



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

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

DIRECT LINE: 020 8313 4508

FAX: 020 8290 0608

DATE: 01 April 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 9 APRIL
2019 AT 7.00 PM**

MARK BOWEN
Director of Corporate Services

For this meeting, Members are requested to view the agenda and reports via their iPads or laptops. Reports will also be projected on to a screen in the Committee Room. A limited number of paper agenda packs will be available for members of the public attending the meeting.

*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 3rd April 2019.

4 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 5TH FEBRUARY 2019 (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 3rd April 2019.

6 ENVIRONMENT PORTFOLIO PLAN: PERFORMANCE OVERVIEW (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 BUDGET MONITORING 2018/19 (Pages 31 - 40)

b CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2018/19 & CAPITAL STRATEGY 2019 TO 2023 (Pages 41 - 48)

c DOCKLESS E-BIKES (Pages 49 - 62)

POLICY DEVELOPMENT AND OTHER ITEMS

8 HIGHWAYS CONTRACTOR PERFORMANCE REVIEW - JB RINEY (Pages 63 - 68)

9 UPDATE ON STREET LIGHTING COMPUTER MANAGEMENT SYSTEM

Oral report

10 FLY-TIPPING ACTION PLAN (Pages 69 - 82)

11 EXPENDITURE ON CONSULTANTS 2017/18 & 2018/19 (Pages 83 - 100)

12 CONTRACT REGISTER (Pages 101 - 112)

13 FORWARD WORK PROGRAMME AND MATTERS ARISING (Pages 113 - 118)

PART 2 AGENDA

14 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

- | | |
|---|---|
| 15 FLY-TIPPING ACTION PLAN (Pages 119 - 126) | Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. |
| 16 CONTRACT REGISTER (Pages 127 - 130) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

This page is left intentionally blank

ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 5 February 2019

Present

Councillor Will Harmer (Chairman)
Councillor David Jefferys (Vice-Chairman)
Councillors Gareth Allatt, Mark Brock, Ian Dunn,
Colin Hitchins, Will Rowlands and Melanie Stevens

Also Present

Councillor William Huntington-Thresher

44 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllr Samaris Huntington-Thresher and Cllr Kieran Terry. Cllr Gareth Allatt attended as alternate for Cllr Terry.

Cllr Kira Gabbert also sent apologies as Executive Assistant to the Portfolio Holder.

45 DECLARATIONS OF INTEREST

For item 7b, Cllr Ian Dunn declared an interest by virtue of residence at a property within a Controlled Parking Zone (CPZ) in the borough. For the same item, Cllr Gareth Allatt also declared an interest by virtue of having a parking permit.

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

There were no questions to the Committee.

47 MINUTES OF THE ENVIRONMENT AND COMMUNITY SERVICES PDS COMMITTEE MEETINGS HELD ON 20TH NOVEMBER 2018 AND 17TH DECEMBER 2018 (SPECIAL MEETING)

The minutes were agreed.

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

Four questions had been received. Details of the questions and replies are at **Appendix A**.

5 February 2019

49 ECS PERFORMANCE MONITORING 2018/19

Members received the latest performance monitoring overview. This included performance indicators, targets, and a RAG status for each indicator. Quarterly data was also provided where appropriate along with a year-end projection (where appropriate) and a high/low assessment of good performance. Commentary against each indicator provided further information.

The position on indicators marked amber was outlined to Members. For Indicator ES26, *Customers using online self-serve transactions to challenge PCNs (%)*, the original 2018/19 target of 74% will be adjusted for next year to one less ambitious but more realistic. A lower target of 67.4% was currently being proposed.

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

a CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2018/19

Report FSD19016

Following Executive's agreement (on 28th November 2018) to a revised Capital Programme from 2018/19 to 2021/22, changes for the Environment and Community Portfolio were outlined and a revised programme for the portfolio presented.

Report FSD19016 also included actual spend against budget at 3rd January 2019 and a revised estimate for projects as at November 2018. Comments on progress for the individual schemes/projects were also included.

RESOLVED that the Portfolio Holder be recommended to note and confirm the changes agreed by the Executive on 28th November 2018.

b PARKING FEES AND INCOME REVIEW 2019

Report ES18090

Parking charges had been reviewed borough-wide (in line with the agreed Parking Strategy) with on and off street parking fees recommended, including permit fees and changes to Bromley Zone A. Proposed changes to parking controls in Sundridge Park Village car park and Biggin Hill were also recommended. The proposed charges had been benchmarked against inflation since the previous increase in 2015.

Report ES18090 proposed:

- a 10p increase per hour to all on and off-street pay and display tariffs with the minimum charge increasing from 40p to 50p per hour;
- a 20p increase at premium locations with a higher demand where the charge is currently £1.50 or more;
- that charges in the Lebanon Gardens Car Park, Biggin Hill are not included in the increase (following a recent petition), leaving the charge at 40p per hour (to be the cheapest in the borough).

Details of proposed charges for all on and off street parking bays were appended to the report. For parking permits, prices are based on the cost of scheme management including administration and level of enforcement needed (related to hours of operation for permit bays). Prices for all permits have been frozen since at least 2015. Any restriction of four hours or less is currently charged at £40 for an annual permit; any restriction over four hours is charged at £80. The charging differential covers extra costs of enforcement by Civil Enforcement Officers.

Proposed charges for Resident, Business and Visitor Vouchers are:

Resident Permits	Current Charge	Proposed Charge
Restriction 4 hours and under	£40	£50
Restriction over 4 hours	£80	£100
Business Permits	Current Charge	Proposed Charge
Standard	£100	£125
Premium Locations	£225	£275
Visitor Vouchers	Current Charge	Proposed Charge
Restriction 4 hours and under (pack of 15 visitor vouchers)	£35	£45
Restriction over 4 Hours (pack of 15 visitor vouchers)	£35	£55

For Visitor Vouchers, a charge is proposed for residents in Controlled Parking Zones (CPZs) restricted for four hours or less and another is proposed for CPZs restricted over four hours. As such, the cost of a pack of 15 visitor vouchers for residents in a CPZ of four hours or less would increase from £35.00 to £45.00 (increasing each voucher from £2.33 to £3.00) and for residents in a CPZ of more than four hours, the cost of a pack (of 15 visitor vouchers) would increase from £35.00 to £55.00 (increasing each voucher from £2.33 to £3.66). A second pricing tier would add fairness and equality for residents of all CPZs. Currently, a visitor in a lesser-enforced CPZ pays the same for a two-hour restriction as a visitor parking in a ten-hour restriction. CPZs that would be affected by the £55.00 visitor voucher cost are:

Area	Zone
Beckenham	BEC
Beckenham	F
Burnt Ash Lane	G
Camden Grove	N
Clock House	Z1
Copers Cope	R
Farnborough	WR
Locksbottom	E
Maple Road	MAP
Orpington	I
Walnuts Estate	WAL

(Residents in other Town Centre/Community shopping centre areas are excluded from buying visitor vouchers and this was proposed to remain unchanged.)

Full details of proposed charges for all resident permits, business permits and visitor vouchers were appended to Report ES18090.

The cost of parking dispensations (permitting organisations to park on a single yellow line during restricted times) was also proposed to increase from £12.50 per week to £20 per week. Similarly, for parking suspensions (permitting workmen of organisations or residents to park vehicles in a restricted parking bay during restricted times e.g. permit bay, pay and display, or limited waiting bay) the suspension fee is proposed to increase to £20 per day from £10 per bay suspension per day. However, it was proposed to retain the administration fee for parking suspensions at £25.00.

Dispensations	Current Charge	Proposed Charge
All Locations	£12.50	£20
Suspensions	Current Charge	Proposed Charge
Admin Fee	£25	£25
Suspension per Bay	£10	£20

A review had also been undertaken of Zone-A of the Bromley Town Centre CPZ with the aim of ensuring: (i) that signs within the Zone are clearly understood by permit holders and town centre visitors; (ii) a balance exists between parking needs of residents and visitors; (iii) flexibility or alternative options for drivers in the evening visiting the town centre; and (iv) consistency of parking controls on roads within the CPZ. As a result of the review a new Zone-AA was proposed operating from 8am - 8pm in Ravensbourne Road, Ringers Road, Ethelbert Road, Aylesbury Road, Newbury Road, High Street, Elmfield Road, and Elmfield Park. The detailed design of the proposal includes:

- reallocating approximately 12 Shared Use bays on Ravensbourne Road, Ethelbert Road and Ringers Road to Permit Holder Only;
- extending the enforcement hours of bays in Aylesbury Road and Newbury Road to 8am-8pm and reallocating approximately ten Permit Holder Only bays to Shared Use bays;
- removing 6.30–8pm restrictions on Church Road and South Street, which will remain in Zone-A;
- increasing the cost of resident permits where Zone-C roads become Zone-A roads, due to extended hours of CPZ; and
- new Permit Holder Only bays on Hayes Road and Sanford Road to replace some of the Shared Use bays.

Consultation is continuing with Shortlands and Bromley Town Ward Councillors with the next stage being to consult with the public following which further changes might be necessary. As such, a decision on the detailed design of the scheme, post-consultation, was recommended for delegation to the Executive Director of Environment and Community Services, in discussion with the Portfolio Holder and Ward Members. Implementation was expected to be July 2019.

Within Plaistow and Sundridge Ward, a New Pay and Display Scheme was proposed at Sundridge Park Village Car Park, Cooden Close. Following a decision in 2013 to remove charges for use of the car park (and revert the facility back to free use), it has, for some time, been heavily used by commuters using Sundridge Park station. A free car park serving commuters is unusual and maintenance costs for the Car Park continues (the car park is in need of re-surfacing). Car parks need to be self-financing so that repair costs are paid by users of a facility. As such, a Monday to Friday only tariff was recommended at the car park at 50p per hour, £2.50 maximum per day (the same tariff as commuter car parks at Penge East and Lennard Road). Although additional parking controls have been put in nearby residential streets to address commuter parking, a review of parking in the vicinity was also recommended before implementing any charges at the car park. It was additionally recommended that a final design for both parking controls in residential roads and details of the car park charging be delegated to the Executive Director of Environment and Community Services, after discussions with the Portfolio Holder and Ward Members.

Additionally, a new Pay and Display Scheme was also proposed for Main Road, Biggin Hill. Although the current time-limited parking controls can assist turnover for the benefit of local shops, they are difficult to enforce, resulting in long-term parking in many bays by shops and drivers moving from one bay to another over a daily period (not allowing turnover). To assist the position at Main Road, Biggin Hill, a Pay and Display scheme was recommended for consultation (with 45 bays currently proposed). The final design of a scheme could then be delegated to the Executive Director of Environment and Community Services, following discussions with the Portfolio Holder and Ward Members.

5 February 2019

In taking account of comments from Members and Officers since publication of Report ES18090, a revised schedule of Pay and Display Charges was tabled as Appendix 1 to the report. A couple of car parks had also seen a reduction in usage. Additionally, comments from Cllr Melanie Stevens on the proposed Pay and Display scheme for Main Road, Biggin Hill were tabled.

Comments from Cllr Kieran Terry (unable to attend) on proposed charges for Chislehurst Town Centre, Gosshill Road Chislehurst, and Bromley Civic Centre were also tabled (Cllr Terry's comments can be viewed on the meeting page of the Council's website at the following link

<https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=127&MId=6464&Ver=4>

). The Assistant Director, Traffic and Parking had read the submission from Cllr Terry and having taken account of Cllr Terry's comments confirmed that they did not affect the report's overall recommendations.

On parking permit charge changes, it was suggested they seemed high in a low inflation context. However, they had not increased for at least four years. The permit costs need to cover the cost of enforcement and other CPZ related costs. The charges will remain competitive with other boroughs and maintain the pro-rata charging levels for different durations of operation.

An undertaking had previously been given not to raise the charges for four years. Cumulative inflation over the period amounted to about 10% and in a low inflation period, less frequent price increases were perhaps more appropriate. The increases are planned for 1st April 2019 but it was suggested they take place over two years (to soften their impact). The Chairman suggested reducing the cost of a first car for a permit but escalating costs for subsequent cars. Officers offered to look at the suggestion and model the idea should this be wanted. Aspects concerning permit charges would also be considered with the Council's Transformation agenda and related matters would be brought to Members in the summer.

Concerning a new Pay and Display Scheme for Main Road, Biggin Hill, Cllr Melanie Stevens (Biggin Hill) indicated that most traders have parking at the rear of shops and many of the spaces in car parks are empty. It is also possible to park without cost at the Waitrose car park. Cllr Stevens also implied that spaces along Main Road remain empty as it is possible to see along the high street to its end. Concerning difficulties with enforcing time limited parking bays, Cllr Stevens suggested that the parking facilities would be (are being) abused if it is not possible to adequately enforce the bays. Instead, Cllr Stevens referred to the benefits of cashless parking which is much easier to enforce and enforcement would therefore be more successful. The Assistant Director indicated that features of the proposed Biggin Hill scheme had worked successfully on previous occasions in similar circumstances e.g. at Westmoreland Road.

Concerning a New Pay and Display Scheme at the Sundridge Park Village Car Park, Cooden Close, Cllr Allatt (Plaistow and Sundridge) suggested that

drivers would park elsewhere should the proposed scheme be implemented. However, the scheme would cover the cost of the car park and following a question from the Chairman on how many schemes had met their business target, details were outlined to Members. Nevertheless, if a similar scheme previously introduced had not worked effectively, it was questioned why the new scheme should be introduced. Should the scheme be supported, the Assistant Director advised that a design would include controls in nearby roads to cover any parking displacement.

In view of Cllr Stevens and Cllr Allatt needing more information on the Biggin Hill and Sundridge schemes and the Chairman requiring information on any schemes not meeting their business case (income against actual expenditure) to see whether the policy is working, it was agreed that the Portfolio Holder be recommended to defer a decision on these two schemes. Cllr Allatt asked to see a probability analysis in particular of potential parking displacement to adjacent roads for the Sundridge scheme. The Assistant Director advised that officers are aware of where vehicles were displaced on the previous occasion that charges were introduced at Cooden Close Car Park. Officers would be able to implement schemes around the car park so that residents are not affected.

For recommendations related to Bromley Zone A it was agreed to support these subject to consultation with Ward Members on roads at the edges of the scheme.

RESOLVED that the Portfolio Holder be recommended to:

- (1) agree the proposed parking charges as set out at Appendix 1 to Report ES18090;**
- (2) agree the proposed permit charges as set out at Appendix 2 to Report ES18090;**
- (3) agree the proposed dispensation and suspension charges set out at Section 5 of Report ES18090;**
- (4) agree the proposed changes to Bromley Zone A Controlled Parking Zone set out at Section 6 of Report ES18090 subject to consultation with Ward Members on roads at the edges of the scheme;**
- (5) defer a decision on the proposed changes to parking controls in the Sundridge Park Village car park and surrounding streets (set out at Section 7 of Report ES18090) subject to further information being provided as outlined above;**
- (6) defer a decision on the proposed changes to parking controls in Biggin Hill (set out at Section 8 of Report ES18090) subject to further information being provided as outlined above; and**

- (7) the decision regarding detailed design of the proposed changes to Bromley Zone A Controlled Parking Zone post-consultation be delegated to the Executive Director of Environment and Community Services, in discussion with the Portfolio Holder and Ward Members.**

c COMMERCIAL WASTE FEES AND CHARGES

Report ES19020

Report ES19020 sought approval to 2019/20 charges proposed for Commercial Waste Collection Services (CWCS) and for waste delivered to the waste transfer stations.

Waste Collection Authorities (WCA) have a duty under section 45(1)(b) of the Environment Protection Act 1990 to arrange for the collection of commercial waste where requested to do so and the Council provides a reasonably priced alternative to private sector CWCS operators. The service is reviewed and fees set annually to ensure it covers all reasonable costs on a full cost recovery basis. Pricing applied to the CWCS comprises:

- an analysis of the annual contract inflationary increase in service charges applied (or in this case the new contract prices);
- forecasting increases in cost of waste disposal associated with the activity;
- annual application of Landfill Tax impacting on a proportion of the waste disposal charges; and
- a benchmarking exercise of regional London boroughs to establish competitiveness of the fees and charges applied.

Results of benchmarking for the 2019/20 Fees and Charges were appended to Report ES19020 (covering collection and disposal of commercial waste and container rental for domestic waste). Current service fees are 18.5% below average benchmarked prices of analysed regional authorities, demonstrating flexibility for service fees to increase in pricing the CWCS and hire charges.

The review also included consideration of new costs as part of a full cost recovery model (e.g. recovering the new waste management service contract costs for administering the service) as well as the waste collection and waste disposal costs from the CWCS along with:

- a recommended 30% reduction in the CWCS for container rental;
- a 36% increase in collection and disposal charge; and
- an annual Waste Transfer Note administration charge of £110.

For commercial and industrial waste delivered to the Council's disposal waste transfer stations, current prices were recommended to continue at £185 per tonne including VAT (however, a service charge cannot be applied for direct delivery of charitable waste to the waste disposal operation).

Members supported the recommendations in Report ES19020.

RESOLVED that the Portfolio Holder be recommended to agree:

(1) the application of increases in service costs for the commercial waste collection service as outlined at paragraph 3.5 of Report ES19020, comprising a 30% decrease for the rental charge of commercial waste containers, a 36% fee increase for collection and disposal of waste and an adjusted fee rate for administration of the waste transfer note documentation at £110;

(2) a decrease in the charge for rental of domestic bulk waste containers by 30% to reflect recovery of actual costs, as outlined at paragraph 3.6 of Report ES19020;

(3) that the recommended price applied to commercial and industrial waste delivered to the Council's disposal waste transfer stations remains at the 2018/19 prices of £185 per tonne; and

(4) that authority be delegated to the Executive Director of Environment and Community Services, through consultation with the Portfolio Holder, to apply further changes to fees for chargeable waste services due to the delay caused through mobilisation of the new waste management contract, and to ensure the application of pricing adjustment(s) to ensure that a full-cost recovery of charges for services is achieved in-year.

**d PROPOSED MAKING-UP OF CLARENCE ROAD, BICKLEY
(PART) - SECOND RESOLUTION**

Report ES19015

Concerning the making up and adoption of Clarence Road, Bickley (between Page Heath Lane and Southlands Grove) as a highway maintainable at public expense, a Resolution of Approval was sought under the Private Street Works Code contained in the Highways Act 1980. The Portfolio Holder made a First Resolution in respect of Clarence Road under S.205(1) of the Highways Act 1980, following the Committee's meeting on 10th October 2018.

The unmade section of the street crosses a railway line via a bridge approximately half way along its length. The bridge is maintained by Network Rail but considered weak with a maximum 13 tonnes limit. Rather than the bridge bear additional road construction weight and the weight of additional traffic, including any heavy vehicles (not observing the weight limit), an experimental road closure is proposed between the southern boundary of 62 Clarence Road and the driveway access to numbers 79-87 Clarence Road prohibiting all vehicles except pedestrians, pedal cycles and Network Rail service vehicles maintaining the bridge. The closure would be reviewed after

5 February 2019

six months with a view to making it a permanent closure. As such, works over the bridge could be carried out to reduced design standards with the completed scheme supporting Bromley's ambition to promote quality cycle routes in the borough.

Although a Member highlighted the cost of the scheme, an explanation was provided of its purpose and background and Members agreed to support the recommendations.

RESOLVED that:

(1) the Portfolio Holder be recommended to make 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 Director of Environment and Community Services in due course; and

(2) in future, where the Committee recommends 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 Director of Environment and Community Services.

51 DRAFT BUDGET 2019/20

Report FSD19007

Members considered the Portfolio Holder's Draft 2019/20 Budget incorporating future cost pressures and initial draft budget saving options as reported to Executive on 16th January 2019.

Executive asked each PDS Committee to consider the initial draft budget savings and cost pressures for their Portfolio. Views from each Committee would then be reported to the Executive when considering recommendations to Council on 2019/20 Council Tax levels.

Outstanding issues and areas of uncertainty continued to remain for the Draft 2019/20 Budget - any further updates would be included in the 2019/20 Council Tax report to Executive.

In discussion, brief reference was made to the new Environmental Services Contract from 1st April 2019 particularly in regard to the Waste Disposal (Lot 1) and Waste Collection (Lot 2). This primarily accounted for an increased level of budget next year as there will be increased costs in Year 1 of the new contract. However, from Year 2 costs will decrease going forward.

On Highways, a Member felt that reducing the road maintenance budget would not be sensible given the condition of a number of roads in the borough. The Portfolio Holder indicated that a £1.17m lump sum had recently been provided from the Government's announcement on local roads funding. This would support road maintenance in the borough and it could be expected that this investment together with Bromley's own recent investment in highways would result in newer roads requiring less maintenance over the next few years. As such, a temporary road maintenance budget reduction should be able to be accommodated. Monitoring could also be undertaken by the Committee. However, the Member considered, taking account of the condition of the borough's roads, that should £177k be removed from the budget, there would be increased costs longer-term.

RESOLVED that:

- (1) the update on the financial forecast for 2019/20 to 2022/23 be noted;**
- (2) the initial draft 2019/20 budget be noted as a basis for setting the 2019/20 budget; and**
- (3) the Committee's comments on the initial draft 2019/20 budget be provided for the Executive to consider at their meeting on 13th February 2019.**

52 LIP3 CONSULTATION REPORT

Report ES19018

Since previously considering L B Bromley's Draft Local Implementation Plan (LIP) 3 on 10th October 2018, Members were updated on subsequent consultation results. In so doing, Members were asked to consider how the results might inform future policy and scheme development and to consider whether any further changes could be made to the LIP.

The consultation ran from 5th November 2018 to 13th January 2019 including a webpage dedicated to the draft LIP3 (<https://www.bromley.gov.uk/localimplementationplan>). Online responses were possible via a survey with more detailed comments emailed or posted. A total of 526 bodies were also directly consulted, including statutory consultees. Additionally, a [press release](#) published via the Council's Facebook and Twitter accounts was reported in the News Shopper, Bromley Times, and Bromley Borough News. Information on the consultation was further included in the Bromley Winter Newsletter emailed to some 50,000 residents (who had provided email addresses for this purpose).

Following publication of Report ES19018, the consultation results were summarised for Members and Public (circulated to Members in advance of the meeting and tabled). This consultation document can also be seen via the following link to papers for the meeting

5 February 2019

(<https://cde.bromley.gov.uk/ieListDocuments.aspx?CId=127&MId=6464&Ver=4>). A draft LIP3 post consultation was also tabled as was a summary of changes to the draft LIP3 post consultation. Both documents can be seen via the link above. Additionally, comments on the item from Cllr Kieran Terry (unable to be at the meeting) were tabled and again these can be seen via the above link.

TfL had submitted a number of comments which it would like addressed or clarified prior to submission of the finalised LIP for approval in March 2019. The comments were generally minor without changing the broad approach of the draft LIP. No major changes are therefore required to the LIP although a number of small changes were made in response to stakeholder comments clarifying the Borough's position/proposals or adding more detail to a proposal. It was highlighted that reference to a response from the Friends of Orpington Priory and Gardens was inadvertently missing from material tabled. *(Democratic Services Note: It was highlighted post-meeting that the consultation response from Ashfield Lane Road Safety Group (ALRSG) had also been omitted and has since been added to the consultation report).*

A number of stakeholders provided detailed comments on particular locations in the Borough and these would be considered further as annual delivery programmes are developed during LIP3.

Certain funding details were also provided in relation to the 2019/20 LIP allocation.

A Member commented that it was good to see that the London Cycling Campaign (LCC) and Bromley Cyclists were positive on the draft LIP3.

RESOLVED that:

- (1) the LIP3 consultation results be noted; and**
- (2) the final LIP allocation for 2019/20 be noted.**

**53 PARKING SERVICES - CONTRACTOR PERFORMANCE
REVIEW, APCOA PARKING, YEAR 2**

Report ES18089

Members considered performance of the Parking Services Contractor APCOA (enforcement of parking restrictions, maintenance of Council car parks, maintenance of pay and display machines, and back office functions).

Although APCOA had a number of challenges in year one of the contract, the second year has seen an improvement in service areas and performance is satisfactory.

On enforcement, Report ES18089 provided figures on PCNs issued annually from 1st April 2013 to 31st March 2018 i.e. those issued by Civil Enforcement Officers (CEOs) and those issued as a result of CCTV cameras for bus Lanes and those capturing offences on school zigzag restrictions. Figures on PCNs predicted for 2018 /19 were also provided. Although fewer CEO issued PCNs are predicted, enforcement will no longer take place on shared use bays in seven roads from 18:30 – 20:00 during a review of Bromley Town Centre - the signage causing confusion for drivers. Compliance, rather than poor deployment, might have also increased and this is being investigated; however, enforcement requests had increased 132% in the previous three years with only 29% of requests this year resulting in a PCN. Such enforcement visits can take CEOs away from busier areas (e.g. town centres and car parks) and work is ongoing to maintain enforcement in these areas. The existing KPI on responding to enforcement requests within a set time (depending on time of day) is being considered in favour of a more targeted approach and website information on enforcement requests will be reviewed.

APCOA are also reviewing beat sheets (with Council assistance) to ensure adequate enforcement around the borough and intelligence led deployment. Since October 2018, APCOA have additionally trialled a vehicle with ANPR camera technology in permit zones. Updated twice daily with permit information, the technology detects a vehicle without a valid permit and a CEO issues a PCN for a contravention. Data indicates a successful use of the vehicle enabling CPZs to be covered more efficiently with CEOs reallocated to busier parts of the borough. Investment in further ANPR vehicles will be considered upon a full analysis of the trial.

As a further initiative, virtual briefings in parts of the borough will enable CEOs to head directly to their beat rather than attend APCOA's main office each morning. This is being considered to decrease CEO travel time and enable more enforcement.

To reduce staff turnover, ACPOA are reviewing the level of CEO remuneration and a new Contract Manager will start in February 2019. A joint compliance review will also start, with monthly reports analysing roads needing visits to ensure efficient enforcement borough-wide. Of defaults applied so far this year, 73.75% concern enforcement.

Concerning Council-run car parks, Parking Services are investigating reduced usage and will compare use to those of non-Council car parks in the area. An APCOA proposal to improve the Civic Centre Car Park is also being considered. Of defaults applied so far this year, 3.77% have related to car park maintenance, Pay and Display machine maintenance, and cleaning of car parks.

Defaults at 17.24% have been triggered by business processing covering PCN administration e.g. logging appeals on time, banking cheque payments, answering emails, printing formal documents, and registering cases with the Traffic Enforcement Centre and Enforcement Agents (Bailiffs). The Business

5 February 2019

Processing Section also covers permit processing including applications for resident and business permits (and verifying evidence before application approval) as well as covering the sale of visitor vouchers.

To adapt contract and service delivery to meet changes in the parking service, all KPIs in the APCOA contract will be reviewed every two years and where necessary amended, added to, or removed. All KPIs for the contract were appended to Report ES18089. Each month they are reviewed and where necessary a default is charged against APCOA. For any financial loss to the Council some of the loss can be recovered. In the first year of the contract (2017/18), 12% of the overall contract price was paid back by APCOA in performance related reductions. As the year proceeded, APCOA improved in their monthly development and for the second year of the contract (2018/19) from April to November, APCOA paid 2% of the overall contract price in performance related reductions.

Report ES18089 was considered by the Public Protection and Enforcement PDS Committee at its meeting on 30th January 2019 and a draft minute of the Committee's consideration of the item was tabled for Members. Mr Ken Stone, Regional Manager, APCOA also attended for the item alongside the Head of Shared Parking Services.

For the trial use of an APNR vehicle, data from the trial is being collated and APCOA are looking to obtain full results of success or otherwise in certain areas. The Committee will be updated at its meeting on 9th April 2019.

To enforce against parking on zig-zag lines outside schools, moveable cameras are used. The cameras are due to be moved in April 2019 and consideration is being given to where they should be placed. Further cameras will be procured before the end of the financial year and Members supported the purchase of as many cameras as can be used across restrictions. The Chairman considered this an important safety measure. Accordingly, Members formally recommended that the Portfolio Holder resolve to arrange their purchase.

In regard to raised parking on kerbs of roads in Biggin Hill (where it was necessary to do so), a special message can be sent to CEOs directing that no enforcement action be taken in such cases.

The Chairman highlighted concerns in regard to the Council's multi-storey car parks at the Civic Centre and The Hill. Payment machines were poor and frequently out of service, new notes and coins are not always accepted, and the machines take some time to use. For The Hill, queues can form down Beckenham Lane to enter the car park. The Chairman felt that use of the car parks should be a good experience, particularly with free parking at competitor shopping centres.

Two main defaults had been issued to APCOA for payment machines. One related to a machine being out of order for 24 hours and the other concerned

a problem taking three days to resolve. Some machines fail each day but are fixed within the KPI time frame - APCOA have a team to fix such problems. However, the Chairman felt it should not be necessary to have a team and understood the Glades Car Park does not have the problem. He added that the machines (at The Hill and Civic Centre Car Parks) need to be replaced. Concerning the Civic Centre Car Park, officers were looking to submit a report in April on changes to the car park. The Chairman suggested an easy process and more people would pay for a good service with technology. Responsibility for the machines rests with APCOA; there might be a need to review KPIs (related to repair) and KPI related material will be included in the future report on the Civic Centre Car Park.

On the reduced level of PCNs issued, the previous contractor had four KPIs compared to 10 associated with the enforcement section of the current contract. It is necessary to look at whether the KPIs are working (effectively) particularly in regards to deployment. CEO time needs to be spent in places enabling effective enforcement and this will be taken forward as the next piece of work for Parking Services/APCOA. Although CEOs are required to attend locations highlighted by enforcement requests (and respond within time), the activity diverts CEOs from busy areas. Parking Services and APCOA need to undertake work for the relevant KPI to operate as it should. CEO transport from one location to another also needs to be reviewed. APCOA currently provide an incentive for moped use although some CEOs prefer to drive to locations.

On staffing, APCOA now have three contract managers covering (i) off-street parking, (ii) processing, and (iii) enforcement. With staff retention an issue, CEO pay is already above the national living wage and a 2% pay award is being looked at for 2019/20.

To ensure that progress continues, the Chairman felt that APCOA's performance should be considered again by the Committee in a further six months.

RESOLVED that:

**(1) the content of Report ES18089 be noted, particularly on-going work to ensure adequate deployment and compliance around the borough;
and**

(2) the Portfolio Holder be recommended to resolve that arrangements are made to purchase an appropriate number of moveable cameras to enforce against contraventions of zig-zag line restrictions outside schools.

54 FOOD WASTE RECYCLING CAMPAIGN - UPDATE

Report ES19010

Members received an update on the food waste recycling campaign.

Although L B Bromley achieved its Environment Portfolio Plan ambition to recycle 50% of household waste in 2017/18 (with the borough ranked second highest in London for household recycling), its recycling rate has plateaued in recent years and the amount of waste produced per household has risen. The food waste recycling scheme has also seen collected food waste decrease by 19% over the previous five years.

Sending food waste for disposal rather than composting costs £69 per tonne more under the current contract (at 2018/19 prices). On average, over the previous four years, the reduction in food waste recycled (510 tonnes) generates an additional £35k disposal cost per year. The 2016 Waste Composition Analysis indicated that 28% of non-recyclable refuse comprises food waste.

To build on the Food for Thought Campaign, a targeted engagement exercise was commissioned to motivate and re-energise residents to recycle more food. Following a successful funding bid to Resource London, L B Bromley was awarded £14.5k to develop campaign materials for the exercise.

Food waste tonnage and non-recyclable refuse analysed over a two week period in April 2018 identified areas with the lowest amount of food waste collections and the highest amount of non-recyclable refuse. Each lowest performing collection round was reviewed against housing types and local factors to ensure that no external factors might limit use of the scheme. The 21 collection rounds identified as lowest performing - covering 16 wards and 23,000 households - were selected for targeted engagement activity and details were tabled for Members as an appendix to Report ES19010.

A door step campaign of the 23,000 households was undertaken in October and November 2018 with communication materials distributed as well as a free roll of 50 food waste liners to 5,000 households in the four lowest performing food waste collection rounds. Additional borough-wide communication materials included:

- Press release
- Article in Environment Matters
- Social media coverage
- JC Decaux banners in Bromley High Street
- Vehicle panels (for display on recycling vehicles from mid-February)

All 23,000 households received campaign materials and 41% received face-to-face engagement on the food waste service.

Indicative results show that participation in the scheme increased by 2.5% following the campaign. The amount of food waste collected in December 2018 was 5% higher compared to the amount collected in December 2017. Further data analysis will look to see whether the increase can be fully attributed to the campaign and whether it will be sustainable over time. Building on the campaign, officers are reviewing how to continue working with residents to increase recycling and decrease waste management costs e.g. use the analysis of recycling and waste tonnages across different areas to generate a campaign competition between different parts of the borough.

For flats, recycling provision has a focus on dry recycling materials (with neighbourhoods working with Housing Associations) whereas the food waste campaign has more focus on kerbside collections. Blocks of flatted properties can have a compressed bin storage area and contamination can be found as a result of residents trying to recycle different (materials) from concealed areas. Participation rates are high but investment is necessary to break through to a higher level. The Portfolio Holder referred to measures by Resource London to increase participation at flats London-wide. With the borough's new Local Plan adopted, it will also be possible to ensure that developers comply with waste and recycling requirements when designing flatted developments e.g. separate waste and recycling facilities.

Under the new contract, food waste will be collected in a separate vehicle and collection will be easier to monitor. Properly undertaken, home composting is the best solution for appropriate food waste; however, as certain food waste cannot be composted domestically there will always be a need for a food waste collection. The Vice-Chairman drew attention to not wasting food in the first instance.

On future developments, the new contract is being mobilised for waste collection and officers are working with the provider on communication plans. Food Waste recycling will continue to be advertised and promoted. More service data will also be provided under the contract including data from collection rounds showing good and weak areas. In-cab solutions will also register a property not recycling and it will be possible to address some weaknesses in areas. The Chairman favoured the Council website including recycling data for areas e.g. a recycling "heat map" for the borough. At Churchfields Road Reuse and Recycling Centre, a Member suggested a wider slot for the site's paper container.

RESOLVED that the food waste recycling campaign update be noted.

55 CONTRACT REGISTER

Report ES19005

From the Contracts Register presented to Contracts Sub-Committee on 11th December 2018, Members received an extract for the Environment and Community Services (ECS) Portfolio. A further copy provided under Part 2

5 February 2019

proceedings included commentary for each contract.

Key information for ECS was also provided for the preceding two months.

The following contracts had been flagged for attention due to tight tender timescales (rather than any performance issues delivering 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

Concerning the Openview contract, authority is being sought via a Gateway Report to extend the License/maintenance contract, one year at a time, for up to five years. Although Depots Security was to be included in the recently awarded bundle of Environment Services contracts, alternative delivery options are being examined with the possibility of inclusion by change-control notice in the wider LBB Total Facilities Management contract with Amey. Should this approach not be suitable, the current framework arrangement operated by the Eastern Shires Purchasing Organisation (ESPO) may be utilised for an extension period and/or arrangements for any competition to follow in autumn 2019. A budget of £158k is provided for the depot security contract with £136k recovered from depot occupants. The Council is therefore left with a net cost of £22k.

RESOLVED that the £50k+ Contracts Register (which also forms part of the Council's commitment to data transparency) appended to Report ES19005 be noted.

56 RISK REGISTER

Report ES19006

Members received the revised Environment and Community Services (ECS) Risk Register, also forming part of the 2018/19 Annual Governance Statement evidence-base.

The Register had been reviewed by ECS Departmental Management on 17th December 2018, by the Corporate Risk Management Group on 22nd January 2019, and would be reviewed by the Audit Sub-Committee on 26th February 2019.

The ECS Department currently has 26 risks (~29% of the Council's total) and no risks are ragged 'red' following implementation of management control measures.

RESOLVED that the Environment and Community Services Risk Register appended to Report 19006 be noted.

57 FORWARD WORK PROGRAMME & MATTERS ARISING

Report ES19014

Members considered the Committee's remaining 2018/19 Work Programme.

In considering APCOA's performance on parking services earlier in the meeting, the following items were requested for the Work Programme:

- an update on the full results of the trial use of an APNR vehicle (for the Committee's 9th April meeting); and
- consideration of APCOA's performance in a further six months to ensure continuation of progress;

The Vice-Chairman suggested that the Air Quality Action Plan item scheduled for the Committee's 9th April meeting also be taken to the Health and Wellbeing Board.

A Member suggested that Committee Members visit a successful waste and recycling centre operated by another authority. Although the L B Bexley site at Foots Cray, Sidcup was suggested, the Assistant Director of Environment advocated particularly forward thinking and radical options for future site development. As such he referred to the Rainham MURF facility and the Earlswood Community Recycling Centre, Redhill as possible viewing examples. Through Surrey County Council's waste and recycling contract, reuse shops (Revive reuse shops) sold pre-owned items for the home and garden to reduce waste and support local charities.

In terms of site layout at the Waldo Road and Churchfields Road reuse and recycling centres, both sites were constrained to a point and it is a consideration about how to have the sites for the future. The Assistant Director offered to show Committee Members something of best practice and what future provision could be like. Accordingly, suggestions (on visits) would be provided to the Committee.

RESOLVED that:

(1) the latest 2018/19 Forward Work Programme (appended to Report ES19014) be agreed subject to -

5 February 2019

- **an update being provided at the 9th April meeting on the full results of the trial use of an APNR vehicle**
- **consideration of APCOA's performance being scheduled for a further six months to ensure continuation of progress**
- **provision being made for a future visit by Members to a progressive waste and recycling facility (suggestions for such a visit being made by the Assistant Director of Environment); and**

(2) progress concerning Committee requests (appended to Report ES19014) be noted.

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

59 EXEMPT MINUTES OF THE ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 20TH NOVEMBER 2018

The Part 2 minutes were agreed.

60 CONTRACT REGISTER

Members received a Part 2 £50k+Contracts Register extract for the Environment and Community Services Portfolio including commentary.

The Meeting ended at 9.10 pm

Chairman

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

From Cllr Ian Dunn

1. Professional dog walkers make use of the Borough's parks, sometimes walking many dogs, some of which are not on the lead, at one time. This can cause problems for other users of parks, including other dog walkers. Some parks in London operate licencing schemes for professional dog walkers. See links below for some examples:-

<https://www.royalparks.org.uk/managing-the-parks/licences-and-permits/professional-dog-walking-licences>

http://www.wandsworth.gov.uk/info/200296/animal_welfare_licences/761/multiple_dog_walking_licences

https://www.richmond.gov.uk/services/parks_and_open_spaces/parks_enforcement_and_legislation/dog_control_pspo/apply_for_a_professional_dog_walking_licence

<https://www.lambeth.gov.uk/forms/apply-for-a-professional-dog-walking-licence>

Will the Portfolio Holder, possibly jointly with the Portfolio Holder for Public Protection & Enforcement, consider introducing licences for professional dog walkers to use Bromley Parks”

Reply

My initial consideration is that this is not worth pursuing at the current time. The likelihood is that the costs of administering the process would be disproportionately high and probably only the law abiding - non problem dog walkers would participate. In terms of enforcement of a licencing system it would be difficult to distinguish between owners and professional dog walkers.

Since 2010, we have Dog Control orders in place in our parks and when we introduced them the issues arising from professional dog walkers were included. These allow us to require an owner/dog walker to put a lead on a dog and impose a fine of £80 if not complied with. We also require owners/dog walkers to clear up after their dog and can we again impose a fine.

I feel this is sufficient at this time.

2. Can the Portfolio Holder please confirm whether the Council will once again be waiving the charge for street closures over the Big Lunch weekend in 2019? Can he also please confirm what the deadline for applications is?

Reply

The Council has supported this initiative for many years, and the answer is 'Yes'. The deadline for applications is 23rd March, which is confirmed in the news release issued to local media, which has also been circulated to all Members. We always allow a little extra time for last minute applications.

The number of applications last year indicated that many of our communities valued the opportunity of a road closure to allow them space for a Street Party for their community.

However, processing road closures are a cost for the Council and the closures may cause inconvenience to some residents. At this time I cannot give future guarantees, particularly if the popularity wanes or if the majority are hosted off the highway.

3. Now that the Major Scheme in Beckenham High Street is coming to a close, what plans does the Portfolio Holder have for instituting an enhanced pavement cleaning regime to ensure that the pavements remain looking as good as new?

Reply

I do not have plans to instigate an enhanced cleaning regime in Beckenham. The enhanced cleaning in Bromley Town Centre is paid for by part of the fees from the market. Enhanced cleaning is potentially available in other Town Centres if funding is made available by the BIDs or traders. We also can provide kits to the BIDs or traders to make it easier for them to clear chewing gum from footways in their area.

Supplementary Question

Cllr Dunn enquired whether those at Beckenham High Street could use equipment deployed at Bromley North and pay for its use?

Reply

The Portfolio Holder understood there is scope for additional cleaning within the Street Environment Lot of the new Environmental Services contract and this option is preferable to using the cleansing machine deployed at Bromley North.

From Christopher Wells, Vice Chair & Environment Trustee, Chislehurst Society (on behalf of the Chislehurst Safer Streets campaign)

1. Latest research - Atkins, and University of West England (both 2018) - confirms that well designed 20mph zones demonstrably reduce speeds and accidents. Through a recent consultation 90% of Chislehurstians called for such a well designed 20mph zone covering BR7. Will he confirm the Council's agreement to implement this?

Reply

The Council's approach to achieving value for money for its budget in this area is set out in the LIP which has recently been subject to a public consultation and was broadly supported. The Council has an excellent record in reducing injury accidents, particularly those that result in serious injury or death. We remain committed to reduce those ever further and will prioritise locations wherever they occur in the borough to achieve this. A scheme covering the whole of BR7 would not be prioritised on this basis. That does not mean that we will not select areas within BR7 for 20mph zones or public realm improvements over the term of the LIP, but the demand for any changes will be based on the practices laid out in the LIP.

Supplementary Question

Along the A222 running through Chislehurst, Mr Wells highlighted the presence of two secure crossing points compared to seven crossing points north bound along the A222 from Queen Mary's roundabout Sidcup. Mr Wells indicated a need for a crossing at Chislehurst War Memorial Junction and recommended new zebra crossings at Shepherds Green and at Cricket Green.

Reply

The Portfolio Holder explained that the Council had looked to improve facilities at the War Memorial junction but in order not to increase congestion an improved junction was required. This would need additional land and permission from the Board of Trustees of Chislehurst Commons to release land; they were not agreeable to this.

This page is left intentionally blank

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	Jan	Feb	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	Annual	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%	94.52%	95.33%	94.73%	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%	0.87%	1.21%	0.90%	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	12,326	9,933	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%	47.00%	46.00%	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%	4.00%	2.00%	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	40.0	33.0	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	27,497	27,412	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	114	100	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%	100.00%	100.00%	99.36%	HIGH	98%	GREEN	
	11	ES17.1	External Funding* (£000)	Aim 3.5	337	207	340	437	Outcome	175	32	61	6	Quarterly	Quarterly	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	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.
4: Managing our Transport Infrastructure & Public Realm	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	Data due in Q4	Data due in Q4	HIGH	92%	GREEN	
	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	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	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	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	2	2	61	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	111	73	1,606	OUTCOME	N/A	OUTCOME	
	19	NI 198	Children Travelling to School by Car	Aim 5.6	23.00%	22.00%	<30.00%	24.00%	<30%	26.40%	Annual	Annual	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 expected Summer 2019	Annual	Annual	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 expected Summer 2019	Annual	Annual	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 expected Summer 2019	Annual	Annual	Annual	Annual	Annual	Annual	LOW	0.70		Awaited data will relate to the previous calendar year.	
23	NI 47	People Killed or Seriously Injured in Road Traffic Accidents	Aim 5.9	107	131	...	129	...	107	Annual	Annual	Annual	Annual	Annual	Annual	LOW	...		The historical data now reflects the results of TfL's back-casting project. The 2018 calendar data is not expected from TfL until the end of the Summer.	
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	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	Annual	Annual	LOW	...			

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	Jan	Feb	Year End Projection	GOOD PERFORMANCE	2018-19 TARGET	2018-19 RAG STATUS	COMMENTARY (BY EXCEPTION)
5: Improving Travel, Transport & Parking	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%	69.9%	68.5%	66.7%	HIGH	67.4%	GREEN	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 have therefore reviewed the original target and this will be 67.4% moving forward.
	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	4	3	0	65	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%	1.7%	2.0%	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%	35%	37%	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.
FSD19037

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO
HOLDER

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

Date: 9th April 2019

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2018/19

Contact Officer: Claire Martin, Head of Finance ESD
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for report

This report provides an update of the latest budget monitoring position for 2018/19 for the Environment & Community Services Portfolio, based on expenditure and activity levels up to 31 December 2019. This shows an under spend of £675k.

2. **RECOMMENDATION(S)**

That the Environment & Community Services Portfolio Holder:

2.1 **Endorses the latest 2018/19 budget projection for the Environment & Community Services Portfolio.**

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: All Environment & Community Services Portfolio Budgets
 4. Total current budget for this head: £38.5m
 5. Source of funding: Existing revenue budgets 2018/19
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The 2018/19 projected outturn is detailed in Appendix 1. This forecasts the projected spend for each division compared to the latest approved budget, and identifies in full the reasons for any variances.
- 3.2 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1. Budget holders have full responsibility for those budgets classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control. “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service. As such, any variations arising are shown as “non-controllable” within services but “controllable” within the Resources Portfolio. Other examples include cross departmental recharges and capital financing costs. This approach, which is reflected in financial monitoring reports to budget holders, should ensure clearer accountability by identifying variations within the service that controls financial performance. Members should specifically refer to the “controllable” budget variations relating to portfolios in considering financial performance. These variations will include the costs related to the recession.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The 2018/19 budget reflects the financial impact of the Council’s strategies and service plans which impact on all of the Council’s customers and users of our services.

5. POLICY IMPLICATIONS

- 5.1 The “Building a Better Bromley” objective of being an Excellent Council refers to the Council’s intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.
- 5.2 The “2018/19 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2018/19 to minimise the risk of compounding financial pressures in future years.
- 5.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

6. FINANCIAL IMPLICATIONS

- 6.1 Although the overall budget shows an under spend of £675k, the controllable budget for the Environment & Community Services Portfolio is projected to be under spent by £689k at the year-end based on the financial information available to 31 December 2019. The main variations compared to the last reported budget monitoring report are as follows: -

Variation compared to 30 September 2018		£'000
Green Garden Waste Service	Cr	116
GGW Carry forward sum for Direct Debit system	Cr	120
Defaults on waste contract	Cr	28
Waste disposal contract	Cr	39
Waste collection contract	Cr	38
Mobilisation of new contracts		90
Vacancies within management & contract support	Cr	33
Gully Cleansing	Cr	100
Income from road closures	Cr	105
On and Off Street parking income		91
Income from permit parking	Cr	37
Income from PCNs issued by CEO's		115
Vacancies within the Parking Shared Service	Cr	72
NRSWA income	Cr	52
Other minor variations across the Portfolio	Cr	104
	Cr	548

6.2 Some of the major variations are detailed below, with more detail included in Appendix 1.

Street Scene & Green Space (Cr £513k)

- 6.3 The number of green garden waste customers has increased resulting in additional income of £110k. The very dry, hot summer has meant that the sixth vehicle was not used as much as expected as the green garden tonnage was reduced. An under spend of £150k is currently projected. This is partly offset by the cost of purchasing extra containers totalling £22k.
- 6.4 The sum of £120k carried forward to bring in a direct debit system will need to be carried forward to 2018/19. The development of the system has been delayed due to the mobilisation of the Environment contracts and the work required to enable direct debit payments to be taken for the GGW service will not start until April 2019.
- 6.5 A shortfall of income of £157k is expected from Trade Waste services as customer numbers have reduced and additional works of £90k have been carried out during the mobilisation of the Environment contracts.
- 6.6 Other variations within the waste service total Cr £220k, made up of an underspend of £77k on the waste disposal and collection contracts, £66k of defaults applied, £34k staff vacancies, £29k extra income from the sale of recyclates and other minor variations across the division total of Cr £25k.
- 6.7 The dry summer has led to a lower volume of cyclical gully cleansing than expected resulting in an under spend of £100k.
- 6.8 Part year vacancies within the management and contract support team have resulted in an under spend of £71k. A request will be made to the Executive to carry forward £40k of this under spend for additional administration support during the mobilisation period of the new Environment contracts.

Transport and Highways (Cr £176k)

- 6.9 Additional income of £105k has been received for road closures as a result of an increase in applications received from utility companies.
- 6.10 There is a net projected surplus of £234k for income from bus lane contraventions.

- 6.11 The reduction in parking usage continues and a net deficit of £174k is projected.
- 6.12 A reduction in parking contraventions has led to a potential shortfall of income of £415k. This is partly offset by contract performance deductions of £95k and an under spend of £40k for credit card charges and electronic appeal costs.
- 6.13 Additional income of £43k is expected from permit parking and disabled parking.
- 6.14 Part year vacancies within the Shared Service has resulted in an under spend of £104k and other net variations total Cr £19k.
- 6.15 A surplus of income from NRSWA activity is expected of £93k, which includes the release of a provision. Other variations within the Transport and Highways division totals Cr £32k.
- 6.16 The table below summarises the main variances: -

Summary of Major Variations	£'000
Additional green garden waste income	Cr 110
Use of sixth vehicle for GGW collections	Cr 150
Extra containers for GGW	22
Trade waste income	157
Carry forward for direct debut system development (C/F)	Cr 120
Additional works associated with mobilisation of contracts	90
Waste disposal and collection contracts	Cr 77
Waste contract defaults	Cr 66
Staff vacancies	Cr 34
Income from sale of recyclates	Cr 29
Gully Cleansing	Cr 100
Vacancies within Management & contract support	Cr 71
Other minor net under spend within SSGS Division	Cr 25
Income from road closures	Cr 105
Bus Lane Contraventions	Cr 234
Off and On Street parking income	174
Parking Enforcement income	415
Contract performance deductions	Cr 95
Credit card charges & electronic appeal costs	Cr 40
Parking permit and disabled parking income	Cr 43
Part year vacancies within Parking Shared Service	Cr 104
Other minor variations within parking	Cr 19
NRSWA income	Cr 93
Other net variations within Transport & Highways	Cr 32
	<u>Cr 689</u>

Non-Applicable Sections:	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2018/19 budget monitoring files within E&CS Finance section

This page is left intentionally blank

Environment & Community Portfolio Budget Monitoring Summary

2017/18 Actuals £'000	Service Areas	2018/19 Original Budget £'000	2018/19 Latest Approved £'000	2018/19 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	ENVIRONMENT & COMMUNITY PORTFOLIO							
	Street Scene & Green Spaces							
5,071	Parks and Green Spaces	5,231	5,360	5,343	Cr 17	1	Cr 2	0
243	Street Regulation and Enforcement incl markets	352	352	358	6		10	0
16,930	Waste Services	18,120	17,751	17,420	Cr 331	2	Cr 78	0
4,103	Street Environment	4,414	4,414	4,314	Cr 100	3	0	0
907	Management and Contract Support	1,085	1,245	1,174	Cr 71	4	Cr 38	0
801	Trees	749	749	749	0		0	0
28,055		29,951	29,871	29,358	Cr 513		Cr 108	0
	Transport Operations and Depot							
706	Transport Operations and Depot Management	701	526	526	0		0	0
706		701	526	526	0		0	0
	Transport & Highways							
286	Traffic & Road Safety	324	324	219	Cr 105	5	8	0
Cr 7,893	Parking	Cr 7,119	Cr 7,419	Cr 7,365	54	6 - 11	0	0
6,589	Highways (including London Permit Scheme)	6,689	6,520	6,395	Cr 125	12	Cr 41	0
Cr 1,018		Cr 106	Cr 575	Cr 751	Cr 176		Cr 33	0
27,743	TOTAL CONTROLLABLE	30,546	29,822	29,133	Cr 689		Cr 141	0
6,601	TOTAL NON-CONTROLLABLE	6,195	6,240	6,254	14	13	27	0
2,323	TOTAL EXCLUDED RECHARGES	2,540	2,460	2,460	0		0	0
36,667	PORTFOLIO TOTAL	39,281	38,522	37,847	Cr 675		Cr 114	0

Reconciliation of Latest Approved Budget £'000

Original Budget 2018/19 39,281

Carry Forward Requests approved from 2017/18

Green Garden Waste Direct Debits	120
Highway Pothole Grant 2017/18 - Income	Cr 113
Highway Pothole Grant 2017/18 - Expenditure	113
Management and Contract Support	80
Parks Infrastructure works	80

Central Contingency Adjustments

Waste Disposal	Cr 490
Parking - Bus lane contraventions	Cr 300
PYE savings relating to award of Highways maintenance contract	Cr 169
Highway Pothole Grant 2018/19 - Income	Cr 113
Highway Pothole Grant 2018/19 - Expenditure	113
Additional Income & Saving opportunity (AMEY)	Cr 181

Other

Inflation adjustment	56
R&M - Fire Risk Assessments & Cyclical Maintenance	45

Latest Approved Budget for 2018/19

38,522

REASONS FOR VARIATIONS**1. Parks and Green Spaces Cr £17k**

Overall a net underspend of £17k is projected for Parks and Green Spaces mainly due to additional income from floral bedding sponsorship from 2017/18.

2. Waste Services Cr £331k

Overall tonnage is expected to be 168 tonnes below current budget, and 1,480 less than last year, mainly for household tonnage. As a result, contract disposal costs will be £39k below budget.

Additional income of £29k is expected from the sale of recycling materials due to an increase in the market price of textiles and iron.

Across the garden waste collection services, there is a projected underspend of £238k. This is made up of additional income of £110k due to an increase in the number of customers, and an underspend of £150k as the current number of existing customers have not reached the indicative threshold for rerouting of crew schedules for the sixth vehicle. This is partly offset by £22k overspend for the purchase of extra containers.

Based on the tonnage received over the weighbridge from trade customers during April to December, there is a projected reduction in income of £79k from trade waste delivered.

Within trade waste collection there is a net projected shortfall of income of £78k mainly due to a higher customer dropout compared to the level expected.

There is a net underspend of £38k on the refuse collection contract, mainly due to a lower volume than expected on the variable elements including collection of bulk containers and emptying of recycling banks. This has partly offset the £30k cost for purchasing additional trade waste, domestic and recycling containers.

Following agreement of the 2017/18 and the April - September 2018 level of defaults, a total credit of £66k has been received.

Part year vacancies have resulted in an underspend of £34k.

Additional works valued at £90k have needed to be carried out during the mobilisation of the new Environment contract including upgrades on Confirm, the weighbridge system and relocating various teams within the depot.

Other minor variances across the service total Cr £44k.

A request is being made to the Executive to carry forward the £120k set aside for developing a direct debit system for the GW service during next year. Due to the mobilisation of the Environmental contracts, the direct debit system has been delayed and the work required to enable direct debit payments to be taken for the GW service will not start until April 2019.

Summary of overall variations within Waste Services

	£'000
Waste disposal costs	Cr 39
Additional income from sale of recycling materials	Cr 29
Green Garden waste service	Cr 238
Shortfall in trade waste delivered income	79
Trade waste collected income	78
Underspend on refuse collection contract	Cr 38
Purchase of waste containers	30
Defaults received for the waste contract	Cr 66
Underspend on Staffing	Cr 34
Mobilisation of the Environment contract	90
Other minor variances	Cr 44
C/forward of underspend re. green garden waste system to accept direct debit payments	Cr 120
Total variation for Waste Services	<u>Cr 331</u>

3. Street Environment Cr £100k

Overall the Street Environment budget is expected to underspend by £100k. A £100k underspend on gully cleansing and soakaway is due to the dry summer and a lower volume of cyclical cleansing than expected, and a reduction in the level of reactive graffiti removal has resulted in an underspend of £50k. This is partly offset by additional works of £50k spent on drainage and infrastructural work.

4. Management and Contract Support Cr £71k

The Management and Contract Support budget is expected to underspend by £71k due to part year vacancies. A request will be made to Executive to carry forward £40k of the underspend on staffing to 2019/20 for additional administrative support during the mobilisation on the new Environment contract.

5. Traffic & Road Safety Cr £105k

This variation is due to additional income received from road closure charges, mainly due to a spike in the number of applications from utilities companies to carry out infrastructure works.

Parking**6. Income from Bus Lane Contraventions Cr £234k**

There is a net projected surplus of £204k on the deployable automated cameras in bus lanes for 2018/19 based on the number of contraventions to 31st December 2018. There is also an additional £30k income received from PCNs issued in previous years.

7. Off/On Street Car Parking Dr £162k

Overall there is a net variation of Dr £162k for Off and On Street parking.

A deficit of £220k is forecast for Off & On Street Parking income. This is mainly due to a continued downward trend in parking usage, in particular for the on street bays & multi-storey car parks. This deficit includes the delay with the roll out of additional On Street Parking bays.

Additional income of £28k is expected to be received from cashless parking fees, as the use of this service continues to grow.

During the period April to December 2018, £7k defaults was applied to the contract relating to the management of On & Off Street Parking.

£18k additional income is projected from the suspensions of existing parking restrictions. Other minor variations total to Cr £5k.

This overall projected overspend for Off and On Street Car parking within the Parking budget is detailed below:

Summary of variations within Off/On Street Car Parking	OFF ST £'000	ON ST £'000	Total £'000
Off/On Street Car Parking income	72	148	220
Less additional Ring Go fees	Cr 9	Cr 19	Cr 28
Level of Defaults applied to contract Apr to Dec 18	Cr 5	Cr 2	Cr 7
Bay Suspensions		Cr 18	Cr 18
Other minor variations	Cr 7	2	Cr 5
Total variations within Off/On Street Parking	51	111	162

8. Permit Parking Cr £37k

A surplus of £37k is forecast for permit parking income based on activity levels up to December 2018.

9. Disabled Parking Cr £6k

A minor variation is projected for Disabled Permits totalling Cr £6k.

10. Car Parking Enforcement Dr £273k

From the activity levels to December 2018, there is a projected net deficit of around £435k from PCNs issued by APCOA in the current year. This is mainly due to a reduction in contraventions, issues related to the deployment plan and policy changes to the shared use bays in zone A of Bromley Town Centre as well as a growing number of ad hoc enforcement requests from residents using the online form.

Defaults applied to the Enforcement contract totals Cr £88k, which partly offsets the income variation, £40k of which relates to defaults for 2017/18.

There are also underspends for credit card commissioning costs (Cr £18k), electronic appeals costs payable to the Traffic Committee (Cr £22k) and debt collection costs (Cr £14k), as a direct result of the reduction of contraventions .

Additional income of £20k has been received from PCNs issued in previous years.

Summary of variations within Car Parking Enforcement	£'000
PCNs issued by wardens	435
APCOA Enforcement defaults	Cr 88
Credit card commission	Cr 18
Electronic appeals cost	Cr 22
Debt collection costs	Cr 14
Additional income from PCNs issued in previous years	Cr 20
Total variations within Car Parking Enforcement	273

11. Parking Shared Service Cr £104k

Part year vacancies have resulted in an underspend of £104k.

Summary of overall variations within Parking:	£'000
Bus Routes Enforcement	Cr 234
Off Street Car Parking	51
On Street Car Parking	111
Permit Parking	Cr 37
Disabled Parking	Cr 6
Car Parking Enforcement	273
Parking Shared Services	Cr 104
Total variation for Parking	<u>54</u>

12. Highways- Including London Permit Scheme Cr £125k

Within NRSWA income, there is a projected £63k surplus of income, mainly due to an increase in the number Section 74 Notices.

As a result of successful debt recovery processes, £30k of bad debt provision that was previously set aside can be released at year end.

Car allowances are expected to be £10k below budget and other minor variations across the service total Cr 22k.

Summary of Variations within Highways	£'000
Surplus NRSWA Income	Cr 63
Release of bad debt provision	Cr 30
Car allowances	Cr 10
Other minor variations	Cr 22
Total variations within Highways:	<u>Cr 125</u>

13. Non-controllable Dr £14k

There is a projected shortfall in income of £14k within the property rental income budget. Property division are accountable for these variations.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, the following waivers over £50k have been actioned.

1) £60k to undertake one-off seasonal service for the gritter fleet on Highway service in April 2019 to October 2019.

Virements Approved to date under Director's Delegated Powers

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

Report No.
FSD19043

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Environment & Community Services PDS Committee on 9th April 2019

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2018/19 & CAPITAL STRATEGY 2019 TO 2023

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 13th February 2019, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2018/19, and presenting for approval the new capital schemes in the annual capital review process. The Executive agreed a revised capital programme for the five year period 2018/19 to 2022/23. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Environment & 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 13th February 2019.

Corporate Policy

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

Financial

1. Cost of proposal: Total increase of £2.2m over the five years 2018/19 to 2022/23, mainly due to the approval and addition of £2.2m for the TfL Formula Funding scheme.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £31.3m for the Environment & Community Portfolio over the five years 2018/19 to 2022/23
 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 13th February 2019

3.1 A revised Capital Programme has been submitted for approval to the Executive on 13th February 2019, following a detailed monitoring exercise carried out after the 3rd quarter of 2018/19. The base position is the programme approved by the Executive on 28th November 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 paragraph 3.2. 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	2022/23	TOTAL 2018/19 to 2022/23
	£'000	£'000	£'000	£'000	£'000	£'000
Programme approved by Executive 28/11/18	15,339	6,186	5,372	2,210	0	29,107
<u>Variations approved by Executive 13/02/19</u>						
Schemes rephased from 2018/19 into 2019/20 (Para 3.2)	Cr 3,125	3,125	0	0	0	0
New Schemes (see para 3.4)	0	0	0	0	2,210	2,210
Total amendments to the Capital Programme	Cr 3,125	3,125	0	0	2,210	2,210
Total Revised Environment & Community Programme	12,214	9,311	5,372	2,210	2,210	31,317

3.2 Schemes rephased from 2018/19 into 2019/20

As part of the 3rd quarter monitoring exercise, a total of £3,125k has been rephased between 2018/19 and 2019/20 to reflect revised estimates of when expenditure is likely to be incurred. This is primarily due to 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 Q3 Monitoring	2018/19	2019/20	TOTAL
	£'000	£'000	£'000
Beckenham Town Centre Improvements	Cr 200	200	0
Central Depot Wall Scheme	Cr 130	130	0
Depot Improvement Works	Cr 140	140	0
Highways Investment	Cr 2,300	2,300	0
Street Lighting (Invest 2 Save Initiative)	Cr 200	200	0
Scadbury Park Moated Manor	Cr 155	155	0
Total Environment & Community Portfolio rephasing	Cr 3,125	3,125	0

Annual Capital Review – new scheme proposals

3.3 In recent years, the Council has steadily scaled down new capital expenditure plans and has transferred all of the rolling maintenance programmes to the revenue budget. General (un-earmarked) reserves, established from the disposal of housing stock and the Glades Site, have been gradually spent and have fallen from £131m in 1997 to £45.7m (including unapplied capital receipts) as at 31st March 2018. The Council's asset disposal programme has diminished and any new capital spending will effectively have to be met from the Council's remaining revenue reserves.

3.4 As part of the normal annual review of the Capital Programme, Chief Officers were invited to come forward with bids for new capital investment, including Invest to Save bids which were particularly encouraged. . Apart from the regular annual capital bids (TfL funded Highway and Traffic schemes and Feasibility Studies), no additional bids were submitted. The 2022/23 annual provisions for TfL funded Highways and Traffic schemes (£2.2m) and feasibility studies (£10k) was approved and has been added to the Capital Programme.

Post-Completion Reports

3.5 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. 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 2019/20 monitoring cycle:

- The Woodland Improvement Programme

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 13th February 2019. 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 2 2018/19 (Executive 28/11/18) Capital Programme Monitoring Qtr 3 2018/19 (Executive 13/02/19)

APPENDIX A

ENVIRONMENT & COMMUNITY PORTFOLIO - APPROVED CAPITAL PROGRAMME 13TH FEBRUARY 2019										
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.18	Estimate 2018/19	Estimate 2019/20	Estimate 2020/21	Estimate 2021/22	Estimate 2022/23	Responsible Officer	Remarks
		£'000	£'000	£'000	£'000	£'000	£'000	£'000		
	SCHEMES FULLY FUNDED BY TRANSPORT FOR LONDON	8,800	0	0	2,200	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	0	Angus Culverwell	
922660	Borough Transport Priorities (not allocated)	386	189	197	0	0	0	0	Angus Culverwell	
922668	Biking Boroughs	797	747	50	0	0	0	0	Angus Culverwell	
	TFL - New funding streams									
922661	Maintenance	9,515	8,931	584	0	0	0	0	Garry Warner	
922672	LIP Formula Funding	18,140	15,109	3,031	0	0	0	0	Angus Culverwell	
922673	Borough Cycling	12	12	0	0	0	0	0	Angus Culverwell	
922674	Bus Stop Improvement works	205	157	48	0	0	0	0	Angus Culverwell	
922677	Flexi Lane	70	66	4	0	0	0	0	Angus Culverwell	
941539	Widmore Road - BNV	366	61	305	0	0	0	0	Garry Warner	
	TOTAL SCHEMES FUNDED BY TRANSPORT FOR LONDON	38,854	25,826	4,228	2,200	2,200	2,200	2,200		
	OTHER									
917242	Winter maintenance - gritter replacement	1,210	924	36	250	0	0	0	Paul Chilton	
917247	Orpington Public Realm Improvements	2,200	2,166	34	0	0	0	0	Garry Warner	£1.2m TfL funding
941536	Beckenham Town Centre improvements	4,441	1,864	2,377	200	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	0	Angus Culverwell	Funded from TfL £80k and S106 £213k
922676	Orpington Railway Station	133	1	132	0	0	0	0	Angus Culverwell	Funded from TfL £50k and S106 £83k
941901	Central Depot Wall Scheme	716	0	10	706				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	10	3,290	3,162	0	0	Paul Chilton	Exec approval on 11/07/18. Funded from Capital Receipts.
941863	The Woodland Improvements Programme	108	108	0	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	50	200	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	0	John Bosley	Approved Executive 14/09/16
917256	Highway Investment	11,800	5,341	4,159	2,300	0	0	0	Garry Warner	Approved Exec 18/10/16, Council 09/12/16
917257	Scadbury Park Moated Manor	155	0	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	0	Garry Warner	Approved Exec 28/11/18 (Funded by DfT)
927000	Feasibility Studies	50	0	10	10	10	10	10	Claire Martin	
	TOTAL OTHER	37,328	19,039	7,986	7,111	3,172	10	10		
	TOTAL ENVIRONMENT & COMMUNITY PORTFOLIO	76,182	44,865	12,214	9,311	5,372	2,210	2,210		

This page is left intentionally blank

ENVIRONMENT & COMMUNITY PORTFOLIO - APPROVED CAPITAL PROGRAMME 2018/19 - 3RD QUARTER MONITORING				
3rd QUARTER 2018/19				
Capital Scheme/Project	Revised Estimate Nov 2018	Actuals to 11.03.19	Revised Estimate Feb 2019	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	163	584	TfL funding allocated to individual scheme
LIP Formula Funding	3,031	579	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				
	4,228	672	4,228	
OTHER				
Winter maintenance - gritter replacement	36	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	1,992	2,377	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 - 3RD QUARTER MONITORING				
3rd QUARTER 2018/19				
Capital Scheme/Project	Revised Estimate Nov 2018	Actuals to 11.03.19	Revised Estimate Feb 2019	Responsible Officer Comments
	£'000	£'000	£'000	
Central Depot Wall Scheme	140	0	10	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	150	0	10	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	0	0	0	No further spend anticipated - scheme completed.
Street Lighting Invest to Save Initiative	250	31	50	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	2,697	4,159	Approved Exec 18/10/16, Council 09/12/16, £11.8m for investment in planned highway maintenance funded from capital receipts. All carriageway schemes have completed, 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	0	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)	1,117	1,116	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	11,111	5,836	7,986	
TOTAL ENVIRONMENT & COMMUNITY POR	15,339	6,508	12,214	

Report No.
ES19031

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO
HOLDER

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

Date: Tuesday 9th April 2019

Decision Type: Non-Urgent Executive Key

Title: DOCKLESS E-BIKES

Contact Officer: Dan Beckett, Transport Planner
Tel: 020 8461 7672 E-mail: Dan.Beckett@bromley.gov.uk

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

Ward: All Wards

1. Reason for report

To inform members of the intention of Lime Technology Limited in co-operation with the Council to initiate a trial of their dockless electric-assisted bicycle hire scheme in the Borough and to seek the required authority to sign a Memorandum of Understanding about the trial.

2. **RECOMMENDATION(S)**

2.1 That the PDS Committee comment on the proposed trial of E-Bikes by Lime Technology Limited in Bromley.

2.2 The Portfolio Holder agrees to initiate the trial E-Bike hire scheme and authorises that the Memorandum of Understanding with Lime Technology Limited be signed.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The scheme could potentially increase levels of independent travel.
-

Corporate Policy

1. Policy Status : Supports the following Outcomes of Bromley's Third Local Implementation Plan (LIP3).

Outcome 1

London's streets will be healthy and more Londoners will travel actively.

Outcome 3

London's streets will be used more efficiently and have less traffic on them.

The LIP states: "The Borough will investigate opportunities to introduce a commercially viable electric bike hire/lease scheme in the areas of highest potential demand for cycling, focused on Town Centres and other areas with a predominance of flats and stations. Any scheme launched in the Borough will have to comply with TfL's code of practice on dockless cycles."

2. BBB Priority: Quality Environment, Healthy Bromley.
-

Financial

1. Cost of proposal: No cost to the Council as the scheme is privately funded by Lime.
 2. Ongoing costs: No on-going costs expected, other than a small amount of staff time, as the scheme is managed independently of the Council.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
-

Personnel

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: 2/3 hours per week for the initial set up in co-operation with Lime
-

Legal

1. Legal Requirement: No legal requirement, also no current legal basis to prevent scheme from going ahead, however Legal has reviewed the Memorandum of Understanding which this report recommends is signed.
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: If this service is deemed a success at the end of the trial period and officers recommend procuring this service for a further period of time, a gateway report will be required outlining the recommended procurement route, even if there would be no cost to the Council.

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This is difficult to define at this stage but as an example, Brent and Ealing have amassed approximately 10,000 unique users since launching in December 2018.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? The proposal was included in Bromley's draft LIP3 which all ward members were invited to comment on, however no comments regarding E-Bike hire were received.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 Lime Technology Limited operates dockless electric bicycle hire schemes in a number of towns and cities worldwide. In the UK they currently offer their services in Milton Keynes and the London Boroughs of Brent and Ealing with more expected to follow. Following an approach to the Council, Lime is hoping to begin operating within the Borough on an initial trial basis. The scheme would run independently of the Council and would therefore require no financial assistance with one-off capital outlay or ongoing costs.
- 3.2 The scheme works by users 'unlocking' a bike through the Lime smartphone app, upon the cessation of their journey they use the same app to 'lock' the bike and are charged accordingly through each bike's GPS tracking. If a bike is not immediately available to a user, the app will also provide information as to where the nearest available bike is located. Bikes can be used and left beyond the Borough boundary.
- 3.3 The current proposed number of bikes provided for the trial would be between 200 and 500, with the exact number being set according to market demand. Bikes would initially be distributed to key hub locations agreed with the Council, such as railway stations and town centres and are all equipped with a kickstand. However due to their dockless nature they can be parked at the user's discretion at the end of their journey, although certain sensitive areas where the Council does not wish bikes to be parked can be excluded via geo-fencing.
- 3.4 The bikes typically require their batteries to be swapped every few days so the monitoring, collection and redistribution to hub sites by Lime operatives is expected to be regular. Lime has confirmed that their bikes are attended to on average of 1 to 3 times per week. Each bike is also furnished with a 24 hour telephone helpline number and email address so issues can be immediately reported. Given the dockless nature of the scheme where bikes can be left conveniently near to destinations outside of hubs, Lime have agreed for bikes causing an obstruction to be removed within two hours of reporting (between 0700 and 2100 hours). Lime encourages the user to park bikes responsibly and to use bike parking facilities where available. This is done through instructions written on each bike and when using the app.
- 3.5 If the scheme goes ahead it is important that residents are made aware of Lime's commitment to removing bikes causing an obstruction, and to not report such instances via Fix My Street. This would be done through cooperative promotion with Lime.
- 3.6 The initial trial period would be for 12 months with a cancellation notice period of 30 days for both parties.
- 3.7 Provision of the bikes at transport hubs would involve a discussion between Lime and the land owner/operator (for example Network Rail, Southeastern, TfL), which could include reserving 10 or so cycle parking spaces at a station as a hub.
- 3.8 Town Centre BIDS have been made aware of the proposal and are in favour, they would also provide a liaison with businesses that may be affected. There is also the potential to work with major employers such as the NHS to encourage use of the bikes for commuting and staff travel, to reduce the pressure on parking, especially in locations where the Borough is investing in new cycling infrastructure.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 It is intended this scheme will increase options for independent travel for adults in the Borough.

5. POLICY IMPLICATIONS

5.1 An electric-assisted bicycle hire scheme supports Outcomes 1 and 3 of the Third Local Implementation Plan:

Outcome 1

London's streets will be healthy and more Londoners will travel actively.

Outcome 3

London's streets will be used more efficiently and have less traffic on them.

5.2 In doing so it will support the realisation of the following LIP3 targets:

- An increase in the percentage of residents undertaking at least two x10 minutes of active travel every day. At present only 30% of residents are achieving this, although the Borough aspires to achieve 38% by 2021 and 70% by 2041.
- By 2021/22, the Council will aim for 2% of daily trips originating in the Borough made by bicycle (from a current figure of 1.2%).

6. FINANCIAL IMPLICATIONS

6.1 The scheme does not require any funding from the Council, however a small amount of Officer time is likely to be required to monitor the success or otherwise of the scheme and to address any concerns or issues.

6.2 In the unlikely event of bikes being unattended long term and requiring removal by the Council, the following estimated costs would be incurred.

Table 1. Service Costs for bicycle removal and storage

Unit cost – removal and storage (includes 7 days storage)	Additional Storage fee per unit applied every 7 days until collection or disposal	Disposal cost per unit
£4.50	£1.50	£25

Table 2. Administration and Intervention costs (in addition to unit costs above)

Units reported per week	Administration fee applied per week based on units reported
1-5	£25
6-15	£50
16-30	£100
31-50	£150
51-100	£225

7. PERSONNEL IMPLICATIONS

7.1 This scheme is not expected to require additional staff.

8. LEGAL IMPLICATIONS

8.1 The Council would be expected to sign a Memorandum of Understanding with Lime that encompasses day to day operations and expectations. This MOU is currently with the Council's Commercial Legal Team to ensure it is satisfactory, the current draft is included in Appendix 1.

9. PROCUREMENT IMPLICATIONS

9.1 This report seeks legal authority from Members for an agreement for a free 12 month trial period with Lime Technology Limited for their dockless electric-assisted bicycle hire scheme in the Borough.

9.2 If this service is deemed a success at the end of the trial period and officers recommend procuring this service for a further period of time, a gateway report will be required outlining the recommended procurement route.

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

Memorandum of Understanding
Between

LIME TECHNOLOGY LIMITED

Registered address: Hays Galleria, 1 Hays Lane, London SE1 2RD

Company Number: 11517465

And

The London Borough of Bromley

This Memorandum of Understanding (MoU) sets for the terms and understanding between Lime Technology Limited, and The London Borough of Bromley to implement a trial scheme for dockless bike sharing (the project).

CONTENTS

1. BACKGROUND	2
2. PROJECT OVERVIEW	2
3. THE TRIAL OBJECTIVES ARE;	3
4. SERVICE MANAGEMENT	3
5. BIKE SPECIFICATION AND SAFETY	4
6. USE OF DATA AND INFORMATION	5
7. CONFIDENTIALITY	5
8. REPORTING	5
9. DURATION	6
10. DISPUTES	6
11. TERMINATION	6
12. GENERAL	6
13. REPRESENTATIVES / CONTACT INFORMATION	7

1. BACKGROUND

- 1.1 Lime Technology Limited (company number: 11517465) "Lime" is a company registered in England and Wales which was established for the purpose of providing dockless mobility solutions to cities, towns, business and unviersities in the UK.

2. PROJECT OVERVIEW

- 2.1 The project is to initially deliver up to 500 dockless bikes within the Borough of Bromley.
- 2.2 The trial will start on 2019 with 200-500 bikes
- 2.3 The trial will last for a 12-month period
- 2.4 The project will be reviewed at a monthly meeting between the parties to understand usage and if there is a requirement to increase the number of bikes on the streets. The increase will be mutually agreed between both parties.
- 2.5 Lime will manufacture, deliver / deploy bikes. The key locations and quantities are to be agreed with the Borough of Bromley.
- 2.6 Lime will maintain, thorough servicing and repairs, for all bikes deployed in Bromley.
- 2.7 Bromley will engage with Lime with the view to entering a long term agreement at the end of the trial period.

3. THE TRIAL OBJECTIVES ARE;

- 3.1 Develop a working partnership between Lime and Bromley.
- 3.2 Deploy up to 500 dockless bikes to key locations, with areas to be agreed by Bromley.
- 3.3 Develop marketing strategies and campaigns in partnership with Bromley.
- 3.4 Deploy Lime App.
- 3.5 Regularly share data with Bromley
- 3.6 Monthly review and understand feedback in relation to the project and refine the project as required.
- 3.7 Work with Bromley to identify virtual parking stations and official dockless cycle parking areas.
- 3.8 Ensure that bike deployment, and redeployment plans abide by dockless parking good practice guidance
- 3.9 Work with Bromley to develop good cycling practices / safety campaigns and introduce new dockless parking good guidance. This information will be available in the app.
- 3.10 Offer discounts to groups of users in negotiation with the Borough. They will therefore have subsidised access to the bikes for the duration of the trial.

4. SERVICE MANAGEMENT

Lime services include, but are not limited to:

- 4.1 Answering residents written / e-mail complaints in 1 working day written to a designated address.
- 4.2 2 hour recovery (from point of written notification) of bikes that are obstructing the public highway. This service level agreement is applicable during the hours of 07:00 to 21:00 Monday–Sunday. Any bikes reported outside of these hours will be collected in the morning within 2 hours.
- 4.3 Lime acknowledges that the Borough of Bromley reserves the right to recover and relocate bikes when necessary with recourse to recharge Lime following such removal.
- 4.4 Regular redistribution of bikes to key areas specified by the Borough of Bromley.
- 4.5 Bikes are serviced in Lime's depot and service records will be maintained for all works.
- 4.6 All bikes will be serviced to Lime's maintenance procedure.
- 4.7 24/7 call centre will be provided for customer relations.
- 4.8 All Lime staff will be paid London Living wage and Lime will endeavour to recruit local staff.

5. BIKE SPECIFICATION AND SAFETY

- 5.1 All Lime bikes will meet the bike safety standards: EN ISO 4210-2:2015.
- 5.2 All bikes delivered for this project have been fully serviced before being deployed on street.
- 5.3 The specification for the bikes is available on request.
- 5.4 Every bike will be fitted with GPS, locks, bell, brakes, and front and rear lights & reflectors

6. USE OF DATA AND INFORMATION

- 6.1 Lime shall provide the Borough of Bromley with aggregated, anonymised ridership data whilst working within the relevant data protection legislation.
- 6.2 All Lime users will set up a secure membership account, which will hold personal data such as name, address, phone number and credit card details
- 6.3 Lime will comply in all respects with the Data Protection Act 2018 and GDPR and indemnifies the London Borough of Bromley in relation to any breaches by Lime.

7. CONFIDENTIALITY

- 7.1 The Parties hereby agree that the execution of this MOU, as well as the terms and conditions contained herein and any information about Limes business or business plans in the UK or elsewhere or otherwise provided by Lime to the Borough of Bromley, are considered to be confidential information and therefore undertake not to disclose any such information without the prior written consent of the other Party, except for (i) the disclosure made to their employees, directors, officers, agents or consultants on a need to know basis or (ii) as required by applicable securities laws and authorities.

8. REPORTING

- 8.1 Lime is committed to providing transparency and actionable data regarding how its fleet fits into the greater tapestry of city transportation.
- 8.2 Lime has built a Data Insights dashboard that provides an overview of data insights regarding the trial.
- 8.3 Lime is happy to further discuss collaboration around data from the trial.
- 8.4 Users and the general public can report issues to Lime through the Lime app, by email or by phone.
- 8.5 Health and safety issues – Any issues arising related to health and safety will be notified to the Borough of Bromley within 48 hours of report of the incident.

9. DURATION

- 9.1 This MOU may be modified by mutual consent of authorised officials from Lime and the Borough of Bromley.
- 9.2 This MOU shall become effective upon signature by the authorised officials from Lime and the Borough of Bromley and will remain in effect until modified or terminated by any one of the partners by mutual consent.
- 9.3 In the absence of mutual agreement by the authorised officials from both parties this MOU shall end on 2020 which is at the end of the twelve month period.

10. DISPUTES

- 10.1 In the event of a dispute, controversy or claim arising out of or relating to this Memorandum of Understanding, or the breach, termination or invalidity thereof (a "Dispute"), the Parties shall use their best efforts to settle promptly such Dispute through direct negotiation.
- 10.2 If a Dispute is reported by e-mail, it shall be responded to by a Lime representative within 24 hours. If this is not resolved a meeting will convened within 48 hours.

11. TERMINATION

- 11.1 The agreement can be terminated within 30 days by either party. This will invoke the withdrawal of operations procedure.

12. GENERAL

The pricing structure for the project is detailed below;

- 12.1 Bike hire rate is proposed at £1 to unlock, with subsequent 15 pence per minute, and is subject to change

Liability – Lime will have the following insurance cover, copied of which are available on request:

- 12.2 Employer's Liability Insurance minimum £5million
- 12.3 Public Liability Insurance minimum £10million
- 12.4 Insurance on Company Vehicles

13. INDEMNITY

Lime indemnifies the London Borough of Bromley against all actions, claims, demands and liabilities arising from the Lime dockless bike service. Lime shall not be liable for any indemnity as a result of any negligence on the part of the London Borough of Bromley.

14. BINDING

This MOU/Agreement is a legally binding contract subject to English law and the unfettered jurisdiction of the English courts.

15. REPRESENTATIVES / CONTACT INFORMATION

15.1 The contact details for the supplier and the client are below;

Supplier name: Lime Technology Limited
Partner representative: Jaanaki Momaya
Position: General Manager UK
Address: Hays Galleria, 1 Hays Lane, London SE1 2RD
Telephone: +447590053184
E-mail: jaanaki@li.me

Authorised Officer
Lime Technology Limited
Date:

Client name: The London Borough of Bromley
Partner representative:
Position:
Address:
Telephone:
E-mail:

Authorised Officer
The London Borough of Bromley
Date:

Lime Data

Definitions

[MDS](#) is a data standard proposed by the LA Department of Transportation. It has since then been more widely adopted and implemented in Europe (Vienna, Warsaw, Marseille, etc) and North America (Los Angeles, Detroit, Minneapolis, Providence, etc).

Terms

Lime will provide access to MDS for the following purposes.

- As a tool to help the borough analyze traffic and usage patterns within the borough
- To be used in conjunction with other data for planning and other public interest related initiatives

MDS requires an authentication token to access. The authentication token may not share this token with anyone who is not an employee of the Council..

Prohibited Usage

Data acquired via MDS can't be used for any commercial purposes. The Data may not be shared with anyone outside of the Council organization except as agreed in advance with Lime. In particular, this data may not be shared with any 3rd party transit, competitors of Lime or other aggregators (e.g. Citymapper) that are not directly run by the Council.

All data provided via MDS to be proprietary and confidential to Lime. Disclosing any such information without the express written consent of Lime is strictly prohibited and Lime will be entitled to take appropriate action to protect this data and its interests..

Agenda Item 8

Report No.
ES19026

London Borough of Bromley

PART 1 – PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 9th April 2019

Decision Type: Non-urgent Non-Executive Non-Key

Title: HIGHWAYS CONTRACTOR PERFORMANCE REVIEW – JB RINEY

Contact Officer: Garry Warner, Assistant Director (Highways)
Tel: 020 8313 4929 E-mail: garry.warner@bromley.gov.uk

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

Ward: Borough wide

1. Reason for report

This Report sets out to update Members on the performance of JB Riney, the Council's Highways contractor since their award in July 2018.

2. **RECOMMENDATION(S)**

2.1 That the PDS Committee notes the content of this report and in particular the on-going work to ensure compliance with the Contract.

Corporate Policy

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

Financial

1. Cost of proposal: N/A
 2. Ongoing costs N/A
 3. Budget head/performance centre: Highways & Street lighting revenue budget, Capital LIP scheme (funded by Transport for London TfL), Capital Local Highways Maintenance scheme (funded by Department of Transport DfT), and Capital Highway Investment scheme.
 4. Total current budget for this head: £2.510m revenue and £2.662m capital in 18/19
 5. Source of funding: Existing revenue and capital budgets
-

Personnel

1. Number of staff (current and additional): 15
 2. If from existing staff resources, number of staff hours:
-

Legal

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

Procurement

1. Summary of Procurement Implications: The Procurement Strategy for schemes within the Basic Need Programme has been set out in previous reports
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Background

- 3.1 Bromley's highway network comprises 856 miles (1370 km) of footway and 552 miles (884 km) of carriageway. This represents the Council's single most valuable asset with a gross replacement cost of £1.1 billion. Good quality and well maintained streets make a significant contribution to the street scene appearance, the prosperity of our community and help to ensure our streets are both safe and accessible for users.
- 3.2 In April 2018 the Council awarded the Highway Maintenance contracts to JB Riney from 1st July 2018 for an initial term of seven years (Report No ES18040), with an option to extend the contract for a further year.
- 3.3 When it became necessary to change the procurement timescale in September 2017, it was agreed that Highway Engineering Consultancy Services would not form part of the Contract, but would be a provision to be investigated post-tender with the successful contractor, if best value could be shown. In November 2018 Executive approved proposals to include Highway Engineering Consultancy Services within the JB Riney Highways Contract (Report No ES15048).

Contractor Performance

- 3.4 The Highways contract commenced on July 2018, and includes provision of a number of highway related services. These are discussed below with a summary of how JB Riney have performed during the first eight months of the Contract.
- 3.5 The Contract includes a Performance Management Framework (PMF) with related Key Performance Indicators (KPI) and associated Low Service Damages (LSD). The Contract allowed for a three month mobilisation period where LSD's would not be chargeable.

Planned Highway Maintenance and Traffic Schemes

- 3.6 On 12th December 2016 the Council approved capital funding of £11.8m for investment in planned highway maintenance and the scheme was added to the Capital Programme for the maintenance of footways and carriageways. Five phases of projects have been approved by E&SC PDS, with many be completed by the Council's last contractor, FM Conway. As the new highway contract includes an improved five year warranty for all carriageway resurfacing schemes, a number of schemes were delayed until the start of the new contract.
- 3.7 In October 2018 the Council received a grant from the Department for Transport of £1.117m for highway resurfacing works. As the DfT required the grant to be spent by 31st March 2019, previously approved carriageway schemes were funded from this budget with the remaining capital funding being rolled forward to 2019/20.
- 3.8 JB Riney have continued to make good progress with these improvement projects. Carriageway works were suspended for two months during the winter due to poor weather conditions, but the remaining projects from phase five of the programme are due to be completed during the summer. Footway schemes have also been progressed, with a mixture of major and minor planned works.
- 3.9 Once the initial five phases have been completed a separate report will be submitted to a future meeting to agree any additional schemes that can be funded from the remaining capital budget.
- 3.10 JB Riney have also completed a number of traffic schemes, as part of the annual LIP programme.

Reactive and Emergency Highway Repairs

- 3.11 JB Riney complete all reactive maintenance tasks on the highway, along with in-hours and out of hours emergency repairs. Jobs have a completion time based on the nature of the defect and the risk of causing an accident, which are usually 2 hours for an emergency, 10 working days for urgent repairs and 35 days for non-urgent works.
- 3.12 Jobs are raised by the Council's Highway Inspectors following safety inspections or enquires raised on Fix My Street (FMS) and other reports from Councillors or members of the public.
- 3.13 The PMF includes a KPI requiring 90% of all jobs to be completed within the specified timescales. Performance against the required job durations are shown in the table below;

KPI - 90% of works completed within 10 & 35 days

Oct	Nov	Dec	Jan
80%	90%	84%	66%

- 3.14 The Highways Client team have been working closely with the contractor in an effort to improve performance in this area, and as the required KPI's have not been achieved LSD's of £4,800 will be chargeable.
- 3.15 An update on performance during February will be provided at the meeting.

Street Lighting Maintenance

- 3.16 Under the Contract street lighting is a fully managed service, where the Council pay a fixed annual sum to maintain all street lights and illuminated signs or street furniture in working order. Defective street lights or signs are identified through the contractor's monthly night inspection across the borough, or raised following FMS and telephone enquiries.
- 3.17 The PMF includes completion times for all routine maintenance tasks, with KPI's requiring 95% of tasks to be completed within 4 working days, and 100% within 8 working days. Performance against the required job durations are shown in the table below;

KPI - 95% of works completed within 4 days

Oct	Nov	Dec	Jan	Feb
77%	52%	62%	80%	96%

KPI - 100% of works completed within 8 days

Oct	Nov	Dec	Jan	Feb
88%	72%	69%	87%	99%

- 3.18 The street lighting client team have been working closely with the contractor in an effort to improve performance in this area, and as the required KPI's have not been achieved LSD's of £30,150 will be chargeable.
- 3.19 An update on performance during March will be provided at the meeting.

Winter Service

- 3.20 During the winter months JB Riney undertakes precautionary gritting and snow clearance works on the carriageway network, along with footway clearance outside a number of schools in the event of a snow emergency. As the Council currently own the fleet of gritters and salt, the contractor is only required to provide drivers when the weather forecasts predict freezing or below freezing temperatures.
- 3.21 The winter service season usually runs for 21 weeks from November to April. To date the gritters have been deployed for precautionary gritting on 28 nights, treating a total of 157 routes.
- 3.22 The PFM requires all precautionary gritting to be completed with 2.5 hours, which has been achieved in all cases.

Highway Engineering Consultancy Services

- 3.23 Engineering consultancy services have only recently been undertaken by JB Riney, through their supply chain. Early indications are that the arrangement is working well, with a number of traffic schemes being commissioned on a 'design and build' basis.

Highway Drainage Cleaning

- 3.24 The cyclical cleaning of road gullies and soakaways etc. is included in the current Environment Contracts, but was included in the Highway Contract from 1st April 2019. A report on the performance of this service area will be submitted to a future meeting.

4 POLICY IMPLICATIONS

- 4.1 The borough's roads have a high profile and are used by most residents and businesses on a daily basis. Maintaining these assets to an appropriate standard will contribute to the Council's vision of providing a place where people choose to live and do business and links well with policy priorities of a quality environment, vibrant thriving town centres and supporting independence/safer communities.
- 4.2 The "Building a Better Bromley" objective of being an Excellent Council refers to the Council's intention to provide efficient & effective services and value for money to its residents.

5 FINANCIAL IMPLICATIONS

- 5.1 Within the 2018/19 revenue budget for Highways and Street Lighting there is a sum of £2.51m available for the JB Riney contract. The table below provides a breakdown of the budgets and projected spend for each service area as follows:

Revenue	2018/19	2018/19	2018/19
Service Area	Budget	Projected Spend	Variance
	£'000	£'000	£'000
Reactive & Emergency Highway Repairs	1,699.7	1,699.7	0.0
Street Lighting	554.4	554.4	0.0
Winter Service	156.3	156.3	0.0
Highway Engineering Consultancy	7.3	7.3	0.0
Rechargeable Works*	92.2	92.2	0.0
Total Revenue	2,509.9	2,509.9	0.0

5.2 The JB Riney contract has been used to meet the following capital works for 2018/19: -

Estimated capital works undertaken by JB Riney in 2018/19	Estimated Capital Spend £'000
Planned Highway maintenance & traffic schemes	2,551.6
TfL LIP funded traffic schemes	110.7
Total expected Capital spend for 2018/19	<u>2,662.3</u>

5.3 As detailed above there is estimated to be Low Service Damages (LSD) deductions of approximately £34,950 for the period October 2018 to February 2019.

6 LEGAL IMPLICATIONS

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

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Report number ES17088

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT01	Prevention	Waste Carrier License Stop and Search Operations, Police	Police Stop and Search in hotspot areas; half-day, monthly operations in partnership with MET police and DWP, checking that vehicles carry valid Waste Carriers Licenses and correct Waste documentation e.g. transfer notes. If not FPNs will be issued, as well as information regarding how to register with Environment Agency etc.	FPN of up to £400 for flytipping offences committed under Section 33 of the Environmental Protection Act 1990 Under section 88 of the EPA 1990 Local authorities can issue a FPN for very small scale fly-tipping	Duplicate, see FT 67	Monthly: 2nd Wednesday every month	Various locations /hotspots across Borough. <i>Data sensitive</i>	£3,500.00	Enforcement Manager
FT02	Prevention	Joint Police / LBB Enforcement Operation targeting untaxed or unroadworthy cars	Joint operation between LBB and Police to known hotspots, particularly the area of road outside any garage / car repair workshops that are parking their untaxed / uninsured / unfit cars on the Highway.	Highways Act 1980 / Clean Neighbourhood Act 2005	On Hold	Police resources not available	TBC	LBB officer time x 2 hours per occurrence £200	Enforcement Manager / Key Partner (Police)
FT03	Operational	Vehicle Intelligence database and Star Lane Incident Log	Database to note evidence and intelligence on suspect vehicles maintained on internal site	Data Protection Act 2000 GDPR - <i>data sensitive</i>	In Progress	N/A	Fly-tipping SharePoint site	£0.00	Enforcement Manager
FT04	Prevention	'Overt' Surveillance and Presence at old Green Garden Waste (GGW) satellite sites	Initial trial at GGW Sites in April 2018 – completed 'Overt' Surveillance (CCTV camera) at recycling banks and satellite sites - deemed <u>successful</u> . Signage up, cameras in place, Ward Security completed patrols. Noted success of weekend due to forward planning and efficient communications. UPDATE: consider Christmas Tree sites	• Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court - RIPA: Regulation of Investigatory Powers Act 2000	In progress	Commence again in 2019/20	Green Waste Satellite Sites across borough	£1,200.00	Enforcement Manager / Waste Service lead

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT05	Prevention	Police / LA Vehicle seizure operations	<p>Vehicle seizure operation –to be more focused / intelligence led than stop and search. Operations will be intelligence led, early morning vehicle seizure operations - Police need to be present.</p> <p>AV Contractor will be required</p> <p>Operation ready to go in principle – but requires reliable evidence before vehicle seizure can commence.</p>	<p>Under Control of Waste Regulation 2015 a waste collection authority may seize a vehicle due to suspected involvement in fly-tipping</p> <p>• Under the Proceeds of Crime Act 2002 offenders can have assets frozen and confiscated</p>	On Hold	18/19	Various locations /hotspots across borough.	TBD	Enforcement Manager
FT06	Operational	Surveillance Case work	<p>Surveillance contractor utilised to undertake groundwork / evidence gathering on suspected fly-tipping operators.</p>	<p>• RIPA: Regulation of Investigatory Powers Act 2000</p> <p>• Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court</p>	On hold	Ongoing, ad-hoc	NA	£12,600.00	Enforcement Manager

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT07	Operational	Trial Cameras	<p>Trial' CCTV cameras purchased to use for surveillance in known hotspot areas. Requires authorisation under RIPA</p> <p>Fly-tip officer has drawn up list of potential sites for cameras. Risk identified of cameras being lost or stolen. Mitigated by the purchasing of camouflaged cameras, without Infra-red glow. If this trial successful, potential to be more broadly rolled out.</p> <p>Note: to be successful, RIPA applications need to be judged 'proportionate, necessary, reasonable, justified' by a magistrate. Therefore a singular occurrence does not satisfy evidence test.</p>	<ul style="list-style-type: none"> • RIPA: Regulation of Investigatory Powers Act 2000 • Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court 	In Progress	Q3-4	Known hotspots (aided by GIS report, LBB officers)	£2,000.00	Enforcement Manager
FT08	Enf Strategy	New Fixed Penalty Notice (FPN) Legislation into force	<p>LAs to have the power to serve an FPN of up to £400 for flytipping offences committed under Section 33 of the Environmental Protection Act 1990. The new fines, of between £150 and £400, will allow local authorities to deal with small-scale fly-tipping quickly and efficiently, without the need to take offenders to court.</p> <p>New FPN commenced.</p>	Section 33 of the Environmental Protection Act 1990	Completed	--	All Wards	£7,400.00	Enforcement Manager
FT09	Prevention	Web based waste removal services - investigation into legal compliance	Topics considered: Sting Investigations Targeted Intelligence	Section 34 of the Environmental Protection Act 1990	On hold	TBD	All Wards	TBD	Enforcement Manager

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT10	Operational	Training of Street Cleansing Contractor Staff in gathering evidence from fly-tips	Idea to educate street cleansing operators to report fly-tips and gather evidence from tips. To some extent this happens currently and evidence is passed to fly-tip officer. Technology: review LOT3 specification - use of mobile devices.	Data Protection Act 2000 GDPR - data sensitive EPA 1990	On hold	Q1 19/20	All Wards	£0.00	Street Environment lead / Enforcement Manager
FT11	Prevention	Waldens Farm, Crockenhill Road - Gate Locking	Investigate using Ward Security to lock the Walden's Farm access barrier and to carry out a dog patrol of the main track. TF has spare keys. Update: review current outcomes and reduction of fly-tip incidents.	FPN of up to £400 for flytipping offences committed under Section 33 of the Environmental Protection Act 1990 Under section 88 of the EPA 1990 Local authorities can issue a FPN for very small scale fly-tipping	On Hold	Q3 update	Orpington	£500.00	Enforcement Manager
FT12	Operational	Purchase of Dedicated Enforcement Vehicle	Used Toyota Hi-Lux Double Cab 2.5D-4D Active - Manual Registered: 30/09/15 To support illegal encampments and removal of evidence / waste - all terrain required.	--	Completed	16/17	N/A	£16,450.00	Enforcement Manager
FT13	Operational	Body Worn Cameras	Body-worn cameras for 2 LBB officers to be purchased. Process of compliant operation to be informed by current security Service Provider.	RIPA: Regulation of Investigatory Powers Act 2000	On hold	18/19 - Q4	All Wards	£3,200.00	Enforcement Manager

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT14	Prevention	Dummy Cameras	At sites (Public land) with on-street recycling banks.	<ul style="list-style-type: none"> • RIPA: Regulation of Investigatory Powers Act 2000 • Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court 	On hold	18/19 Q3-4	All Wards	£5,000.00	Enforcement Manager
FT15	Prevention	Commercial Waste Audit review	Commercial waste document audit - contact businesses regarding compliance by having the correct waste disposal paperwork / arrangements.	Section 34 of the Environmental Protection Act 1990	On going	18/19 - Q4	All Wards	£750.00	Waste Service lead / Enforcement Manager
FT16	Operational	2x CCTV Cameras on both ends of Star Lane	To install 2 heavy duty CCTV cameras at either end of Star Lane and Sheepcote Lane. Quote obtained c.£50,000. To be consulted/approved.		On hold	18/19	Cray Valley East	£43,000.00	Enforcement Manager
FT17	Prevention	High Court injunction / Order	Application for High Court Order in Aug 2018. RE Parks, Open Spaces and Public Car Parks.	(Link to injunction)	Completed	18/19	All Wards	£6,500.00	Enforcement Manager
FT18	Prevention	Notice to be served on all Parks by County Court bailiffs	All 160 park sites and car parks to be served notice as part of the court order.		Completed	18/19	All Wards	£11,500.00	Enforcement Manager

ID	Tranche	Title	Description	Key Legislation	Status (RAG)	Dates / deadlines 2018/19	Location	Estimated Cost	Responsible Officer
FT19	Operational	Covert surveillance operation Star Lane	Work undertaken to be taken in July/Aug 2018.	<ul style="list-style-type: none"> RIPA: Regulation of Investigatory Powers Act 2000 Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court 	Completed	18/19	Cray Valley East	£3,000.00	Enforcement Manager
FT21	Enf Strategy	Fly tip seminar attendance for 2 x officers	Seminar in Sept 2018.	--	Completed	18/19	N/A	£500.00	Enforcement Manager
FT22	Education & Campaigns	LBB Educational Communications Pack to businesses	<p>Investigate idea of writing educational letters to builders / merchants yards covering duty of care, role under EPA etc.</p> <p>Idea of adapting fly-tip officer's post-card - we are watching you on one side, education / how to follow the law checklist on the other.</p>		On hold	Mid-September onwards	All Wards	£500.00	Communications /Enforcement Manager
FT23	Education & Campaigns	Naming and Shaming on social media	<p>This is undertaken in other boroughs e.g. after CCTV footage captures offenders faces. Has lead to no identification of suspects, but raised profile of clampdown and a potential deterrent measure - On LBB website for 6 months.</p> <p>UPDATE: recent successful prosecution named in press release</p>		In Progress	18/19	All Wards	£0.00	Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT24	Education & Campaigns	Partnership with LFB: Education / printing of road Motorbike leaflets	London Fire Brigade to cover fly-tipping in their arson talks given to schools. LFB to add information about fly-tipping to LFB arson presentations given out to schools.		Completed	17/18	All Wards	£0.00	Enforcement Manager
FT25	Education & Campaigns	Promotional Items e.g. Pens/pads	Fly-tipping Officer Working Group propose the purchase of promotional items e.g. Pens, pads, ice scrapers etc. to distribute to people for free to advertise things such as the Envirocrime reward scheme website or fly-tipping reporting number / link.		Completed	16/17	All Wards	£3,000	Enforcement Manager
FT26	Education & Campaigns	Fly-tipping / Legitimate waste disposal leaflet in Planning permission pack	<p>ECO investigated with Planning the Idea to target businesses and residents who have planning permission approved. Option to target residents or businesses who have applied for planning permission, informing them that they should check that all waste is disposed of correctly by ensuring the contractor has a waste carrier licence and checking where they propose to dispose of the waste.</p> <p>UPDATE: process has ceased due to change in process. To be reviewed if this can be accommodated</p>		On hold	As of September 2018	All Wards	£0.00	Env Campaigns Officer/ Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT27	Education & Campaigns	Planned Communications	<ul style="list-style-type: none"> • Campaign Concept and Design • Printing of 5,000 'Householder' Postcards • 'Local Directory' advert • 'Classified ads' Advertising Space in local newspapers <p>LBB paid for advertising every other week, Bromley Borough News publishing for free on the alternative 'off' week for free.</p>	Householder Duty of Care (England & Wales) Regs	On hold	18/19	18/19	£1,770.00	Enforcement Manager
FT28	Education & Campaigns	Fly-tipping Reduction: External Training Courses	<p>Officers to investigate specific training opportunities (using new budget to cover costs) for NOs and Environmental enforcement officers</p> <p>LBB officer contacted Keep Britain Tidy</p> <p>Environmental Legislation - Cradle to Grave & Beyond Training</p>	All	Completed	EPA training course for Enforcement officers and Neighbourhood Managers delivered	16/17	£2,479.00	Enforcement Manager
FT29	Education & Campaigns	Education of Neighbourhood Officers (NOs)	LBB officers to put together presentation around fly-tipping and how to maximise chances of prosecutions by end of July.		Completed	18/19	Depot	£0.00	Neighbourhood Managers/ Enforcement Manager
FT30	Education & Campaigns	Re-print of "We are watching you" post cards, large boards.	"We are watching you" post cards to be printed. Large billboards to be stuck in key areas.		Completed	18/19	18/19	£226.00	Enforcement Manager
FT31	Education & Campaigns	Anti-Flytipping Campaign: Media	Publications in Bromley Borough News, Bromley Times, SE20 magazine, TN16 Magazine, Carousel, Twitter and Facebook		In Progress	18/19	All Wards	TBD	Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT32	Education & Campaigns	Anti-Flytipping Campaign: Ads and promos	Anti-flytipping advertisement and promotional projects. - 'late space' adverts in targeted publications. Creation of banners (e.g. waste vehicles). Creation of promo videos for website/social media, printed materials including postcards.	• Under the Clean Neighbourhoods and Environment Act 2005 punishment comprises fines up to £50,000 or 12 months in prison if convicted in a Magistrates court. The offence can attract an unlimited fine and up to 5 years imprisonment if convicted in a Crown Court	In Progress	18/19	All Wards	TBD	Enforcement Manager
FT33	Prevention	Urgent repair works to preventative infrastructure at Green Street Green and Okemore Gardens	Okemore Gardens: To supply and install new posts to fill in gaps of missing posts as a temporary measure ahead of improvement works. Green Street Green: To supply and install second hand vehicle barrier to newly formed access on Common to prevent Travellers		Completed	16/17	Chelsfield & Pratts Bottom	£438.53	Enforcement Manager
FT34	Prevention	Urgent Repair Works - Petts Wood Recreation Ground	To carry out repairs to closing post after vehicle damage.		Completed	16/17	Petts Wood & Crofton	£190.07	Enforcement Manager
FT35	Prevention	Crystal Palace Park - Metal Works	To supply and install 2 metal posts painted in yellow to prevent vehicles passing round the new over height barrier.		Completed	16/17	Crystal Palace	£1,000.00	Enforcement Manager
FT36	Prevention	Riverside Gardens barriers e.g. Stud Posting	Prevent site from incursion leading to waste accumulation and clean up costs etc.		On hold	18/19	Cray Valley East	£10,000.00	Enforcement Manager
FT37	Prevention	Okemore Gardens barriers e.g. Stud Posting	Prevent site from incursion leading to waste accumulation and clean up costs etc.		On hold	18/19	Cray Valley East	£12,000.00	Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT38	Prevention	Green Street Green barriers e.g. Stud Posting or earth bund.	Potential site for incursion leading to waste accumulation and clean up costs etc. Quotes received for Green Street Green 480 lm of black metal posts and rails. Other options include installation of wooden stud posts or earth bund.		In Progress	18/19	Chelsfield & Pratts Bottom	£35,000.00	Enforcement Manager
FT39	Prevention	Coney Hall / Layhams Road Improvements	Various improvements along Layhams road in Coney Hall to prevent site from incursion leading to waste accumulation and clean up costs etc.		On hold	18/19	Hayes & Coney Hall	£8,100.00	Enforcement Manager
FT41	Prevention	Leaves Green perimeter Earth Bund (Ha Ha)	Due to regular illegal traveller incursions, the perimeter of this site needs to be protected. Consultation has taken place with residents, Councillors, PH, and the favoured option is the installation of an earth mound around the perimeter of the site. This requires Commons planning consent.		On hold	18/19	18/19	£50,000.00	Enforcement Manager
FT42	Prevention	Mottingham Recreation ground / Overheight barrier / Waiver	Obtained waiver To install Overheight barrier at entrance to Mottingham Recreation ground vehicle access point as this has been identified as a high risk vulnerable site to illegal traveller incursions..		Completed	16/17	Mottingham & Chis North	£3,000.00	Enforcement Manager
FT43	Operational	Public Communal Waste Containers in areas of significant private refuse (black bag) dumping.	Raised at LEDNET meeting. Mentioned Brighton, possibly to be trialled in RBKC. Risks commercial waste exploitation and magnet for fly-tipping		On hold	18/19	Penge & Cator. Orpington, Crystal Palace	£15,000.00	Enforcement Manager
FT44	Operational	Site Priority Document	Document listing sites most prone to traveller incursions and fly-tipping and given a priority on team site. Site maps, listing of sites have the High Court Order attached to them - the priority sites.		Completed	N/A	18/19	£0.00	Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT45	Prevention	Star Lane Width Restrictors	Proposed Star Lane Width Restrictions to stop potential offending vehicles tipping waste down Star Lane. LBB enforcement officer and Highways in process of identifying possible sites for installation of width restrictions.		On hold	N/A	Cray Valley East	TBD	Enforcement Manager
FT46	Prevention	Havelock rec/metal posts	Site vulnerable to illegal traveller vehicle incursion.		Completed	18/19	Kelsey & Eden Park	£2,850.00	Enforcement Manager
FT47	Operational	Removal and disposal of 4 x Articulated trucks and Waste	4 x large articulated 40ft trailers full of rubbish dumped in the borough.		Completed	18/19	Copers Cope	£78,000.00	Enforcement Manager
FT48	Prevention	Harvington rec heavy duty wooden rail and posts	To replace old, defective knee rail as site is vulnerable to illegal traveller incursion.		Completed	18/19	Kelsey & Eden Park	£4,800.00	Enforcement Manager
FT49	Prevention	Green Street Green heavy duty wooden stud posts	Site vulnerable to illegal traveller vehicle incursion.		Completed	18/19	Chelsfield & Pratts Bottom	£6,462.00	Enforcement Manager
FT50	Operational	Burnt out vehicles in Paul's Cray Hill Park	To remove burnt out vehicles from Paul's Cray Hill Park.		Completed	18/19	Cray Valley East	£1,148.00	Enforcement Manager
FT51	Prevention	Keston Common Stud posts	Site is vulnerable to incursion and has been illegally occupied by travellers.		Duplicate, see FT63	18/19	Bromley Common & Keston	£1,500.00	Enforcement Manager
FT52	All	Fly-tipping Officer Working Group Meetings	Fortnightly meetings to discuss ideas, identify opportunities and update on progress. Minutes typed up - see OneBromley site (key links tab)		In Progress	Ongoing, monthly	All Wards	£0.00	Enforcement Manager
FT54	Operational	GIS Map of fly-tipping hotspots	GIS analysis of fly-tipping over 2015 calendar year to establish evidence base for enforcement operations.		Completed 27.04.16	16/17	All Wards	£0.00	Enforcement Manager
FT55	Enf Strategy	Safer Bromley Partnership work	Enviro-crime added as a SBP priority for next 3 years. Director (LBB) and (LFB) to lead on issue. Draft approved.		In Progress	ongoing	All Wards	£0.00	Enforcement Manager

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT59	Enf Strategy	Committee Report - Requesting £400 FPNs be issued for Fly-tipping in Bromley	In line with legislation which came in in May 2016 - proposed bringing in £400 FPNs for fly-tipping		Completed	16/17 PDS 29 September	All Wards	£0.00	Enforcement Manager
FT61	Prevention	Changing Bulky Waste Collection Frequency / Pricing	Redesign of Bulky Waste service to improve accessibility by service user. Update: Through research, this has not shown a correlation with the decrease in Fly-tip incidents e.g. Waltham Forest.		On hold	18/19	All Wards	£2,400.00	Waste Service lead / Enforcement Manager
FT62	Education & Campaigns	Engage with Keep Britain Tidy for Campaign	At LEDNET meeting, raised that Keep Britain Tidy are keen to get in touch with London Boroughs for innovative project work		Completed	18/19	All Wards	£0.00	Enforcement Manager
FT63	Prevention	Keston Common Stud posts	Heavy duty wooden stud posts along the boundary of Keston Common off Commonside		Completed	18/19	Bromley Common & Keston	£8,000.00	TBC
FT64	Prevention	Post and Rail at Harvington Recreation	Heavy duty post and rail at the Harvington Recreation		Completed	18/19	Eden Park	£3,385.00	TBC
FT65 & FT 66	Prevention	Star Lane Narrowing & One-way Star Lane	Traffic and highway design measures to reduce the potential for illegal fly-tipping activity		In Progress	18/19	Cray Valley East	TBC	Enforcement Manager contact LBB Highways colleagues and portfolio holder RE how to progress/implementation. Cllrs to discuss/consult with residents.
FT67	Operational	Stop and Search	LBB and Police to resume vehicle Stop and Search in October 2018.		In Progress	18/19	Various locations around the borough	N/A	N/A

<i>ID</i>	<i>Tranche</i>	<i>Title</i>	<i>Description</i>	<i>Key Legislation</i>	<i>Status (RAG)</i>	<i>Dates / deadlines 2018/19</i>	<i>Location</i>	<i>Estimated Cost</i>	<i>Responsible Officer</i>
FT68	Prevention	Lower Hockenden Farm Block	Enforcement Manager to arrange with Lower Hockenden Farm Management to block access points onto LBB land and woodland using existing burnt out vehicle carcasses as a temporary option to prevent further illegal vehicle access and joyriding in the woods and park.		Completed	18/19	Swanley	TBC	Enforcement Manager
FT69	Operational/Prevention	Covert surveillance Lower Hockenden	Installation of strategically located covert trail cameras to try and catch and identify offenders in the interim		Completed	18/19	Swanley	TBC	Enforcement Manager
FT70	Prevention	Pickhurst Green Vehicle Inclusion Works - Stub Posts	To supply and install 145 no. pressure treated 200mm diameter timber bollards as per specification with chamfered edge: posts to be concreted in 400mm below ground level and posts to finish height at 400mm above ground level, posts to be spaced at 1500mm centres, posts line to sit 500mm away from access road, on the green. All existing posts on site on proposed line to be removed and disposed of.		Completed	18/19	Pickhurst Green, West Wickham	£7,000	Enforcement Manager
FT71	Prevention	Fake cameras on Baths Road	Trial run of use of fake cameras on Baths road to deter potential fly-tippers. This may lead to a genuine camera being used with a 'CCTV' sign to be used operationally		In Progress	18/19	Baths Road, Bromley	TBC	Enforcement Manager

This page is left intentionally blank

Report No.
CSD19040

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT AND COMMUNITY SERVICES POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 9 April 2019

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

Title: EXPENDITURE ON CONSULTANTS 2017/18 & 2018/19

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

Chief Officer: Director of Corporate Services

Ward: (All Wards);

1. Reason for report

At its meeting on 7th February 2019, the Executive, Resources and Contracts PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue (appendix 2) and capital (appendix 3) budgets. The Committee requested that the report be considered by all PDS Committees.

2. **RECOMMENDATION(S)**

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

Impact on Vulnerable Adults and Children

1. Summary of Impact:
-

Corporate Policy

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

Financial

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

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Revenue expenditure on consultants in the Environment and Community Services Portfolio is set out in Appendix 2, and is focussed on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £305,568 in 2017/18 and £86,857 in 2018/19 to date.
- 3.2 Capital expenditure on consultants in the Environment and Community Services Portfolio is set out in Appendix 3. Appendix 3A covers expenditure in 2017/18 (£150,697), and Appendix 3B covers the period until October 2018 in 2018/19 (£62,928).

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

This page is left intentionally blank

Decision Maker: EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 7 February 2019

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

Title: Expenditure on Consultants 2017/18 and 2018/19

Contact Officer: David Bradshaw, Head of Finance
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk
Claire Martin, Head of Finance
Tel: 020 8313 4286 E-mail: claire.martin@bromley.gov.uk
James Mullender, Head of Finance
Tel: 020 8313 4196 E-mail: james.mullender@bromley.gov.uk
Tracey Pearson, Chief Accountant
Tel: 020 8313 4323 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: N/A

1. Reason for report

Members of ER PDS requested a full report on Consultant expenditure be submitted each year. Officers have therefore looked at total expenditure in 2017/18 and expenditure to date for 2018/19 for both Revenue and Capital Budgets.

2. **RECOMMENDATION(S)**

Members to:-

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

2.2 Refer this report onto individual PDS Committees for further consideration

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

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

Personnel

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

Legal

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

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 ER PDS members requested information on the Councils expenditure on Consultants be reported each year. To do this officers have looked at the total expenditure in 2017/18 and also the expenditure for this financial year as at the end of October 2018. This work covered both Revenue and Capital expenditure.
- 3.2 The basic reason for the use of consultants is that at times the Council requires that specialised work is undertaken for specific projects. This is particularly valid when consultants are engaged to work on large scale projects. For completeness expenditure on Architects, Engineers, Surveyors and other consultants commissioned to work on Capital Projects have been included as these generally meet the definition of one-off projects. Proposed expenditure on Capital Projects will have been approved by Executive before being included in the Capital Programme.
- 3.3 The Councils Contract Procedure rules sets out the procurement process to be followed when appointing a consultant and there is also guidance available to staff about what needs to be included in the formal agreement when engaging a consultant, which as a minimum needs to confirm the overall cost, project deliverables, clear brief and reporting arrangements. Appendix 1 provides this in more detail.
- 3.4 There is an element of subjectivity as to what constitutes a “consultant” as a number of services could fall within this definition, however it is generally defined as “a person brought into the Council to carry out a specific job” which is not on-going. For the purposes of this report expenditure on medical fees, counsel and legal fees have been excluded as these are considered to be professional fees rather than consultants.
- 3.5 In looking at consultants, members need to be minded that officers will use them to carry out work on the Council’s behalf when:-
- There is no one internally with the relevant skills or experience
 - There is no capacity/resources available to undertake this work
 - Specialist skills are required
- 3.6 It is important when recruiting a consultant that the project brief sets out the reasons for the use of consultant, that officers have consider any alternative options and also to evaluate the effectiveness of the work undertaken by consultants within the authority.
- 3.7 The benefit of employing consultants is that the Council makes a saving in relation to employer National Insurance and pension contribution. Also in employing consultants the Council is under no obligation to pay consultants for days when they are not working for the Council e.g. sickness and holiday and they are only engaged for a specific period of time – however offsetting this is that these staff are often more expensive.
- 3.8 The risk in not using consultants is that the Council would have to recruit a more substantial and specialised workforce at a greater expense, and thus creating an employment relation or a “contract of service” with the associated diversity of employment rights including unfair dismissal and redundancy payment rights, etc.
- 3.9 This report provides a detailed breakdown of all costs officers believe are consultants, broken down over Portfolio’s and service areas. This is shown in Appendix 2 (revenue) and Appendix 3 (capital). It also examines the procurement arrangements associated with engaging the consultants as part of that process.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

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

5. FINANCIAL IMPLICATIONS

5.1 The financial implications are included in the body of the report and the appendices.

5.2 A summary of the expenditure is detailed in the table below

Expenditure on consultants		
	2017/18	2018/19
	£'000	£'000
		Part Year
Revenue	863	456
Capital	2,240	659
	3,103	1,115

6. LEGAL IMPLICATIONS

6.1 There is a considerable amount of legislation affording specific employment rights such as paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal, to name but a few to employees. In general terms Self-employed individuals consultants, on the other hand, are not entitled to these enhanced statutory rights or protections, because, arguably, they are not employees in the strict legal sense. However, given the distinction between an employee and a worker, in light of the recent high profile cases including the Uber and the Pimlico Plumber cases some self-employed individuals may be classified as workers with legal entitlement to paid holiday, national minimum wage, etc.

6.2 In addition to statutory rights, an employer/employee relationship also implies a duty of trust and confidence between the parties concerned and suggests that neither should act in such a way as to undermine it. This notion introduces the idea of reasonableness into the way in which employers treat their employees. But the relationship between an organisation and a self-employed consultant does not have the same implied duties, with the consultant's protection relying largely on the contractual terms in place.

6.3 Describing a role as a consultant will not provide a definitive position and as a starting point, there are three key areas that should be evaluated:

- (i) a requirement for personal service
- (ii) the existence of mutuality of obligation
- (iii) the level of control that the council has over an individual.

6.3.1 **Personal service** - Is the individual personally required to perform services for the company? An employee is someone who is employed under a contract of service, that is, a contract that requires them to personally turn up for work and carry out the duties requested of them. A consultant, on the other hand, is engaged under a contract for services, that is, a contract under which they agree to provide the company with particular services. But, while they are

obliged to ensure that these services are provided, they are not necessarily required to carry out the work personally.

- 8.3.2 **Mutuality of obligation** - Are employers obliged to offer individuals work under their agreed contract? Equally, if an employer offers an individual work, are they obliged to accept it? If they are, it could indicate an employment relationship.
- 6.3.3 **Control** - How much control does the employer have over an individual? Who decides what work needs to be done, how it should be done and when?
- 6.4 HMRC uses different, albeit similar, criteria when determining individual's employment status or otherwise. This means that an individual could be considered an employee for tax purposes and yet remains a consultant from an employment perspective. As stated above, the processes relating to the engagement of consultants is being tightened with the appropriate checks and balances, taking in account the impact of IR35 regulations. These will reduce or eliminate the obvious employment law risks including the accrual of the statutory protection rights set out in para 5.1 above. HR advice should be sought to ensure that each assignment/engagement is not likely to give rise to employment or "contract of services. Ultimately, who is an employee or a worker, or self- employed individual for employment law purposes is a matter for the court to decide.

7. **PROCUREMENT IMPLICATIONS**

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

8. **POLICY IMPLICATIONS**

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

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

This page is left intentionally blank

CONSULTANT

Coding for Consultants/Agency/Temp Staff

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

➤ Agency staff – Revenue Funded (0104)*

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

➤ Temporary Staff – Revenue Funded (0104)*

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

➤ Consultants – Revenue/Capital (1708)**

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

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

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

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

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

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

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

Employing the Consultant

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

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

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

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

Requirement for a Consultant

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

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

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

8.2 Procurement – Competition Requirements

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

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

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

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

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

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

8.6 The Appointment of Consultants to Provide Services

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

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

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

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

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

Category / Supplier Name	Division/Serv. Area	17-18 £	18-19 £	Description	Procurement procedure followed	No. of quotes obtained	Date Reported to Members
One-off specialist advice, no one with relevant specialist skills							
ATKINS LTD	Traffic, Parking & Highways	32,820	0	Traffic modelling for Site G in Bromley Town Centre	Three written quotations under CPR 8.2.1	3	
BATCHELLER MONKHOUSE	Street Scene & Green Space	0	1,733	Valuation of Scadbury Park Farm	Single quote under CPR 8.2.1	1	
C W INFRASTRUCTURE (UK) LTD	Traffic, Parking & Highways	73,808	0	Project management support and preparation of contract documents for commissioning of service	Waiver under CPR13.1 - Authorised by Chief Officers	1	
FREIGHT TRANSPORT ASSOCIATION	Transport Operations & Depot Management	1,024	0	Advise on a suitable procedure for carrying out audits of contractor's fleets and vehicle management processes. This was in preparation for the new Environment contracts due to commerce in April 2019	Single quote under CPR 8.2.1	1	
QUARTERBRIDGE PROJECT MANAGEMENT LTD	Street Scene & Green Space	14,055	807	To undertake detailed market research and put forward proposal on the future operation of the Bromley Market as part of larger Bromley Regeneration project	Waiver under CPR13.1 - Authorised by Chief Officers	1	
One-off specialist work total		121,707	2,540				
Insufficient in-house skills / resources							
AECOM	Traffic, Parking & Highways	147,452	66,991	Highway design and construction services via the Council's access agreement with the Homes and Communities Agency Framework, helping the Council meet it's statutory duty under the Highways Act 1980 for the safe use of the safe use of the highway and multi storey car park, to implement transport studies and design to help deliver the Council's LIP in response to the Mayor's Transport Strategy, and Scadbury Moated Manor Site Brief.	Part of HCA Framework under Section 23.7 of CPR. 1 year contract award following revised extension and tendering exercise on 10/06/16. Additional 1 year extension approved by Members on 19/07/17.	1	16/06/10, 17/04/12, 07/07/15 & 19/07/17
WATERMAN ASPEN	Traffic, Parking & Highways	36,410	13,938	Parking Design specialist for Pay & Display project	Waiver under CPR13.1 - Authorised by Chief Officers	1	
WYG ENVIRONMENT PLANNING LTD	Street Scene & Green Space	0	3,388	Technical Support for Environmental Services Contract Procurement (Waste Collection and Disposal)	Three written quotations under CPR 8.2.1	3	
Insufficient in-house skills total		183,862	84,317				
GRAND TOTAL		305,568	86,857				

Capital Consultants - 2017/18

Supplier Name	ENVIRONMENT PORTFOLIO	Cost Centre	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members	Responsible Officer
Surveyors							
NATIONWIDE DATA COLLECTION	2,250.00						
	300.00	922672~C004	LIP Formula Funding - Speed Surveys - 2x 1 week ATC	3	TFL Framework	n/a (note: should be C009)	Angus Culverwell
	300.00	922672~C004	LIP Formula Funding - Speed Surveys - 2x 1 week ATC	3	TFL Framework	n/a (note: should be C009)	Angus Culverwell
	1,650.00	922672~C004	LIP Formula Funding - Traffic turning count and ANPR for Shortlands	3	TFL Framework	n/a (note: should be C009)	Angus Culverwell
CAD MAP LTD	2,700.00						
	600.00	922672~C004~FA954	LIP Formula Funding - Cluster sites: analysis, selection & implementation	3	Mini-competition	n/a	Angus Culverwell
	1,450.00	922672~C029~FA956	LIP Formula Funding - Topo Survey - Bromley Rd junction with Scotts Lane - CAD Map	3	Mini-competition	n/a (note: should be C009)	Angus Culverwell
	650.00	922672~C029~FA956	LIP Formula Funding - Topo Survey - Bromley Rd junction with Scotts Lane - CAD Map	3	Mini-competition	n/a (note: should be C009)	Angus Culverwell
TRACSIS TRAFFIC DATA LIMITED	4,015.00						
	175.00	922672~C009	LIP Formula - Traffic Survey	3	Mini-competition	n/a	Angus Culverwell
	425.00	922672~C009	LIP Formula - Traffic Surveys in Copers Cope Rd John Joyce	3	Mini-competition	n/a	Angus Culverwell
	1,945.00	922672~C001	LIP Formula Funding - two weeks speed surveys outside property number 35 Park Avenue, Bromley, BR1 on lamp column number P 36 12 and outside property number 34 Oaklands Land Biggin Hill TN16 3DN (Oaklands Primary School)	3	Mini-competition	n/a (note: should be C009)	Angus Culverwell
	1,470.00	922672~C029	LIP Formula Funding - Two weeks speed surveys at 5 locations in Bromley, BR1 Lusted Hall Lane 1, Lusted Hall Lane 2, Court Farm Road and Village Way	3	Mini-competition	n/a (note: should be C009)	Angus Culverwell
WARNER LAND SURVEYS LTD	3,710.00						
	1,370.00	922672~C004~FA945	LIP Formula - Topo Survey of footway between Shortlands Station and St Marks School	3	Request for Quotes	n/a (note: should be C009)	Angus Culverwell
	2,340.00	922672~C001	LIP Formula Funding - Payment for Topo Survey, to Warner	3	Request for Quotes	n/a (note: should be C009)	Angus Culverwell
Sub total - Surveyors	12,675.00						
Multi disciplinary consultant / Other Consultants							
AECOM LTD	116,327.00						
	107,088.00	922661~C001	Maintenance		Tfl Framework	Term Consultant (TFL Framework)	E&RC PDS
	9,239.00	922672~C001	LIP Formula Funding	1			Angus Culverwell
ARCADIS CONSULTING UK LTD	20,095.00						
	20,095.00	922672~C001	LIP Formula Funding	2		Request for 3 Quotes via eProcurement	n/a (note: should be C009)
M&S TRAFFIC LTD	1,600.00						
	600.00	922672~C004~FA944	LIP Formula Funding - x4 Road Safety Audits (QW Greenwich to Kent House Station; Crofton Road, Farnborough; Brook Lane, Bromley; Warren Road jnt Windsor Drive, Chelsfield)	3		Request for Quotes	n/a (note: should be C009)
	200.00	922672~C004~FA948	LIP Formula Funding - x4 Road Safety Audits (QW Greenwich to Kent House Station; Crofton Road, Farnborough; Brook Lane, Bromley; Warren Road jnt Windsor Drive, Chelsfield)	3		Request for Quotes	n/a (note: should be C009)
	800.00	922672~C004~FA958	LIP Formula Funding - x4 Road Safety Audits (QW Greenwich to Kent House Station; Crofton Road, Farnborough; Brook Lane, Bromley; Warren Road jnt Windsor Drive, Chelsfield)	3		Request for Quotes	n/a (note: should be C009)
Sub total - Multi disciplinary consultant	138,022.00						
Grand total Consultants	150,697.00						

Capital Consultants - 2018/19 to October 2018

Supplier Name	ENVIRONMENT & COMMUNITY	Scheme	No. of quotes obtained	Procurement procedure followed	Date reported to Members	Responsible Officer
Surveyors						
NATIONWIDE DATA COLLECTION	1,200.00					
	400.00	922672~C001~FB040	1	TfL Framework - Request for Quotes	n/a	Angus Culverwell
	400.00	922672~C001~FB040	1	TfL Framework - Request for Quotes	n/a	Angus Culverwell
	400.00	922672~C001~FB040	1	TfL Framework - Request for Quotes	n/a	Angus Culverwell
Sub total - Surveyors						
	1,200.00					
Multi disciplinary consultant						
AECOM LTD	1,216.00					
	1,216.00	922661~C001 - Maintenance		All Costs are construction costs rather than consultancy and should be on C004		Garry Warner
ARCADIS CONSULTING (UK) LTD	5,096.00					
	5,096.00	922672~C004-LIP Formula Funding	3	TfL Framework - Request for Quotes	n/a (note: should be C009)	Angus Culverwell
M&S TRAFFIC LTD	715.00					
	715.00	922672~C004-LIP Formula Funding	3	Request for Quotes	n/a (note: should be C009)	Angus Culverwell
REDMAN PARTNERSHIP LLP	38,489.00					
	20,000.00	941538~C001 - Relocation of Exhibitions - Bromley Musuem	2	CPR 8.2.1	n/a	Lydia Lee
	18,489.00	941542~C001 - Biggin Hill Memorial Museum	3	CPR 8.2.1	2nd December 2016	Lydia Lee
SOUTH EASTERN TRAINS	16,212.00					
	16,212.00	922672~C004~FA963 - LIP Formula Funding	3	TfL Framework - Request for Quotes	n/a	Angus Culverwell
Subtotal - Multi disciplinary consultant						
	61,728.00					
Grand total consultants						
	62,928.00					

66 608 99

This page is left intentionally blank

Report No.
ES19005

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: Tuesday 9 April 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 March 2019 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 20th March 2019 and presented to Contracts Sub-Committee on 2nd April 2019.
- 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 and comments on the Contracts Register as at 20th March 2019.**
- 2.2 **Note 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: £29.822m
 5. Source of funding: Existing revenue budget for 2018/19
-

Personnel

1. Number of staff (current and additional): - 146.87 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: 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 20th March 2019 for the April reporting cycle as set out in Appendix 1.
- 3.6 The Key information, for this Portfolio, is shown in the table below.

Environment and Community Services		July 2018	September 2018	December 2018	April 2019
Item	Category				
Total Contracts	£50k+	20	21	21	21
Concern Flag	Concern Flag	0	5	2	3
Risk Index	Red	5	5	5	5
	Amber	8	9	9	9
	Yellow	5	5	5	5
	Green	2	2	2	2
Total		20	21	21	21
Procurement Status	Red	14	14	16	16
	Amber	2	2	0	1
	Yellow	0	1	1	0
	Green	4	4	4	4
Total		20	21	21	21

- 3.7 The following contracts have 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
13	Vehicle and Plant Maintenance, Repairs and Associated Transport Services	1,245,040	05/04/2019

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.

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 (March 2019)


Appendix 1 Key Data (All Portfolios)

Item	Category	April 2019
Contracts (>£200k TCV)	All Portfolios	163
Flagged as a concern	All Portfolios	8
Capital Contracts	All Portfolios	9
Portfolio	Adult Care and Health	70
	Education, Children and Families	23
	Environment and Community Services	18
	Public Protection and Safety	7
	Renewal and Recreation and Housing	9
	Resources Commissioning and Contract Management	36
Total		163
Risk Index	Red	11
	Amber	82
	Yellow	64
	Green	6
Total		163
Procurement Status	Red	59
Procurement Status	Amber	20
Procurement Status	Yellow	40
Procurement Status	Green	44
Total		163
Procurement Status	Imminent	3
Total		3

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.

Contract Risk Status		45.4	
Hide Risk Details			
Ref	Risk Type	Analyses Result	Score
1	Company Size	Mutiple Suppliers / Sizes	0.6
2	Total Contract Value	>£100k <£500k	2.0
3	Annual Contract Value	>£50k <£100k	12.0
4	Budget & projected spend variance	Default Score used	10.0
5	Sector	Other	5.0
6	Contract Term (Remaining Agreed Term)	1-2 yrs	1.2
7	Contract Type	Framework Contract	4.6
8	Procurement Status Ragging		10.0

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						 Requires an agreed plan  Develop / test options  Consider options  No action required
	6 months						
	9 months						
	12 months						
	18 months						
		£5k - £50k	£50k - £100k	£100k - £173k	£173k - £500k	>£500k	
		Total Contract Value					

This page is left intentionally blank

Contract Register Report - £50k Portfolio Filtered - Environment and Community Services - April 2019

Risk Index	Main Contract Data						Finance Data				Proc. Status	Contract Terms			Attention	Capital
	Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value	Original Annual Value	Budget	Projection		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	Ⓜ	
●	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	Ⓜ	
●	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 Hillsden	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		
●	3	Hugh Chapman	John Bosley	Arboriculture 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	240,877	■	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	141,600	■	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		
●	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		
●	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		
●	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		
●	3805	Garry Warner	Nigel Davies	CONFIRM	Pitney Bowes Software Europe Ltd	Environment and Community Services	173,730	86,865			■	01/07/2018	30/06/2020	24		
●	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		
●	1359	Andrew Rogers	Nigel Davies	Council Information Display Units	JCDecaux	Environment and Community Services	-1,763,860	-180,000			■	01/04/2017	31/03/2027	120		
●	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		
●	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		

This page is left intentionally blank

Report No.
ES19029

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 9th April 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 Committee's Forward Work Programme; and
- progressing requests made at previous meetings

2. **RECOMMENDATIONS**

2.1 That PDS Committee reviews and comments on:

- (a) the Forward Work Programme (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: £29.8m 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 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

Meeting Date: 18th June 2019	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
Civic Centre Multi-Storey Car Park – replacement of Parking Management System	T&P	Pre-decision scrutiny
Environment Portfolio Plan: 2018/19 12 month progress Report	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 February 2019	Members requested an update to be provided at the 9 th April meeting on the full results of the trial use of an APNR vehicle.	<p>Parking Services are still waiting for the full data of the ANPR trial from APCOA. The report provided to date has not given full comprehensive data of how many vehicles have been observed and how many PCNs have been issued, therefore we are unable to conclude if this is the most efficient way to deploy and enforce the Controlled Parking Zones.</p> <p>Once this data has been received, Parking Services will be running comparison reports against the visits, observations and the PCN issue rate by the CEOs on foot, against the ANPR vehicle, to determine if the trial has been a success.</p>
5 th February 2019	Members requested that consideration of APCOA's performance should be scheduled for a further six months to ensure continuation of progress.	To be added to the 19/20 Forward Work Programme for the autumn.
5 th February 2019	Members requested that consideration is given to a future visit to a progressive waste and recycling facility (suggestions for such a visit being made by the Assistant Director of Environment).	<p>Officers have made enquiries with suitable authorities and have identified Earlswood Depot in Reigate and Banstead as a good option for the site visit to a waste and recycling depot that has undergone some improvements to enhance its functionality.</p> <p>Earlswood Depot operates both as a Waste Transfer Station and a Household Waste and Recycling Centre. It is also a similar size to Bromley's Central Depot.</p> <p>Surrey County Council have confirmed that they are open to LBB visiting the site.</p>

This page is left intentionally blank

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is left intentionally blank

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

Document is Restricted

This page is left intentionally blank