user unable to operate with no available work around, Queries raised by user group or key user regards to financial reporting, configuration error/software fault causing incorrect operation of a function, missing reports, part of the system is unusable but not preventing users from carrying out their duties. User or user group experiencing problems, but	Each failure = 1 x event on the Master KPI. Each 24 hour period thereafter = 1 x additional event	£100

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
	<p>with a work around that does not affect service delivery, test database faults, software errors causing inconvenience, general customer queries and advise. Including adding/removing codes (cancellation/hold etc) minor adjustments to progression paths, (day to progress to nest stage etc) amendments to templates, (merge fields etc).</p> <p>A request for information or a problem which does not affect service delivery or user productivity, Escalation management process and effectiveness (Quarterly), Calls outstanding at end of month, approved change requests, request for service team assistance, minor cosmetic bugs, follow up fault investigation</p>		

CASH COUNTING AND BANKING SERVICE

KPI Item	KPI description	KPI calculations (Same for both Authorities)	Performance related reductions
CB 1	<p>Banking of cash For all monies to be counted, transported and banked within 24 hours of receipt in accordance with the specification.</p> <p><i>For each 24 hours thereafter if the cash is not delivered it will be recorded as an additional event.</i></p> <p>Each 24 hours thereafter the performance related reductions will be doubled. More than 48 hours = £400 More than 72 hours = £800 More than 96 hours = £1,600 More than 120 hours = £3,200 Etc.</p> <p>Continued failure will invoke termination clauses as set out in the contract.</p>	Each failure = 1 event in the Master KPI Table	£200
CB 2	<p>Reconciliation For all reconciliation and documentation to be completed as set out within the specification and available to the authority within 7 days.</p>	Each failure = 1 event in the Master KPI Table	£50
CB 3	<p>Investigate/reporting of discrepancy</p> <p>Investigate discrepancies of greater than £10 between collected amount (audit ticket) and counted/banked amounts, within 14 working days of notification by Counting House of amount banked including a full reconciliation.</p> <p>For each 7 days thereafter if reconciliation if not undertaken (with satisfactory explanations of any discrepancies, it will be recorded as an additional event.</p>	Each failure = 1 event in the Master KPI Table	£50

EXPLANATION OF PERFORMANCE RELATED REDUCTION/DEFAULT NOTICES TO TERMINATIONS

Monthly

Depending on the total value of the performance related reduction per month, a possibility of 6 different outcomes can take place:

1. No further action to be taken.
2. A minuted contract meeting and an administration charge of £250
3. A Default Notice Level 1 and an administration charge of £500
4. A Default Notice Level 2 and an administration charge of £1500
5. A Final Default Notice Level 3 and an administration charge of £3000
6. Clause 10 of the contract may be activated, leading to termination and an administration charge of £5000

Each Default Notice will include details as set out in clause 8 of the contract.

If the agreement within the Default Notice is not met, the next level will be served (for example if the Service Provider fails to meet the requirements of the level 1 Default Notice, a Default Notice level 2 will be served, even if the existing months Defaults are low and should not trigger an action).

Note: A Rectification Notice may be issued whether or not a deduction of payment is also made under Clause 3.1(b) of the contract in relation to the same subject matter or a Level 1 Default Notice, Level 2 Default Notice or Level 3 Final Default Notice has been issued in relation to the same subject matter.

Rolling 3 Month

To address continual poor service, a rolling 3 month Default level will also be served. If within 3 months the performance related reduction triggers a threshold set out in the table below one of the following outcomes can take place:

1. A Default Notice Level 1 and an administration charge of £500
2. A Default Notice Level 2 and an administration charge of £1500
3. A Final Default Notice Level 3 and an administration charge of £3000
4. Clause 10 of the contract may be activated, leading to termination and an administration charge of £5000.

TABLE OF PERFORMANCE RELATED REDUCTION/DEFAULT NOTICES TO TERMINATIONS

Category (Monthly)	Performance related reduction Monthly amount against KPIs total	Action to be taken by Authority	Administration Charge
Less than	£4,999	No action less than £4,999.	n/a
Between	£5,000 -£14,999	Between £5k £10k a special minuted meeting to take place	Plus £250 administration charge
Between	£15,000 -£24,999	Level 1 Default Notice	Plus £500 administration charge
Between	£25,000 - £34,999	Level 2 Default Notice	Plus £1500 administration charge
Between	£35,000 - £69,999	Level 3 Final Default Notice	Plus £3000 administration charge
Over	£70,000	Clause 10 in Contract may be activated, leading to termination.	Plus £5000 administration charge
Rolling 3 month limits	Performance related reduction Monthly amount against KPIs total	Action to be taken by Authority	Administration Charge
Between	£30,000 - £49,999	Level 1 Default Notice	Plus £500 administration charge
Between	£50,000 -£69,999	Level 2 Default Notice	Plus £1500 administration charge
Between	£70,000 - £99,999	Level 3 Final Default Notice	Plus £3000 administration charge
Over	£100,000	Clause 10 in Contract may be activated, leading to termination.	Plus £5000 administration charge

Appendix Two - Parking Enforcement Performance Indicators

Below is a review of the Parking Enforcement Performance Indicators for the Parking Services Contractor, APCOA. The information below is for Year 2 of the Contract for April to December 2018.

PK1	Processing of all Regulation 9 CEO issued PCNs and Warning Notices. To be processed and uploaded onto the ICT system with associated photographs, BWV within 24 hours of issue.	Each 1% below = 1 event on the Master KPI Table	25
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PK1 - This KPI is to ensure that all Penalty Charge Notices (PCNs) that are issued by the CEOs are transferred onto the system within 24 hours of the PCNs being issued. This is to allow for a better service to the motorist as they will be able to appeal or pay their PCN immediately.

When a PCN has been issued the basic information will be transferred over to the parking back office system, all further information like the digital images and CEO comments will be transferred over the next morning.

The above is an automatic process; therefore, it is extremely unusual for this KPI to be triggered. There has been one occurrence where 114 cases were not transferred onto the system within 24 hours..

PK2	CCTV notice Processing (PCN and Warning Notices included). 100% of CCTV footage must be reviewed and PCNs entered and processed onto the notice processing system within three working days of the contravention being recorded, including uploading of evidence onto the public-facing module of the IT system. This will be measured using the daily log sheet recorded by the CCTV Operatives.	Each 1% below = 1 event on the Master KPI Table	25
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PK2 - This KPI is to ensure that all (PCNs) that are issued by CCTV are transferred onto the system within 3 working days of the PCNs being issued. As these PCNs are sent via the post, the legislation only allows 28 days to get the first notice to the customer, therefore the quicker the case is uploaded on to the system, the more opportunity we have to tracing the registered keeper of the vehicle via the DVLA.

There has been no defaults triggered on this KPI this contract year.

PK3	<p>Civil Enforcement Error For the purposes of assessing performance this will include: CEOs error which have been cancelled as part of a client processing procedures (Voids & Spoilt are not included in this KPI); Insufficient or poor quality evidence, notes, photographs etc. Incorrect information on PCN e.g. Incorrect contravention code, incorrect street etc., PCNs issued in error i.e. driver complied with rules and regulations; Failure to follow Enforcement Guidelines e.g. observation times; Other errors originating with the CEO that results in a cancelled PCN, which should have been rectified by Service providers, not including Performance Related Reductions.</p>	Each error = 1 event on Master KPI Table	25
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PK3 - If a CEO issues a PCN incorrectly, the case will be cancelled as a CEO error and a default of £25.00 will apply to each case.

Within year 2 of the contract, there has been 685 cases cancelled as a CEO error, this is an average of 76 each month.

PK4	<p>Minimum Deployment level on a given day Measured against the method statement provided or agreement throughout the contract.</p>	1 person under minimum deployment levels = 1 event on Master KPI Table	250
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PK4 - This KPI is ensuring APCOA has the minimum deployment levels on street every day. The minimum CEOs they should have on street is 18 Monday – Friday, 17 on a Saturday and 4 on a Sunday.

APCOA have been defaulted on this KPI once in this contract year.

PK5	<p>Deployed Hours (Civil Enforcement Officers on Street only) - (not linked to actual CEOs) Measured against the method statement provided or agreement throughout the contract.</p> <p>Permitted variation to planned hours Hours Met/Not Met. (up to - 5% and +10% each month. Up to end of March per annum 100% must be achieved).</p>	For each 1 x hour over the minimum 5% = 1 event on the Master KPI Table
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PK5 - This KPI is to ensure that APCOA meets the agreed amount of hours deployed in every month. This figure changes monthly as it takes in to consideration how many weekends and bank holidays are within the month. This figure is agreed at the beginning of the contract year.

APCOA have not been defaulted for this KPI in this contract year.

It should be noted that the specification allows for a permitted variance in these hours each month. The variance is for 5% under and 10% over the agreed hours each month. At the end of the contract year, the hours have to be met and any hour missing will be defaulted the £25 per hour.

Although no defaults have been triggered so far, it is predicted that if APCOA continue to deploy at the same rate, there will be minimal default for the annual hours due in March 2019.

PK6	Number of CEOs deployed per day Measured against the method statement provided or agreement throughout the contract.	1 CEO/Shift under minimum deployment levels = 1 event on Master KPI Table
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PK6 - This KPI is ensuring that APCOA has the average deployment levels on street every day. The average number of CEOs they should have on street is 21 Monday – Friday, 20 on a Saturday and 6 on a Sunday.

APCOA have been defaulted once on this KPI in this contract year, this was in one month where they were 11 CEOs under the agreed amount.

PK7	Compliance rate The compliance rate will be monitored by client officers observing vehicles in the defined areas to assess if adequate enforcement coverage is being achieved. Failure to address non-compliance of parking regulations will result in a failure to meet this KPI.	Each event of inadequate enforcement occurs will result in 1 event on the Master KPI table
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PK7 - This KPI is to ensure compliance of the parking restrictions is achieved around the borough. This KPI has been monitored by a mystery shopper approach where a council officer has parked within a restriction to see if a CEO attends to their vehicle. This approach works out rather timely and does mean that only a small amount of resources can monitor a small part of the borough.

Due to the above, it has been agreed that in order to focus on compliance around the borough; this KPI will be changed for a trial period of 6 months. The KPI will be split into 2, starting in February 2019 and will be jointly reviewed in September 2019.

The first KPI will be monitoring the car parks compliance by focusing around a daily visit to each car park Monday to Saturday. The KPI measure will be for 95% of all carparks to be visited every day, after each 1% would result in a £50 default.

The second KPI will be monitoring the on street compliance. A report will be issued detailing the number of visits and PCNs issued around the borough. The Council and APCOA will agree a set of 15 target streets that need to be visited more over the following 2 months. This would not remove the need for the rest of the borough to be enforced also but will help to concentrate the deployment in areas where there may be a potential problem.

Compliance reports will be run to ensure the 15 target streets will be enforced daily as well as the rest of the borough.

The KPI measure will be for 95% attendance to these streets Monday to Saturday. After each 1% would result in a £50 default.

PK8	Urgent enforcement requests Service providers must attend requests within times set in the table set out in 'Bromley Expected Compliance Levels'.	Each 1% under 100% will result in 1 event on the Master KPI table
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The above KPI is to monitor APCOA responding to the public enforcement requests. As detailed in the main report, this on line service has become increasingly popular and has increased by 132% in the last 3 years. The KPI currently instructs APCOA to attend every enforcement request within 30 minutes to 2 hours depending on the time of day and the area of the borough.

APCOA have been defaulted on this every month of this contract year, there has been 63 occasions where APCOA have not met this KPI.

Summary

In summary, the enforcement element of this contract has resulted in 73.75% of all defaults issued throughout the contract year.

It has been agreed that some KPIs may need amending to suit the changes in the service and a review of this will take place over 2019.

Continual joined up working will take place between the managers of Parking Services and APCOA to ensure that the service is being as efficient as possible, achieving both compliance of the parking restrictions and where necessary a PCN being issued to those vehicles who are contravening.

Report No.
ES19010

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 5th February 2019

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

Title: FOOD WASTE RECYCLING CAMPAIGN UPDATE

Contact Officer: Amy Harris, Waste Strategy Manager
E-mail: Amy.Harris8@bromley.gov.uk

Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

This report provides an update on the food waste recycling campaign.

2. **RECOMMENDATION**

That the Environment and Community PDS Committee:

- **Note the food waste recycling campaign update.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not applicable
-

Corporate Policy

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

Financial

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

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: An agency for doorstep and participation monitoring was commissioned following consideration of the Public Contracts Regulations 2015 and Contract Procedure Rules. The company was procured through the London Tenders Portal (ProContract) using the Request for Quotation route.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 23,000 households were contacted directly as part of the food waste recycling campaign.
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Ward Councillor Views

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

3. COMMENTARY

Background

- 3.1 In 2017/18, Bromley achieved it's 2017-2020 Environment Portfolio Plan ambition to recycle 50% of it's household waste and the Borough was ranked second highest for household recycling in London. However, over recent years, the recycling rate has plateaued and the amount of waste produced per household has risen.
- 3.2 Over the last five years, the amount of food waste collected through the separate food waste recycling scheme has decreased by 19% (2,039 tonnes over 5 years). The proportion of household waste that was separated as food waste and recycled has dropped from 9% to 7% during this period.

Year	Food Waste (t)	Variance in Food Waste (t/yr)	Household Waste (t)	Household Food Waste Composted (%)
2013/14	10,975		121,719	9.0%
2014/15	10,404	-571	121,252	8.6%
2015/16	9,959	-445	120,167	8.3%
2016/17	9,201	-758	123,023	7.5%
2017/18	8,934	-267	120,189	7.4%

- 3.3 At 2018/19 prices, within the current contract it costs £69 per tonne more to send food waste for disposal than for composting. Therefore, this decline is not financially sustainable. On average, over the last 4 years the reduction in food waste recycled (510 tonnes), is generating an additional disposal cost of £35k a year.
- 3.4 In addition, the 2016 Waste Composition Analysis, indicated that 28% of non-recyclable refuse comprises food waste, which meant that food waste was being sent for disposal that could have been separated by residents for composting.
- 3.5 Through national research and staff experience it is known that by encouraging non-recyclers to recycle food waste and encouraging existing recyclers to recycle more food, it is possible to reduce the costs of waste disposal and increase recycling. Therefore, to build on the Food for Thought Campaign officers commissioned the delivery of a targeted face-to-face engagement exercise to motivate and re-energise residents to recycle more food.
- 3.6 Following a successful funding bid to Resource London, Bromley was awarded £14.5k for the development of campaign materials for this exercise.

Food Waste Campaign

- 3.7 An exercise was conducted to identify the areas of the borough where there was the maximum potential for increasing food waste recycling and enhance the value for money gained from the campaign.
- 3.8 The tonnage of food waste and non-recyclable refuse was analysed for a two week period in April 2018, to identify the areas within the borough where the lowest amount of food waste and highest amount of non-recyclable refuse was collected. Each of the lowest performing collection rounds were reviewed against housing types and local factors to ensure that there were no external factors that may be limiting use of the food waste collection scheme. The 21 collection rounds (23,000 households) identified to be the lowest performing for food waste were selected

for the targeted engagement activity. These collection rounds were located across 16 wards. For more details please see Appendix A (for later circulation).

- 3.9 Local Green Points, the agency commissioned to conduct the doorstepping campaign, organised for trained staff to contact 23,000 households in October and November 2018 with the aim to encourage households to start using, or to ensure all their food waste was placed in, the food waste collection scheme. Having a direct conversation allowed them to address barriers to resident participation.
- 3.10 Communication materials about the food waste campaign were distributed to the target audience. In addition, as a result of the Resource London funding, a free roll of 50 food waste liners was distributed to 5,000 households in the four lowest performing food waste collection rounds.
- 3.11 Additional communication materials were distributed across the borough to increase the coverage and impact of the campaign. These materials included:
- Press release (Published in the News Shopper and The Bromley Times)
 - Article in Environment Matters
 - Social media coverage
 - JC Decaux banners in Bromley High Street
 - Vehicle panels (to be displayed on the recycling trucks from mid-February)
- 3.12 The approach to the evaluation of the campaign was considered at the beginning of the food waste campaign and included the following:

Monitoring	Details
Pre and Post Participation Monitoring	Monitoring set out rates of the containers for the food waste scheme over a three week period. A representative sample was selected by the Council (one area included within the doorstepping campaign and for a control, an area that was not included within the doorstepping campaign)
Food Waste Tonnage Data	For a two week period before and after the campaign activity, tonnage data measurement of the separate food waste scheme tonnages per collection round is required to ascertain whether there has been an increase in the tonnages collected. In addition, borough-wide food waste data is collected and reported on a monthly basis.
Doorstepping Contact Rate	The percentage of households that the Local Green Points Team have a face-to-face conversation with out of the total number of properties identified for the doorstepping element of the campaign.
Doorstepping Survey Findings	During the doorstepping exercise, residents were asked some food waste behaviour questions to find out whether they recycled food, what types of food waste were recycled and if there were any barriers to using the food waste service.

Indicative Results

- 3.13 The pre-campaign participation monitoring exercise took place from 4 October to 19 October 2018 and the post-campaign monitoring exercise took place from 6 December and 21 December 2018.
- 3.14 Participation in the Council's food waste collection scheme increased by 2.5% following the food waste recycling campaign. It is worth noting that the area selected for monitoring had a high participation rate before the campaign began, which means that it is possible participation

increased at a higher rate in areas targeted by the doorstepping campaign that had a lower participation rate before the campaign.

Round	Pre Campaign Participation rate	Post Campaign Participation rate	Percent change
Control Round: Thursday REC-03	85.0%	84.8%	-0.2%
Intervention Round: Friday REC-04	88.2%	90.7%	+2.5%

- 3.15 The amount of food waste collected in December 2018 at 709 tonnes was 5% higher when compared to the amount of food waste collected in December 2017 at 678 tonnes. Further data analysis will take place to identify whether this increase in food waste tonnage can be fully attributed to the campaign and whether it will be sustainable over time.
- 3.16 Of the 23,000 households in the campaign target area, all households received campaign materials and 41% received face-to-face engagement about the food waste collection service. The proportion of households that received face-to-face engagement was achieved by contacting residents during weekends and evenings.
- 3.17 Residents were contacted between October and November 2018 and asked some questions about their behaviour in relation to food waste. Key findings from the surveys were:
- 79% of surveyed residents said they participated in the food waste recycling scheme;
 - 5% of those that did not use the food waste scheme, composted at home;
 - Other reasons for not using the scheme were not having the right container, time, space, previous experience of a missed collection and not understanding the benefits of recycling;
 - The majority of residents that use the food waste scheme are aware of all of the types materials that can be recycled through the food waste scheme.

Future Plans

- 3.18 Building on this food waste campaign, officers are reviewing how they can continue to work with residents to increase recycling and decrease waste management costs. The analysis of recycling and residual waste tonnages across different areas of the borough that was completed as part of the planning stage for the food waste campaign could be used to generate a campaign competition between different parts of the borough.

4. POLICY IMPLICATIONS

- 4.1 Priority Outcome 4.2 (Minimising Waste and Increasing Recycling) within the Environment Portfolio Plan 2019-20 (the Council's environmental service aims and objectives) identifies "encouraging and assisting residents to minimise their waste and recycle more with a special focus this year on promoting an enhanced use of the Food Waste Recycling Service through the 'Food for Thought' campaign" as a key initiative.
- 4.2 This project will also contribute to the Building a Better Bromley's 'Quality Environment' aspiration to:
- Encourage further improvements in recycling and seek to reduce waste to manage costs and protect the environment

4.3 Local awareness raising activity focused on increasing food waste recycling assists us in demonstrating our general conformity with the Mayor of London's London Environment Strategy.

5. FINANCIAL IMPLICATIONS

5.1 The commissioning of an agency for the implementation of the food waste campaign cost £30k, funded from the waste management budget. In addition, £15.5k was spent on free waste liners, stickers, promotional and information leaflets, with £14.5k funded by a grant from Resource London, and the remaining £1k funded from the promotional budget within waste services.

5.2 Within the new waste contract commencing in April 2019, it will cost an additional £101 per tonne to dispose of food waste within residual waste rather than composting. It is therefore essential to continue the promotion to encourage residents to recycle more food waste to ensure waste costs do not increase.

6. PROCUREMENT IMPLICATIONS

6.1 An agency was procured to conduct a food waste recycling campaign on our behalf. The agency was commissioned following consideration of the Public Contracts Regulations 2015 and Contract Procedure Rules.

Non-Applicable Sections:	Legal, Personnel and Impact on Vulnerable Children and Adults
Background Documents: (Access via Contact Officer)	Officer Gateway Report for the Commissioning of a Food Waste Campaign

Report No.
ES19005

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 5th February 2019

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

Title: CONTRACT REGISTER

Contact Officer: Sarah Foster, Head of Performance Management and Business Support
Tel: 020 8313 4023 Email: sarah.foster@Bromley.gov.uk

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents an extract from November 2018's Contracts Register for detailed scrutiny by PDS Committee – all PDS committees will receive a similar report each contract reporting cycle, based on data as at 28th November 2018 and presented to Contracts Sub-Committee on 11th December 2018.
- 1.2 The Contracts Register contained in 'Part 2' of this agenda includes a commentary on each contract to inform Members of any issues or developments (there is no covering report).

2. **RECOMMENDATIONS**

That the Environment and Community Services PDS Committee:

- 2.1 **Reviews the appended £50k+ Contracts Register (which also forms part of the Council's commitment to data transparency); and**
- 2.2 **Notes that the Contracts Register in Part 2 contains additional, potentially commercially sensitive, information in its commentary.**

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: - N/A
 2. Ongoing costs: - N/A
 3. Budget head/performance centre: Environment & Community Services Portfolio
 4. Total current budget for this head: £30m
 5. Source of funding: Existing controllable revenue budget for 2018/19
-

Personnel

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

Legal

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

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Contracts Register Background

- 3.1 The Contracts Database is fully utilised by all Contract Managers across the Council as part of their Contract Management responsibilities, which includes updating the information recorded on the database. The Register is generated from the Contracts Database which is administered by Commissioning & Procurement Directorate and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.2 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and the Contracts Register is a key tool used by Contract Managers as part of their daily contract responsibilities. The Contract Registers are reviewed by the Commissioning Board, Chief Officers, Corporate Leadership Team, and Contracts Sub-Committee as appropriate
- 3.3 The Contracts Register is produced four times a year for members– though the CDB itself is always 'live'.
- 3.4 Each PDS committee is expected to undertake detailed scrutiny of its contracts – including scrutinising suppliers – and hold the Portfolio Holder to account on service quality and procurement arrangements.

Contract Register Summary

- 3.5 The Council has 216 active contracts covering all portfolios as of 28th November 2018 for the November reporting cycle as set out in Appendix 1.
- 3.6 The Key information, for this Portfolio, is shown in the table below. This provides the key information for the preceding 2 months in addition to the November cycle information take on the 28th November 2018.

Environment and Community Services				
Item	Category	July 2018	September 2018	December 2018
Total Contracts	£50k+	20	21	21
Concern Flag	Concern Flag	0	5	2
Risk Index	Red	5	5	5
	Amber	8	9	9
	Yellow	5	5	5
	Green	2	2	2
Total		20	21	21
Procurement Status	Red	14	14	16
	Amber	2	2	0
	Yellow	0	1	1
	Green	4	4	4
Total		20	21	21

- 3.7 The following contract has been flagged for attention due to the tight timescales for tender (rather than any performance issues associated with the delivery of the contract):

Contract ID	Contract Name	Total Contract Value (£)	Contract End Date
3789	Openview Security Solutions	317,971	31/05/2019
1375	Depots Security	284,927	31/03/2019

- 3.8 Openview Security Solutions: Authority is being sought via a Gateway Member Report to extend the License/maintenance contract, one year at a time, for up to five years.
 Depots Security: This was originally to be included in the recently awarded Environment Services contracts bundle however this element was withdrawn by commissioners from the final specification. Alternative delivery options are currently being examined with the possibility of inclusion by change-control notice, in the wider LBB Total Facilities Management contract with Amey. If this approach is deemed unsuitable and would not represent good value, the current framework arrangement operated by the Eastern Shires Purchasing Organisation (ESPO) may be utilised for either an extension period and/or arrangements for a further request for competition to follow in the autumn 2019.

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

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

5. POLICY IMPLICATIONS

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

6. PROCUREMENT IMPLICATIONS

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

7. FINANCIAL IMPLICATIONS

- 7.1 The Contracts Database and Contract Registers are not primarily financial tools – the Council has other systems and reports for this purpose such as the Budget Monitoring reports. However, the CDB and Registers do contain financial information both in terms of contract dates and values and also budgets and spend for the current year.
- 7.2 It should be noted that there is a budget of £158k for the depot security contract and £136k is recovered from depot occupants, leaving a net cost of £22k to the Council.

8. PERSONNEL IMPLICATIONS

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

9. LEGAL IMPLICATIONS

9.1 There are no direct legal implications but the Contracts Database does identify those contracts which have a statutory basis and also those laws which should be complied with in delivering the contracted services.

9.2 A list of the Council's active contracts may be found on Bromley.gov.uk to aid transparency (this data is updated after each Contracts Sub-Committee meeting).

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	<ul style="list-style-type: none">• Appendix 1 – Key Data (All Portfolios)• Appendix 2 - Contracts Database Background information• Appendix 3 – Contracts Database Extract PART 1 (November 2018)

Appendix 1 Key Data (All Portfolios)


Item	Category	July 2018	September 2018	December 2018
Contracts (>£50k TCV)	All Portfolios	216	224	216
Flagged as a concern	All Portfolios	4	9	5
Capital Contracts	All Portfolios	17	17	12
Portfolio	Adult Care and Health	86	91	86
	Environment and Community Services	20	21	21
	Environment	0	0	0
	Education, Children and Families	39	36	33
	Care Services	0	0	0
	Resources Commissioning and Contract Management	58	58	58
	Resources	0	0	0
	Renewal and Recreation and Housing	8	13	12
	Renewal and Recreation	0	0	0
	Public Protection and Safety	5	5	5
Total		216	224	215*
Risk Index	Red	18	14	13
	Amber	80	89	87
	Yellow	82	83	81
	Green	36	38	35
Total		216	224	216
Procurement Status	Red	98	85	86
	Amber	24	17	20
	Yellow	32	31	45
	Green	62	91	65
Total		216	224	216
Contracts Due to Go Live	Imminent	2	3	4
Total		2	3	4

* There is an error in the database relating to 1 contract which is being investigated

Appendix 2 - Contracts Register Key and Background Information

Contract Register Key

1.1 A key to understanding the Corporate Contracts Register is set out in the table below.

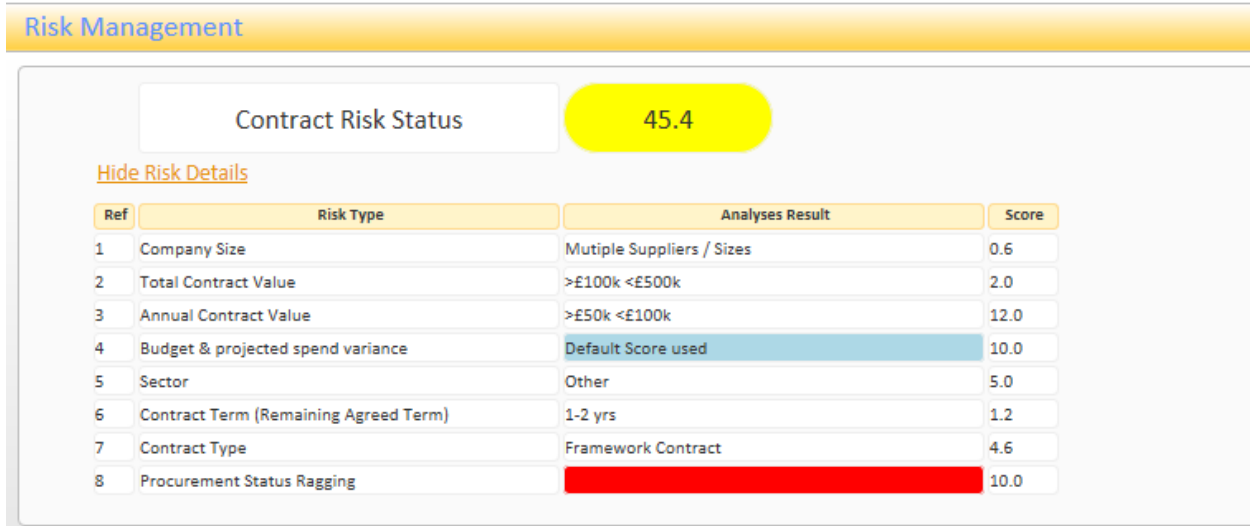
Register Category	Explanation
Risk Index	Colour-ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) / colour reflecting the contract's intrinsic risk
Contract ID	Unique reference used in contract authorisations
Owner	Manager/commissioner with day-to-day budgetary / service provision responsibility
Approver	Contract Owner's manager, responsible for approving data quality
Contract Title	Commonly used or formal title of service / contract
Supplier	Main contractor or supplier responsible for service provision
Portfolio	Relevant Portfolio for receiving procurement strategy, contract award, contract monitoring and budget monitoring reports
Total Contract Value	The contract's value from commencement to expiry of formally approved period (excludes any extensions yet to be formally approved)
Original Annual Value	Value of the contract its first year (which may be difference from the annual value in subsequent years, due to start-up costs etc.)
Budget	Approved budget for the current financial year. May be blank due to: finances being reported against another contract; costs being grant-funded, complexity in the finance records e.g. capital (also applies to Projection)
Projection	Expected contract spend by the end of the current financial year
Procurement Status	Automatic ranking system based on contract value and proximity to expiry. This is designed to alert Contract Owners to take procurement action in a timely manner. Red ragging simply means the contract is nearing expiry and is not an implied criticism (indeed, all contracts will ultimately be ragged 'red').
Start & End Dates	Approved contract start date and end date (excluding any extension which has yet to be authorised)
Months duration	Contract term in months
Attention 	Red flag denotes Commissioning & Procurement Directorate's concern regarding procurement arrangements (also see C&P Commentary in Part 2)
Commentary	Contract Owners provide a comment – especially where the Risk Index or Procurement Status is ragged red or amber. Commissioning & Procurement Directorate may add an additional comment for Members' consideration <i>The Commentary only appears in the 'Part 2' Contracts Register</i>
Capital	Most of the Council's contracts are revenue-funded. Capital-funded contracts are separately identified (and listed at the foot of the Contracts Register) because different reporting / accounting rules apply

Contract Register Order

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

Risk Index

- 1.3 The Risk Index is designed to focus attention on contracts presenting the most significant risks to the Council. Risk needs to be controlled to an acceptable level (our risk appetite) rather than entirely eliminated and so the issue is how best to assess and mitigate contract risk. Contract risk is assessed (in the CDB) according to eight separate factors and scored and weighted to produce a Risk Index figure (out of 100). These scores are ragged to provide a visual reference.



Procurement Status

- 1.4 A contract's Procurement Status is a combination of the Total Contract Value (X axis) and number of months to expiry (Y axis). The table below is used to assign a ragging colour. Contracts ragged red, amber or yellow require action – which should be set out in the Commentary. Red ragging simply means the contract is nearing expiry and it is not an implied criticism (indeed, all contracts will ultimately be ragged 'red').

		Procurement / Commissioning Status					
Period	3 months						<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 20px; background-color: red; margin-right: 5px;"></div> Requires an agreed plan <div style="width: 20px; height: 20px; background-color: yellow; margin-right: 5px;"></div> Develop / test options <div style="width: 20px; height: 20px; background-color: orange; margin-right: 5px;"></div> Consider options <div style="width: 20px; height: 20px; background-color: green; margin-right: 5px;"></div> No action required </div>
	6 months						
	9 months						
	12 months						
	18 months						
		£5k - £50k	£50k - £100k	£100k - £173k	£173k - £500k	>£500k	
		Total Contract Value					

Contract Register Report - £50k Portfolio Filtered - Environment and Community Services

December 2018

Risk Index	Main Contract Data						Finance Data				Contract Terms			Attention	Capital	
	Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value	Original Annual Value	Budget	Projection	Proc. Status	Start Date	End Date			Months Duration
●	3789	Allen Herve	Angus Culverwell	Openview Security SolutionS	openview security Solutions Ltd	Environment and Community Services	317,971	248,876			■	01/06/2016	31/05/2019	36	⚠	
●	1375	Paul Chilton	Colin Brand	Depots Security	Manpower Direct UK Ltd	Environment and Community Services	284,927	142,463	157,920	147,591	■	01/04/2017	31/03/2019	24	⚠	
●	9	John Bosley	Nigel Davies	Waste Disposal	Veolia Environmental Services (UK) PLC	Environment and Community Services	188,000,000	9,193,990	11,343,930	11,343,930	■	24/02/2002	31/03/2019	205		
●	8	Jim Cowan	John Bosley	Waste Collection	Veolia Environmental Services (UK) PLC	Environment and Community Services	128,400,000	6,212,260	6,495,550	6,484,550	■	01/11/2001	31/03/2019	209		
●	1	James Hilsden	John Bosley	Grounds Maintenance	IDVERDE Limited	Environment and Community Services	36,590,000	2,747,368	5,311,570	5,311,570	■	01/01/2008	31/03/2019	135		
●	5	David Hall	John Bosley	Street Environment (Lot 1 - Street Cleansing)	Kier Services Ltd	Environment and Community Services	22,476,552	3,159,642	3,562,340	3,562,340	■	29/03/2012	28/03/2019	84		
●	1371	Chloe Wenbourne	Angus Culverwell	Parking Enforcement and Associated Services	APCOA Parking (UK) Ltd	Environment and Community Services	19,222,178	1,922,217			■	03/04/2017	02/04/2027	120		
●	3	Hugh Chapman	John Bosley	Arboricultural Maintenance Contract	Gristwood and Toms Ltd	Environment and Community Services	6,550,740	568,860	1,272,060	1,272,060	■	18/07/2008	31/03/2019	128		
●	4	Toby Smith	John Bosley	Parks Security	Ward Security Limited	Environment and Community Services	4,130,000	413,000	515,850	515,850	■	01/04/2010	31/03/2020	120		
●	7	David Hall	John Bosley	Street Environment (Cleaning of Highway Drainage Infrastructure)	Veolia Environmental Services (UK) PLC	Environment and Community Services	2,057,718	292,708	294,570	294,570	■	29/03/2012	28/03/2019	84		
●	6	David Hall	John Bosley	Street Environment (Lot 2 - Graffiti Removal)	Community Clean	Environment and Community Services	1,711,800	244,360	191,600	191,600	■	29/03/2012	28/03/2019	84		
●	320	Paul Redman	Garry Warner	Highways Engineering Consultancy	AECOM	Environment and Community Services	1,083,333	400,000			■	15/07/2016	31/03/2019	32		
●	1388	John Bosley	Nigel Davies	Coney Hill, Oxted, Surrey Landfill Monitoring Contract	Enitial Ltd	Environment and Community Services	230,833	138,000	160,400	160,400	■	28/07/2017	31/03/2019	20		
●	3764	Garry Warner	Nigel Davies	Highway Maintenance	JB Riney & Co Ltd	Environment and Community Services	90,000,000				■	01/07/2018	30/06/2026	96		
●	14	Paul Chilton	Colin Brand	Supply of Contract Hire (Lease) cars	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	1,630,000	544,000	500,490	500,490	■	16/05/2015	15/05/2019	48		
●	13	Paul Chilton	Colin Brand	Vehicle & Plant Maintenance, Repairs & Associated Transport Services	Kent CC (Commercial Trading Services)	Environment and Community Services	1,245,040	134,000	176,000	176,000	■	06/04/2010	05/04/2019	108		
●	11	Paul Chilton	Colin Brand	Council Fleet Hire	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	213,035	70,950	35,549	35,549	■	06/11/2015	15/05/2019	42		
●	3805	Garry Warner	Nigel Davies	CONFIRM	Pitney Bowes Software Europe Ltd	Environment and Community Services	173,730	86,865			■	01/07/2018	31/07/2020	25		
●	1360	Paul Chilton	Colin Brand	Vehicle Bodywork Repairs	*Multiple Suppliers	Environment and Community Services	80,000	40,000	40,000	40,000	■	06/04/2017	05/04/2019	24		
●	3695	Paul Chilton	Colin Brand	Provision of Motor Vehicle Fuels	Hall Fuels	Environment and Community Services	60,000	20,000	20,000	20,000	■	01/07/2017	30/06/2020	36		

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Report No.
ES19006

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT AND COMMUNITY SERVICES PDS COMMITTEE

Date: 5th February 2019

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

Title: RISK REGISTER

Contact Officer: Sarah Foster, Head of Performance Management & Business Support
Tel: 020 8313 4023 Email: sarah.foster@bromley.gov.uk

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents the revised E&CS Departmental Risk Register for detailed scrutiny by PDS Committee.
- 1.2 This appended Risk Register also forms part of the 2018/19 Annual Governance Statement evidence-base and has been reviewed by: E&CS DMT (17 December 2018); Corporate Risk Management Group (22 January 2019); and will next be reviewed at Audit Sub-Committee (26 February 2019).

2. RECOMMENDATIONS

- 2.1 That the Environment and Community Services PDS Committee reviews and comments on the appended E&CS Risk Register, paying particular attention to those risks that are relevant to this PDS Committee (the Public Protection and Enforcement PDS Committee reviewed the Risk Register on 30 January 2019).

Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Risk Register covers services provided by the E&CS Department and some borough-wide risks. Addressing the impact of service provision on vulnerable adults and children is a matter for the relevant procurement strategies, contracts and service delivery rather than this high-level Risk Register report.
-

Corporate Policy

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

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Public Protection & Enforcement Portfolio
 4. Total current budget for this head: £30m
 5. Source of funding: Existing controllable revenue budget 2018/19
-

Personnel

1. Number of staff (current and additional): - 147.3 FTEs
 2. If from existing staff resources, number of staff hours: - N/A
-

Legal

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

Procurement

1. Summary of Procurement Implications: Risk management contributes to contract management and good governance.
-

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

Risk Register Background

- 3.1 The Council's priorities are set out in [Building a Better Bromley](#) and the Portfolio Plans, and a risk can be defined as anything which could negatively affect the associated outcomes. Some level of risk will be associated with any service provision: the question is how best to manage that risk down to an acceptable level (this is known as our 'risk appetite').
- 3.2 It follows that the Council should be able to clearly and regularly detail the main departmental risks and related mitigation measures to ensure a) that desired outcomes are achieved and b) to allow for Member scrutiny – the purpose of this report.
- 3.3 Although the appended E&CS Risk Register is comprehensive, departmental risk management activity is certainly not exclusive to this report. For instance:
- major programmes and services (e.g. Tree Management Strategy) will have associated Risk Registers (such registers are reviewed by the relevant Programme / Service Boards);
 - financial risk is addressed in each Portfolio's Budget Monitoring Reports and, more generally, in the Council's Annual Financial Strategy Report;
 - audit risk is captured through the Audit Programme's planned and investigative activity and associated reports and management action requirements;
 - contract risk forms part of the Contracts Database (all contracts are now quantified and ranked according to the risk presented to the Council). The forthcoming Environmental Services Contract, therefore, appears both in this Risk Register and the Corporate Contracts Register, due to its size and complexity. The Contracts Register for the Public Protection and Enforcement Portfolio is appended to Report ES19005 (also on this agenda).
- 3.4 In 2016/17 Zurich Municipal (the Council's insurer) undertook a 'check and challenge' review (involving all management teams) of the Council's general approach and the individual risks. This resulted a new-style of register and a greater consistency of approach across the Council. In December 2018, Zurich re-visited the E&CS management team to repeat this process.
- 3.5 It was agreed that Risk Registers should be presented to each Departmental Management Team, the relevant PDS committee, and Audit Sub-Committee twice a year (minimum) to allow activity to be scrutinised in a regular and systematic manner. Individual risks should naturally be reviewed (by Risk Owners) at a frequency proportionate to the risk presented (see appendix).
- 3.6 In addition to its use for management and reporting purposes, the Risk Register also forms part of E&CS's evidence-base for contributing to the Council's Annual Governance Statement (which, itself, forms part of the Council's end-of-year management procedures).
- 3.7 Risks from all three departments are considered at the (officer) Corporate Risk Management Group (CRMG), which reviewed all the Risk Registers when it last met on 22nd January 2019.
- 3.8 The Risk Registers will also be reviewed by Audit Sub-Committee (26 February 2019), but detailed scrutiny of individual registers is the responsibility of each PDS committee (hence this report).
- 3.9 At the time of writing, the Council has 89 individual risks plus nine, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).

3.10 E&CS Department currently has 26 risks (~29% of the Council's total) and the Risk Register was reviewed by E&CS DMT on 17 December 2018.

3.11 The appended E&CS Risk Register is summarised below. Each risk is scored using a combination of the 'likelihood' (definite to remote) and 'impact' (insignificant to catastrophic) to produce a 'gross rating' (prior to controls) and 'net rating' (post management controls) – see Appendix. No risks are ragged 'red' following implementation of management control measures.

Risk Ref	Risk Description	Gross Risk Rating	Net Risk Rating
1	Emergency Response	8	6
2	Central Depot Access	6	3
3	Fuel Availability	5	4
4	Business Continuity Arrangements	8	8
6	Industrial Action	12	12
8	Health & Safety (E&CS)	12	8
11	Environmental Services Contract (Mobilisation)	12	8
12	Highways Management	8	6
13	Arboricultural Management	9	3
14	Income Variation (Highways and Parking)	6	6
15	Waste Budget	12	6
17	Food Standards Agency Audit	12	12
18	Town Centre Businesses	12	6
19	New Parking Schemes	12	4
20	Staff Resourcing and Capability	12	4
21	Burial Space	9	4
22	Climate Change	9	6
23	Mortuary Contract	16	12
24	CCTV Contract (Mobilisation)	6	3
25	Income Reconciliation (Public Protection Licensing)	6	6
26	Income Reconciliation (Waste Management)	6	2
27	Bromley Town Centre Market Reorganisation	9	6
28	Dogs and Pests Contract	6	4
29	Out of Hours Noise Service	12	12
30	Integrated Offender Management	12	12
31	Anti-Social Behavior Co-Ordinator post:	12	12

- 3.12 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (Compliance & Regulation, Finance, Service Delivery, Reputation and Health & Safety) and scored – using a combination of the ‘likelihood’ and ‘impact’ both being assessed on a scale of 1-5 – to produce a gross risk score.
- 3.13 Current controls designed to mitigate the risk are also listed and these, in turn, result in a (lower) net risk score. Finally, additional actions are listed for the Risk Owner to consider to further reduce the level of risk (commensurate with their risk appetite).

4. IMPACT ON VULNERABLE ADULTS & CHILDREN

- 4.1 The appended Risk Register covers Environment and Community services, which tend to be universal in nature, rather than being specifically directed towards vulnerable adults and children.

5. POLICY IMPLICATIONS

- 5.1 The Council’s renewed policy ambition for the borough is set out in the 2016-18 update to [Building a Better Bromley](#) and the various Portfolio Plans. Risk Registers help to deliver these policy aims by identifying issues which could impact on ‘ensuring good contract management to ensure value-for-money and quality services’ and putting in place mitigation measures to reduce risk and help deliver the policy aims and objectives.

6. PROCUREMENT IMPLICATIONS

- 6.1 Contract and hence procurement risk is mainly captured in the Contracts Database and Contracts Register Report rather than this Risk Register Report. That said, progress towards the proposed new Environmental Services Contract is captured in the appended register due to the contract’s strategic importance.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications arising from this report, however the Risk Register does identify areas that could have financial risks.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no direct personnel implications but the Risk Register does identify service areas where recruitment and capacity present challenges (e.g. Staff Resourcing and Capability).

9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications but the Risk Register does identify some legal issues: e.g. the Food Standards Agency Audit, compliance with Health & Safety law, and Industrial Action.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	None

RISK REGISTER REPORT (ES19004): RISK ASSESSMENT GUIDANCE SUMMARY

LIKELIHOOD	Almost Certain (5)	5	10	15	20	25	15+	High Risk: review controls/actions every month	
	Highly Likely (4)	4	8	12	16	20	10 - 12	Significant Risk: review controls/actions every 3 mths	
	Likely (3)	3	6	9	12	15	5 - 9	Medium Risk: review controls/actions every 6 months	
	Unlikely (2)	2	4	6	8	10	1 - 4	Low Risk: review controls/actions at least annually	
	Remote (1)	1	2	3	4	5			
	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)				
	IMPACT								

LIKELIHOOD KEY					
Expected frequency	Remote (1)	Unlikely (2)	Possible (3)	Likely (4)	Definite (5)
Expected frequency	10-yearly	3-yearly	Annually	Quarterly	Monthly

IMPACT KEY					
Risk Impact	Insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Catastrophic (5)
Compliance & Regulation	<ul style="list-style-type: none"> Minor breach of internal regulations (not reportable) 	<ul style="list-style-type: none"> Minor breach of external regulation (not reportable) 	<ul style="list-style-type: none"> Breach of internal regulations leading to disciplinary action Breach of external regulations, reportable 	<ul style="list-style-type: none"> Significant breach of external regulations leading to intervention or sanctions 	<ul style="list-style-type: none"> Major breach leading to suspension or discontinuation of business and services
Financial	<ul style="list-style-type: none"> <£50,000 	<ul style="list-style-type: none"> > £50,000 <£100,000 	<ul style="list-style-type: none"> >£100,000 <£1,000,000 	<ul style="list-style-type: none"> >£1,000,000 <£5,000,000 	<ul style="list-style-type: none"> >£5,000,000
Service Delivery	<ul style="list-style-type: none"> Disruption to one service for a period <1 week 	<ul style="list-style-type: none"> Disruption to one service for a period of 2 weeks 	<ul style="list-style-type: none"> Loss of one service for between 2-4 weeks 	<ul style="list-style-type: none"> Loss of one or more services for a period of 1 month or more 	<ul style="list-style-type: none"> Permanent cessation of service(s)
Reputation	<ul style="list-style-type: none"> Complaints from individuals / small groups of residents Low local coverage 	<ul style="list-style-type: none"> Complaints from local stakeholders Adverse local media coverage 	<ul style="list-style-type: none"> Broader based general dissatisfaction with the running of the Council Adverse national media coverage 	<ul style="list-style-type: none"> Significant adverse national media coverage Resignation of Director(s) 	<ul style="list-style-type: none"> Persistent adverse national media coverage Resignation / removal of CEX / elected Member
Health & Safety	<ul style="list-style-type: none"> Minor incident resulting in little harm 	<ul style="list-style-type: none"> Minor injury to Council employee or someone in the Council's care 	<ul style="list-style-type: none"> Serious injury to Council employee or someone in the Council's care 	<ul style="list-style-type: none"> Fatality to Council employee or someone in the Council's care 	<ul style="list-style-type: none"> Multiple fatalities to Council employees or individuals in the Council's care

Environment & Community Services (ECS) Risk Register

													DATE LAST REVIEWED:	17/12/2018
No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
1	1	All ECS	Emergency Response Failure to respond effectively to a major emergency / incident internally or externally	Cause(s): -Emergency may be triggered by storms, floods, snow, extreme heat or other emergency. Ineffective response could be caused by capacity and/or organisational issues Effect(s): - Failure to fulfil statutory duties in timely manner - Disruption to infrastructure and service provision in general	Service Delivery	2	4	8	1. Corporate Major Emergency Response Plan 2. E&CS Incident Plan (held by Emergency Planning) 3. Service Business Continuity Plans 4. Out-of-Hours Emergency Service 5. Winter Service Policy and Plan (reviewed annually) 6. Training, Testing and Exercising (includes training provided as part of a new Corporate Business Continuity Group formed in June 2018) 7. Multi-agency assessment of emergency risks	2	3	6	1. Continuation of the Corporate Business Continuity Group 2. Development of risk-specific arrangements in accordance with Minimum Standards for London and informed by the Borough Risk Assessment 3. Implement 'on-call rota' for Emergency Response Manager 4. Recruit and train more Emergency Response Volunteers	David Tait
2	2	All ECS	Central Depot Access Major incident resulting in loss of/reduced Depot access affecting service provision (LBB's main vehicle depot)	Cause(s): - Fire, explosion, train derailment, strike etc. Effect(s): - Significant service disruption (Waste, Street Cleaning, Gritting, Fleet Management, Streetscene & Greenspace service management etc.)	Service Delivery	2	3	6	1. Contingency plans for: - Alternative vehicle parking - Temporary relocation of staff - Storage of bulky materials 2. Implement Business Continuity Plans 3. Close liaison with other Depot users (e.g. Waste Contract, Street Cleansing) and Highways Winter Service Team 4. 'Central Depot Users Group' (Health & Safety forum for all site users) 5. Work Place Risk Assessments in place	1	3	3	1. Consideration of issue as part of the Environmental Services Contracts commencing in 2019.	Paul Chilton
3	3	All ECS	Fuel Availability Fuel shortage impacting on both LBB and service provider transport fleet	Cause(s): - National or local fuel shortage caused by picketing or other external factors Effect(s): - Failure to provide services impacting on residents and other customers	Service Delivery	1	5	5	1. Identified alternative fuel supplies at contractors and neighbouring boroughs (corporate Fuel Disruption Plans based on National Plan are held by the Emergency Planning Team) 2. Designated Filling Station identified under National Emergency Plan by London Resilience Team as designated fuel supply for LBB logoed vehicles 3. Fuel store at Central Depot 4. Ongoing liaison with other London Boroughs concerning collaboration and assistance	1	4	4	1. Continue to monitor service provider arrangements for ensuring adequate fuel supply.	John Bosley
4	4	All ECS	Business Continuity Arrangements Lack of up-to-date, tried and tested, BCP for all Council services	Cause(s): - Failure to implement and keep up-to-date effective service and corporate Business Continuity Plans Effect(s): - Non-provision of critical services following an incident (internal or external)	Service Delivery	2	4	8	1. Corporate Risk Management Group now encompasses Business Continuity 2. New Corporate Business Continuity Group established in June 2018 with representation from ECS 3. Undertaking Business Impact Analyses of all services to identify priorities 4. Developing a Corporate Business Continuity Plan and updating service BCPs 5. Emergency Planning Training Exercise undertaken in March 2018 with involvement across all of ECS	2	4	8	1. Continue to conduct training exercises to ensure that BCPs for each service area work in real life. ICT system failure has been identified as the largest risk and is outside the control of ECS	David Tait
5	6	All ECS	Industrial Action Contractors' staff work-to-rule / take strike action impacting on service delivery	Cause(s): - Union dissatisfaction over pay and conditions (particularly in Waste) Effect(s): - Temporary disruption to service / reduced customer satisfaction	Service Delivery	3	4	12	1. Ongoing monitoring / meetings regarding workforce issues 2. Joint development of Business Contingency Plans with contractor	3	4	12	1. Review public communications to be used in the event of a strike 2. Staff training and engagement will be built into the mobilisation strategy for the new Environmental Services contracts.	John Bosley
6	8	All ECS	Health & Safety (E&CS) Ineffective management, processes and systems within E&CS departmentally	Cause(s): - Failure to take departmental action to reduce likelihood of accidents, incidents and other H&S issues Effect(s): - HSE investigation / prosecution leading to fines, increased insurance claims, and reputational damage	Health & Safety	3	4	12	1. Workplace Risk Assessments (including lone and home working) 2. Accident & Incident Reporting system (AR3 & Riddor) 3. Contractor Inspection Reporting system (which has been updated to an electronic reporting system in July 2018) 4. Interface with Corporate Risk Management Group 5. Annual audits and annual paths surveys (Parks) 6. Cyclical 5-year survey of park trees and highway trees 7. Regular Footway inspections 8. ECS Health and Safety Committee meets regularly to review departmental Health and Safety arrangements	2	4	8	1. Ensure Workplace Risk Assessments (inc. Homeworking) updated annually and biennial reviews conducted 2. Encourage reporting of all significant accidents and incidents using AR3 form (and reporting of RIDDOR incidents) 3. Ensure resource exists to discharge statutory functions	Sarah Foster

Environment & Community Services (ECS) Risk Register

													DATE LAST REVIEWED:	17/12/2018
No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
7	11	Streetscene and Greenspace	Environmental Services Contract (Mobilisation) Failure to effectively mobilise the new Environmental Services Contracts	Cause(s): - Unfamiliarity with new contract model (client & contractors) - Lack of client capacity to progress mobilisation - Lack of supplier capacity to progress mobilisation - Significant service change requiring service-user consultation - Lack of preparation of contract transition (exit and mobilisation) plans Effect(s): - Reputational damage - Costs incurred as a result of additional last minute resources required to deliver services - Failure to deliver service to requirements / KPIs / expectations	Service Delivery, Financial & Reputational	3	4	12	1. Regular Project Planning meetings are held to discuss contract transition 2. Project Initiation Documents signed off on 30.10.18 3. Transition Plans are being developed (including exit and mobilisation plans for each contract) 4. Continued review of contract transition plans as part of client project meetings 5. Regular discussions of exit plans with supply chain (and commissioning support) through monthly contract meetings (additional meetings to be held as contract end date approaches)	2	4	8	1. Formal meetings to be established with service providers to mobilise contracts, following contract award.	John Bosley
8	12	Highways	Highways Management Deterioration of the Highway Network due to under-investment	Cause(s): - Failure to manage Highways in respect of traffic volumes, winter weather, financial resources leading to deteriorating condition Effect (s): - Leading to increased maintenance costs, insurance claims (trips, falls and RTAs) and reputational damage	Financial	2	4	8	1. Strategy to mitigate insurance claims 2. Inspection regime and defined intervention levels for maintenance repairs and monitoring 10% of works for compliance 3. Winter Maintenance procedures (gritting/salting) 4. Increased salt storage capacity 5. Improved customer expectation management 6. Asset management technique (e.g. Highway Asset Management Plan) 7. New capital programme to reduce reactive works 8. Performance Management measures incorporated into new Highways contract from July 2018	3	2	6	1. Review frequency of Highways Inspections and adjust as deemed appropriate to effectively manage the risk in line with revised Code of Practice (published 2016) 2. Additional inspections carried out and repairs undertaken as necessary 3. Modernisation of contractor's programming and completion of maintenance repairs involving remote working ICT technology	Garry Warner
9	13	Streetscene and Greenspace	Arboricultural Management Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc.	Cause(s): - Failure to ensure that trees are managed as safely as reasonably practicable Effect (s): - Leading to blocked highways, reputational damage and financial liabilities	Financial	3	3	9	1. Tree care and safety contract (commenced July 2008) with Gristwood & Toms Tree Contractors Ltd 2. Full asset Survey of ~30% of street and park trees (and 50% of school trees) 3. Risk trees identified and registered increased inspection frequency using asset management database (Confirm) 4. Implement remedial works to address risk associated defects 5. Review Tree Risk Management Strategy (annually). Last reviewed in Feb 2018 6. Review the 'Storm Strategy' annually (last reviewed Feb 2018) to be able to respond quickly and call in additional staff, equipment and contractors 7. Provide a cyclical safety survey and remedial works schedule commensurate to budget availability and potential prioritisation	1	3	3	1. Review of staffing levels is underway to ensure sufficient resource to deliver the required tree risk management strategy annually	John Bosley
10	14	All ECS	Income Variation (Highways and Parking) Loss of income when the Council is looking to grow income to offset reduced funding	Cause(s): - Improved Street Works performance by utility companies (reduced fines) - Under-achievement of expected car parking income and parking enforcement, due to resistance to price increases and reduced incidents - Loss of income from Penalty Charge Notices for Bus Lane Enforcement activity - Reduction in Street Enforcement activity (Fixed Penalty Notices) - Failure of APCOA (new Parking contractor) to provide contracted services (e.g. strikes) Effect (s): - Loss of income with potential to reduce service delivery funds	Financial	3	2	6	1. Regular income monitoring 2. Monitoring contractor performance (e.g. only issue good quality PCNs) 3. Good debt recovery systems 4. Monitoring parking use and avoid excessive charge increases 5. Provide attractive, safe clean car parks 6. Regular contractor meetings 7. Monitoring of parking enforcement activity through new Performance Indicators reported to PDS Committees (E&CS, PP&E)	3	2	6	1. Refine procedure for resolving disputes with utilities 2. Review parking tariff structures annually 3. Monitor income trends 4. Continue to monitor success in achieving enforcement objectives 5. Benchmark Parking charges against other authorities and local private sector competitors 6. Intelligence-led targeting of hotspots sites for enforcement	Nigel Davies

Environment & Community Services (ECS) Risk Register

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No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
11	15	Streetscene and Greenspace	Waste Budget Increasing waste tonnages resulting in increased waste management costs	<p>Cause(s):</p> <ul style="list-style-type: none"> - Failure to anticipate/manage waste management financial/cost pressures due to increasing landfill tax, increasing property numbers, declining recycling income (lower paper tonnages) and limited incineration capacity - Failure to achieve contract payment mechanism targets for the proportion of waste sent to landfill/incineration/recycling/composting (this cause will be redundant as of April 2019) - Waste tonnage growing faster than budgeted or operational factors (i.e. adverse weather conditions, etc.) <p>Effect(s):</p> <ul style="list-style-type: none"> - Budgets being exceeded and potential knock-on impact on other Council services 	Financial	3	4	12	<ol style="list-style-type: none"> 1. Cost pressures recognised in Council's Financial Strategy 2. Landfill tonnages falling - offsets any tax increase 3. Continued focus on promoting waste minimisation and recycling (e.g. in Environment Matters and through targeted campaigns such as Food Waste doorstep) - Monthly monitoring of recycled tonnages and projection to yearly figures - Regular and sustained recycling awareness campaign - Consolidation of Compositing for All campaign - Continuing investigation of waste minimisation and recycling initiatives - Monthly monitoring of all waste tonnages and projection to yearly figures - Monthly monitoring of all collection costs and figures - Ongoing analysis of collection and disposal methodology 4. Consideration of alternative disposal routes e.g. increased use of Veolia's Mechanical Biological Treatment (MBT) plant 5. Reviewing and benchmarking operational costs to identify options 6. Achieving best value tenders under new contract - contract awarded announced December 2018 	2	3	6	1. The new waste contract will commence in April 2019 and this risk will be reviewed after that time to determine whether any additional action is required.	John Bosley
12	17	Public Protection	Food Standards Agency Audit Failure to meet required service standards as required by Food Standards Agency Audit (April 2017)	<p>Cause(s):</p> <ul style="list-style-type: none"> - Lack of resource to meet Code of Practice service standards. Staff are not staying with Bromley due to other authorities providing more attractive employment opportunities. <p>Effect(s):</p> <ul style="list-style-type: none"> - Leading to reputational damage and possible use of Power of Direction 	Health & Safety	4	3	12	<p>Following a recent meeting with the FSA (September 2018), they accepted the issues the Team has in recruiting Officers with the prerequisite qualifications necessary to carry out the spectrum of work. In response, they advised the Team to:</p> <ol style="list-style-type: none"> a. Focus on completing due A-D inspections b. Focus on completing overdue C-D inspections c. This authorisation to shift focus has necessitated a new work programme designed to achieve the desired outcome which has now been developed by the Lead Practitioner. <ol style="list-style-type: none"> 1. The new work programme has been implemented, and focus was given to completing due A-D inspections and overdue C-D inspections. 2. There are still issues with recruitment, as a FTE officer has resigned, and an agency officer left with no notice. Still a need to recruit to 1.4 X FTE food safety officers to address the vacancies. <p>Met with the FSA again on 26th October 18, and they confirmed they were pleased with progress, as the new focus has reduced the overdue inspections considerably. They are following up in 3 months, and anticipate signing off the audit in 6 months if progress is maintained. It should be noted that at the October monthly performance review for this service, all Performance Indicators were reported as Green (on track).</p>	4	3	12	<ol style="list-style-type: none"> 1. Establish a process whereby recruitment to Bromley is encouraged and staff are provided with an incentive to remain. 2. Build resilience into food safety team. 	Joanne Stowell
13	18	All ECS	Town Centre Businesses Loss of town centre businesses to competition	<p>Cause(s):</p> <ul style="list-style-type: none"> - Failure to redevelop high streets coupled with competition from out-of-town developments and online shopping <p>Effect(s):</p> <ul style="list-style-type: none"> - Reduction in high street business and market stall occupancy Loss of income (Business rates and market stalls) Poor public perception and negative publicity 	Financial	3	4	12	<ol style="list-style-type: none"> 1. BID Teams organise town centres events 2. Investment in Orpington High Street and Bromley North (done) 3. Regular advertising/promotion of markets and availability of stalls 4. Review of Market operational costs to reduce costs where possible (a Commissioning exercise is underway as at December 2018 for the markets service) 5. Regular maintenance and renewal of market infrastructure - recent market relocation project has been undertaken. 	2	3	6	<ol style="list-style-type: none"> 1. Ongoing review of market provision linked to outsourcing service provision to Bromley Business Improvement District 2. Detailed annual action plan to be drawn up for each town centre 	Colin Brand
14	19	Traffic and Parking	New Parking Schemes Failure to deliver new Parking schemes resulting in income loss and congestion	<p>Cause(s):</p> <ul style="list-style-type: none"> Increasing demand from residents for parking schemes coupled with decreasing grant funding from TfL <p>Effect(s):</p> <ul style="list-style-type: none"> Increased congestion and reduced income 	Service Delivery	3	4	12	<ol style="list-style-type: none"> 1. Setup register of agreed schemes with designated officers and timescales 2. Develop and agree financial appraisal framework with finance department 3. Software procured (2013/14) to help improve project and programme management 	2	2	4	1. Consideration to be given to better balancing the cost of scheme design against parking charges	Angus Culverwell

Environment & Community Services (ECS) Risk Register

													DATE LAST REVIEWED:	17/12/2018
No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
15	20	All ECS	Staff Resourcing and Capability Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	<p>Cause(s):</p> <ul style="list-style-type: none"> -Availability of suitably qualified / experienced staff to replace retirees and leavers. Particular problem within Planning, Environmental Health and Traffic professionals (TIL offers better remuneration and career progression). Lack of incentive for good staff to remain at LBB. <p>Effect (s):</p> <ul style="list-style-type: none"> -Loss of organisational memory, greater reliance on contracted staff, delays in delivering services / plans (e.g. Transport Local Implementation Plan, FSA Audit plan). Inability to effectively manage contracts as Contract Managers may have started out in a different role (i.e. as Service Managers) and do not have the necessary expertise to do so (i.e. auditing). 	Service Delivery	3	4	12	1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and ongoing CPD	2	2	4	1. Consider potential for contractors to supply necessary skills 2. Review options with HR for incentivisation schemes to ensure staff recruitment and retention is high	Nigel Davies
16	21	Streetscene and Greenspace	Burial Space Insufficient Council-operated burial space for long-term demand	<p>Cause(s):</p> <ul style="list-style-type: none"> -Potential lack of acceptable local space for burials (ashes interment not a problem) <p>Effect (s):</p> <ul style="list-style-type: none"> -Leading to reputational damage 	Reputational	3	3	9	1. Burial plots are available at St Mary Cray and Biggin Hill (with some limited capacity in other sites for partners of deceased) 2. New cemetery provided by the private sector at Kemnal Manor Chislehurst, which will alleviate pressures on Council-owned burial space 3. Excess Death Plan is in place and held by Emergency Planning (with regard to burial capacity in the Coronial Area) 4. Mortuary contract procurement is in progress	2	2	4	1. Monitor availability of private sector capacity 2. Consider what further burial alternatives are being provided by the private sector i.e. new cemetery at Kemnal Manor, Chislehurst	John Bosley
17	22	All ECS	Climate Change Failure to adapt the borough and Council services to our changing climate	<p>Cause(s):</p> <ul style="list-style-type: none"> -Severe weather events including extreme heat, storms, floods etc. <p>Effect (s):</p> <ul style="list-style-type: none"> -Resulting in threats to service provision, environmental quality and residents' health 	Service Delivery	3	3	9	1. Adopt best adaptation practice as identified through London Climate Change Partnership, UK Climate Impacts Programme, and the Local Adaptation Advisory Panel 2. Implementation of LBB's Carbon Management Programme 2. LBB Surface Water Management Plan and Draft Local Flood Risk Strategy	2	3	6	1. Emergency Planning to liaise with Public Health on cross-cutting issues e.g. excess summer deaths and vector-borne disease etc.	Sarah Foster
18	23	Public Protection	Mortuary Contract Failure to procure tendered services to budget	<p>Cause(s):</p> <ul style="list-style-type: none"> - Lack of interest from potential bidders - Tendered costs being higher than budget / forecast <p>Effect(s):</p> <ul style="list-style-type: none"> - Risk of challenge - Reputational damage - Failure to achieve best value - Lack of competition / bids - Failure to deliver service to requirements / KPIs / expectations 	Financial & Service Delivery	4	4	16	1. Existing contract extended whilst negotiations are underway	3	4	12	1. Partnership agreement The Assistant Director is in a negotiated contract process with the PRUH, and is exploring alternative delivery options for the future provision of the service.	Joanne Stowell
19	24	Public Protection	CCTV Contract (Mobilisation) Failure to effectively mobilise the new CCTV contracts	<p>Cause(s):</p> <ul style="list-style-type: none"> - Unfamiliarity with new contract model (client & contractors) - Lack of client capacity to progress mobilisation - Lack of supplier capacity to progress mobilisation - Significant service change requiring service-user consultation - Lack of preparation of contract transition (exit and mobilisation) plans <p>Effect(s):</p> <ul style="list-style-type: none"> - Reputational damage - Costs incurred as a result of additional last minute resources required to deliver services - Failure to deliver service to requirements / KPIs / expectations 	Service Delivery, Financial & Reputational	2	3	6	1. Regular Project Board meetings are held to discuss contract transition 2. Transition Plans are being developed (including exit and mobilisation plans for each contract)	1	3	3	1. Continued review of contract transition plans as part of client project meetings 2. Regular discussions of exit plans with supply chain (and commissioning support) through monthly contract meetings (additional meetings to be held as contract end date approaches)	Joanne Stowell

Environment & Community Services (ECS) Risk Register

													DATE LAST REVIEWED:	17/12/2018
No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
20	25	Public Protection	Income Reconciliation (Public Protection Licensing) Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	Cause(s): - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems. Effect (s): - Loss of income with potential to reduce service delivery funds - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Continual Benchmarking of licensing charges against other authorities	3	2	6	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this	Joanne Stowell
21	26	Streetscene and Greenspace	Income Reconciliation (Waste Management) Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	Cause(s): - Lack of integration between client and service provider IT systems so that data is not linked Effect (s): - Loss of income from Commercial Waste and Green Garden Waste services with potential to reduce service delivery funds - Costs incurred as a result of additional last minute resources required to deliver services - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators	1	2	2	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this 2. Governance of mobilisation to be provided through the Environmental Services Commissioning project board.	John Bosley
22	27	Streetscene and Greenspace	Bromley Town Centre Market Reorganisation Failure to deliver a successful market reorganisation which meets the needs of traders, businesses and customers	Cause(s): - Insufficient engagement to identify the needs of all stakeholders throughout the project Effect (s): - Inability to deliver a thriving town centre market - Loss of income from reduced market stall hire - Reputational damage caused by dissatisfied businesses	Reputational/ Financial	3	3	9	1. Project Manager identified to lead on market reorganisation 2. Regular stakeholder meetings to review the progress of the market reorganisation (Markets Manager, Markets Supervisor, enforcement team, Highways team, Planning team and BID) 3. Public consultation on the design and layout of the new market position 4. Live RAID log maintained by Markets Manager and Business Support Team detailing any concerns raised by stakeholders and actions to address them 5. Regular dialogue with traders and businesses (in person meet and greet with Markets Manager and Markets Supervisor) 6. Successful launch event with the Mayor for new market location to officially open Christmas trading	2	3	6	1. Lessons learned documentation to be completed 2. Meetings with Highways team to be continued in order to complete outstanding Highways snagging list in the High Street	Sarah Foster
23	28	Public Protection	Dogs and Pests Contract Failure to deliver the contract to the required service levels	Cause(s): - Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures Effect (s): - Inability to deliver statutory functions - Reputational damage	Service Delivery	3	2	6	1. Identification of named Contract Manager 2. Regular contract management meetings with service provider 3. Review of contract specification to identify change control requirements	2	2	4	1. Implementation of Change Control Notices	Joanne Stowell
24	29	Public Protection	Out of Hours Noise Service Failure to deliver statutory services	Cause(s): The out of hours noise service is dependant on grant funding from the Mayors Office for Policing & Crime (MOPAC) by way of the Local Crime Prevention Fund. This grant is released on a 2 year cycle, current cycle ends March 2020. The grant was reduced in 2017 and there is no guarantee it will be sustained post April 2020. Effect: Inability to deliver Out of Hours Noise Service.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB.	Rob Vale
25	30	Public Protection	Integrated Offender Management Failure to contribute to IOM in Bromley	Causes: - IOM functions are reliant on grant funding from MOPAC via the LCPF, equates to one day per week. Reduction or cessation of grant after April 2020. Effect: - Inability to contribute to IOM in Bromley.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB.	Rob Vale

Environment & Community Services (ECS) Risk Register

											DATE LAST REVIEWED:		17/12/2018	
No.	ECS RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
26	31	Public Protection	Anti-Social Behavior Co-Ordinator post: Failure to deliver ASB problem solving and partnership activity	<p>Cause(s): -Grant from MOPAC via the LCPF is used to fund the ASB Co-ordinator post which is responsible for delivering targeted ASB project work across the borough with partner agencies.</p> <p>Effect: -Inability to fund this post would result in the cessation of targeted ASB work with partners across the borough. Funding for this post was reduced in 2018 and the shortfall was met by LBB. Continued funding would need to be identified to sustain the post beyond April 2019.</p>	Service Delivery	3	4	12	1. Review of project outcomes to determine whether they can be delivered on a reduced budget with LBB contributions in kind	3	4	12	1. Review of Community Safety functions to allow for MOPAC project delivery on reduced days per week. MOPAC funding is outside of the control of LBB.	Rob Vale

Report No.
ES19014

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 5th February 2019

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

Title: FORWARD WORK PROGRAMME & MATTERS ARISING

Contact Officer: Sarah Foster, Head of Performance Management and Business Support
Tel: 020 8313 4023 Email: sarah.foster@bromley.gov.uk

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

Ward: (All Wards)

1. Reason for report

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

- developing the 2018/19 Forward Work Programme; and
- progressing requests made at previous meetings

2. **RECOMMENDATIONS**

2.1 That PDS Committee reviews and comments on:

- (a) Forward Work Programme for 2018/19 (Appendix 1);
- (b) Progress concerning Committee requests (Appendix 2).

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Environment Portfolio Revenue Budget & LIP funding
 4. Total current budget for this head: £30.0m and £4.347m of TfL / LIP funding
 5. Source of funding: 2018/19 controllable revenue budget and 2018/19 LIP funding agreed by TfL
-

Personnel

1. Number of staff (current and additional): 147.3 FTEs
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

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

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment and Community Services Portfolio's Forward Work Programme for 2018/19 including: the provisional report title (or activity); the lead division; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate.
- 3.2 Other reports may be added to the Work Programme as schemes and contracts are developed. In addition, there may also be references from other committees, the Environment and Community Services Portfolio Holder, or the Executive.

Previous Requests by the Committee

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

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

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

5. POLICY IMPLICATIONS

- 5.1 Each PDS Committee is responsible for developing its own Forward Work Programme and Environment & Community Services PDS Committee's future work programme is set out in Appendix 1.
- 5.2 The activities in this report reflect the Council's priorities and aims as set out in:
- Environment Portfolio Plan 2018/21 (see ES18035 on the 10th July 2018 agenda)
 - [Building a Better Bromley 2016-18](#) ('Quality Environment' & 'Excellent Council').

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Environment PDS Committee agendas and minutes: 2006/07 to 2018/19 Environment Portfolio Plan ES18035 Building a Better Bromley (2016-18)

APPENDIX 1

ENVIRONMENT PDS COMMITTEE FORWARD WORK PROGRAMME: 2018/19 MEETINGS

Meeting Date: 5 February 2019	Division	Committee Role
Parking Fees and Charges Report	T&P	Pre-decision scrutiny
Commercial Waste Fees and Charges	S&G	Pre-decision scrutiny
Proposed Making-Up of Clarence Road, Bickley – Second Resolution	T&P	Pre-decision scrutiny
Environment Portfolio Plan: Performance Overview	E&CS	PDS Committee
Draft Budget: 2019/20	Finance	PDS Committee
Capital Monitoring Report	Finance	PDS Committee
Food Waste Campaign Update Report	S&G	PDS Committee
Parking Services – Contractor Performance Review, APCOA Parking, Year 2	T&P	PDS Committee
LIP3: Consultation Report	T&P	PDS Committee
Contract Register	E&CS	PDS Committee
Risk Register	E&CS	PDS Committee
Forward Work Programme & Matters Arising	E&CS	PDS Committee
Meeting Date: 9th April 2019	Division	Committee Role
Budget Monitoring: 2018/19	Finance	Pre-decision scrutiny
Civic Centre Multi-Storey Car Park – replacement of Parking Management System	T&P	Pre-decision scrutiny
Air Quality Action Plan	PP	Pre-decision scrutiny
Environment Portfolio Plan: Performance Overview	E&CS	PDS Committee
JB Riney & Co. Ltd. – Highways Contract Scrutiny	T&H	PDS Committee
Fly-Tipping Action Plan 6 monthly progress report	S&G	PDS Committee
Review of the role of Executive Assistant to the Portfolio Holder (as requested by ERC PDS Committee on 11 October 2018)	E&CS	PDS Committee
Expenditure on Consultants – Reference Report	Democratic/ Commissioning and Procurement	PDS Committee
ECS Fees and Charges Report	S&G	PDS Committee
Forward Work Programme & Matters Arising	E&CS	PDS Committee

Meeting Date: July 2019 (exact date tbc)	Division	Committee Role
Budget Monitoring: 2019/20 and Provisional Outturn 2018/19	Finance	Pre-decision scrutiny
Draft Environment Portfolio Plan: 2019/20	E&CS	Pre-decision scrutiny
Environment Portfolio Plan: 2018/19 12 month progress Report	E&CS	PDS Committee
Contract Register	E&CS	PDS Committee
Forward Work Programme & Matters Arising	E&CS	PDS Committee

APPENDIX 2

ENVIRONMENT PDS COMMITTEE PROGRESS REPORT ON PREVIOUS REQUESTS

Request Date	Committee Request	Progress
5 th September 2018	<p>Departmental Red Risks</p> <p>At the meeting of the Executive, Resources and Contracts PDS Committee, the Chairman requested that any departmental risks marked as 'red' needed to be presented to each meeting of the relevant PDS Committee for monitoring until they were no longer red.</p>	<p>During the review and update of the ECS Departmental Risk Register on 17th December 2018, one of the departmental risks was identified as having a gross (pre-controls) risk rating of red. This risk is detailed below, along with the existing controls that are in place to bring the current risk rating down.</p> <p>It should be noted that whilst this risk appears on the ECS departmental register; the matter relates to Public Protection and as such, will be discussed in detail at the Public Protection & Enforcement PDS Committee, rather than at the Environment & Community Services PDS Committee.</p> <p><u>Mortuaries Contract (Gross Risk Rating 16 (Red), Current post –control Risk Rating 12 (Amber)).</u></p> <p>Risk Owner Joanne Stowell, AD Public Protection.</p> <p><u>Existing Controls:</u></p> <p>Existing contract extended whilst negotiations are underway</p> <p><u>Further Action Required:</u></p> <p>Partnership agreement: The Assistant Director is in a negotiated contract process with the PRUH, and is exploring alternative delivery options for the future provision of the service.</p>
20 th November 2018	<p>Waste Service Options (Part 2)</p> <p>The Portfolio Holder indicated that the Committee could take a lead in considering innovative ways to carry out the waste service differently. The Vice-Chairman suggested the Committee start discussions on how it might consider service change matters at its next meeting.</p>	<p>Committee to discuss how it wishes to be engaged with, regarding matters relating to proposed waste service changes.</p>

<p>20th November 2018</p>	<p>Performance Data – Killed and Seriously Injured (KSI)</p> <p>In regard to Total Road Accident Injuries and Deaths, slight accidents are not (now) reported. However, for KSI data there is now consistency and each London borough will now change its Local Implementation Plan (LIP) in line with TfL targets. Officers will have new updated LB Bromley figures for the Committee’s next meeting.</p>	<p>The past data in the performance overview now reflects the results of TfL's back-casting project.</p> <p>Targets are being finalised in LIP3 document for submission to TfL in February and cannot be included until this has been published.</p> <p>Updated figures will appear in the April report.</p>
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