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DATE: 5<sup>th</sup> November 2019

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

Councillor Will Harmer (Chairman)  
Councillor Kieran Terry (Vice-Chairman)  
Councillors Mark Brock, Ian Dunn, Colin Hitchins, Samaris Huntington-Thresher,  
Melanie Stevens, Harry Stranger and Michael Tickner

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

MARK BOWEN  
Director of Corporate Services

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

## A G E N D A

### **PART 1 AGENDA**

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

### **STANDARD ITEMS**

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

In accordance with the Council's Constitution, questions to the Committee that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting.

Questions specifically relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by **5pm on Thursday 7<sup>th</sup> November 2019.**

**4 MINUTES OF THE ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 28TH AUGUST 2019 (Pages 5 - 24)**

**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 that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting.

Questions specifically relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by **5pm on Thursday 7<sup>th</sup> November 2019.**

**6 ENVIRONMENT PORTFOLIO PLAN: PERFORMANCE OVERVIEW (Pages 25 - 26)**

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 2019/20 (Pages 27 - 38)**

**b PROPOSAL TO REMOVE PAY AND DISPLAY MACHINES (Pages 39 - 46)**

**c ORPINGTON K-PERMIT PARKING SCHEME - PROPOSED CHANGES (Pages 47 - 52)**

**d ORPINGTON HIGH STREET: WALKING AND SIGNAGE IMPROVEMENTS (Pages 53 - 66)**

**e HAYES VILLAGE LOCAL NEIGHBOURHOOD IMPROVEMENTS (Pages 67 - 80)**

**f CRYSTAL PALACE PARK ROAD CROSSING POINT (Pages 81 - 96)**

**g FRIENDLY STREETS - VALLEY SCHOOL GREEN SCREEN TRIAL (Pages 97 - 102)**

**8 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE**

**a TEC DELEGATION FOR THE REGULATION OF DOCKLESS VEHICLE HIRE SCHEMES (Pages 103 - 112)**

## **POLICY DEVELOPMENT AND OTHER ITEMS**

- 9 **JB RINEY - CONTRACTOR PERFORMANCE REVIEW** (Pages 113 - 120)
- 10 **ARBORICULTURE - GLENDALE CONTRACT SCRUTINY REPORT**  
(Pages 121 - 128)
- 11 **FLY-TIPPING ACTION PLAN UPDATE** (Pages 129 - 142)
- 12 **ARBORICULTURAL SERVICES: UPDATE OF AUDIT FINDINGS** (Pages 143 - 148)
- 13 **RISK REGISTER** (Pages 149 - 164)
- 14 **CONTRACT REGISTER** (Pages 165 - 174)
- 15 **FORWARD WORK PROGRAMME & MATTERS ARISING** (Pages 175 - 180)

## **PART 2 AGENDA**

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

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

### **Items of Business**

- 17 **EXEMPT MINUTES OF THE ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 28TH AUGUST 2019**  
(Pages 181 - 182)

### **Schedule 12A Description**

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

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

Minutes of the meeting held at 7.00 pm on 28 August 2019

### **Present**

Councillor Kieran Terry (Vice-Chair, in the Chair)  
Councillors Aisha Cuthbert, Ian Dunn,  
Samaris Huntington-Thresher, Angela Page,  
Melanie Stevens, Harry Stranger and Michael Tickner

### **12 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies were received from Councillor Mark Brock, and Councillor Angela Page attended as substitute.

Apologies were received from Councillor William Harmer, and Councillor Aisha Cuthbert attending as substitute.

Apologies were also received from Councillor Colin Hitchins.

### **13 DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **14 QUESTIONS TO THE CHAIRMAN FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received for the Chairman; all of the questions were for the attention of the Portfolio Holder.

### **15 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 18TH JUNE 2019**

The minutes of the Environment PDS Committee that met on 18<sup>th</sup> June 2019 were agreed and signed as a correct record.

### **16 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

A number of questions had been submitted to the Portfolio Holder. Details of the questions and replies are at **Appendix A**.

The Portfolio Holder was unwell and unable to attend the meeting and so the questions were not able to be put to the Portfolio Holder on the evening.

*28 August 2019*

As such, Portfolio Holder replies to all questions listed for oral reply were provided in writing.

## **17 ENVIRONMENT PORTFOLIO PLAN: PERFORMANCE OVERVIEW**

The update on the Portfolio Plan Performance Overview was provided by the Head of Performance Management and Business Support.

Members noted the performance monitoring for Residual Household Waste per household. This was currently marked as a low performance area, with an amber rag rating. It was explained that service changes were taking place and a new recycling scheme was being introduced next month to improve performance in this area.

The Head of Performance Management and Business Support stated that regarding the routine maintenance for street lighting, the performance was slightly off trajectory and was being reviewed with the contractor.

A Member drew attention to outcome numbers 24 and 25 which related to the 10 day maintenance response time for highway maintenance tasks, and the 35 day highway response time for other highway maintenance tasks. He queried why the year end projections were below target. In response, the Assistant Director for Highways answered that the contractor was struggling with the 10 day response time. He anticipated that the target would be reached in 90% of cases in about a month's time. The Member asked if the targets on the report would be more accurate if they projected upwards, and the answer was affirmative.

A Member commented on outcome 10 which was regarding the cutting and strimming of highways and verges by Idverde. She was concerned to note that the 2019-2020 target was only 75%; she felt that this was too low and asked for the target to be revised upwards.

The Chairman referred to outcomes 13 and 15 which referred to the number of volunteer hours worked by friends of parks and countryside and woodlands sites respectively. In light of feedback from friends groups and one of the public questions, he asked for this to be reviewed.

**RESOLVED that the Environment Portfolio Plan Performance Overview is noted.**

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

**a CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2019/20**

**FSD 19075**

Members noted and agreed the recommendation of the Capital Programme Monitoring Report.

**RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive on 10th July 2019.**

**b LIP PROGRAMME 2020/21**

**ES19055**

This report sought the agreement of the Portfolio Holder for the submission of the Local Implementation Plan (LIP) to Transport for London for the financial year 2020/2021.

The Transport Planning Manager explained that LBB received LIP Formula Funding from TfL to implement the proposals set out in its LIP3 proposal document. He described the Programme as 'fluid and dynamic'.

If the funding remained the same as for 2019/2020, then the funding allocation would be £2.076m. TfL was undertaking a review of the LIP Funding Formula. This meant that either LBB would lose £21k of funding, or would benefit from an additional £182k per annum. If this was the case, the revised annual LIP funding would be £2,258k per annum.

Members were supportive of the initiatives outlined in the proposal. A Member cautioned against a blanket 20mph speed limit as part of the speed management and road danger reduction schemes. He felt that this would unduly penalise motorists and contribute to pollution.

A Member asked if the appropriate consultation process was being undertaken with respect to the Orpington to Green Street Green cycle route, and it was confirmed that consultation was being undertaken with Councillors and members of the public.

**RESOLVED that:**

**1) The Portfolio Holder is recommended to agree that officers should submit the Implementation Plan Programme for 2020/21 to TfL.**

**2) Any amendments to the programme, (once the final allocation is confirmed by TfL), be delegated to the Director of Environment and**

**Public Protection, in consultation with the Portfolio Holder for Environment and Community Services**

**c CIVIC CENTRE MULTI-STOREY CAR PARK - REPLACEMENT OF PARKING MANAGEMENT SYSTEM**

**ES 19059**

The report made recommendations for the modernisation of the Civic Centre Car Park to enhance the customer experience and to encourage people to visit Bromley Town Centre.

Three options had been considered:

- **Option 1:** A Pay on Foot system which was the same as the current system
- **Option 2:** A Pay and Display system
- **Option 3:** ANPR (automatic number plate recognition) where the exit barrier would rise as the vehicle approached, as long as payment had been made

The report had recommended Option 3.

It was noted that the Portfolio Holder for Resources, as well as the Portfolio Holder for Environment supported the proposal as did the Chairman and Vice Chairman of the Environment PDS Committee.

At the meeting, the project was also supported by Members. However the way that the project was proposed to be part funded was not agreed by Members. This was because it had been proposed that £71.5k funding be allocated from the earmarked reserve for Member Initiatives (Environment Projects). Members expressed the view that the earmarked reserve for Member Initiatives was being used to acquire capital equipment, and felt that this was not the purpose of the funding.

The Director of Environment and Public Protection felt that it was important that the recommendations (as outlined in the report) should be agreed so that the project could proceed without delay.

The Chairman suggested that the matter of funding be delegated to the Director of Environment and Public Protection to discuss further with the Portfolio Holder.

**RESOLVED that the Portfolio Holder be recommended to agree that:**

**1) Option 3 be implemented—the car park should be modernised to an ANPR parking solution and to grant officers permission to go to the market to procure a new system. Delegated authority would be given to**



the Director of Environment and Public Protection to make the final selection.

2) The one-off funding cost of £181.5k is partially funded from the £110k release of provision that was no longer required. The remaining funding of £71.5k to make up the £181.5k is NOT funded from the earmarked reserve for Member Initiatives. The Director of Environment and Public Protection should discuss this further with the Environment Portfolio Holder to locate an alternative source of funding.

3) The funding of the ongoing equipment maintenance costs of £11.6k (£80.9k over 7 years) is NOT allocated from the earmarked reserve for Member Initiatives. The Director of Environment and Public Protection should discuss this further with the Environment Portfolio Holder to locate an alternative source of funding.

**d SALIX STREET LIGHTING LED UPGRADE**

**ES19056**

The report detailed a proposal to upgrade 3,870 street lights across the borough with new energy efficient LED lanterns and photocells.

The report was well received by Members and they hoped that any street lights that were not upgraded as part of this project could be upgraded in the near future.

A Member asked that a list of the street lights that were being upgraded be provided to Members. It was noted that the Chairman (Cllr Harmer) had requested a future report to be presented to the Committee regarding any remaining lighting that was not being upgraded during the current project.

Members were being asked to review the report and provide any comments they had to the Executive before the Executive considered the report.

**RESOLVED that**

1) The report is noted by the ECS PDS Committee with the recommendation that the Executive accept the recommendations of the report as follows:

2) The Executive is asked to approve the proposal set out in the report to replace a further 3,870 street lights with improved LED lighting and photocells, at a cost of £1.124m, funded from the Carbon Management Fund of £500k and an additional interest-free SEELS loan of £624k.

*28 August 2019*

**3) The Executive is asked to agree that the scheme is added to the Capital Programme at an estimated cost of £1.124m, subject to approval of Full Council.**

**4) The Executive is asked to note that following payback of the loans, annual savings of £221.1k will be achieved in 2025/26 and £229.4k from 2026/27 onwards, excluding any increases in energy prices.**

**e OPTIONS FOR FUTURE OPERATION OF THE WINTER SERVICE VEHICLE FLEET**

**ES19046a**

The Assistant Director of Highways presented the report which considered the options for the management and maintenance of the Winter Service Fleet going forward.

A Member asked if the management and maintenance work could be given to a smaller business or contractor. The Assistant Director of Highways responded that this was not possible due to the specialist nature of the equipment.

A Member highlighted the term '*management*' in the recommendation, and asked for clarification concerning what this meant. It was explained that this referred to the fact that JB Riney's name would be used on the log books of the vehicles. This would make the contract easier to operate. It did not mean that ownership was being conferred to JB Riney—it just meant that JB Riney would be registered as the keeper of the vehicles.

JB Riney would then be responsible (for the next two years) for maintaining, insuring and servicing the vehicles. There would be no changes in the way that the vehicles would be deployed.

Members discussed the cost of the contract and why it was being proposed as a two year contract instead of over one year. The Assistant Director of Highways explained that a two year contract was required to ensure reliability of the existing service and that during the two year period LBB would be developing a programme to provide replacement gritters and the establishment of a London Emission Zone compliant fleet.

**RESOLVED that the Portfolio Holder is recommended to agree that maintenance and management of the Council's winter service fleet is incorporated into the Highway Minor Works Contract provided by JB Riney, via a variation to the contract at an estimated cost of £86,000 p.a. for the next two years.**

**f ANTI-IDLING LEGISLATION**

**ES19047**

The report sought approval to introduce a new Fixed Penalty Notice (FPN) and charge for engine idling in the Borough under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002. The aim was to reduce polluting emissions from unnecessary engine idling by road vehicles. This would fulfill the commitment in Bromley's LIP3 to investigate powers to discourage unnecessary idling.

Members expressed support for the initiative.

A discussion took place concerning how the two new CEO's would be recruited and retained and how schools could also be involved. A discussion also took place concerning how the new CEOs could be allocated fairly to schools.

Members also discussed whether or not the project should be funded from the Members Initiative Earmarked Reserve for Environmental Projects.

Members asked for clarification of the TOR for the Members Initiative Earmarked Reserve to be provided.

**RESOLVED that the Portfolio Holder be recommended to:**

**1) Authorise the use of powers under Regulations 12, 13 and 14 of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002, to enforce against drivers who allow their vehicle engines to run unnecessarily when parked anywhere in the Borough.**

**2) Agree to delegate authority to the Director of Environment & Public Protection, to authorise, Environmental Protection Officers, Bromley Council Street Enforcement Officers (BCSEOs) and Civil Enforcement Officers of the Council, to make use of these powers to issue FPNs, and take legal proceedings for stationary engine idling offences.**

**3) Agree to allocate £53.8k from the Members Initiative Earmarked Reserve for Environmental Projects, to meet the cost of the two additional CEO's for the initial 12 month trial period and the 5 air quality sensors.**

**19 PARKING SERVICES - CONTRACTOR PERFORMANCE REVIEW, APCOA PARKING, YEAR 2.5**

The update on the Parking Services Contractor Performance Review was provided by the Interim Head of Parking Services. Kim Challis (Regional Managing Director of APCOA) attended to answer questions from Members.

*28 August 2019*

The Interim Head of Parking Services outlined the main issues and concerns that had been highlighted in the report. These were:

- Enforcement levels needed to improve
- APCOA staff retention was a concern—attrition rates were high
- A high number of CEO errors in the issuing of PCNs
- The ANPR equipped moped had not proved as effective as had been hoped
- Concerns had been raised regarding the reliability of the machines used in Council car parks
- Revised beat sheets had been provided by APCOA, but these had not been able to be signed off by officers
- The results from mystery shopping exercises had been disappointing and there were instances where PCNs should have been issued but were not
- There were issues that needed resolving concerning the transport and deployment of CEOs

Ms Challis expressed the view that staff turnover was high in Bromley because of an increase in the level of verbal abuse suffered by CEOs. In some cases there had also been physical attacks, and these incidents had been reported to the police.

Ms Challis continued that the issue of pay levels for CEOs was also a significant factor that contributed to the high turnover of staff. APCOA were paying above the national living wage (NLW), but were not paying the London Living Wage (LLW). APCOA had asked LBB if they would like to pay the London Living Wage, but LBB had declined. Ms Challis said that in many cases (because the LLW was not being paid) staff had left to find alternative employment with higher rates of pay.

A Member responded that the rate of pay administered by APCOA to its staff was not the responsibility of the Council, and it was APCOA's responsibility to recruit and retain suitable staff. The Chairman agreed with this, commenting that ultimately, the pay rates were set by APCOA and not the Council.

In response to this, Ms Challis stated that the rates of pay provided by APCOA would be determined by the rates that had been previously agreed in the contractual agreement between APCOA and the Council. LBB had not agreed in the terms of the contract to pay the LLW. The rates had been agreed with the authority during the tender process. The example was given of LB Southwark, where Southwark Council had agreed to pay the LLW during the tender process.

The Chairman disagreed with this, and maintained that the rates of pay provided by APCOA to its staff was their responsibility. Ms Challis informed the Committee that two pay awards had been provided recently and APCOA were doing what they could to improve pay rates subject to affordability limits.

A Member noted that a new Contracts Manager had been appointed since February, and she was interested to see if the new appointment would have any effect on reducing staff turnover.

It was confirmed that exit interviews were undertaken. A Member asked if any comparisons/differences had been identified in the exit interview data from two years ago and the last 6 months. Ms Challis responded that she had been focusing on the data over the last 6 months. If a comparison was required with the exit data taken two years ago, then she would be happy to source the data and feedback to the Committee.

A Member expressed concern that APCOA had tendered for the contract based on paying workers above the NLW, but not the LLW. She wondered why they had tendered on that basis if there was any doubt about their ability to fulfill the terms of the contract. Ms Challis responded that since the contract had been tendered, the LLW had expanded in terms of the number of additional boroughs that were now paying it. Redbridge and Hillingdon had originally been tendered on the basis of the NLW, but had since migrated to the LLW. This had improved the staff retention rate in these boroughs.

Ms Challis stated that APCOA currently only had two vacancies, and that the organisation was meeting its target of deployed hours. Additionally, if APCOA's staffing levels fell below 95% they were penalised. APCOA was looking at ways to stabilise the workforce.

Ms Challis advised the Committee that broken parking machines were fixed in line with the appropriate KPI's. There had been a significant rise in the number of attacks on parking machines, and these had been reported to police. Cash collections had increased in an effort to deter such attacks. The Chairman expressed the view that APCOA was not doing enough to fix parking machines once and for all. Ms Challis informed the Committee that some of the machines were over ten years old and that they had invested in some spare machines.

A discussion was held regarding ANPR enforcement and a Member expressed concern that APCOA had not approached the Council sooner for more detailed mapping information. Ms Challis hoped that the Council would agree to continue with the ANPR pilot as it was anticipated that having the full mapping system loaded would improve enforcement.

A Member noted that the number of PCNs cancelled due to CEO errors over the last two months had risen and wondered why this was the case. Ms Challis was unsure of the reasons for this and promised to look into the matter and come back with an answer.

*28 August 2019*

A Member raised the issue of parking problems that were occurring after 9.30pm in Beckenham High Street, between Thursday to Saturday inclusive. Ms Challis explained that there were only two CEOs allocated to late night duties over the Borough, and their shift finished at 10.00pm. If further resource was required, then a discussion would need to be had with the authority's team. Notice would be required to change the roster.

Information was provided by the Assistant Director-Traffic and Parking, concerning mobile school CCTV cameras:

- 5 new school CCTV cameras would be operational soon
- These would be in addition to the 5 already deployed
- The cameras were mobile and so could be moved
- The cameras would help in the correct issuing of PCNs

**RESOLVED that:**

**1) The Committee notes the report and in particular the on-going work to ensure that adequate deployment and compliance is taking place around the Borough.**

**2) A similar Parking Services Contractor Review report is presented to the Environment PDS Committee in January 2020.**

**3) APCOA provide updated data concerning staff turnover from the date that the new Contracts Manager was employed.**

**20 RISK REGISTER**

**ES19050**

The Risk Register report presented the revised E&CS Risk Register for detailed scrutiny by the Environment and Community Services PDS Committee.

The Risk Register formed part of the Annual Governance Statement evidence-base and had been reviewed by: E&CS DMT, the Corporate Risk Management Group and the Audit Sub-Committee.

Members were informed that an update report on the Mortuary Contract would be presented to the Public Protection and Enforcement PDS Committee on 10<sup>th</sup> September.

The Committee was pleased to note that no E&CS risks were currently flagged red following the implementation of management control measures.

**RESOLVED that the Risk Register report and associated appendices are noted.**

## **21 CONTRACT REGISTER**

### **ES19049**

Members noted the Part 1 Contract Register Report.

It was explained that sometimes, contracts were flagged red because of tight timescales for tender. In this case there were none.

It was noted that the Parks Security contract had been awarded to Veolia Environmental Services and would commence on 1st April 2020.

**RESOLVED that the PDS Committee:**

**1) Notes the appended £50k Contracts Register and also notes that the Contracts Register in Part 2 contains additional, potentially commercially sensitive, information in its commentary.**

## **22 FORWARD WORK PROGRAMME & MATTERS ARISING**

### **ES19048**

The Committee noted and discussed the Forward Work Programme and Matters that had arisen from previous meetings.

Members requested that a follow up report regarding the parking contract with APCOA be added to the Forward Work Programme for January 2020.

It was pointed out that updates from Idverde and Veolia had been scheduled for the January meeting. It was therefore decided that the update from Idverde be kept for the January meeting, and that the Veolia update be moved to the meeting scheduled for 17<sup>th</sup> March 2020.

It was anticipated that a report on the Transformation Programme would be presented at the November meeting.

**RESOLVED that**

**1) The Forward Work Programme and progress concerning Committee requests are noted.**

**2) A follow up report regarding the parking contract with APCOA be added to the Forward Work Programme for January 2020.**

**3) The update from Veolia be moved to the March meeting.**

*28 August 2019*

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

**a CONTRACT REGISTER**

Members noted the Part 2 extract from the Contracts Register.

**b OPTIONS FOR FUTURE OPERATION OF THE WINTER  
SERVICE VEHICLE FLEET**

The Part 1 minutes for this item are noted in minute 18e. The Committee noted some additional data in the Part 2 report that was commercially sensitive.

The meeting ended at 9.34pm

Chairman



## QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

**Democratic Services Note:** As the Portfolio Holder was unable to attend the meeting due to illness, Portfolio Holder replies to all questions listed for oral reply were provided in writing.

### **From Paul Eteson**

Is Bromley Council aware of the extent of the current ecological and climate catastrophe that we are facing, and will they follow Parliament, over 100 UK local authorities - including Lambeth, Southwark, Lewisham, Greenwich, Croydon - and numerous organisations, foundations and institutions, in declaring a climate emergency in response to this crisis?

### **Reply**

Bromley Council believes actions speak louder than words. Bromley Council has committed to an ambition to net zero carbon emissions for Council activities by 2029. When ranking the priorities for London, we would see that knife crime is far more urgent to reduce and the immediate priority for the Council it to manage its finances over the next 4 years to address the £32m funding gap. Managing that will mean that funds remain available to invest to reduce our impact on the environment - one such proposed investment is on tonight's agenda. Declaring an emergency for climate or a crisis is in danger of diminishing the significance of the terms without actually achieving the change we aspire to. We have already reduced our greenhouse gas emissions by 33% relative to the 2013 baseline and that was on top of the 14% reduction from the previous 2008 baseline. We have a track record of achievement in this area and have committed to a more ambitious date than most other local authorities.

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### **From Alisa Igoe, on behalf of the Ashfield Lane Road Safety Group, a residents' group of 78 households, campaigning for traffic calming measures on Ashfield Lane, Chislehurst**

Could the Portfolio Holder please comment on Bromley being the borough with the highest number of road fatalities, six, within the period January to June 2019, according to TfL's latest published provisional information and whether this will lead to any change and increase in the funding allocated to road safety.

### **Reply**

I am very sorry to hear of each time someone loses their life on the streets of Bromley. That is why Bromley is and always has been focussed on investing in effective road safety programmes, both educational and physical. Six fatalities in the first six months now unfortunately rising to seven is seven too many, but statistically speaking fatal collisions do not paint a very clear picture, as thankfully the numbers are small. This does represent an increase in road deaths in this Borough since 2017, but overall the number of road casualties in Bromley dropped by 13% in 2018, which is twice the decrease seen in London overall.

Bromley is a borough that has a high number of car journeys and a long road length compared to other London boroughs, including many roads of a semi-rural nature, so just looking at numbers rather than in proportion to road length/journeys can be misleading. Our most recent road safety strategy document, our LIP, was subject to public consultation and has been approved by the Mayor, only earlier this year. Our aim is that no one will be killed or seriously injured on our roads by 2041, or sooner if that can be achieved.

With regard to investment, I have recently written to TfL in support of a proposed new funding formula, which if adopted would result in additional funds for Bromley to invest in improving our streets and making them ever safer.

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**From Chris Wells, Co-Founder, Chislehurst Safer Streets**

1. House of Commons Library analyses show that in Bromley & Chislehurst constituency, since 2010: road accidents rose from 221pa to 271pa; total casualties from 259pa to 331pa. The largest increases occurred in the last 2 years. What measures will the Council now introduce to improve road safety within the constituency?

**Reply**

Bromley's LIP3 document noted that there had been a change in late 2016 in the methodology for the collection of accident statistics. That change limits the ability to compare past years figures and has resulted in an apparent, but not necessarily real, increase in accidents – not just in Bromley but across London. This change was known at the time of the submission of the LIP3 document to the Mayor and was reflected in the road safety approach detailed in the LIP3. Bromley's LIP3 was approved by the Mayor.

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2. A range of roadside driver advice/warning posters ('30 for a Reason', etc.) have been put up across the Borough. Will the Portfolio Holder confirm: i) the cost of the initiative; ii) what cost-benefit analysis was completed to recommended it; and iii) how is it being evaluated.

**Reply**

Bromley has had a programme of road safety posters which are moved around the borough. This programme has been in operation for over 15 years. This is part of the road safety programme and the Posters are moved around the borough, this ensures that a large number of road users see the Posters and since experience has shown that road users notice changes, that they are read. The programme is part of road safety education and it is not considered possible to disaggregate any one element of the education programme. The Road safety posters have recently been refreshed at a cost of £6,000 for 126 posters and it costs £5488.86 to move the Posters around the borough. This is considered to represent good value for money.

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## **From Andrew Ruck**

1. Does the Council consider Bromley has an air quality problem?

### **Reply**

Bromley has some of the cleanest air in London; however, that does not mean we would not like to see an improvement in air quality. Exceedances are measured in some parts of the borough on some days. We are however not complacent and I will expand on that in my next answer.

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2. What is the Council actively doing to improve air quality in the borough and what are the anticipated impacts?

### **Reply**

Bromley has implemented a number of changes with the ambition to improve air quality issues arising from traffic.

- Bromley has implemented an extensive range of walking and cycling programmes, including cycle parking over many years.
- Bromley has an extensive tree planting programme.
- Bromley has had a programme to smooth traffic flow with the aim of reducing queueing traffic containing idling cars.
- Bromley is currently working with EV point providers to increase the use of EV & plug in hybrid cars.
- Bromley has let new contracts with vehicles that conform to Euro IV emissions.
- Bromley's LIP details plans over the coming years to change its vehicle fleet and lobby TfL to update the Buses that operate in the Borough.
- Bromley has encouraged staff to arrive at the Civic centre by Active means.
- The Road Safety Unit is about to relaunch its BUG (Bike User Group) in October 2019. This group will initially promote cycling to the Civic Centre for staff and contractors. They will make members aware of training, maintenance, marking, parking, changing new engineering schemes, pool bikes, cycle clubs and events and the cycle to work scheme. Once this group is running there is scope to extend the BUG group to other sites and expand to include walking initiatives.
- Bromley's award winning School Travel Team has one of the best performances in London in terms of Schools with quality travel plans.
- Bromley is in the process of starting a campaign to target idling outside of schools.
- Ensuring emissions from construction are minimised.
- Enforcing non-road mobile machinery for air quality policies.
- Enforcing air quality neutral or air quality positive for all new large developments.
- Ensuring the smoke control areas are appropriately identified, promoted and enforced.
- Continue to monitor for air quality so the benefits of our actions may be quantified.

In addition to the above, Bromley's environmental programmes, such as its high recycling rate, moving towards zero to landfill, LED Street lighting conversion programme etc. will reduce emissions more generally not necessarily in the borough boundary. The Council has also very recently announced an ambitious target that Council direct activities will be net zero for carbon within 10 years.

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**From Gera Drymer**

Considering the serious harm to public health from open fires, is L B of Bromley going to take urgent action to take all possible steps to ban garden bonfires in all smoke control areas in the borough?

**Reply**

No, except when it constitutes a statutory nuisance. Although barbeques are generally fuelled with smokeless fuel, they can still produce smoke and carbon monoxide. It would be impracticable to stop all fires within the SCA.

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**From Barbara Arora, Friends of Chislehurst Recreation Grounds**

*At the ECS PDS Committee on 18 June, the minutes include "The Portfolio Holder stated that indicator ES25 (Number of Hours worked by Friends of Parks Volunteers) was formed as the contractor was required to support Friends Groups and that it was felt that the best measure of the effectiveness of contractor's support to friends groups was the number of hours contributed by volunteers along with success of Friends' grant applications".*

1. Can the Council clarify why it feels this is an appropriate measure of contractor effectiveness?

**Reply**

There has been some misunderstanding regarding this indicator. Bromley highly values the contribution of our friends groups and we are always impressed by the contributions detailed in the Friends Annual report. As a Council we are always keen that our residents remain active and committed to their area and that we, either the Council or our Contractors haven't inadvertently discouraged them, this applies to friends but also to recycling, anti-littering etc. The measure of hours of contribution by friends is therefore recorded by the Council and also feeds into pan London reports. However this is not a contractual indicator. There are many KPIs in our contract with idverde, Hours worked by friends is not one of them. The Chairman of the Friends Forum is represented on the Council's Parks and Greenspace stakeholder panel which is another measure of the importance we attach to our Friends.

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2. Will the Council be willing to work with Friends Forum to design a more meaningful measure that removes the current onerous and often irrelevant record keeping they are asking from volunteers?

**Reply**

As I have mentioned in my first answer the recording of hours is required for reasons other than those linked to the contract. These reasons can be discussed with the Friends Forum to reduce the level of effort required on this aspect from Friends. Equally the PDS can change or revise any measure/indicator they would like to see reported each meeting.

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**From Richard Gibbons**

1. Commend LBB joining 27 London boroughs in Idling Action Project. Would Portfolio Holder increase ROI by (a) also encouraging offending drivers to choose active travel and/or public transport for short journeys, and (b) including transport hubs where pedestrians/cyclists mix with cars/taxis in shared-space, e.g. Orpington station?

**Reply**

The Borough is undertaking a range of projects to promote active travel, including behaviour change initiatives in schools such as cycle training, Dr Bike sessions and escorted rides. We are of course delivering the Crofton Road walking and cycle scheme and Greenwich to Kent House cycleway in the coming months and have recently won an additional £210k funding to deliver cycle parking including 3 more secure cycle hubs. Idling will be enforced where we are legally able to do so. We may not be able to enforce idling on private land such as station forecourts - we can look to see if the rail companies are willing to host space for active travel and anti-idling messages.

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2. Road fatalities Jan-Aug 2019 in LB Bromley are equal to those of 2011, 2012 and 2015, the highest of the past 10 years. In view of increasing fatalities how does the Portfolio Holder propose achieving Vision Zero whilst dismissing calls from residents cognisant with day-to-day road danger and continuing to enable drivers to speed?

**Reply**

Calls from residents concerned about road safety are never dismissed. The Council takes road safety very seriously and has for many years focussed finite resources to where the investment is likely to prevent most deaths and injuries. Our stated aim is to see no one seriously injured or killed on our streets by 2041, or sooner if we possibly can. Our most recent road safety strategy document, our LIP, was only approved by the Mayor earlier this year, so it is too early to suggest it is not working. Inappropriate speed is a wider education message that we are playing our part in delivering. I see this becoming a societal issue in the same way drink driving has been tackled.

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**From Parisa Wright, Greener & Cleaner Bromley (& Beyond)**

1. Will you:

a) agree to funding additional Officers/Air Monitors, to those suggested, in order to help even more Bromley children; and

b) confirm that the Officers carrying air monitors will be dedicated to patrolling school areas during drop off/pick up times and sharing such air quality data with the relevant schools.

**Reply**

a) No. All CEOs will be able to issue the FPNs for idling as part of their general duties. However the two additional officers are to enable additional resource to allow for Borough anti-idling enforcement alongside other existing duties. It is thought that this level of resource is commensurate with the education first approach we wish to adopt. We would hope that we can use school travel plans, educational messages and local volunteers to deliver the anti-idling message far wider than enforcement could ever manage.

b) We will need to establish the most appropriate use of the air monitors so that the data captured is most useful. Data will be shared in order to support our anti-idling education programme which should involve schools in its delivery.

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2. Will the Council ensure that the air quality monitors to be worn by Civil Enforcement Officers will provide information on PM2.5 as well as NO2, and PM10 (especially given their previous 2010 Action Points on this dangerous pollutant)?

**Reply**

In respect of the science behind such monitors there are too many variables involved in data capture and the monitors are not sufficiently refined to determine the source of the pollutants being monitored.

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**QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY**

**From Dr Brendan Donegan, Chair of Bromley Living Streets, a group of residents in the London Borough of Bromley, campaigning for safer, quieter, low-traffic neighbourhoods which encourage walking and cycling**

Could the Portfolio Holder please provide details of public consultations planned as part of the Shortlands Liveable Neighbourhood project, a list of the individuals and organisations named as stakeholders in the project, and details of the processes by which individuals and organisations can provide comments, feedback and ideas on the plans for the project.

## **Reply**

For reasons including brevity I am not going to provide a list, but we intend to fully engage and consult appropriately with residents, schools, residents' associations and appropriate borough wide groups in due course. As Dr Donegan may be aware, the Borough has continued public and stakeholder engagement most recently at the Friendly Streets event earlier in the summer. Consultations are of course public so anyone can respond and exhibitions etc. will be advertised through a variety of channels. We are in the process of appointing a project manager for the project and will develop an engagement strategy alongside the feasibility work we will be conducting over the next few months, this will first be reported to the PDS. The Shortlands and Ravensbourne Villages proposed scheme represents a significant spend of public money and scrutiny to justify value for money for tax payers will be a key element. There will be a number of review points for this project to pass.

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ES19064		ECS PERFORMANCE MONITORING (2019/20)																			
Outcome	No.	DESCRIPTION	2014-15 ACTUAL	2015-16 ACTUAL	2016-17 TARGET	2016-17 ACTUAL	2017-18 TARGET	2017-18 ACTUAL	2018-19 TARGET	2018-19 ACTUAL	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Year End Projection	GOOD PERFORMANCE	2019-20 TARGET	2019-20 RAG STATUS	COMMENTARY (BY EXCEPTION)
1: Improving the Street Scene	1	Public Satisfaction with Cleanliness (% Streets / Neighbourhoods / Town Centres)	71% 88% 90%	69% 79% 87%	70% 70% 75%	71% 86% 90%	70% 80% 90%	74% 79% 84%	>74% >80% >90%	72% 79% 88%	Annual	Annual	Annual	Annual	Annual	73% 87% 89%	Annual	HIGH	>75% >81% >90%	GREEN	Performance in all areas has improved since last year. Of the 27 metrics, 14 (52%) were 'new high scores'. 8 results were the highest they've ever been since 2015. The five that were not high scores this year were Graffiti (scoring 98% vs highest score 100% in 2017), Chewing gum (93% vs 94% in 2017), overflowing litter bins (80% vs 81% in 2017), general satisfaction (73% vs 74% in 2017) and general litter (73 vs 76% in 2017). Full results will be detailed in the Street Environment Contract Scrutiny Report, presented to this committee in January 2020.
	2	Streets Meeting Acceptable Cleanliness (%)	97.60%	99.00%	95.00%	90.44%	95.00%	99.00%	94.73%	94.92%	91%	95%	95%	96%	97%	96%	95%	HIGH	>92%	GREEN	
2: Minimising Waste and Increasing Recycling	3	Total Waste Arising (refuse and recycling) (tonnes)	144,660	146,192	145,000	149,875	149,000	145,748	144,266	144,207	11,996	12,941	12,302	13,177	12,838	11,672	144,069 (Profile Projection)	LOW	146,000	GREEN	
	4	Household Waste Recycled or Composted (%)	49.02%	47.30%	50.00%	48.35%	50.00%	50.00%	50.00%	48.77%	47%	48%	48%	51%	45%	49%	48%	HIGH	50%	AMBER	There are a number of factors that may have impacted the unaudited recycling rate over the first 6 months of 2019/20: - Due to current market limitations affecting material prices, wood is being sent for Energy Recovery - The weight of packaging items is continuing to decrease - 10-15% of the materials sent to the Materials Recycling Facility (MRF) are currently classified as contamination.  Service changes to improve efficiency were implemented in September 2019, alongside a comprehensive communications campaign. Early indications are that kerbside recycling tonnages will increase, but not enough to enable us to achieve the 50% target this year.
	5	Municipal Waste Landfilled (%)	27.00%	27.22%	25.00%	23.68%	24.00%	18.00%	24.00%	13.07%	13.86%	1.60%	7.50%	30.40%	0.00%	0.00%	8.89%	LOW	14.00%	GREEN	In August and September, the waste Service Provider had sufficient capacity allocated to Bromley at Alternative Treatment Facilities to enable zero waste to landfill. Over the next 6 months, LBB are projecting that less than 400 tonnes will be sent to landfill (5% of waste).
	6	Residual Household Waste per Household (kg)	464.6	478.3	445.0	486.7	485.0	434.0	449.0	454.0	40	41	39	40	43	35	476	LOW	450	AMBER	Household residual waste arisings were around 1,200 tonnes higher in the first quarter of 2019, compared to the same period in 2018. 350 tonnes can be attributed to reporting recycling contamination as residual waste.
	7	Number of Green Garden Waste customers (No.)	15,864	18,192	20,000	21,845	26,500	23,863	27,259	28,189	27,940	28,749	29,034	30,211	30,316	30,831	31,000	HIGH	30,000	GREEN	Targeted promotional activities planned for Q3 of 19/20 should see a further increase in Green Garden Waste customers.
	8	Waste & Recycling collections - homes missed (per 000,000)	78	128	60	182	180	119	140	135	107	114	90	146	118	221	120	LOW	120	AMBER	The first two weeks of September saw missed bins per 100,000 at a very low level of 45. With the introduction of the service changes from the 16th September, the expected rise in missed bins was recorded through the new Service Provider system as 397, resulting in a monthly average of 221 missed bins per 100,000 homes. In line with the Performance Management Framework that has been applied to the new contract, a Corrective Action Plan has been implemented by the Service Provider and a sum of money subtracted from the September payment, which is kept in abeyance. Payment of that sum is dependent on an improved performance by the target date of the end of December 2019.
	9	Public Satisfaction with Parks and Grounds Maintenance (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	This will be reported	This will be reported	This will be reported	This will be reported	This will be reported in Q4	This will be reported in Q4	This will be reported in Q4	HIGH	75%		
	10	Highways verges and amenity grass cutting/trimming, within contractual service standards and timescales (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	93%	88%	95%	93%	100%	96%	94%	HIGH	75%	GREEN	Whilst performance has been very high to date, due to seasonal variations, the Service Provider has advised that an expected drop in performance will occur during Q3, hence the target value of 75%. KPIs will be reviewed with the Service Provider and may be amended for the 2020/21 Portfolio Plan.
3: Enhancing Bromley's Parks and Green Space	11	External Funding (£000)	337	207	340	437	Outcome	175	Quarterly	144	Q1	Q1	35	Provided in Q3	Provided in Q3	Provided in Q3	Provided in Q3	OUTCOME	N/A	OUTCOME	
	12	Partnership Funding* (£000)	172	43	Outcome	60	Outcome	20	Annual	13	Annual	Annual	Annual	Annual	Annual	Annual	Annual	OUTCOME	N/A	OUTCOME	
	14	Number of attendees for environmental education sessions at BEECHE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	604	869	515	460	283	259	4,100	HIGH	4,000	GREEN	
	16	Ensure no net loss of street trees (Net positive no. of trees)	New Indicator	New Indicator	New Indicator	Felled: 213 Planted: 1115 Net gain: 902	N/A	Felled: 431 Planted: 499 Net gain: 68	N/A	Felled: 383 Planted: 404 Net gain: 21	N/A	N/A	N/A	N/A	N/A	N/A	Net gain: >0	HIGH	Net gain in street trees		Planting season will commence in November 2019 when data on felled and planted trees will be updated.
	17	Total monthly tasks completed on time by Arboricultural Services contractor (% of all jobs)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	100.0%	100.0%	89.0%	79.6%	Data awaiting verification	Data awaiting verification	80.0%	HIGH	75.0%	GREEN	
4: Managing our Transport Infrastructure & Public Realm	18	Condition of principal (A) roads (% considered for maintenance)	1%	2%	<6%	2%	6%	2%	6%	3%	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	<6%	GREEN	
	19	Condition of non-principal classified (B & C) roads (% considered for maintenance)	3%	2%	<8%	2%	8%	2%	8%	2%	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	<8%	GREEN	
	20	Number of FPNs Issued (to utilities in relation to permits)	534	509	N/A	427	Outcome	145	63	48	2	2	4	4	0	0	24	OUTCOME	N/A	OUTCOME	
	21	Number of Defect Notices (to utilities in relation to reinstatement)	4,300	4,588	4,000	3,887	4,000	2,009	1,539	2,037	62	86	117	79	89	50	966	OUTCOME	N/A	OUTCOME	
	22	Routine street lighting maintenance tasks completed within four calendar days (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	N/A Part year contract	N/A Part year contract	95.0%	98.0%	99.0%	96.0%	98.0%	99.0%	97.5%	HIGH	95.0%	GREEN	

Outcome	No.	DESCRIPTION	2014-15 ACTUAL	2015-16 ACTUAL	2016-17 TARGET	2016-17 ACTUAL	2017-18 TARGET	2017-18 ACTUAL	2018-19 TARGET	2018-19 ACTUAL	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Year End Projection	GOOD PERFORMANCE	2019-20 TARGET	2019-20 RAG STATUS	COMMENTARY (BY EXCEPTION)	
4: Managing our Transport Infrastructure & Public Realm	23	Routine street lighting maintenance tasks completed within eight calendar days (monthly) (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	N/A Part year contract	N/A Part year contract	98.0%	99.0%	99.0%	96.0%	98.0%	99.0%	100%	HIGH	100%	GREEN		
	24	10 day highway maintenance tasks completed within required timescale (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	90.0%	75.6%	72.6%	79.8%	79.8%	86.0%	87.5%	87.5%	90.0%	HIGH	90.0%	AMBER	Since the introduction of an improvement plan by the Service Provider, performance has been steadily improving towards the target.	
	25	35 day highway maintenance tasks completed within required timescale (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	90.0%	67.4%	78.0%	82.8%	90.0%	92.0%	89.0%	Awaiting Data	90.0%	HIGH	90.0%	GREEN		
5: Improving Travel, Transport & Parking	26	Children travelling to school by foot, cycle or scooting (%) (From School Census)	N/A	N/A	N/A	N/A	N/A	N/A	44%	46%	Annual	Annual	Annual	Annual	Annual	Annual	Annual	HIGH	46%	GREEN		
	27	Daily Trips Originating in the Borough made by Bicycle (%)	1.0%	1.7%	1.4%	1.2%	1.5%	1.1%	1.5%	Awaiting Data from TfL - November	Annual	Annual	Annual	Annual	Annual	Annual	Annual	HIGH	1.6%	GREEN		
	28	Daily Trips Originating in the Borough made by Foot (%)	25.0%	25.3%	28.4%	25.3%	28.5%	26.0%	28.5%	Awaiting Data from TfL - November	Annual	Annual	Annual	Annual	Annual	Annual	Annual	HIGH	28.6%	GREEN		
	29	Average Vehicle Delay (mins per km - principal roads)	0.77	0.80	<0.7	0.80	<0.7	Awaiting Data	<0.7	Awaiting Data from TfL - November	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	<0.7	GREEN	
	30	Maintain Bus Excess Wait Time (EWT) Annually at less than or equal to 1.0 minutes (time mins)	N/A	N/A	N/A	N/A	N/A	N/A	<1.0	0.80	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	<1.0	GREEN	
	31	People Killed or Seriously Injured in Road Traffic Accidents (No.)	107	131	...	129	...	107	<99	109	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	<92	GREEN	
	32	Children Killed or Seriously Injured in Road Traffic Accidents (No.)	N/A	N/A	N/A	N/A	N/A	N/A	Target cannot be set at present	10	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	Target cannot be set at present	GREEN	
	33	Total Road Accident Injuries and Deaths (No.)	N/A	N/A	N/A	N/A	N/A	N/A	Target cannot be set at present	737	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	Target cannot be set at present	GREEN	
34	Customers using online self-serve transactions to challenge PCNs (%)	60.8%	66.9%	N/A	67.5%	72%	70.5%	66.7%	67.4%	68.6%	71.6%	75.2%	73.2%	69.4%	76.4%	72.4%	72.4%	HIGH	76.6%	GREEN		
35	Number of incidents of graffiti, rubbish, fly tipping etc. not cleared proactively as part of routine maintenance (No.)	N/A	N/A	N/A	N/A	N/A	228	N/A	31	5	0	1	0	0	0	12	12	LOW	80	GREEN	A new cleaning maintenance schedule has been introduced in August 2019 which has helped APCOA clean any graffiti within the car parks in a more productive timescale.	
36	Pay and Display Machine Maintenance (Percentage of machine non-operational time during full period)	N/A	N/A	N/A	N/A	N/A	1.5%	N/A	1.8%	1.3%	1.4%	2.3%	1.5%	0.5%	0.3%	1.0%	1.0%	LOW	1.0%	GREEN	Performance has improved in this area and new machine maintenance proposals will see further progress.	

\*Partnership Funding is money which is/verde help to bid for or define projects for, but where LBB is the recipient e.g. S106, LIP Funding, and Public Health Funds.

Report No.  
FSD19101

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:**        **ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO  
HOLDER**

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

**Date:**                    **13<sup>th</sup> November 2019**

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

**Title:**                    **BUDGET MONITORING 2019/20**

**Contact Officer:**        Keith Lazarus, Head of Finance ECS & Corporate TBA        E-mail:  
Keith.Lazarus@bromley.gov.uk

**Chief Officer:**        Colin Brand, Director of Environment & Public Protection

**Ward:**                    (All Wards);

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1. Reason for report

This report provides an update of the latest budget monitoring position for 2019/20 for the Environment & Community Services Portfolio, based on expenditure and activity levels up to 30 September 2019, where available. This shows an underspend of £58k.

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2. **RECOMMENDATION(S)**

**The Environment & Community Services Portfolio Holder is requested to:**

2.1 **Consider the latest 2019/20 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: £39.68m
  5. Source of funding: Existing revenue budgets 2019/20
- 

### Personnel

1. Number of staff (current and additional): 145.7fte
  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 2019/20 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 2019/20 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 “2019/20 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2019/20 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 The latest projections from the managers show that there is an underspend of £58k expected for the Environmental and Community Services Portfolio for 2019/20, based on financial information available as at 30 September 2019.
- 6.2 The major variations are detailed below, with more detail included in Appendix 1.

#### **Street Scene & Green Space (Cr £85k)**

- 6.3 Overall Waste Services are forecast to underspend by £100k. Based on latest tonnage figures, the waste disposal costs are expected to be £570k below budget mainly due to the reduction in Trade Waste activities. This is partly offset by a £243k cost relating to the disposal of extra tonnage of recyclates.

- 6.4 A shortfall of income of £116k is expected from Trade Waste services as customer numbers have reduced.
- 6.5 Recyclate income is anticipated to underachieve by £141k as a result of a reduction in paper tonnage and a decrease in price indices in the later part of the year, particularly effecting paper and card.

**Traffic, Parking and Highways (Dr £14k)**

- 6.7 Within Traffic and Road Safety £109k of additional income is forecast relating to road closure charges due to an increase in applications from utility companies undertaking works.
- 6.6 There is a projected shortfall of £46k for income from bus lane contraventions due to road closures and diversions for streetworks
- 6.7 The reduction in parking usage continues and a net deficit of £260k is projected. This is mainly related to off street and multi storey parking.
- 6.8 A reduction in parking contraventions has led to a potential shortfall of income of £40k.
- 6.9 Part year vacancies within the Shared Service has resulted in an under spend of £60k.
- 6.10 There is a projected £39k underspend relating to staffing within Highways, mainly due to reduced hours and part year vacancies.
- 6.11 The table below summarises the main variances: -

<b>Summary of Major Variances</b>	<b>£'000</b>
Waste disposal costs	Cr 570
Additional Recyclates Disposal Costs	243
Shortfall of income from Trade Waste	116
Shortfall of Income from Recyclates	141
Income relating to Road Closures	Cr 109
Income from Bus Lane contraventions	46
Off and On Street parking income	260
Income from Parking Enforcement	40
Staff vacancies	Cr 99
Other Minor Variations across ECS	Cr 126
	<u><b>Cr 58</b></u>

**7 COMMENTS FROM THE DIRECTOR OF ENVIRONMENT & COMMUNITY SERVICES**

- 7.1 The Environment and Community Services Portfolio has an overall projected net under spend of £58k for 2019/20. This is made up of a number of projected variations.
- 7.2 Within waste there has been a reduction in numbers of both trade and residential waste disposal costs brought about by a decrease in tonnage collected and a net increase in the cost of processing additional recyclates. Income relating to recyclates and trade waste is currently underachieving . This results in an overall net surplus of £100k.
- 7.3 Whilst income from parking charges continues to decline, primarily through the continuing downward trend in parking usage, there has been an uplift in the number of Penalty Charge Notices (PCNs) issued against previous periods, partly because the parking contractor, at their expense, has deployed a greater number of Civil Enforcement Officers (CEOs). Overall parking is currently projecting a £184k overspend.

- 7.4 The underspend of £109k in Traffic and Road Safety is mainly due to additional income achieved from road closures following a rise in the number of applications from utility companies undertaking infrastructure works.7.5 The following Director’s narrative relates to the analysis of risk within Environment and Community Services.
- 7.6 The new environment contracts have been in place since April 2019. Any growth in the number of properties will incur additional expenditure, as extra collections are required and additional waste is generated. Any fluctuations on the market prices will affect the income from sales of recyclates income. Another potential risk area is recycling paper income. Wet weather could affect the quality of the paper and therefore may lead to issues arising with the processing of it as ‘paper’ and a loss of income.
- 7.7 There is always a risk in Parking from the fluctuations in both Enforcement income and income from On and Off Street Parking, but this is difficult to quantify.
- 7.8 Income on streetworks defaults is currently at a reduced level due to a higher level of compliance and so needs to be monitored going forward.
- 7.9 Although no variation is currently projected for the Trees budget, due to the unpredictable nature of storm damage this is a potential risk area. The actual impact is dependent on the weather and the number of trees affected.

<b>Non-Applicable Sections:</b>	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2019/20 budget monitoring files within E&CS Finance section

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Environment & Community Services Portfolio Budget Monitoring Summary

2018/19 Actuals £'000	Service Areas	2019/20 Original Budget £'000	2019/20 Latest Approved £'000	2019/20 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>ENVIRONMENT PORTFOLIO</b>							
	<b>Street Scene &amp; Green Spaces</b>							
5,328	Parks and Green Spaces	5,441	5,507	5,519	12	1	0	0
368	Business Support and Markets	349	349	321	Cr 28	2	Cr 8	0
17,096	Waste Services	17,833	17,913	17,813	Cr 100	3	Cr 7	0
4,289	Street Environment	5,288	5,647	5,627	Cr 20	4	0	0
1,172	Management and Contract Support	1,255	1,093	1,134	41	5	0	0
802	Trees	769	769	779	10	6	0	0
<b>29,055</b>		<b>30,935</b>	<b>31,278</b>	<b>31,193</b>	<b>Cr 85</b>		<b>Cr 15</b>	<b>0</b>
	<b>Transport Operations and Depot</b>							
527	Transport Operations and Depot Management	746	727	727	0		0	0
<b>527</b>		<b>746</b>	<b>727</b>	<b>727</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>Traffic, Parking &amp; Highways</b>							
234	Traffic & Road Safety	334	334	225	Cr 109	7	Cr 40	0
Cr 7,499	Parking	Cr 7,539	Cr 7,539	Cr 7,355	184	8-12	193	0
6,175	Highways (including London Permit Scheme)	6,818	6,528	6,467	-61	13	0	0
<b>Cr 1,090</b>		<b>Cr 387</b>	<b>Cr 677</b>	<b>Cr 663</b>	<b>14</b>		<b>153</b>	<b>0</b>
<b>28,492</b>	<b>TOTAL CONTROLLABLE</b>	<b>31,294</b>	<b>31,328</b>	<b>31,257</b>	<b>Cr 71</b>		<b>138</b>	<b>0</b>
4,378	<b>TOTAL NON-CONTROLLABLE</b>	6,051	6,051	6,064	13	14	13	0
2,618	<b>TOTAL EXCLUDED RECHARGES</b>	2,357	2,357	2,357	0		0	0
<b>35,488</b>	<b>PORTFOLIO TOTAL</b>	<b>39,702</b>	<b>39,736</b>	<b>39,678</b>	<b>Cr 58</b>		<b>151</b>	<b>0</b>

Reconciliation of Latest Approved Budget

£'000

Original Budget 2019/20

39,702

Carry Forward Requests approved from 2018/19

Green Garden Waste Direct Debits

120

Central Contingency Adjustments

Inflation adjustment

70

Savings - review of staffing

Cr 207

B/R Parks Contract related storage and Premises

25

Savings to be allocated – review of staffing

Cr 54

Cross Portfolio movement relating to Review of Staffing

80

Latest Approved Budget for 2019/20

39,736

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## **REASONS FOR VARIATIONS**

### **1. Parks and Green Spaces Dr £12k**

Overall there is a projected overspend of £12k for Parks and Green Spaces. This consists of £20k additional licence income and £3k underspend on staffing. Plus additional spend of £11k for temporary Enforcement Officers to cover vacancies.

A VAT discrepancy relating to floral bed sponsorship, backdated to 2016, has recently been corrected resulting in a current year deficit of £24k.

#### **Summary of variations within Parks:**

	<b>£'000</b>
Underspend on Staffing	Cr 3
Additional licence income from café at High Elms	Cr 20
Adjustment of VAT for floral bedding sponsorship income	24
Additional charge for temporary Enforcement Officers	11
<b>Total variation for Parks</b>	<b><u>12</u></b>

### **2. Business Support and Markets Cr £28k**

Income relating to Bromley market pitch fees is forecast to underachieve by approximately £15k. There is a small underspend of £8k against staffing within Street Regulation due to in year vacancies. Income generated through advertising and recoveries will overachieve by a projected £19k in line with 2018/19. Street Licence income is projected to exceed budget by £16k based on invoices raised to date.

#### **Summary of variations within Business Support and Markets:**

	<b>£'000</b>
Underachievement of market pitch fees	15
Underspend on staffing	Cr 8
Overachievement of recoveries income	Cr 5
Overachievement of advertising Income	Cr 14
Overachievement of Street Traders' Licences Income	Cr 16
<b>Total variations for Business Support and Markets</b>	<b><u>Cr 28</u></b>

### **3. Waste Services Cr £100k**

Based on latest tonnage, the contract disposal cost is expected to be £570k below budget, mainly as a direct result of the reduction in numbers of trade waste customers and a decrease in residential tonnage. This is partly offset by a £243k cost relating to the disposal of extra tonnage of recyclates.

There is an anticipated reduction in recyclate income of £141k. This is a result of a reduction in paper tonnage and a projected loss of income due to a decrease in price indices, particularly effecting paper and card, during the later part of the Financial Year.

Within trade waste collection there is a net projected shortfall of income of £116k mainly due to a higher customer dropout compared to the level expected, mostly for commercial customers. This is partly offset by £20k reduction on the collection contract cost.

There is a small overspend associated with Green Garden Waste. The collection contract will overspend by £29k with overachievement of income of £21k resulting in a net cost of £8k

#### **Summary of overall variations within Waste Services**

	<b>£'000</b>
Reduction in disposal cost	Cr 570
Increase in cost of processing additional recyclates	243
Reduction in recyclate income	141
Shortfall in trade waste collection income	116
Reduction in collection contract cost	Cr 20
Green Garden Waste	8
Other minor adjustments	Cr 18
<b>Total variation for Waste Services</b>	<b><u>Cr 100</u></b>

### **4. Street Environment Cr £20k**

There is a projected underspend of £20k on staffing relating to part year vacancies.

### **5. Management and Contract Support Dr £41k**

Staffing is projected to overspend due to agency staff employed above establishment to provide contract monitoring support. This is partly offset by other staff vacancies and small underspends on supplies and services.

## **6. Trees Dr £10k**

Expenditure relating to the tree maintenance contract is forecast to overspend by £25k this Financial Year because of a significant backlog of jobs. The current contractor has been given permission to use additional resources to clear these. This is offset by a £55k underspend relating to 'in house' staffing due to two vacant arboricultural officer posts. Consequently annual tree surveys are being procured through outside contractors which will cost approx. £30k and additional post advertisement fees of £10k.

### **Summary of Overall Variations within Trees**

	<b>£'000</b>
Underspend on Staffing	Cr 55
Staff Advertising	10
Additional Tree Maintenance Contract Costs	25
Cost of Tree Surveys	30
	<u>10</u>

## **7. Traffic & Road Safety Cr £109k**

There is a projected underspend of £109k, mainly due to £105k of additional income received from road closure charges following a spike in the number of applications from utility companies to undertake infrastructure work. It is not expected this volume of activity will continue into 2020/21.

### **Parking**

## **8. Income from Bus Lane Contraventions Dr £46k**

There is a projected deficit of £46k on the deployable automated cameras in bus lanes for 2019/20. In part this is due to two periods of closure and diversion in Bromley High Street for streetworks. This closure along with camera issues in Shortlands and road works in Crystal Palace have resulted in a loss of income this Financial Year.

## **9. Off/On Street Car Parking Dr £260k**

A shortfall of £322k is forecast for Off and On Street parking income. This is mainly due to a continued downward trend in parking usage, in particular the off street and multi-storey car parks.

Rental income of £6k is expected for High Street car cleaning services and retail collection lockers located at multi-storey car parks.

Additional income of £48k is projected to be received from cashless parking fees, as use of this service continues to grow.

Income generated from bay suspensions is expected to over-achieve by £7k, however this is partially offset by a deficit in dispensations income of £3k.

There are defaults of £10k against Off and On Street parking to date.

	<b>OFF ST £'000</b>	<b>ON ST £'000</b>	<b>Total £'000</b>
<b>Summary of variations within Off/On Street Car Parking</b>			
Off/On Street Car Parking income	172	150	322
Cashless Parking & Convenience Fees	Cr 16	Cr 32	Cr 48
Bay Suspensions		Cr 7	Cr 7
Dispensations		3	3
Defaults	Cr 3	Cr 7	Cr 10
<b>Total variations within Off/On Street Parking</b>	<u>152</u>	<u>108</u>	<u>260</u>

## **10. Permit Parking Cr £36k**

Current activity levels indicate a potential increase of £36k for permit parking, following the implementation of price increases from 1 April 2019.

## **11. Car Parking Enforcement Cr £40k**

Currently there is a projected overachievement of income of £25k from Penalty Charge Notices (PCNs) issued by Civil Enforcement Officers (CEOs). The contractor has supplied additional CEOs at their own cost following concerns about Q1 PCN numbers. This is partially offset by a £6k deficit on PCNs issued from CCTV enforcement cameras. Officers have identified cameras to be relocated, and 5 new cameras were deployed at schools in September. It is currently too early to predict the effect of these.

There are defaults on the Enforcement contract costs of around Cr £21k.

### **Summary of variations within Car Parking Enforcement**

	<b>£'000</b>
PCNs issued by CEOs	Cr 25
PCNs issued from CCTV enforcement camera	6
Enforcement defaults	Cr 21
<b>Total variations within Car Parking Enforcement</b>	<u>Cr 36</u>

## **12. Parking Shared Service Cr £60k**

There is an anticipated underspend of £60k relating to the parking shared service mainly due to vacant posts across the two boroughs.

<b>Summary of overall variations within Parking:</b>	<b>£'000</b>
Bus Routes Enforcement	46
Off Street Car Parking	152
On Street Car Parking	108
Permit Parking	Cr 36
Car Parking Enforcement	Cr 40
Parking Shared Services	Cr 60
Other Minor Expenditure Variations	14
<b>Total variation for Parking</b>	<b><u>184</u></b>

## **13. Highways- Including London Permit Scheme Cr £61k**

There is a forecast £39k underspend on staffing, mainly due to reduced hours and part year vacancies.

New Roads and Street Works Act (NRSWA) income is projected to underachieve by £19k. This is made up of a £36k shortfall relating to Defect notices as a result of improved performance by utility companies, offset by a surplus of Section 74 income as utility companies are taking longer than agreed to complete works. Fixed Penalty Notices (FPNs) are anticipated to result in a £8k overspend this Financial Year.

<b>Summary of variations on NRSWA Income:</b>	<b>£'000</b>
Defects	36
Section 74 Notices	Cr 25
Fixed Penalty Notices	8
<b>Total variation for NRSWA</b>	<b><u>19</u></b>

There is a total of £18k received from vehicles sold at commercial vehicle auctions and other small variations produce a £23k underspend, this includes variations within materials and car allowances.

## **14. Non-controllable Dr £13k**

There is a projected £13k shortfall of income 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, no waivers have been actioned.

### **Virements Approved to date under Director's Delegated Powers**

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

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Report No.  
ES19066

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO  
HOLDER

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

**Date:** 13<sup>th</sup> November 2019

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

**Title:** PROPOSAL TO REMOVE PAY AND DISPLAY MACHINES

**Contact Officer:** Gerry Broomfield, Car Park and Assets Manager  
Tel: 020 8313 4509 E-mail: gerry.broomfield@bromley.gov.uk

**Chief Officer:** Colin Brand, Executive Director of Environment & Public Protection

**Ward:** All

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## 1. Reason for report

The Council have an ongoing policy to remove Pay and Display (P&D) machines from on-street locations where they are identified as being of low usage and / or prone to vandalism. To date, machine removals have been ad-hoc as and when a machine was identified as under-used. This report will recommend a more proactive approach to the removal of machines at locations where the Council could just retain the RingGo only mobile phone element. Officers reviewed P&D machines that generate a low cash income and this was compared with equivalent RingGo figures for these locations.

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## 2. RECOMMENDATIONS

That the Portfolio Holder agrees that:

- 2.1 The P&D machines as shown in Appendix 1 are removed and more emphasis placed upon the RingGo payment option by increasing signage in these roads and by supplying information through the Council website.
- 2.2 Delegated authority be given to the Director of Environment & Public Protection for future removal of P&D machines, in consultation with the Portfolio Holder.
- 2.3 To agree a policy concerning enforcement when a P&D machine is out of order, as set out in 4.4 of this report.

## Impact on Vulnerable Adults and Children

None

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## Corporate Policy

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

## Financial

1. Cost of proposal: :£14,600
  2. Ongoing costs: Not Applicable: Projected annual saving of £15,750 (maintenance contract saving) + £2,400 (additional income achieved)
  3. Budget head/performance centre: Parking Revenue Budget
  4. Total current budget for this head: Cr£7539k– Controllable budget
  5. Source of funding: 2019/20 Revenue Budget
- 

## Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 40
- 

## Legal

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

## Procurement

1. All changes to machines and signs will be undertaken by the Council's term contractor.
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All road users in the Borough wishing to find parking space
- 

## Ward Councillor Views

1. Ward Councillors in the relevant wards have been consulted via email. Overall comments were supportive of the RingGo Cashless system, however concerns were raised about those motorists who do not have a mobile phone.



### **3. COMMENTARY**

- 3.1 The Council have an ongoing policy to remove P&D machines from on-street locations where they are identified as being of low usage and / or prone to vandalism. Since 2011 to date 87 machines have been removed from the parking stock. This has saved on cash collections, air time (SIM card cost) and maintenance costs. Drivers have an alternative method of making payment, via a mobile phone app called RingGo. Cobalt (RingGo) was appointed on the 17th March 2010 as The London Borough of Bromley's Mobile Phone Parking provider.
- 3.2 To date, machine removals have been ad-hoc as and when a machine was identified as under-utilised, where the cost of servicing the machine exceeded the income generated, or where there were alternative machines available. This report will recommend a more proactive approach to the removal of suitable P&D machines, just retaining the RingGo only mobile phone element. Officers have examined P&D machines that receive a low cash income and this was compared with equivalent RingGo figures for the locations.
- 3.3 Mobile Phone Parking has proved to be a success with growth of users increasing month on month and an average 50% of all income being received by the cashless system. The reduction of parking sessions being paid by cash and the reduced number of machines available creates savings to the Council as less cash collections are required. It also denies thieves the opportunity to steal the cash from these machines.
- 3.4 Currently payment for parking at most on and off street locations can be made by using coins or by credit card using the RingGo mobile phone parking system, but in some locations payment can only be made using the RingGo cashless system.
- 3.5 Cashless parking saves money versus maintaining and upgrading P&D machines. It reduces vandalism and is more environmentally-friendly, as there are no vehicles on the road collecting cash from the machines. The Council also gains insight into consumer behaviour through data collection, and this can be used to influence parking policies and high street trends.

#### **Current Situation**

- 3.6 Under the current Parking Contract with APCOA clause 3.17 of the parking specification reads: "The Council is in the process of streamlining the current service by reducing the number of pay and display machines and relying more on cashless parking. This will be implemented during the contract; all savings in this respect will be the authorities". The Council's policy is therefore to remove P&D machines where they are identified as being of very low usage and / or prone to vandalism.
- 3.7 As mentioned above, since 2011 to date 87 machines have been removed from the parking stock. This has saved on cash collections, air time and maintenance costs. Recent schemes, specifically around railway stations such as Chislehurst (Bickley Park Road and Gosshill) and the forthcoming Station Approach scheme at Chelsfield, are RingGo mobile phone parking only.
- 3.8 The machines that have been removed have been kept in stock and been used from time to time in new parking schemes where a P&D machine is considered necessary. The previous parking contractor Indigo and the current parking contractor APCOA have used the parts from other redundant machines in order to replace worn or vandalised parts etc.
- 3.9 Between the 1st April and 30<sup>th</sup> September 2019 27 Pay and Display machines have been broken in to with an approximate total of £2,800 stolen. Although the parking contractor, APCOA, reimburse the Council the amount stolen, the fact that a machine is put out of service does not provide a good customer experience. The requirement to maintain these machines

and source spare parts from the current parking stock is also putting increasing pressure on APCOA

- 3.10 This has further prompted a review of roads within the Borough where the Council should consider removing some P&D machines and just retain the RingGo only mobile phone element. Officers reviewed under-utilised P&D machines where payments are predominantly cashless. In some instances if machines are removed, nearby machines would need to be relocated so there would still be a cash payment option but many roads would become RingGo only. All roads being recommended for the removal of machines in this report would require additional RingGo signage to show tariffs and operating days and times.

In total, officers recommend removing 35 machines, in the following locations:

- Copers Cope Ward – Officers propose to remove all 9 machines in the area and convert the area to a RingGo cashless option only. The only exception to this would be in a part of Beckenham High Street, where officers propose to reduce the number of machines from 2 to 1.
  - Clockhouse Ward – Officers propose to remove all 8 machines in the area and convert the area to a RingGo cashless option only.
  - Orpington, Petts Wood & Knoll, Farnborough & Crofton Wards – Officers propose to remove all 11 machines in the outer part of the High Street to make the area a RingGO cashless option only. The main High Street will still have pay and display machines available.
  - Bromley Town Ward – Officers propose to remove 6 machines from this area and relocate other machines so that all but one of the roads have a pay and display machine as well as the RingGo cashless option. The only exception to this would be Meadow Road where officers propose to make the road RingGo cashless only.
- 3.11 The machines that have been selected to be removed are in areas where there is low usage of the pay and display machine and a high usage of the RingGo Cashless system, therefore officers predict there will be a significant reduction in the number of customers parking at these locations.
- 3.12 The incumbent parking contractor APCOA will arrange for temporary signage to be implemented in the area to help and encourage the small number of users of the machines to change over to the RingGo cashless system. There will also be more permanent signage added in the area so that the RingGo location zone code is clear and it is easy for the customer to pay for their parking session.
- 3.13 It is anticipated that there would be a shift from cash payments to cashless once the machines have been removed, however it is difficult to predict customer behaviour and how much income, if any, could be lost through a rejection of cashless parking by motorists who normally pay by cash. However through better signage, web information and consumer advertising on the benefits of mobile phone parking the risk will be minimised.

#### **4. Policy Change for Enforcement**

- 4.1 Officers recommend changing the current policy in relation to the enforcement of a location when all the pay and display machines at that location are out of order. The current approach is that if no pay and display machines are working, motorists do not have to pay to park and no parking enforcement is to take place.

- 4.2 The current parking contract has multiple Key Performance Indicators (KPIs) for machines breaking down. When all machines at a location are out of order, the machines have to be operational within 24 hours or a default of £150 per machine is triggered per 24 hours the machine is out of order.
- 4.3 Whilst the KPIs are a safeguard to the Council, when all machines are out of order, the Council loses potential income from the lost parking sessions which in most cases will be more than the default that is applied. Due to parking sessions not being able to be purchased, no enforcement of the location can take place until the day after the machines have been fixed, and therefore the Council is also losing potential income from Penalty Charge Notices.
- 4.4 Officers recommend a policy such that if all the pay and display machines in the area are out of order, the customer has to either pay for their parking session via the RingGo cashless system or find parking somewhere where they can still pay by cash.
- 4.5 Whilst reducing the number of P&D machines in a location to one machine is a saving to the contract, it does lead to a potential weakness if the machine goes out of order under the current approach. If the policy is changed then the financial risk to the Council is minimised.
- 4.6 It is worth noting that the RingGo system has proved reliable. Within the parking contract there is a KPI default applied if the RingGo cashless system crashes and motorists are unable to purchase their parking sessions; however since the contract went live in April 2017, LBB have never had to apply a default for the cashless system not working.

## 5. POLICY IMPLICATIONS

Please see section 4 above regarding the recommendation to implement a policy concerning the enforcement protocol when a Pay and Display machine is out of order.

## 6. FINANCIAL IMPLICATIONS

- 6.1 Appendix 1 identifies the specific roads and income taken by the machines and equivalent RingGo income for the zone locations from August 2018 to July 2019. It breaks down the costs for the removal of the machines and the likely savings to the Council over the remainder of the parking contract.

Council Cost for the removal and relocation of P&D machines, plus the approximate cost of new signs at ~£1,000.	Maintenance of machines and cash collections savings over the remaining seven years of the APCOA contract
£14,600	£110,250

- 6.2 The cost for the removal of the P&D machines will be borne by the Council out of the existing maintenance budgets for 2019/20
- 6.3 The anticipated cost savings over the next seven years of the contract is £110,250
- 6.4 When a motorist pays for their parking session, they have to pay a 20 pence convenience fee and if they wish to receive a confirmation and reminder text message, they have to pay a further 10 pence per text message.
- 6.5 As part of the existing parking contract with APCOA, it was agreed that for every 20p convenience fee paid to RingGo, 4p would be paid to the Council (including VAT) and for every

10p text message, all 10p would be paid to the Council (including VAT).

6.6 The below table shows the level of income the Council received in the last two financial years from these extra costs being passed back to the Council.

	Income received for 2017/2018	Income received for 2018/2019
Convenience Fee	£33,299	£45,715
Text messages fees	£95,580	£136,095
<b>Total</b>	<b>£128,879</b>	<b>£181,810</b>

7.7 If all 40,000 current cash payment sessions in the areas selected were to move over to the RingGo system, that would be an extra income of £1,600 to the Council in convenience fees. If a third of the users signed up to the text messages, a potential extra £1,066, totalling an extra potential income of £2,666.

7.9 Assuming 10% of current users reject use of cashless payment, there would be a reduction in the extra income as detailed in the table below.

Extra income if all motorist switch to Cashless	
Number of Cash Payment Sessions	40000
Convenience fee at 4 pence	£ 1,600.00
Text messages at 8 pence	£ 1,066.67
<b>Total extra income</b>	<b>£ 2,666.67</b>

Extra income if 90% of motorist switch to Cashless	
Number of Cash Payment Sessions	36000
Convenience fee at 4 pence	£ 1,440.00
Text messages at 8 pence	£ 960.00
<b>Total extra income</b>	<b>£ 2,400.00</b>

<b>Non-Applicable Sections:</b>	PERSONNEL IMPLICATIONS, PROCUREMENT IMPLICATIONS, LEGAL IMPLICATIONS, IMPACT ON VULNERABLE ADULTS AND CHILDREN
Background Documents: (Access via Contact Officer)	Appendix 1 - proposed removal of P&D machines matrix

**Proposed Removal of P&D Machines**

Copers Cope	Ringo Income p.a	P&D Income p.a	Total income	% RingGo income	Proposal	Cost of Removing / Relocating Machine	Maintenance and cash collection Savings p.a to existing contract	Maintenance Savings for the remaining 7 years of contract
Copers Cope Road - Junction with Bethesda Close	£154.40	£249.10	£403.50	38%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Park Road, Copers Cope	£10,885.40	£1,097.30	£11,982.70	91%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road - Junction with Nettlestead Close	£610.00	£991.25	£1,601.25	38%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Blackley Road, Copers Cope	£1,032.80	£123.80	£1,156.60	89%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road - Junction with Parkwood	£3,562.60	£115.00	£3,677.60	97%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road - Junction with Selling Close	£60.80	£555.25	£616.05	10%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road Zone R, Copers Cope	£4,828.60	£968.30	£5,796.90	83%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road Zone RI	£4,356.60	£920.70	£5,277.30	83%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Copers Cope Road	Zone 6063 has 5 machines in total unable to provide estimate of Ringo use for this location	£310.80	£310.80	0%	Remove machine and make Copers Cope a Cashless only Zone	£340	£450	£3,150
Beckenham High Street North	Zone 6063 has 5 machines in total unable to provide estimate of Ringo use for this location	£683.95	£683.95	0%	Remove one machine and relocation the other one to serve the whole road.	£680	£450	3150
<b>Total</b>	<b>£25,491.20</b>	<b>£6,015.45</b>	<b>£31,506.65</b>	<b>81%</b>	<b>Cashless Only</b>	<b>£3,740</b>	<b>£4,500</b>	<b>£31,500</b>

Bromley Town	Ringo Income p.a	P&D Income p.a	Total income	% RingGo income	Proposal	Cost of Removing / Relocating Machine	Maintenance and cash collection Savings p.a to existing contract	Maintenance Savings for the remaining 7 years of contract
Palace View, Bromley	£11,449.00	£4,306.00	£15,755.00	73%	Remove one machine from Palace View but relocate another machine in this road to cover this area with one P&D machine - New location of machine to be at the Junction of Rafford Way/Palace View. All motorist will be able to see a pay and display machine from a parking bay.	£680	£450	£3,150
The Chase	£4,481.00	£992.60	£5,473.60	82%	Remove this machine but relocate another machine in the area - move to Jct The Chase	£680	£450	£3,150
Florence Road	£12,610.00	£8,824.45	£21,434.45	59%	Remove machine from this location but relocate one machine to the Junction of Glebe Rd, Florence & Alder Mary Road to cover all 3 locations.	£680	N/A	N/A
Glebe Road	£1,468.00	£919.00	£2,387.00	61%	Remove machine from this location	£340	£450	£3,150
Alder Mary Road	£2,376.00	£3,595.40	£5,971.40	40%	Remove machine from this location	£340	£450	£3,150
Ravensbourne Avenue	£9,392	£148	£9,540	98%	Remove one machine but machine in Station Road to cover this area.	£340	£450	£3,150
Meadow Road	£4,321	£568	£4,889	88%	Remove one machine and make the road cashless road	£340	£450	£3,150
<b>Total</b>	<b>£46,097.00</b>	<b>£19,353.45</b>	<b>£65,450.45</b>	<b>70%</b>	<b>Reduce Number of machines</b>	<b>£3,400</b>	<b>£2,700</b>	<b>£18,900</b>

Orpington, Petts Wood, Crofton and Farnborough	Ringo Income p.a	P&D Income p.a	Total income	% RingGo income	Proposal	Cost of Removing Machine	Maintenance and cash collection Savings p.a to existing contract	Maintenance Savings for the remaining 7 years of contract
Newstead Avenue	£2,220	£1,236	£3,456	64%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
The Avenue	£11,129	£2,043	£13,172	84%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Hillview Road	£9,538	£1,345	£10,883	88%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Orchard Grove	£8,640	£1,695	£10,335	84%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Mayfield Avenue (South)	£12,913	£1,016	£13,929	93%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Oakhill Road	£2,459	£934	£3,393	72%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
The Drive	£1,942	£1,252	£3,194	61%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Spur Road Slip (North)	£680	£329	£1,009	67%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Knoll Rise (East of Orchard Grove)	£2,623	£1,610	£4,233	62%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Knoll Rise (west of Orchard Grove)	£5,588	£1,259	£6,847	82%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
Tower Road	£7,215	£1,726	£8,941	81%	Remove machine - the main high street will still have P&D bays but not the outer roads.	£340	£450	£3,150
<b>Total</b>	<b>£64,947</b>	<b>£14,445</b>	<b>£79,392</b>	<b>82%</b>	<b>Cashless only.</b>	<b>£3,740</b>	<b>£4,950</b>	<b>£34,650</b>

Clock house	Ringo Income p.a	P&D Income p.a	Total income	% RingGo income	Proposal	Cost of Removing Machine	Maintenance and cash collection Savings p.a to existing contract	Maintenance Savings for the remaining 7 years of contract
Elm Road, Clock House	£3,924.20	£1,780.35	£5,704.55	69%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Queens Road, Clock House	£7,757.80	£1,767.80	£9,525.60	81%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Clock house Road, Clock House	£5,014.20	£2,133.50	£7,147.70	70%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Sidney Road, Clock House	£2,391.80	£909.60	£3,301.40	72%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Blandford Road, Clock House	£1,940.00	£487.25	£2,427.25	80%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Thayer's Farm Road, Clock House	£1,121.60	£659.60	£1,781.20	63%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreets to support small parade of shops .	£340	£450	£3,150
Queens Road, Clock House	£7,757.80	£1,305.25	£9,063.05	86%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreet to support small parade of shops .	£340	£450	£3,150
Cedars Road, Clock House	£14,355.00	£3,669.55	£18,024.55	80%	Remove machine - make Z1, Z2 and Z3 a cashless zone . One machine to remain on the highstreet to support small parade of shops .	£340	£450	£3,150
<b>Total</b>	<b>£44,262.40</b>	<b>£12,712.90</b>	<b>£56,975.30</b>	<b>78%</b>	<b>Cashless only</b>	<b>£2,720</b>	<b>£3,600</b>	<b>£25,200</b>

	Ringo Income p.a	P&D Income p.a	Total income	% RingGo income	Proposal	Cost of Removing / Relocating Machine	Maintenance and cash collection Savings p.a to existing contract	Maintenance Savings for the remaining 7 years of contract
<b>Overall Totals</b>	<b>£180,797.60</b>	<b>£52,526.80</b>	<b>£233,324.40</b>	<b>77%</b>	<b>n/a</b>	<b>£13,600</b>	<b>£15,750</b>	<b>£110,250</b>

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Report No.  
ES19067

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO  
HOLDER  
For Pre-Decision Scrutiny by the Environment and Community Services  
PDS Committee on:

**Date:** 13th November 2019

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

**Title:** ORPINGTON K-PERMIT PARKING SCHEME - PROPOSED  
CHANGES

**Contact Officer:** Chuks Nwaodume, Traffic Engineer  
E-mail: [chuks.nwaodume@bromley.gov.uk](mailto:chuks.nwaodume@bromley.gov.uk)

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** Orpington, Farnborough & Crofton

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1. Reason for report

To seek approval to make changes to the existing Orpington K-Permit Parking scheme. The proposal is the result of a recent parking review that identified the need to make changes to the existing scheme, which is no longer serving the local residents in the way it was originally designed to. The proposed new permit schemes will better serve residents in and around the High Street.

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2. **RECOMMENDATION(S)**

That the Portfolio Holder agrees to:

- 2.1 Replace the existing K-Permit Parking scheme with a new K-Controlled Parking Zone (CPZ) around Orpington town centre and K1-CPZ west of Orpington Station. Appendix 1 shows the proposed CPZs within the existing K-Permit scheme boundary.
- 2.2 Charge for parking in areas outside the proposed CPZs by cashless payment methods.
- 2.3 Approve a budget of £25k for implementing the proposed changes.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: None
- 

## Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Quality Environment Vibrant, Thriving Town Centres:  
Regulating and providing easy access to parking facilities close to Orpington town centre, will contribute to delivering a vibrant thriving town centre, and establish a high quality street scene.
- 

## Financial

1. Cost of proposal: Estimated Cost: £25,000
  2. Ongoing costs: Not Applicable: None – contained within existing enforcement contract
  3. Budget head/performance centre: Traffic, Parking and Highways
  4. Total current budget for this head: Cr£677k
  5. Source of funding: TfL LIP allocation 2019/20 and S106 contribution
- 

## Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 40
- 

## Legal

1. Legal Requirement: Prior to implementing any changes to the existing setup, a Public Notice would need to be advertised and a 21-day consultation period allowed for any objections to be considered.
  2. Call-in: Applicable
- 

## Procurement

1. Summary of Procurement Implications: There are no direct procurement implications as the scheme will be implemented by the Council's term highways contractor. This is provided for by the inclusion of this type of work within an EU compliant tender, and therefore there is no requirement to tender separately for the associated works.
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): It is estimated that approximately 1350 households would benefit from the changes, as this is the number that will be able to apply for permits, although only a small proportion are likely to need a permit. Currently only residents of the High Street have entitlement to permits and there are only 38 permit holders.
-



## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors' comments: Ward Councillors have been made aware of the proposal. They requested for further information and this has been provided to them but no comments have been received.

### **3. COMMENTARY**

- 3.1 The Orpington K-Permit Scheme was introduced in November 2006 to mitigate the impact of the loss of the Station Road car park and construction of the Tesco Superstore. Orpington High Street is a Restricted Parking Zone (RPZ) Monday to Saturday between 8.30am and 6.30pm, with parking spaces currently designated for loading and short-stay parking mainly to serve local shops, businesses and visitors.
- 3.2 Residents of the High Street have exclusive entitlement to purchase a permit to park in adjoining roads during controlled hours whereas residents of these adjoining roads are only permitted to park in their own road if they paid at the point of parking in a similar manner as town centre visitors. Currently many of these spaces remain under-utilised during controlled hours and this is very frustrating to residents of those streets, who are not permitted a permit.
- 3.3 Furthermore, due to its loose boundary, confusing signage and wide area of coverage, the operation of the scheme is unwieldy and enforcement of parking controls in the area not as efficient and cost effective as it could be.
- 3.4 Complaints received over several years regarding the weaknesses of the scheme in its current form have prompted a review which has identified the need for a comprehensive change aimed at creating a parking scheme that is fair to all user classes, utilises kerb space efficiently and facilitates open, robust and cost-effective enforcement of the controls for positive net income results.
- 3.5 It is proposed to replace the existing K-Permit scheme with a well-defined K-CPZ around Orpington town centre and a K1-CPZ comprising of York Rise, Newstead Avenue and a small section of Crofton Road (as shown in Appendix 1). This would rationalise the scheme and help resolve the weaknesses of the current setup, including providing opportunities to declutter the streets within the area.
- 3.6 Parking bays in the rest of the existing K-Permit area outside the proposed CPZs would remain pay-to-park by cashless payment or cash at a machine where an existing machine justifies its retention, based on the level of usage [see other report on this agenda].

### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

None

### **5. POLICY IMPLICATIONS**

Existing LBB Policy

### **6. FINANCIAL IMPLICATIONS**

- 6.1 It has been estimated that the cost of reviewing and implementing the proposed changes to the Orpington K-Permit parking scheme will be £25k and this will be met from TfL capital funding (£15k available) and Section 106 Funding (£12.7k available). Any ongoing costs will be contained within the existing enforcement contract.
- 6.2 The scheme intends to increase the number of current permit holders and reduce the number of pay and display machines. A number of pay and display machines remain underutilised and replacing them with cashless payment methods would achieve savings in equipment maintenance/replacement and cash collection costs. This is accounted for in another report on this PDS agenda.

6.3 There is likely to be an increase rather than reduction in income from paid-for parking (cashless/machines) as the number of this class of bay is set to increase. Current annual income from paid-for parking in the areas of the new CPZs is £277,950. Although this income is likely to increase under the proposed changes, it is not easy to project the size of any increase.

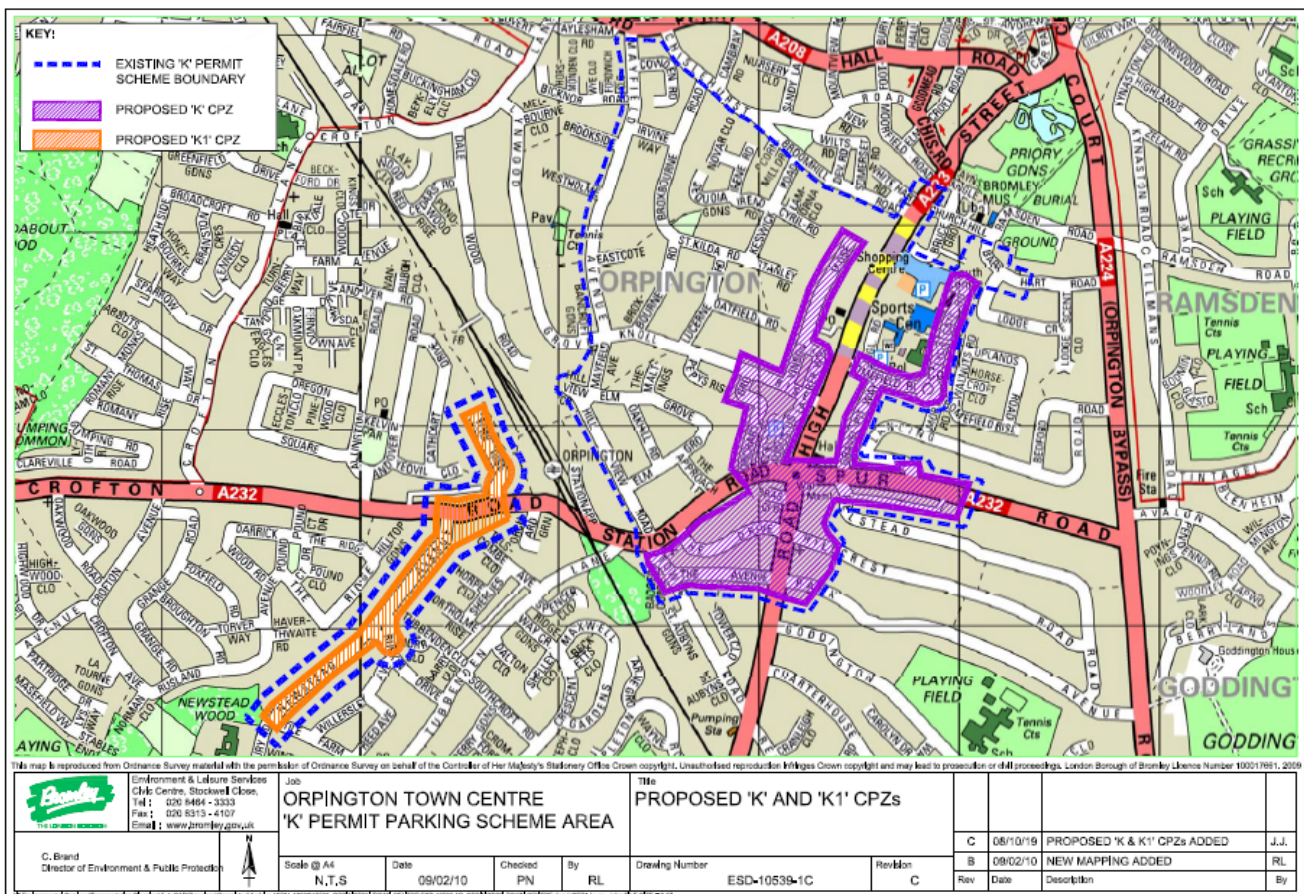
6.4 It is projected that a minimum of £10,500 annual income will be generated from permits once every household within the two CPZs is included in the permit zone and are able to apply for a permit. This is £6700 above the current annual income based on the current annual permit charge of £100. This excludes income from pay-to-park by cashless payment or cash at machines. Currently there are 38 permit holders and this is anticipated to rise to 105 (based on 5% of the 1350 households in the proposed CPZs).

## 7. LEGAL IMPLICATIONS

A revised Traffic Management Order would need to be advertised as a 21-day Public Notice detailing the changes to the existing setup prior to the changes coming into force.

<b>Non-Applicable Sections:</b>	Personnel Implications. Procurement Implications.
Background Documents:	

**APPENDIX 1: Map of Existing K-Permit Area and Proposed K-CPZ and K1-CPZ**



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Report No.  
ES19084

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO  
HOLDER

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

**Date:** 13th November 2019

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

**Title:** ORPINGTON HIGH STREET: WALKING AND SIGNAGE  
IMPROVEMENTS

**Contact Officer:** Ismiel Alobeid, Senior Traffic Engineer  
Tel: 020 8461 7487 E-mail: Ismiel.Alobeid@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** Orpington

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## 1. Reason for report

- 1.1 This report seeks approval for the installation of a navigating signage system to be installed in Orpington, along Station Road and the High Street. The system will consist of 12 mounting poles and 65 individual signing fingers, and will have the capacity to adapt to developmental changes. The proposal is in response to a request from the Orpington BID management for new signing to replace the existing system which is no longer fit for purpose.
- 

## 1. RECOMMENDATIONS

That the Portfolio Holder:

- 2.1 approve the installation on the new upgraded local signage system;
- 2.2 gives authority to allocate £44k from the TfL walking and cycling budget to enable the completion of this scheme during 2019/20; and
- 2.3 approves that any minor changes to the design are delegated to the Director of Environment and Public Protection, in consultation with the Portfolio Holder.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Positive: It is not thought that there will be any negative impacts as a result of this proposal.
- 

## Corporate Policy

1. Policy Status: Existing Policy\_The proposal meets Bromley's objective for a vibrant, thriving Town\_Centre as set out within Bromley's Third Implementation Plan 2019 (LIP3)
  2. BBB Priority: Quality Environment
- 

## Financial

1. Cost of proposal: £44k
  2. Ongoing costs: Non-Recurring
  3. Budget head/performance centre: 2019/20 TfL LIP Walking Infrastructure Development
  4. Total current budget for this head: £192k – Walking Infrastructure Development Funding (to cover a number of schemes)
  5. Source of funding: TfL LIP funding for Walking and Cycling schemes
- 

## Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 40
- 

## Legal

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

## Procurement

1. Summary of Procurement Implications: None as construction work will be completed by LBB's term Contractor for Highways, therefore there aren't thought to be any Procurement issues.
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The proposed scheme will benefit all road users, including pedestrians, cyclists and motorists.
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes

2. Summary of Ward Councillor's comments: Cllr Huntington-Thresher is supportive of the proposals and has also asked if officers would consider improving signs to direct visitors to car parks in the area. Any further Ward Member comments will be reported at Committee
3. Cllr Kim Botting is supportive of the proposals

### 3. COMMENTARY

- 3.1 Orpington High Street is a viable town centre, supporting a number of shops, restaurants, shopping centres, college, various car parks, a hotel, a seven screen cinema and other places of interest which attract many visitors.
- 3.2 The area is undergoing a number of changes to support regeneration, such as the Orpington train station forecourt improvement, the Station Road congestion relief scheme, and the Crofton Road cycling and walking initiative to mention a few.
- 3.3 In 2008 the High Street benefitted from a major town centre regeneration project to improve the High Street and surrounding areas. As part of this work a number of pelican crossings were installed to improve pedestrian safety and encourage more visitors to the area. Strict parking restrictions were imposed aimed at reducing the volume of through-traffic, hence creating a safer and more attractive area for shoppers.
- 3.4 More recently it has been revealed that Walnut Shopping Centre will shortly be undergoing major regeneration work to improve the public realm attracting more business, shoppers and visitors.
- 3.5 However, the Orpington BID management have highlighted a number of concerns which they believe need to be addressed, to improve the public realm of the area. These problems relate to matters such as parking, abandoned cones, derelict phone boxes and the condition of the current signing system, which is the subject of this report. A site survey was conducted which confirmed the situation as reported. As part of its remit the Traffic team were tasked with resolving the issue concerning the signage system.
- 3.6 In order to find a suitable replacement officers conducted lengthy investigation to find an alternative design which would be sturdier and more attractive. It is also important that the system has the flexibility to facilitate new signage for future changes in the Town Centre.
- 3.7 This report seeks approval for the installation of a navigating signage system to be installed in Orpington, along Station Road and the High Street. The system will consist of 12 mounting poles and 65 individual signing fingers, and will have the capacity to adapt to developmental changes. It will be necessary to replace existing mounting poles, as the poles are not compatible.
- 3.8 It is proposed that the new signage units will be installed at locations shown in the attached map. The design will offer many advantages, some of which are listed below:
  - Making it easier for people who are already walking and encouraging more people to do so
  - Encouraging more people to walk to shops and attractions in the area
  - Providing a consistent infrastructure in alignment with the developmental changes in the Orpington area, such as car charging points, cycle parking and parking for the disabled
- 3.9 Although the details of planned improvements to cycle parking in Orpington Town Centre are not part of this report, the proposed signage will be used to direct cyclists to any new facilities, where necessary.
- 3.10 The Enclosures give more information about the proposed design, content and locations for the new signs. Enclosure 1 shows examples of the type of signs (colour to be selected in discussion with Ward Members and the Portfolio Holder); Enclosure 2 shows the specific content of each sign; and Enclosure 3 shows the signpost locations.



#### 4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

It is not thought that there will be a negative impact as a result of this proposal.

#### 5. POLICY IMPLICATIONS

The schemes will address two of the key aims of the Environmental Portfolio Plan 2018-2021, to “Improve the road network and journey times for all users” and “Promote safe and secure travel”.

An improved pedestrian and cyclist signage system 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.

#### 6. FINANCIAL IMPLICATIONS

6.1 The estimated cost of the scheme is £44k which will be funded from identified funding within the Walking Infrastructure Development Budget.

6.2 There will be no ongoing costs associated with this scheme.

#### 7. PROCUREMENT IMPLICATIONS

The installation work will be completed by LBB’s term Contractor for Highways; therefore there are no Procurement implications for the proposal.

<b>Non-Applicable Sections:</b>	<b>PERSONNEL IMPLICATIONS, LEGAL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	None

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The Coda range offers infinite configuration flexibility to allow specification for every public space.

The Coda fingerpost is highly versatile and its visual detailing can be specified to coordinate with the Coda furniture or any public realm design theme.

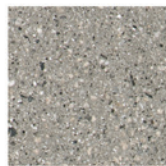
A maximum of 10 fingerposts can be configured across 8 points of the compass. Lettering on each of these fingerposts is engraved and hand painted giving high quality and robust finish.

A coordinating Coda concrete finial and anodised painted post can be specified or the fingerpost is versatile enough to accommodate any custom colour and finial detail.

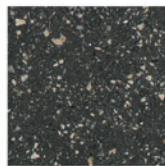
- Coda finial available in three complementary concrete colours for design flexibility and to coordinate with Marshall's Metrolinia and Conservation Paving.
- Coda post available in subtle yet luxurious RAL 9007 'Grey Aluminium' colour.



SILVER GREY



MID GREY

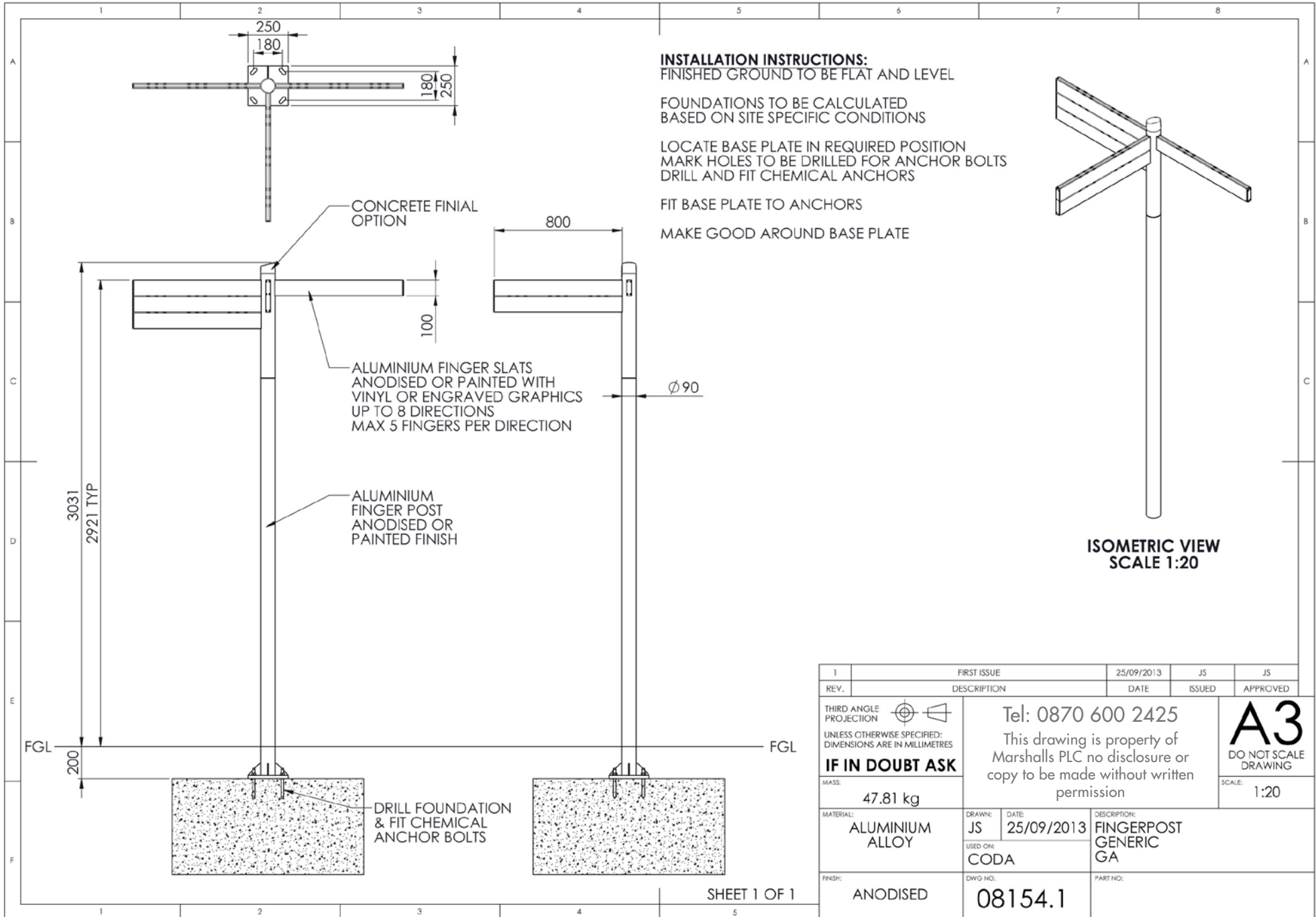


ANTHRACITE

Product Name	Coda Fingerpost Assembly Flange Fixed	Coda Fingerpost Assembly Planted Root
Height (mm)	3050	3050
Weight (kg)	60	60
Colour	Anodised Anolok Black	Anodised Anolok Black
Buried Base Depth (mm)	200	800
Base Diameter (mm)	90	90
Top Diameter (mm)	90	90
Mounting Type	Buried Flange	Buried Root
Body/Frame Material	Aluminium	Aluminium
Finger Material	Aluminium	Aluminium
Finger Finish	Painted or Anodised	Painted or Anodised
Additional Information	Fingers can be painted to any RAL colour or Anodised to limited range of colours. Lettering is Engraved and paint infilled to any RAL colour	

## Bespoke Signage Finishes























Page 61

SHEET 1 OF 1

1	FIRST ISSUE	25/09/2013	JS	JS
REV.	DESCRIPTION	DATE	ISSUED	APPROVED
	<p>THIRD ANGLE PROJECTION                  UNLESS OTHERWISE SPECIFIED:                  DIMENSIONS ARE IN MILLIMETRES  <b>IF IN DOUBT ASK</b></p>	Tel: 0870 600 2425 This drawing is property of Marshalls PLC no disclosure or copy to be made without written permission		<b>A3</b> DO NOT SCALE DRAWING SCALE: 1:20
	MASS: 47.81 kg	DRAWN: JS DATE: 25/09/2013 USED ON: CODA	DESCRIPTION: FINGERPOST GENERIC GA	
	FINISH: ANODISED	DWG NO: 08154.1	PART NO:	

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- A)  Walnuts Shopping Centre
- B)  Walnuts Leisure Centre
- C)  Walnuts Car Park
- D)  Memorial Car Park
- E)  Superstore Car Park
- F)  Saxon Day Centre
- G)  Hotel
- H)  Cinema
- I)  Orpington Station

- K)  LSEC College Campus
- L)  Post Office
- M)  Town Centre
- N)  Priory Gardens
- P)  Library
- Q)  Market Square
- R)  Toilets
- S)  Homefield Rise
- T)  (Sat & Sun) Bromley College

**NOTES**

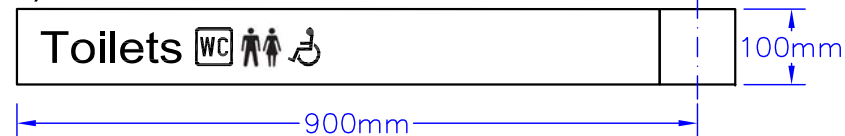
**TYPEFACE TO BE USED:**  
**HELVETICA**  
**42mm CAP HEIGHT**  
**(ARIAL USED ON THIS DRAWING)**



**SYMBOLS:**  
**50mm HEIGHT**

**All fingers painted WHITE**

**Letters highlighted BLACK**

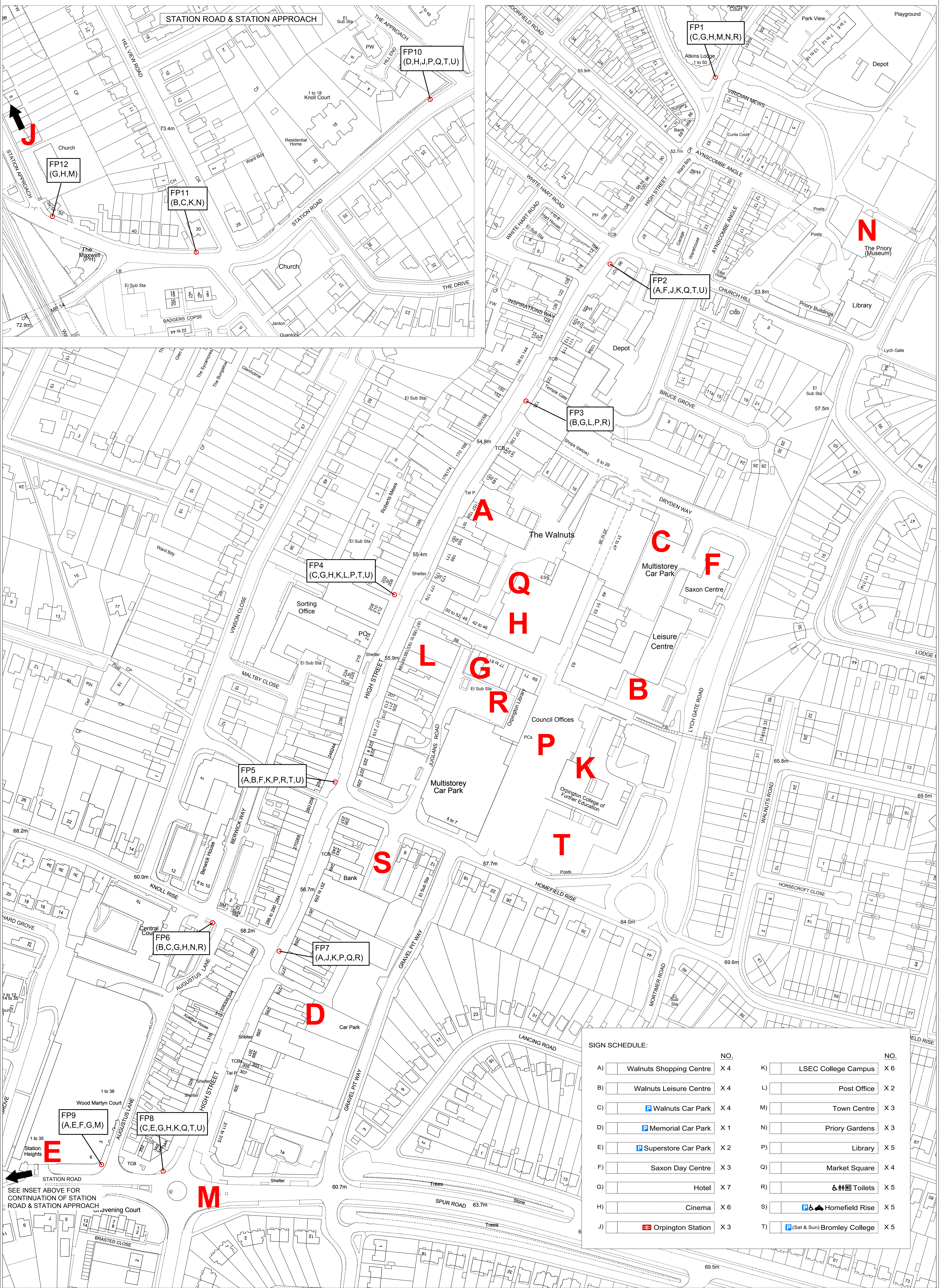
**S) REVERSE SIDE:**



Job Title: <b>FINGERPOSTS HIGH STREET ORPINGTON</b>	Drawing Title: <b>PROPOSED REPLACEMENT SIGNS</b>	Scale @ A4 1:10	 THE LONDON BOROUGH	Environmental Services Civic Centre, Stockwell Close, Bromley, BR1 3UH Tel : 020 8464 - 3333 Fax : 020 8313 - 4555 Email : www.bromley.gov.uk	Rev	Date	Description	By
		Date: 01/03/19			B	30.09.19	Label references changed.	S.T.
		Drawn by: S.T.	Nigel Davies Executive Director of Environment & Community Services		A	23.09.19	Labels T and U added .	S.T.
		Checked by: I.A.			Drawing Number 12779-02		Rev B	

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**SIGN SCHEDULE:**

	NO.		NO.
A) Walnuts Shopping Centre	X 4	K) LSEC College Campus	X 6
B) Walnuts Leisure Centre	X 4	L) Post Office	X 2
C) Walnuts Car Park	X 4	M) Town Centre	X 3
D) Memorial Car Park	X 1	N) Priory Gardens	X 3
E) Superstore Car Park	X 2	P) Library	X 5
F) Saxon Day Centre	X 3	Q) Market Square	X 4
G) Hotel	X 7	R) Toilets	X 5
H) Cinema	X 6	S) Homefield Rise	X 5
J) Orpington Station	X 3	T) Bromley College	X 5

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Report No.  
ES19077

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:** 13th November 2019

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

**Title:** HAYES VILLAGE LOCAL NEIGHBOURHOOD IMPROVEMENTS

**Contact Officer:** Muazzam Shahid, Senior Traffic Engineer  
Tel: 020 84643333 E-mail: muazzam.shahid@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** Hayes and Coney Hall

---

1. Reason for report

The purpose of this report is to seek approval to introduce a low cost version of a Liveable Neighbourhood scheme in Hayes Village. This proposal will enhance the public realm in this part of Hayes and reduce the dominance of traffic through the village, without simply displacing traffic into other roads, and improve the walking environment to help give parents, children, shoppers and local residents better access to local amenities.

---

2. **RECOMMENDATIONS**

- 2.1 That the Portfolio Holder approves the construction of measures as shown in attached 13099-01-Section1 and 13099-01-Section2 to improve the walking environment in Hayes Village and around the primary and secondary schools.
- 2.2 That the Portfolio Holder approves the installation of a 20mph limit, as shown in 13099-01-20mph, in the streets around both Hayes Primary and Hayes Secondary School.
- 2.3 That the Portfolio Holder gives approval to progress to detailed design and implementation, with the Director of Environment and Public Protection to be given delegated authority to approve final designs.
- 2.4 That authority be given by the Portfolio Holder to allocate £135k from the 2019/20 TfL LIP3 budget for this project.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The proposals will make it easier for vulnerable road users in particular to walk and cross the road in Hayes Village.
- 

### Corporate Policy

1. Policy Status: Existing Policy
  2. LBB Priority: Quality Environment Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley
- 

### Financial

1. Cost of proposal: £135,000
  2. Ongoing cost Non-Recurring Cost
  3. Budget head/performance centre: 2019/20 TfL LIP Budget for Road Danger Reduction Implementation Budget
  4. Total current budget for this head: £574k to cover a number of schemes, with an uncommitted balance of £145k
  5. Source of funding: TfL Local Implementation Plan budget for 2019/20
- 

### Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 250
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: Construction work will be completed by LBB's term Contractor for Highways, therefore there aren't thought to be any Procurement issues.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Residents of Hayes Village and those attending local schools or visiting local amenities.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes

Summary of Ward Councillors comments: Ward Members have been supportive of the concepts of the scheme and Cllr Arthur has responded to the final concept design, saying that he feels it is an innovative and potentially very effective way of dealing with the problems and that the three Ward Councillors have spoken and agreed that they are supportive.

### 3. COMMENTARY

- 3.1 Residents and businesses have expressed concerns about road danger in the old Hayes area, including the lack of crossing facilities along Baston Road and around by the mini-roundabout outside Hayes Library in particular. The residents are also concerned about relative speeds through the village and outside schools in the area, particularly in Baston Road and West Common Road, outside Hayes secondary School. A local campaign was launched in 2018 to bring pressure to bear on the Council to implement some changes. Ward Members and Officers met with the residents' representatives and agreed to look into a set of measures that would go some way to addressing their concerns, although not every request was considered to be appropriate to be pursued.
- 3.2 The council receives a large volume of requests for new infrastructure to enhance walking and reduce road danger; therefore it is important to prioritise on the basis of potential outcomes such as mode shift and strategic fit.
- 3.3 In the case of old Hayes it is felt that investment is warranted as high-level analysis using the London-wide City Planner tool shows that there is a medium to high level of severance around the old Hayes area especially on Hayes Street/Baston road (see Enc. 5). This backs up the view of residents who have identified this as a barrier to walking locally. This can be improved by addressing the barriers to walking, physical and perceived, through delivery of quality infrastructure.
- 3.4 Promoting walking to school is a key Council transport priority in order to reduce peak hours congestion, and to encourage and imbed active lifestyles from an early age. To support this, the Council works to implement infrastructure changes suggested by schools, prioritising STARS Gold schools.
- 3.5 There are three schools in the old Hayes area, one of them (Hayes Primary) being accredited at Gold level.. They are keen to reduce the number of children being driven to school by promoting walking, cycling and scooting. Notably there has been a yearly correspondence from residents relating to parking and turning issues associated with pick up and drop off at the primary school.
- 3.6 It is therefore thought that the old Hayes area is a suitable area to invest in improved walking facilities. The vehicle for doing so is a 'Local Neighbourhood scheme' as proposed in Bromley's LIP3. These are intended to address a number of local transport issues such as road danger and opportunities to meet LIP objectives in a more holistic way than individual interventions. The specific proposals are detailed below.
- 3.7 (1) As part of the scheme, it is proposed to install new and upgraded traffic islands, to provide safer more attractive crossing points on the streets alongside and on the routes to the schools in the area. It is also proposed to change the surface treatment to highlight the crossings, enhance the public realm and to provide a visual deterrent to excessive speeds (see Enc. 2 and 3).
- 3.8 (2) In response to the concerns of residents in George Lane by Hayes Primary, it is proposed to trial a 'School Street' in conjunction with the school, which would prevent parent vehicular access to the cul-de-sac section of George Lane at school drop-off and pick-up times, but still permit resident and emergency access. The measure could be either enforced with a removable bollard or ANPR. School streets are supported by Bromley's LIP which notes that the "Council will also consider implementing School Streets in areas where these can be shown to have a clear benefit to mode share and safety"
- 3.9 (3) Another element of the scheme is to propose a 20mph speed limit past the schools, in line with Bromley Policy. See plan 13309-01-20mph (Enc. 4) for extents of the proposed 20mph limit

which considers the 3 schools in the area and the need for enforceability of both the new 20mph limit and the 30mph limit.

3.10 These three elements could be implemented independently of each other but are thought to be most likely at achieving the LIP and scheme objectives if they are all implemented.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

4.1 The proposals will make it easier for vulnerable road users in particular to walk and cross the road in Hayes Village

#### **5. POLICY IMPLICATIONS**

5.1 Outcome 1 of Bromley's LIP 3 proposes to "Deliver local neighbourhood schemes that respond to local concerns and unlock potential for walking and cycling"

5.2 The Proposals will help achieve our targets as highlighted in

Table 7 – Local Borough targets and objectives – L3LT 1.3 - 30% Daily trips originating in the borough made by foot

5.3 The Proposals will help achieve our targets as highlighted in

Table 7 – Local Borough targets and objectives – L3LT 2.1 - Reduce KSIs amongst vulnerable road user groups by 65% compared with the 2005-2009 baseline

5.4 The Proposals will help achieve our targets as highlighted in

Table 7 – Local Borough targets and objectives – L3LT 3.1 50% of travel to school trips to be by active modes and 20% by Public Transport

#### **6. FINANCIAL INFORMATION**

6.1 The proposal is estimated to cost £135k. The works will be funded from the Road Danger Reduction allocation, within the 2019/20 LIP3 budget agreed by TfL. A sum of £135k has been set aside for this project.

#### **7. PROCUREMENT IMPLICATIONS**

7.1 Construction work will be completed by LBB's term Contractor for Highways, therefore they aren't thought to be any Procurement issues.

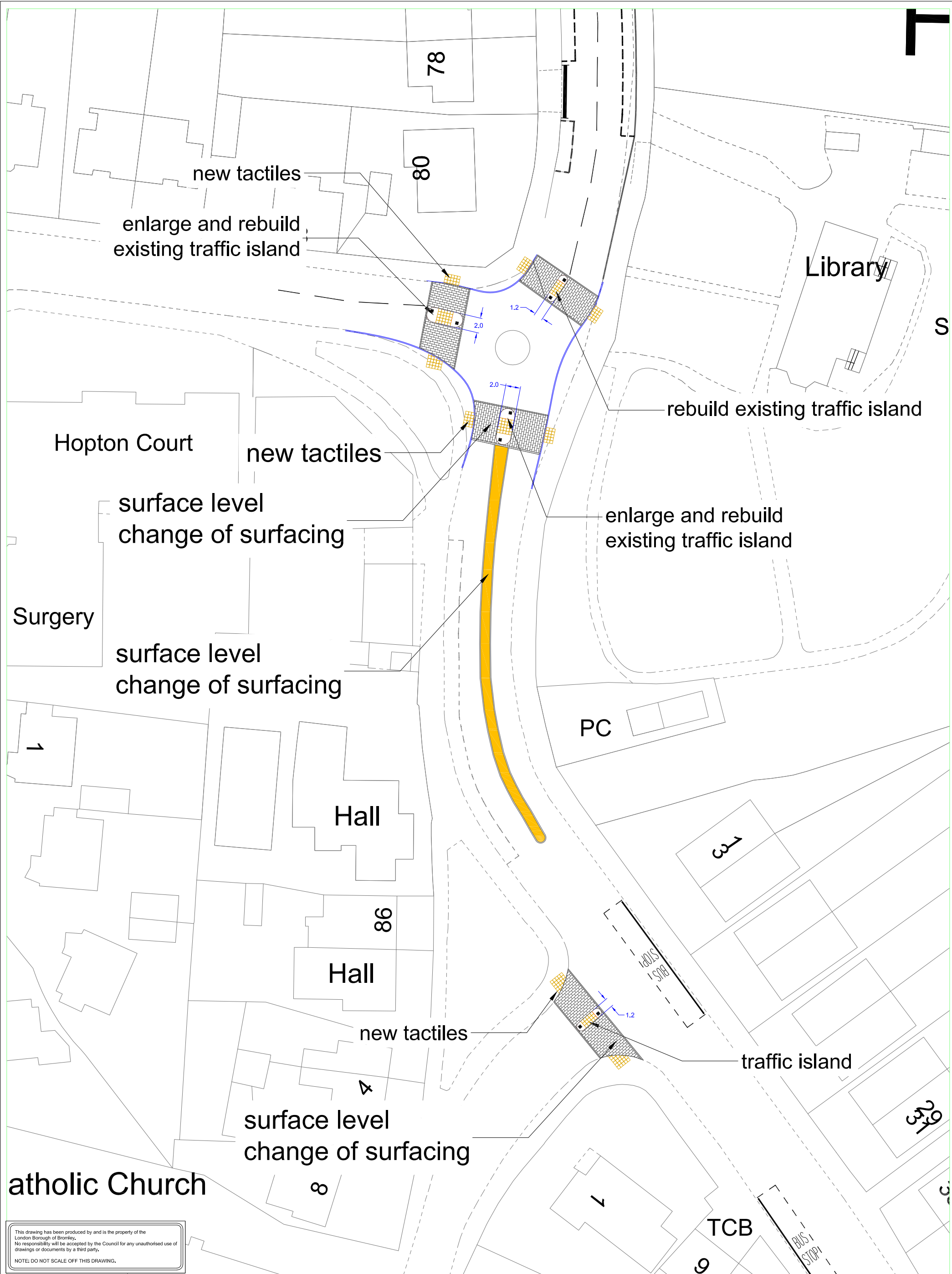
#### **8. LEGAL IMPLICATIONS**

8.1 A Public Notice would need to be advertised and a 21-day statutory consultation period allowed for any objections to be considered.

<b>Non-Applicable Sections:</b>	Personnel implications.
Background Documents: (Access via Contact Officer)	

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Job Title:  
**Hayes Village  
Casualty & Road Danger Reduction**

Drawing Title:  
**Kerb Alignments  
New / Altered Traffic Islands  
Surface Treatments**

**Bromley**  
THE LONDON BOROUGH

Environmental Services  
Civic Centre, Stockwell Close,  
Bromley, BR1 3UH  
Tel: 020 8464 - 3333  
Fax: 020 8313 - 4555  
Email: www.bromley.gov.uk

Nigel Davies  
Executive Director of Environment &  
Community Services

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Date	15/10/2019			
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Job Title:  
**Hayes Village  
Casualty & Road Danger Reduction**

Drawing Title:  
**Kerb Alignments  
New / Altered Traffic Islands  
Surface Treatments**

  
Environmental Services  
Civic Centre, Stockwell Close,  
Bromley, BR1 3UH  
Tel: 020 8464 - 3333  
Fax: 020 8313 - 4555  
Email: www.bromley.gov.uk

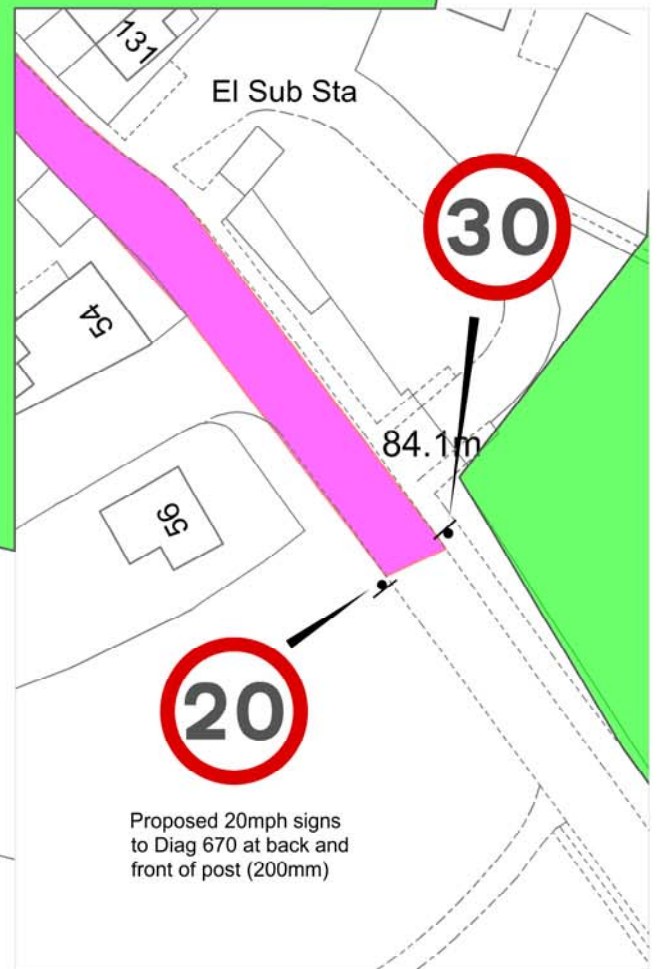
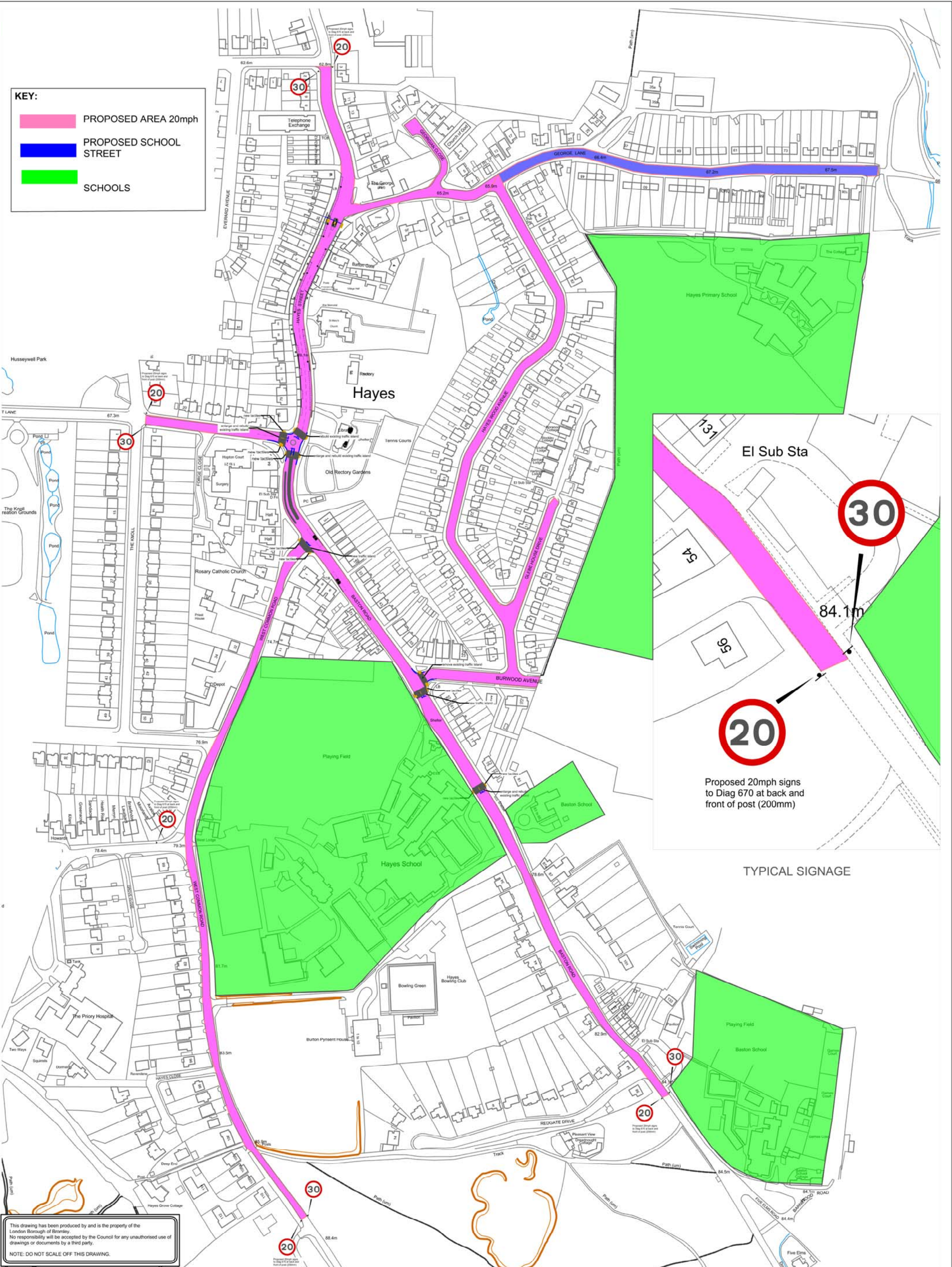
Nigel Davies  
Executive Director of Environment &  
Community Services

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Date	15/10/2019			
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Checked by:	MS	Drawing Number		By Rev
		13099-1-Section2		-

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**KEY:**

- PROPOSED AREA 20mph
- PROPOSED SCHOOL STREET
- SCHOOLS



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Job Title:  
**Hayes Village  
Casualty & Road Danger Reduction**

Drawing Title:  
**Proposed 20 mph Limit  
Proposed School Street  
Extents of Limit**

**Bromley**  
THE LONDON BOROUGH

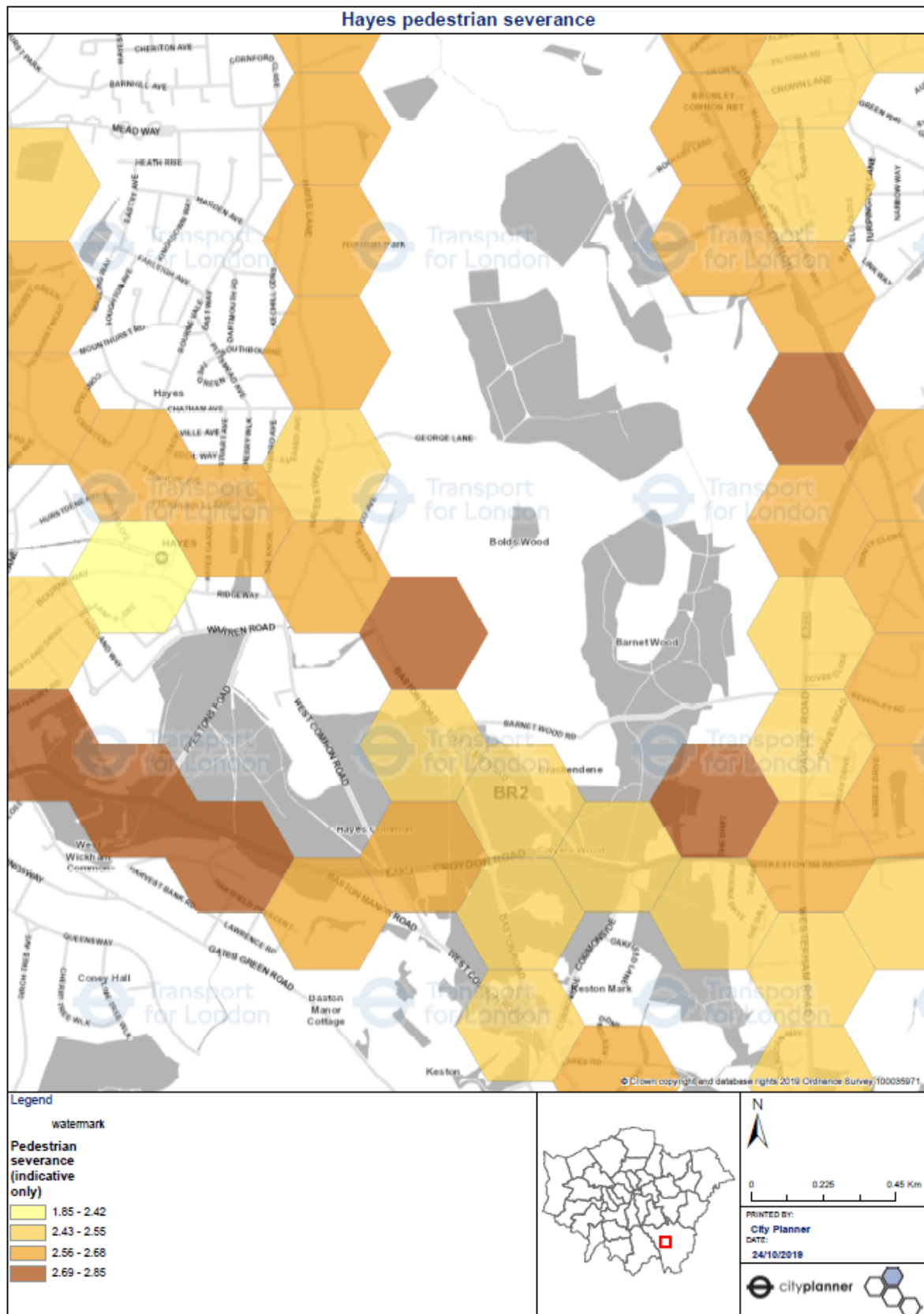
Environmental Services  
Civic Centre, Stockwell Close,  
Bromley, BR1 3UH  
Tel: 020 8464 - 3333  
Fax: 020 8313 - 4555  
Email: www.bromley.gov.uk

Nigel Davies  
Executive Director of Environment &  
Community Services

Scale @ A3	NTS	Rev	Date	Description	By
Date	15/10/2019	Drawing Number		13099-01-20mph	
Drawn by:	MS				
Checked by:	MS				

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# Hayes Pedestrian Severance







Report No.  
ES19805

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:** 13th November 2019

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

**Title:** CRYSTAL PALACE PARK ROAD CROSSING POINT

**Contact Officer:** Ismiel Alobeid, Senior Traffic Engineer  
Tel: 020 8461 7487 E-mail: Ismiel.Alobeid@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** Crystal Palace

---

## Reason for report

1. This report seeks approval to install a Toucan Crossing at the junction of Crystal Palace Park Road and Thicket Road, in order to provide a safe and more accessible crossing point for Pedestrians and Cyclists. The proposal is in response to an increase in the number of pedestrians and cyclists visiting Crystal Palace Park and travelling back and forth to nearby stations.

---

## 2. RECOMMENDATIONS

That the Portfolio Holder approves:

- 2.1 The installation of a Toucan crossing at the junction of Crystal Palace Park Road with Thicket Road, as shown in diagram no13066-02 (Enc 5).
- 2.2 That authority is given to allocate £105k from the 2019/20 TfL LIP Walking Infrastructure Development programme.
- 2.3 That any minor changes to the design are delegated to the Director of Environment and Public Protection, in consultation with the Portfolio Holder.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The provision of a controlled crossing point for vulnerable road users include children and cyclists
- 

### Corporate Policy

1. Policy Status: Existing Policy. The proposal meets Bromley's objectives to improve conditions for walking by reducing severance and deliver new cycle routes set out within Outcome 1 Bromley's Third Implementation Plan (LIP3).
  2. BBB Priority: Quality Environment
- 

### Financial

1. Cost of proposal: £105k
  2. Ongoing costs: Non-recurring cost
  3. Budget head/performance centre: 2019/20 TfL LIP Walking Infrastructure Development
  4. Total current budget for this head: £192k – Walking Infrastructure Development implementation funding (to cover a number of schemes)
  5. Source of funding: TfL Local Implementation Plan budget for 2019/20
- 

### Personnel

1. Number of staff (current and additional): 1
  2. If from existing staff resources, number of staff hours: 26
- 

### Legal

1. Legal Requirement: No
  2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: None
- 

### Customer Impact

1. Estimated number of users: Crystal Palace Park Road is a busy road located next to the well-known Crystal Palace Park the area is busy with Pedestrian and Cyclist movements. (See details in Enc. 2&6)
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillor's comments: Any received will be reported at Committee.

### **3. COMMENTARY**

- 3.1 The junction of Crystal Palace Park Road and Thicket Road is a gateway to Crystal Palace Park. The Park houses a number of interesting attractions such as the National Sports Centre, a lake and famous models of dinosaurs. Over recent years this popular park has seen an increase in the number of visitors to the area as seen in the enclosed pedestrian count figure. In addition there are plans to develop some areas of the park, which will include a number of residential units on the outer perimeter. These plans are in the preliminary stages, but any development will add to pedestrian and vehicular movements.
- 3.2 Many visitors are travelling by foot but cycling is also a popular mode of transport. During recent counts it was noted that over 300 pedestrians crossed the road at the junction during 2 hours peak time on a weekday and over 700 pedestrians at similar 2 hour period on a Saturday. This is a large number for a junction without any formal crossing. See Enc. 2 & 6 for more details.
- 3.3 Over many years officers have received requests from residents asking for the provision of a pedestrian crossing at this location. Many expressed their safety concerns, especially those crossing with children. In addition collision data has revealed that there were 10 personal injury collisions at this location over a 5 year period resulting in 2 serious injuries, with one pedestrian sustaining slight injury.
- 3.4 In addition, backing up local views about the difficulty crossing Crystal Palace Park Road, modelling of the level of severance shows that the location of the planned crossing has a high level of pedestrian severance but the surrounding area has strong potential to switch local trips to walking from car trips. This is a key Borough priority to achieve LIP3 objectives and reduce congestion by offering the choice to switch mode to walking.
- 3.5 In addition to the walking potential, Bromley's LIP3 has an aspiration to extend the forthcoming Cycleway 7 which will end at Crystal Palace Parade into Bromley via Crystal Palace Park and the route onwards towards Penge to link up with the Lower Sydenham to Bromley and Greenwich to Kent House Quietways at New Beckenham (LIP3 p. 40, 41 and 45). This proposed Toucan crossing forms a key part of this aspiration and will link Crystal Palace Park to the residential streets to promote cycling for local trips and trips to neighbouring boroughs.
- 3.6 A traffic count was conducted in September 2019 covering two days. The purpose of the count was to get an accurate figure for the number of vehicles, pedestrians and cycles manoeuvring at the junction. The results of the count revealed that the volume of pedestrian traffic at this location was relatively high.
- 3.7 The figures from the survey were used to calculate the  $PV^2$  Value, this is a formula used by engineers to assess if a pedestrian crossing might be justified (where P = Pedestrians and V= Vehicles). The  $PV^2$  value recommended for a formal pedestrian crossing is 100,000,000. The calculated  $PV^2$  for this junction was over 200,000,000, this is more than double the threshold figure, indicating that this location is suitable for a formal crossing (see Enc.1 &4).
- 3.8 Initially officers considered installing a parallel Zebra Crossing, but this was ruled out due to the high number of pedestrians using the junction. A zebra crossing would cause congestion due to the heavy footfall and a long line of pedestrians will hold up traffic on a road where queuing already occurs.
- 3.9 The only viable option is to install a Signalled Controlled Crossing. This led to officers proposing a Toucan Crossing for the purpose of providing a safer crossing point for pedestrians and cyclists as a way of future proofing the area.
- 3.8 A Toucan Crossing is a combined pedestrian and cycle crossing, which comprises a number of detectors, cycle and pedestrian signals phase, crossing count down time, and on-crossing detectors to extend pedestrian green man (during high pedestrian flows). The crossing will be

demand dependent and will only operate when a demand is made. A Toucan crossing time will be limited to about 15 seconds per cycle.

- 3.9 This project aims to implement this Toucan Crossing across Crystal Palace Park Road/Penge High Street to link to Crystal Palace Park. This crossing would link pedestrians and cyclists to the residential streets around Penge East Station and to the cycle routes through Crystal Palace Park and Central London via Cycleway 7.
- 3.10 As part of the scheme, a shared path will be proposed on the wide section of foot way on the northern side between Thicket Road and Crampton Road. We will also use this opportunity to review dropped kerbs and tactile paving in the area and improve the urban realm by adding trees and seating where appropriate.
- 3.11 The proposed design is shown in the concept drawing in Enclosure 5 (diagram no13066-02).
- 3.12 Consideration is being given to also adding a highly visible crossing surface, such as colourful dinosaur footprints, which will in part help make the crossing more noticeable to drivers, but will primarily enhance the crossing as an approach to this historic park. The views of Members of the PDS on this suggestion will be useful as officers develop this detail of the scheme.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

It is thought that the proposals will help these groups to more easily and independently access local facilities. Bromley's LIP3 was subject to an independent EQIA.

#### **5. POLICY IMPLICATIONS**

The schemes will address two of the key aims of the Environmental Portfolio Plan 2018-2021, to "Improve the road network and journey times for all users" and "Promote safe and secure travel". It also supports Bromley's LIP3 Outcome 1 objectives to "Deliver new pedestrian crossings to reduce severance."

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 The estimated cost of the scheme is £105k which will be funded from the current 2019/20 LIP. There is currently £105k of TfL LIP Walking Infrastructure Development Funding allocated for implementation of the scheme.
- 6.2 The £105K cost of the scheme includes the ongoing running costs of the proposed signals for approximately 10 years based on anticipated annual costs.

#### **PROCUREMENT IMPLICATIONS**

The installation work will be completed by LBB's term Contractor for Highways (Riney) which is in place for these types of work; therefore there are no direct Procurement implications as a result of this proposal.

<b>Non-Applicable Sections:</b>	Legal, Personnel Implications
Background Documents: (Access via Contact Officer)	

**Enc.1: Crystal Palace Park Road PV2 Calculation**  
**18-Sep-18**

**Fine**

PEDS: the pedestrian flow (pedestrians / hour) across a 100m length of road centred on the proposed crossing site

VEHICLES: the number of vehicles in both directions (vehicles / hour)

TIME	PEDS	VEHICLES	V^2	PV^2
07:00-08:00	132	1411	1990921	262,801,572
08:00-09:00	131	1433	2053489	269,007,059
09:00-10:00	0	0	0	0
10:00-11:00	0	0	0	0
11:00-12:00	0	0	0	0
12:00-13:00	0	0	0	0
13:00-14:00	0	0	0	0
14:00-15:00	0	0	0	0
15:00-16:00	159	114	12996	2,066,364
16:00-17:00	136	1403	1968409	267,703,624
17:00-18:00	0	0	0	0
18:00-19:00	0	0	0	0

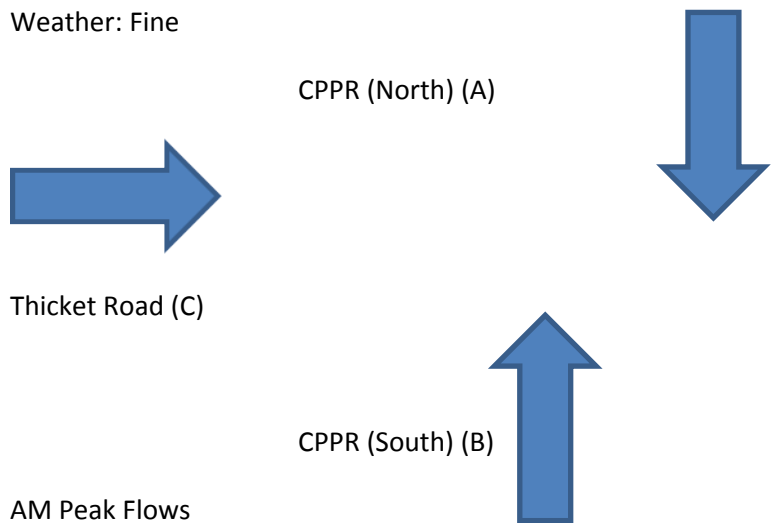
4 BUSIEST	AVERAGE	THRESHOLD	CONSIDER
269,007,059	200,394,655	100,000,000	YES
267,703,624			
262,801,572			
2,066,364			

*The PV^2 value should be the average over the four busiest hours of the day and a crossing is normally justified where the calculated value of PV^2 is equal to or greater than  $1 \times 10^8$  on an undivided road or  $2 \times 10^8$  on a carriageway incorporating a staggered crossing.*

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Crystal Palace Park Road (CPPR) Traffic Count: Wednesday 18 September 2019

Weather: Fine



AM Peak Flows

Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
7 – 7:30	89	51	0	0	415	247	10	21	34
7:30 – 8	114	79	7	5	414	335	15	25	52
8 – 8:30	93	104	6	0	381	373	20	21	39
8:30 – 9	101	105	9	8	312	367	8	26	46
Total in 2 Hours	397	339	22	13	1522	1322	53	93	171

OFF PEAK Flows

Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
10 - 10:30	67	31	5	2	169	203	9	15	40
10:30 – 11	71	55	3	5	180	255	7	15	26
11 – 11:30	56	37	3	1	139	211	9	9	26
11:30 - 12	46	67	4	6	190	272	2	18	38
Total in 2 Hours	240	190	15	14	678	941	27	57	130

PM PEAK Flows

Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
3 – 3:30	92	80	1	5	206	408	19	21	67
3:30 - 4	48	60	3	5	143	389	34	15	56
4 - 4:30	70	72	7	4	160	493	13	15	61
4:30 - 5	69	90	5	3	197	553	17	8	52
Total in 2 Hours	279	302	16	17	706	1843	83	59	236

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**Enclosure 4: Crystal Palace Park Road PV2 Calculation for Saturday  
21-Sep-18 Sat**

**Fine**

PEDS: the pedestrian flow (pedestrians / hour) across a 100m length of road centred on the proposed crossing site

VEHICLES: the number of vehicles in both directions (vehicles / hour)

TIME	PEDS	VEHICLES	V^2	PV^2
07:00-08:00			0	0
08:00-09:00	62	770	592900	36,759,800
09:00-10:00	0	0	0	0
10:00-11:00	0	0	0	0
11:00-12:00	0	0	0	0
12:00-13:00	183	1454	2114116	386,883,228
13:00-14:00	0	0	0	0
14:00-15:00	0	0	0	0
15:00-16:00	215	1163	1352569	290,802,335
16:00-17:00	265	1234	1522756	403,530,340
17:00-18:00	0	0	0	0
18:00-19:00	0	0	0	0

**4 BUSIEST**

403,530,340  
386,883,228  
290,802,335  
36,759,800

**AVERAGE**

279,493,926

**THRESHOLD**

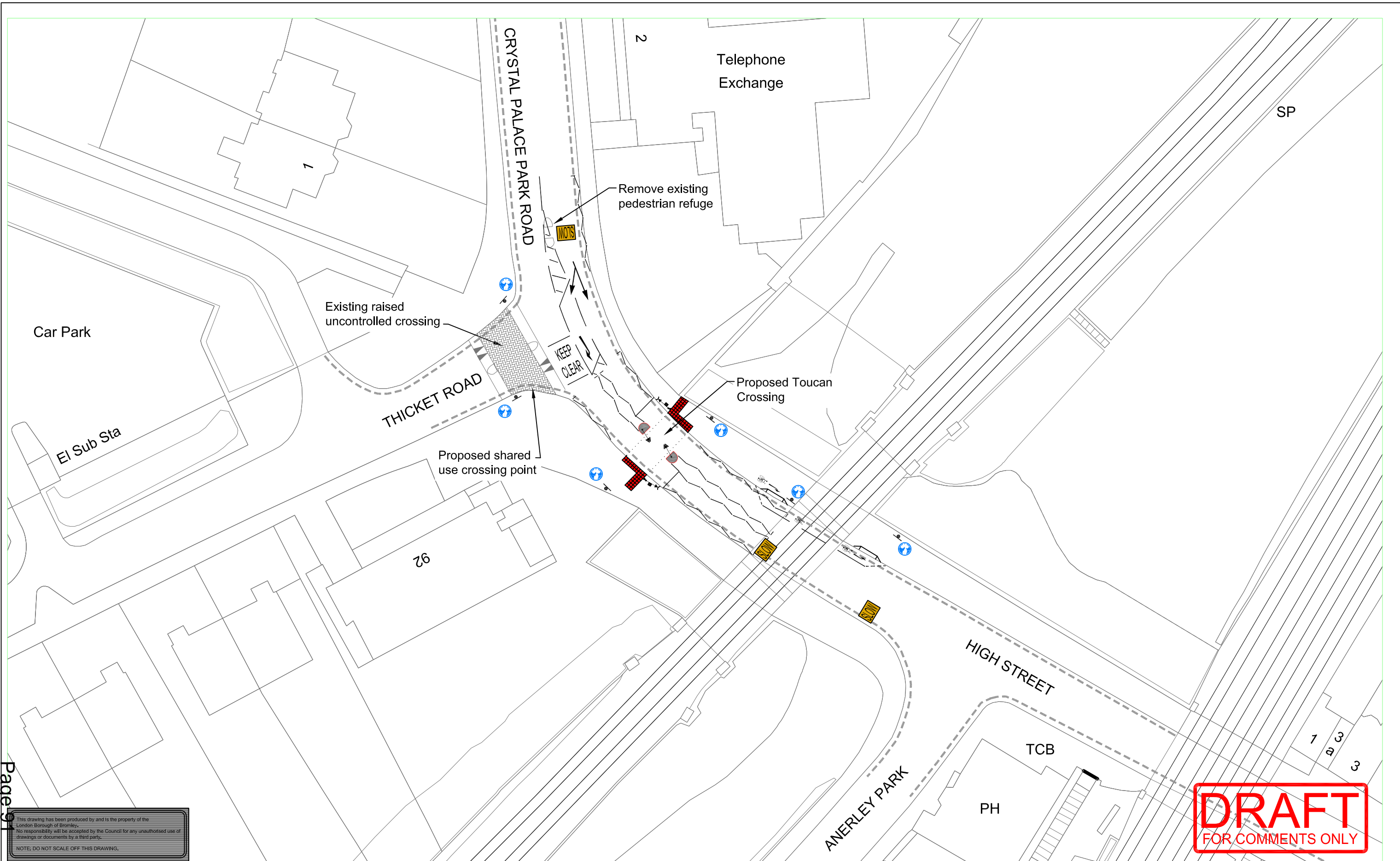
100,000,000

**CONSIDER**

YES

*The PV^2 value should be the average over the four busiest hours of the day and a crossing is normally justified where the calculated value of PV^2 is equal to or greater than  $1 \times 10^8$  on an undivided road or  $2 \times 10^8$  on a carriageway incorporating a staggered crossing.*


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Job Title: <b>CRYSTAL PALACE PARK ROAD PENGE</b>	Drawing Title: <b>PROPOSED TOUCAN CROSSING OPTION 2</b>	 Environmental Services Civic Centre, Stockwell Close, Bromley, BR1 3UH Tel: 020 8464 - 3333 Fax: 020 8313 - 4555 Email: www.bromley.gov.uk	Scale @ A3: <b>1:500</b> Date: <b>15/08/19</b> Drawn by: <b>J.J.</b>	<table border="1"> <thead> <tr> <th>Rev</th> <th>Date</th> <th>Description</th> <th>By</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> Drawing Number <b>13066-02</b> Chkd/Appd by: <b>I.A.</b>	Rev	Date	Description	By				
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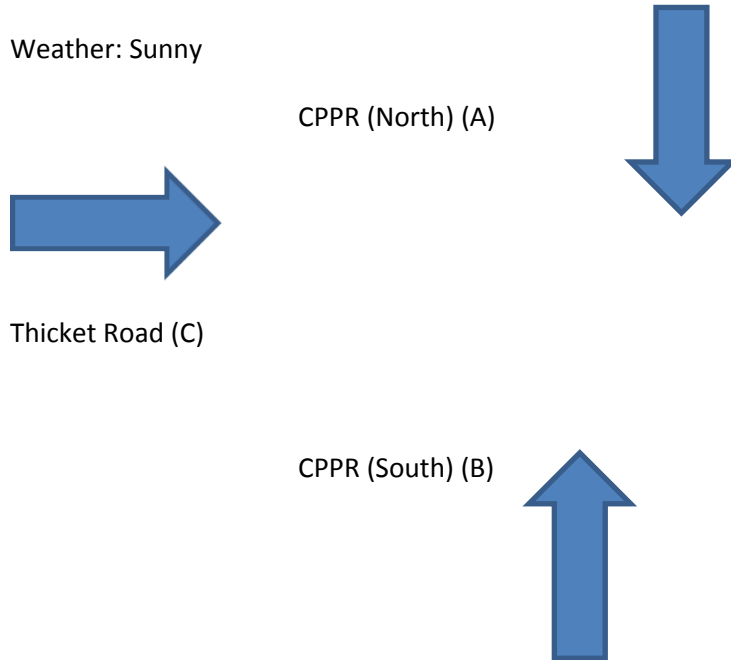
N:\Environmental Services\Transportation Planning\AutoCAD\Drawings\Completed\Archive 13000-13099\13066\_Crystal Palace Pk Rd, Toucan Crossing\13066-02.dwg USER: Joyce, John FILE SIZE = 1,16

Page 9/1

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Crystal Palace Park Road (CPPR) Traffic Count: Saturday 21 September 2019

Weather: Sunny



AM Peak Flows

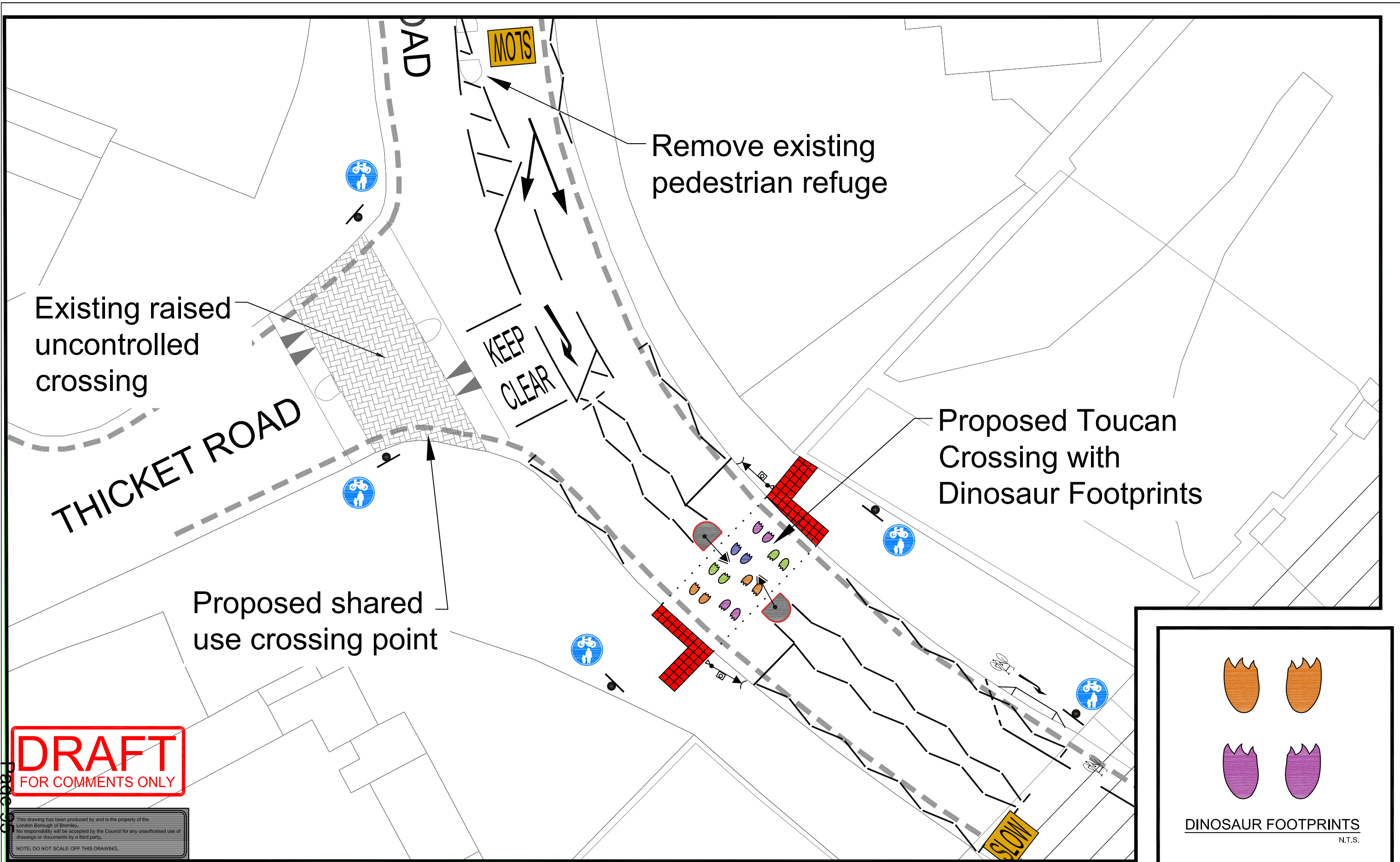
Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
7 – 7:30	32	23	4	5	165	113	3	2	16
7:30 – 8	45	37	5	1	137	123	3	3	18
8 – 8:30	32	32	4	2	200	157	123	3	2
8:30 – 9	54	47	15	2	142	169	19	12	45
Total in 2 Hours	163	139	28	10	644		148	20	81

OFF PEAK Flows

Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
10 - 10:30	60	75	8	11	179	262	26	21	71
10:30 – 11	92	81	4	25	301	508	9	15	76
11 – 11:30	78	111	6	5	186	239	33	25	82
11:30 - 12	126	108	6	7	207	288	17	19	89
Total in 2 Hours	356	375	24	51	873	1297	85	80	318

PM PEAK Flows

Times	All Vehicles						Pedestrians		
	C to A	C to B	B to C	A to C	B to A	A to B	Cross C	Cross A	Cross B
3 – 3:30	62	59	6	6	166	179	27	15	137
3:30 - 4	54	50	15	11	139	309	22	22	146
4 - 4:30	54	60	23	4	156	279	11	39	108
4:30 - 5	118	120	30	13	298	251	56	17	101
Total in 2 Hours	288	289	71	34	759	1018	116	93	492



**DRAFT**  
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Job Title:  
**CRYSTAL PALACE PARK ROAD  
PENGE**

Drawing Title:  
**PROPOSED TOUCAN CROSSING**

**Bromley**  
THE LONDON BOROUGH

Environmental Services  
Civic Centre, Stockwell Close,  
Bromley, BR1 3UH  
Tel: 020 8464 - 3333  
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Scale @ A3:  
1:200  
Date: 15/08/19  
Drawn by: J.J.  
Chkd/Appd by: I.A.

Rev	Date	Description	By
		Drawing Number	Revision
		13066-02	-

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Report No.  
ES19073

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO  
HOLDER

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

**Date:** 13th November 2019

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

**Title:** FRIENDLY STREETS - VALLEY SCHOOL GREEN SCREEN  
TRIAL

**Contact Officer:** Alexander Baldwin-Smith, Transport, Projects & Strategy Manager  
E-mail: Alexander.Baldwin-Smith@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** Bromley Town

---

1. Reason for report

To seek approval for the installation of a Green Screen at Valley Primary School, Shortlands.

---

2. **RECOMMENDATION**

**That the Portfolio Holder approves the installation of a Green Screen at Valley Primary School, Shortlands as part of the Shortlands & Bromley Friendly Streets project**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Positive on their long-term health through reduced exposure to pollutants.
- 

## Corporate Policy

1. Policy Status: Existing Policy: Outcome 4 of Bromley's LIP3 proposes that 'The Council will also look to undertake a trial of new green infrastructure, such as trees and green walls around schools in the AQMA (Air Quality Management Area)'
  2. BBB Priority: Children and Young People Quality Environment Vibrant, Thriving Town Centres Healthy Bromley:
- 

## Financial

1. Cost of proposal: Estimated Cost: £30,000
  2. Ongoing costs: Not Applicable: All future maintenance costs will be borne by the school
  3. Budget head/performance centre: Liveable Neighbourhoods TfL funding
  4. Total current budget for this head: £149,000 for Liveable Neighbourhoods in 2019/20 (additional £30k for this project to be confirmed by TfL taking the allocation to £179k)
  5. Source of funding: Transport for London Liveable Neighbourhoods funding £30k to be confirmed finally by TfL.
- 

## Personnel

1. Number of staff (current and additional): No new staff are required
  2. If from existing staff resources, number of staff hours: 40 hours to implement and monitor the trial
- 

## Legal

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

## Procurement

1. Summary of Procurement Implications: The works will be commissioned by the Council's term Greenspace contractor IdVerde undertaking a compliant procurement exercise in line with LBB procurement rules.
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Over 500 staff and pupils of the school and also those walking through the area who will benefit from the pollution absorption.
-

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillor's comments: Cllr Dykes proposed and drove forward the initiative and is strongly supportive of installation as soon as possible.

### **3. COMMENTARY**

- 3.1 One of the proposals in Bromley's LIP3 to enhance air quality in a targeted manner is to undertake a trial of new green infrastructure, such as trees and green walls around schools in the AQMA (Air Quality Management Area). There are a number of schools where this could take place, however Parents at Valley Primary school have expressed strong support for this type of initiative at their school including local fundraising for ongoing maintenance, therefore it is proposed to install the green screen in this location and monitor the impact for the first year, with data that the school is already collecting on site using an AQMesh pod monitoring device.
- 3.2 The proposal would see the installation of living green screens alongside the flank fence of Valley school adjacent to A222 Beckenham Lane, along with tree planting and dwarf tree/shrub planters for the playground and in spaces between the school fence and school building. Details of the screen will be determined by competitive tender however it is likely to be made of Ivy and other evergreen species.
- 3.3 This is part of a larger community led project to enhance the green infrastructure at Valley School, the first stages of which include air quality mitigation measures such as the green screens referred to here and air purifiers for classrooms and other trees funded from the Community fund and vigorous fundraising led by parents at the school.
- 3.4 The strong level of community support and the school's location adjacent to the A222 in the Friendly Streets Project area where TfL are able to provide this additional funding had meant that Valley school has been chosen for the trial.

### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

The green screening will have a positive impact on the air quality for children in Valley school. Health benefits will be at a localised level with activity focused around schools so will reduce the exposure of children to particulate matter and Nitrous Oxide emissions. This will notably reduce the impact of pollutants on children's lung development and reduce the risk of developing respiratory diseases such as childhood asthma or even cardio-vascular issues in later life.

### **5. POLICY IMPLICATIONS**

The proposal is already supported by Bromley's LIP3 transport Strategy. Outcome 4 of the strategy proposes that 'The Council will also look to undertake a trial of new green infrastructure, such as trees and green walls around schools in the AQMA (Air Quality Management Area)'

### **6. FINANCIAL IMPLICATIONS**

The cost of the proposal is estimated to be £30k which includes the capital cost of delivering the green screening. This will be funded from Transport for London, Liveable Neighbourhoods funding (£30k). This £30k is in addition to the £149k already allocated for the Feasibility development of the Liveable Neighbourhood in 2019/20. If, for any reason, the additional funding isn't secured then the proposed scheme will not be implemented.

The cost of ongoing maintenance cost and liability will be borne by the school.

### **7. PERSONNEL IMPLICATIONS**

The project will be delivered by IdVerde so the Borough's role will be limited to a client function, engaging with the school and monitoring the success of the trial. This can be undertaken from existing staff resources, taking around 40 hours.

## 8. PROCUREMENT IMPLICATIONS

- 8.1 This report seeks to proceed to procurement for the installation of a Green Screen at Valley School at an estimated value of £30k.
- 8.2 The works will be commissioned by the Council's term Greenspace contractor IdVerde, in line with the Council's Contract Procedure Rules.
- 8.3 The value of this procurement falls below the thresholds set out in Part 2 of the Public Contracts Regulations 2015, so is only subject to Part 4 of the Regulations. The procurement must comply with EU Treaty principles of transparency and equal treatment. Any time limits imposed, such as for responding to adverts and tenders, must be reasonable and proportionate.
- 8.4 In compliance with the Council's Contract Procedure Rules (Rule 3.6.1), this procurement must be carried out using the Council's e-procurement system.
- 8.5 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

<b>Non-Applicable Sections:</b>	<b>LEGAL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	

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Report No.  
ES19071

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**FULL COUNCIL**

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

**Date:** 13th November 2019

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

**Title:** **TEC DELEGATION FOR THE REGULATION OF DOCKLESS  
VEHICLE HIRE SCHEMES**

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

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** All Wards

---

## Reason for report

- 1.1 To inform Members of the intention of London Councils to amend the Transport and Environment Committee (TEC) Agreement in order to pursue the proposed pan-London byelaw for the regulation of 'dockless' bicycle hire schemes.
  - 1.2 To seek approval for the delegation of powers to London Councils to make a pan-London byelaw for the regulation of 'dockless' bicycle hire schemes which Boroughs will be able to use as they deem appropriate.
- 

## **1. RECOMMENDATIONS**

- 2.1 That the Environment and Community Services PDS Committee comment on the proposal of London Councils to promote and make the pan-London byelaw for dockless bicycle hire.**
- 2.2 The Executive recommends to Full Council the delegation of the above to London Councils and agrees to the proposed TEC amendment that will be required to make the proposed byelaw, authorising the Director of Environment and Public Protection to sign the delegation as required.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: This proposal should enhance the Council's regulatory and enforcement powers in the sphere of Dockless bicycles, providing greater powers to keep footways unobstructed or dockless cycles parked in appropriate and safe places, helping to maintain accessibility for vulnerable pedestrians, those with mobility impairments and parents with buggies etc. .
- 

## Corporate Policy

1. Policy Status: Supports Outcome 1 of Bromley's Third Local Implementation Plan:

This outcome is focused on encouraging healthy streets and increasing levels of active travel. The policy regarding this issue is defined as follows:

The Council will continue to observe developments in the dockless cycle hire market and work with TfL and other Boroughs to develop appropriate and proportionate powers for Local Authorities to control whether and how dockless operators can operate on the Borough's streets. Any scheme launched in the Borough will have to comply with TfL's code of practice on dockless cycles.

2. BBB Priority: Quality Environment
- 

## Financial

1. Cost of proposal: There is no cost to the Council relating to the acceptance of the byelaw. However there may be costs incurred at a later stage depending on how Bromley intend to implement and regulate the byelaw.
  2. Ongoing cost: Ongoing running costs and potential income streams relating to the delegation for the regulation of dockless cycle hire schemes is not yet known at this early stage. Therefore it is currently not possible to quantify the financial impact of the proposal.
  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: If the Borough proceeds with using the byelaw then it is anticipated that 2 - 3 hours a week would be required for the implementation and monitoring of compliance of the byelaw.
- 

## Legal

1. Legal Requirement: There is no legal requirement for this proposal but also currently no legal basis to control dockless bicycle hire operators.
  2. Call-in: Applicable
-



## Procurement

1. Summary of Procurement Implications: None at this stage
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents and visitors to the Borough potentially benefit from the Council having the ability to regulate the operation of dockless cycle hire to ensure safety and minimise the impact on the highway network.
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? The issue of legislation relating to dockless bike operators was included in Bromley's LIP 3, which all ward members were invited to comment on, however no comments related to this issue were received.
2. Summary of Ward Councillors comments: N/A

### 3 COMMENTARY

- 3.1 Although Bromley is supportive of the option for residents to hire bicycles for trips or parts of their trips, currently there are no legal powers available to local authorities to control the operation of dockless bicycle hire operators and Central Government does not intend to introduce such legislation. At present Councils are dependent on the approach taken by each operator.
- 3.2 TfL's Borough Dockless working group of officers from across London, including Bromley, considered the most effective response to mitigating the potential negative impacts of dockless cycle hire along with realising the benefits of privately funded cycle hire and concluded that a Byelaw across London that Boroughs could opt to use was the most easily achievable and operable solution. Therefore, Transport for London and London Councils have been instructed by the London Council's Transport and Environment Committee (TEC) to develop a new regulatory approach to dockless bike sharing schemes with the intention of making a new byelaw. This byelaw is needed due to continued activity in the dockless hire market with anticipated further deployment by new operators. Whilst this report may focus on bicycles, the proposed byelaw covers dockless 'vehicles' in general, to cater for the potential introduction of e-scooters or similar products.
- 3.3 London Councils are requesting delegated authority enabling them to introduce a byelaw that would see new regulatory powers, intended to be used to compel dockless operators to use designated parking spaces, and prohibit bikes being left anywhere not agreed to by the applicable Councils.
- 3.4 The extent of dockless vehicle parking and the enforcement of the byelaw would be at the discretion of each borough.
- 3.5 Boroughs can make byelaws individually using these powers but in order for a single byelaw to be made and for it to apply uniformly across Greater London (which is what TEC members want) each London borough must delegate its authority to make the byelaws to TEC. Without the agreement of all boroughs the proposal cannot proceed.
- 3.6 The byelaw would allow the Council to regulate the market as it saw fit, this would ensure that commercially the Borough could still be seen as an attractive market for potential providers. By the same token, the byelaw would provide the Council with an element of control over operators that it does not currently possess. What the Council would not have direct control over however is the control measures undertaken by other local boroughs and how they might help or hinder the commercial viability of a dockless scheme in Bromley. Officers will endeavour to liaise with their counterparts in neighbouring boroughs to ensure they are aware of their policies and attitudes to such schemes.
- 3.7 The byelaw has been drafted and is included as an appendix. In summary the byelaw would allow the Council the following:
- 3.7.1 That all dockless bicycles/vehicles are identifiable with an individual asset number and are able to be located remotely.
- 3.7.2 That all dockless bicycles/vehicles meet the required safety and maintenance standards.
- 3.7.3 That dockless bicycles/vehicles are only 'parked' and hire terminated by the user in approved locations as defined by the Council.
- 3.7.4 The ability to serve penalty notices for any breach of the above.

#### **4 IMPACT ON VULNERABLE ADULTS AND CHILDREN**

This proposal should enhance the Council's regulatory and enforcement powers in the sphere of dockless bicycles, providing greater powers to keep footways unobstructed or dockless cycles parked in appropriate and safe places, helping to maintain accessibility for vulnerable pedestrians, those with mobility impairments and parents with buggies etc.

#### **5 POLICY IMPLICATIONS**

Bromley's third Local Implementation Plan sets out the Borough's position regarding dockless cycle as follow:

'The market for cycle hire has changed rapidly in the last year with the expansion of dockless bike operators. The Council will continue to observe developments in the dockless cycle hire market and work with TfL and other boroughs to develop appropriate and proportionate powers for local authorities to control whether and how dockless operators can operate on the Borough's streets.'

#### **6 FINANCIAL IMPLICATIONS**

There are no immediate financial implications to the Council. How the byelaw is enforced by the Council and the costs involved will be a matter for future discussion, as will the potential revenue that could be obtained through the administering of penalty notices or any financial demands related the licencing of operators or dockless parking spaces.

#### **7 PERSONNEL IMPLICATIONS**

Minimal officer time will be required to aid the introduction of byelaw.

#### **8 LEGAL IMPLICATIONS**

- 8.1 There are currently provisions in the Highways Act 1980 where, by virtue of Section 137, if a person without lawful authority or excuse in any way wilfully obstructs the free passage along a highway with a dockless bike they are guilty of an offence and liable to a fine. Further, by virtue of Section 149 Highways Act if a dockless bike is causing an obstruction of the highway and constitutes a danger (including a danger caused by obstructing the view) to users of the highway, and ought to be removed without the delay involved in giving notice or obtaining a removal and disposal order from a magistrates' court, the Council as Highway Authority may remove the dockless bike forthwith.
- 8.2 However, currently there are no specific legal powers available to local authorities to effectively regulate and control the operation of dockless bicycles and other similar hire operators, and it is understood that Central Government does not intend to introduce such legislation. Therefore local authorities will be required to make their own bylaws in this regard.
- 8.3 Under Section 235 of the Local Government Act 1972, the power to make Byelaws for Good Rule and Government and Suppression of Nuisances, relevant bylaws for the purpose of regulating dockless vehicles (and other similar class of transport device) on the highway and/or public places, can be made, which can include making it an offence for a dockless vehicle operator to cause or permit their dockless vehicle to be left on the highway or public place other than in an approved location. The matter to be regulated by the byelaw is not to be the subject of pre-existing statutory provision, or that such provision is in prospect. The confirming authority in relation to byelaws made under this section is the Secretary of State. The procedural requirements for making the bylaws as set out in Section 236 of the 1972 Act must be satisfied,

including publicity, depositing copies for inspection etc., and giving notice of intention to apply to the Secretary of State to confirm the byelaws. Unless and until confirmed, the byelaws cannot take effect.

- 8.4 It is not considered practicable for the same byelaw to be made by 33 London boroughs. The making of one byelaw across all the London boroughs is more appropriate and would require each of the 33 London local authorities participating in the TEC Joint Committee arrangement to delegate the exercise of additional functions to the Joint Committee. This requires the TEC constitution (Governing Agreement, dated 13 December 2001 (as amended)) to be varied, as local authority functions relating to the making of a pan-London byelaw for regulating dockless vehicles are not currently delegated as functions of the TEC.
- 8.5 The power to delegate the byelaw making function to London Councils is contained in section 101(5) of the 1972 Act which provides that two or more local authorities may discharge any of their functions by a joint committee. The TEC is such a joint committee which has been appointed by the 33 London local authorities. The proposed delegation would allow the TEC to make and promote a pan-London byelaw to regulate dockless vehicles on the highway and/or public places; to compel dockless operators to use designated parking spaces; and prohibit bikes being left anywhere not agreed by boroughs. The TEC has agreed that it is a suitable body to undertake both the promotion and making of such a pan-London Byelaw.
- 8.6 In principal each London Local Authority and The City of London Corporation are effectively being asked in the first instance to determine that it wishes to make such a Byelaw, and secondly that it determines the actual making of the Byelaw is delegated to the TEC so as to ensure that an appropriate pan London Byelaw can be made in accordance with the advice received by London Councils. The delegation must be mutual and London Councils would be required to formally accept this delegation.
- 8.7 Not delegating powers would impact on the ability to effectively regulate dockless cycle hire London-wide and would leave each London authority seeking to address the issues piecemeal. The proposed delegation of functions to the TEC is required to be approved by full Council as those functions include non-executive functions.
- 8.8 The proposed delegation is highly restricted; is very specific; does not mean any loss of control of the Council's assets; and it is not a transfer to the TEC of the Council's powers in respect of the parking of dockless bikes. It will, however, allow for the TEC to make, promote and establish a pan-London Byelaw. The local authorities have been assured by the TEC that the extent of dockless bike parking and the enforcement of the byelaw (including prosecution) would remain a matter for each authority's decision-making process and control, at the discretion of the Council.
- 8.9 However, for the TEC to be able to carry out the making of a pan-London Byelaw for dockless bike parking, the London Councils' TEC Agreement needs to be amended because the local authorities' byelaw making function is not currently delegated to the TEC, and the Joint Committee therefore does not currently have the authority to undertake this function on behalf of the London local authorities.
- 8.10 It has been proposed by the TEC that an appropriate amendment to Schedule 2 of the London Councils' Transport and Environment Committee Agreement, which identifies all the functions that have been delegated to it, would be by way of an addition to the Part 3(D) Functions, inserting a new paragraph 2(c) as follows: -

“(c)(i) the making of byelaws under section 235 of the Local Government Act 1972 (and, in respect of the City of London Corporation, under section 39 of the City of London (Various Powers) Act 1961) for the purpose of regulating dockless vehicles on the highway and/or public

places (including by making it an offence for a dockless vehicle operator to cause or permit their dockless vehicle to be left on the highway or public place other than in an approved location), including taking all related steps to promote, make, amend and revoke any such byelaw.

(c)(ii) The exercise of powers under Section 1 of the Localism Act 2011 for the purposes of giving effect to (i) above, including but not limited to oversight and management of the arrangements (but excluding prosecution or other enforcement).”

8.11 Amendments to Part 3(D) are made by the procedure set out in Paragraph 3(D)(1) of the TEC Agreement which provides a process for delegating the exercise of functions to the Joint Committee without requiring a separate formal variation agreement to be agreed by each authority before the delegation to the Joint Committee is effective. The procedure was adopted under an earlier formal variation to the Governing Agreement with the consent of all the London local authorities and TfL, and provides that the functions may be delegated by each London local authority to operate under the existing terms of the Governing Agreement “subject to consultation with the Participating Councils and the written agreement of each Participating Council.”

8.12 In preparation for the delegation of the bylaw function to the TEC, there is a draft Byelaw which has now been shared with borough officers, and once agreed by the local authorities it will need to be ratified by London Councils on behalf of the London Boroughs. The draft byelaw will need to be consulted upon and will need to include: -

- (i) a draft of the byelaw;
- (ii) an assessment of the regulatory burden and whether it is proportionate, informed by consultation with affected persons; and
- (iii) a statement assessing the impacts of the proposal and the proportionality of the regulatory burden.

## 9 PROCUREMENT IMPLICATIONS

There are no procurement issues related to the delegation.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	London Councils Guidance: The Greater London Dockless Vehicle Byelaw Guidance London Councils TEC Delegation dockless byelaw – Explanatory note Draft Dockless Vehicle Byelaw

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The Greater London Dockless Vehicle Hire Byelaws  
Draft Bye Law Outline (based on Leading Counsel's Advice)  
30 April 2019

**1. General Interpretation**

(1) In these byelaws:

“Dockless Parking Space” shall mean a parking place for Dockless Vehicles designated by a Local Authority or Transport for London under section 45 of the Road Traffic Regulation Act 1984 or any Public Place where a parking area for Dockless Vehicles has been approved in writing by the Local Authority as an area where Dockless Vehicles may be placed and made available for hire.

“Dockless Vehicle” means any transport device (whether mechanically propelled or not) which is made available to hire through a Dockless Hire Scheme and which is a pedal cycle, electrically assisted pedal cycle, or any similar class of transport device which may be lawfully used on the highway.

“Dockless Hire Scheme” means a scheme offering Dockless Vehicles for hire (other than from docking stations constructed and installed for their use)

“Dockless Operator” means any person offering Dockless Vehicles for hire through a Dockless Hire Scheme.

“Public Place” means an area of highway or other open land (whether or not it is fenced) under the ownership or control of a Local Authority.

“Local Authority” means a London Borough Council or the Common Council of the City of London.

(2) A reference to:

- (a) legislation (whether primary or secondary) includes a reference to the legislation as amended, consolidated or re-enacted from time to time and, in the case of regulations, includes a reference to any regulations which replace the regulations referred to;
- (b) a “person” includes a natural person and a corporate or unincorporated body;
- (c) words in the singular include the plural and vice versa.

**2. Application**

These byelaws apply throughout Greater London.

### **3. Safe condition of Dockless Vehicles.**

- (1) No Dockless Operator shall offer for hire a Dockless Vehicle unless it is safe.
- (2) In determining whether a Dockless Vehicle is safe regard shall be had to whether the Dockless Vehicle complies with, or the Dockless Operator has complied with, applicable provisions of:
  - (a) in the case of a pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983 and the Road Vehicles Lighting Regulations 1989;
  - (b) in the case of an electrically assisted pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983, the Road Vehicles Lighting Regulations 1989 and the Electrically Assisted Pedal Cycle Regulations 2015; or
  - (c) in all cases, any statutory requirements applicable to a Dockless Vehicle of that class.

### **4. Identification and management of Dockless Vehicles**

- (1) No Dockless Operator shall offer a Dockless Vehicle for hire unless:
  - (a) it has an individually identifiable asset number visibly displayed;
  - (b) it is fitted with a device which identifies the location of the Dockless Vehicle and the device is retained in operation;
  - (c) it is fitted with a device which prevents the hirer from terminating the hire period unless the Dockless Vehicle is located at a Dockless Parking Space.
- (2) No Dockless Operator shall offer a Dockless Vehicle for hire other than on terms which prohibit the hirer from leaving the Dockless Vehicle on any highway or other Public Place other than at a Dockless Parking Space,.

### **5. Parking of Dockless Vehicles**

No Dockless Operator shall cause or permit a Dockless Vehicle to be placed on any highway or Public Place other than at a Dockless Parking Space where the Dockless Operator is permitted to park or to cause or permit a Dockless Vehicle to be parked.

### **6. Penalty**

Any person offending against these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.



Report No.  
ES19081

London Borough of Bromley

PART 1 – PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** 13<sup>th</sup> November 2019

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

**Title:** JB RINEY - CONTRACTOR PERFORMANCE REVIEW

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

**Chief Officer:** Colin Brand - Director of Environment and Public Protection

**Ward:** Borough wide

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**1. Reason for report**

- 1.1 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.

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### 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), and Capital Highway Investment scheme..
  4. Total current budget for this head: £2.5103.368m revenue and £2.6626.989m capital in 2019/20
  5. Source of funding: Existing revenue and capital budgets
- 

### Staff

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
- 

### 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 recent years the Council has employed two separate contractors for the Major Highway Works and Minor Highway Work contracts. In April 2018 the Council awarded both Contracts to JB Riney from 1<sup>st</sup> 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 Major Works 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 Major Highway Works Contract.

#### **Contractor Performance**

- 3.4 The Highway contracts commenced on July 2018, and include provision of a number of highway related services, as discussed below. The Contract includes a Performance Management Framework (PMF) with related Key Performance Indicators (KPI) and associated Low Service Damages (LSD).
- 3.5 The contractors performance was considered by this committee on 9<sup>th</sup> April 2019 (ES19026), and this report provides an update of how JB Riney have performed during the last six months.

#### **Planned Highway Maintenance and Traffic Schemes**

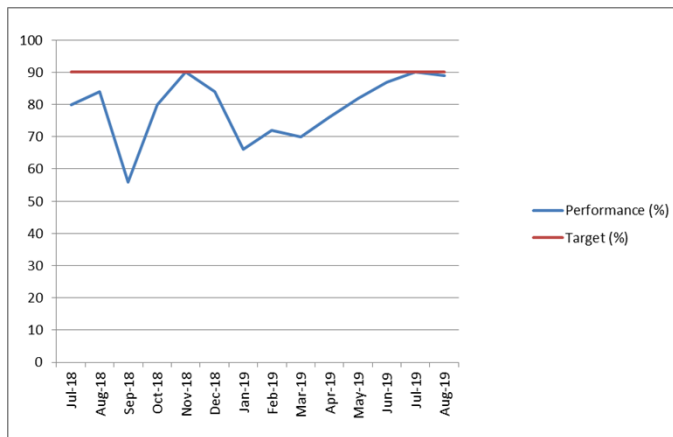
- 3.6 On 12th December 2016 the Council approved capital funding of £11.8m for investment in planned highway maintenance and the scheme was added to the Capital Programme for the maintenance of footways and carriageways. Six phases of projects were approved by E&SC PDS, with most schemes being completed by the Council's last contractor, FM Conway.
- 3.7 JB Riney have continued to make good progress with these improvement projects. Carriageway works are due to be completed in November 2019, with the majority of footway schemes completed by spring 2020.
- 3.8 JB Riney have also completed a number of traffic schemes, as part of the annual LIP programme.

#### **Reactive and Emergency Highway Repairs**

- 3.9 As part of the Minor Highway Works Contract 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.

- 3.10 The PMF includes a KPI requiring 90% of all maintenance tasks to be completed within the specified timescales. Amalgamated data for performance against the required job durations is shown in Figure 1.

**Figure 1**

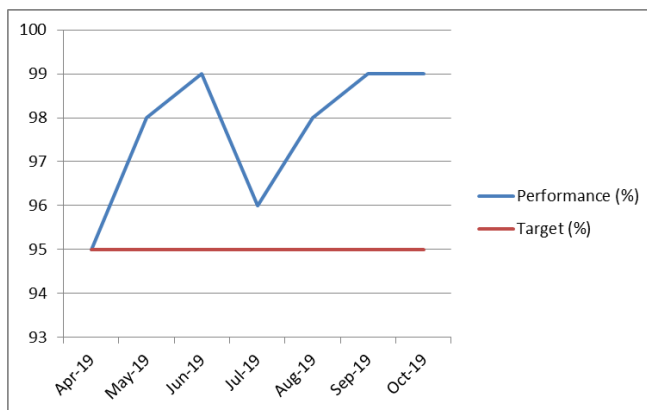


**Street Lighting Maintenance**

- 3.11 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.
- 3.12 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 Figures 2 and 3.

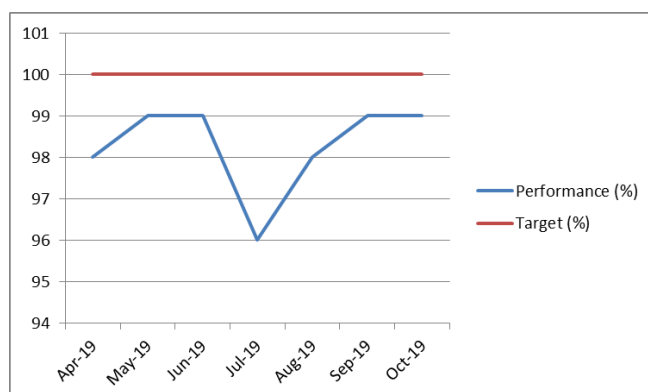
**Figure 2**

**4 Working Day Response**



**Figure 3**

### **8 Working Day Response**



### **Winter Service**

- 3.13 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. While the Council currently own the fleet of gritters, the contractor is responsible for the maintenance of all vehicles and to provide drivers when the weather forecasts predict freezing or below freezing temperatures.
- 3.14 The PMF requires all precautionary gritting to be completed with 2.5 hours, which was achieved in all cases last winter. The 2019 winter season starts on 4<sup>th</sup> November.

### **Highway Engineering Consultancy Services**

- 3.15 Engineering consultancy services have been undertaken by JB Riney since April 2019, through their supply chain of specialist consultants. To date the arrangement has worked well for management of highway structures, various traffic surveys and a number of traffic schemes being commissioned on a 'design and build' basis.

### **Highway Drainage Cleaning**

- 3.16 The cleaning of all highway drainage assets was previously undertaken as part of the Environment Contracts, but was included in the Highway Contract from 1<sup>st</sup> April 2019. Cyclical and ad-hoc cleaning tasks have been completed since the start of the contract, and while the completion dates were initially delayed as a back-log of jobs from the previous contract were dealt with, performance is now in line with the PMF.

### **Management**

- 3.17 The LBB client team continues to have the necessary resources to manage the contract successfully, including those services subject to Contract Change Control Notices.
- 3.18 Although the contractor has had a high turnover of key management, administrative and operational personnel during the first year of the contract, the current establishment is considered suitable for delivery of all services covered by the contract.

## **Review of Contract Purpose**

- 3.19 The Council have an ongoing requirement for all highway related services. While the street lighting and planned highway capital funded investment projects are nearing completion, the contract is based on a schedule of rates and future works can be 'called-off' should further funding be available in the future.

## **4. Service Profile / Data Analysis**

- 4.1 The Contract includes a Performance Management Framework (PMF) with related Key Performance Indicators (KPI) and associated Low Service Damages (LSD).
- 4.2 A Service Operations Board is held monthly where the PMF is discussed, and KPI's and related LSD's are considered. A summary of the contractual KPI's are produced annually.
- 4.3 Performance relating to each area of the service are discussed in Section 3 above.

## **Plans for Ongoing Improvements in Performance**

- 5.1 Performance of the contractor is measured inline with the requirements of the Performance Management Framework (PMF), which are designed to provide clear and demonstrable evidence of the success of the contract. Key Performance Indicators are monitored monthly and discussed at the Service Operations Board.
- 5.2 While the contractors performance relating to street lighting maintenance and reactive highway maintenance were below contractual requirements during the early months of the contract, with Low Service Damages being charged, performance in all service areas is now compliant with the PMF.
- 5.3 The contractor is aware that the KPI's in the PMF are the minimum standards acceptable, and are committed to ongoing improvements in delivering these services.

## **Plans for Ongoing Improvements in Value for Money**

- 6.1 As a term services contract, works orders are raised as and when required from the Contract Price List. During the term of the contract options to achieve improved value for money will be based on new methods of working and the adoption of innovative materials.

## **7. Stakeholder Satisfaction**

- 7.1 The contract requires all stakeholders to be notified in advance of planned works, and the methods employed will depend on the scale of the project.
- 7.2 Post-work surveys are required by way of an audit for planned works, the results of which will be included in future performance review reports.

## **8. Sustainability**

- 8.1 The Contract includes Key Performance Indicators for the following sustainability matters, which are monitored on an annual basis;
- (i) **Construction waste to landfill** - Percentage decrease, compared to the baseline year, in the weight of construction waste produced in delivery of the service that is disposed of at Landfill or sent for incineration, per thousand pound of works delivered through the Contract.

(ii) **Construction waste recycling rate** - Change in the percentage of construction materials (by value) used to deliver the service that are from either secondary or recycled sources, compared to the baseline year.

(iii) **Fleet CO<sub>2</sub> emissions** - Percentage reduction in the total mass of CO<sub>2</sub> produced by the Contractor's vehicle fleet in delivery of the service per thousand pounds of the Contract compared to the baseline year.

## 10. Policy Considerations

10.1 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.

10.2 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.

## 11. Commissioning & Procurement Considerations

11.1 The contract was awarded in July 2018 for an initial term of seven years (Report No ES18040), with an option to extend the contract for a further year. Options for the future provision of these services, including a possible contract extension, will be considered in 2023.

11.2 Since the start of the contract the following Contract Change Notices have been approved;

CCN1 – Crystal Palace subway – construction of east courtyard retaining walls  
CCN2 – Professional services – specialist consultancy for highways and traffic projects  
CCN3 – Winter service vehicles – management and maintenance of the winter fleet.

## 12. Financial Considerations

12.1 Within the 2019/20 revenue budget for Highways and Street Lighting there is a sum of £3.368m 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	2019/20	2019/20	2019/20
Service Area	Budget	Projected Spend	Variance
	£'000	£'000	£'000
Reactive & Emergency Highway Repairs	2,371.1	2,371.1	-
Street Lighting	707.7	707.7	-
Winter Service	288.9	288.9	-
<b>Total Revenue</b>	<b>3,367.6</b>	<b>3,367.6</b>	-

12.2 The JB Riney contract has been used to meet the following capital works for 2019/20:

**Capital works expenditure by JB Riney in 2019/20 up to 30 September 2019.**

	<b>£'000</b>
Planned Highway maintenance & traffic schemes	409
TfL LIP funded traffic schemes	1,346
<b>Total expected Capital spend for 2019/20</b>	<b>1,755</b>

**14. Legal Considerations**

14.1 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.

<b>Non-Applicable Sections:</b>	Customer Profile, Market Considerations, Personnel considerations
Background Documents: (Access via Contact Officer)	Previous report – ES19026



Report No.  
ES19083

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** 13th November 2019

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

**Title:** ARBORICULTURE - GLENDALE CONTRACT SCRUTINY REPORT

**Contact Officer:** Hugh Chapman, Arboricultural Services Manager  
E-mail: Hugh.Chapman@bromley.gov.uk

**Chief Officer:** Colin Brand – Director of Environment & Public Protection

**Ward:** (All Wards)

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1. Reason for report

- 1.1 This annual report outlines the performance of the Arboricultural Services contract which delivers the day-to-day arboricultural operations across the Council's administrative area since contract commencement on 1<sup>st</sup> April 2019.
- 

2. RECOMMENDATION(S)

- 2.1 That PDS Committee reviews and comments on the content of the report.

### Impact on Vulnerable Adults and Children

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

### Corporate Policy

1. Policy Status: Not Applicable
  2. BBB Priority: Excellent Council Quality Environment Safe Bromley Healthy Bromley
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Tree Maintenance & Tree Planting & Maintenance
  4. Total current budget for this head: £768,820
  5. Source of funding: Existing controllable revenue budget for 2019/20
- 

### Personnel

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

### Legal

1. Legal Requirement: Statutory Requirement : The Highways Act 1980 imposed on the London Borough of Bromley a duty of care to maintain all trees on the street in a safe condition, which includes routine maintenance.
  2. Call-in: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: Not Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide impact on businesses, residents and service users.
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

#### **Aims of the Service – Arboricultural Services**

- 1.1. The primary purpose of the Arboricultural Maintenance contract is to maintain the Council's tree stock across the borough, which includes street trees, school trees, trees in woodlands and trees in conservation sites. The Council takes direct responsibility for inspecting trees to identify those requiring any remedial work, removal or replacement under the requirements of contract resources. The borough has the largest number of street and park trees in London, and is also home to two thirds of London's woodlands; this is particularly valued by Bromley's residents, visitors and Council Members.
- 1.2. The existing contract supports the Council's 2016-2020 arboricultural strategy, which sets out to ensure trees are planted, preserved and managed in accordance with good arboricultural practice, with regard to their contribution to amenity and the urban landscape, for both current and future generations.
- 1.3. A key aim of the service is to maintain a general presumption against the removal of trees, allowing felling only in accordance with good arboricultural practice, and to ensure that adequate and appropriate replacement planting takes place where planting is desirable, aesthetically necessary and sustainable.

#### **Public Perception of Arboriculture in the borough**

- 1.4. The extent of the area managed, the diverse range of sites (i.e. urban to rural), the difficulties in managing the behaviours of users of the public areas and the rise of instant exception reporting, are consistent pressures that are managed to ensure that standards are maintained through the budgeted resources available.
- 1.5. Nationally, there have been recent examples of poor arboricultural management by Local Authorities at a strategic level which has drawn significant public attention to this service area. The Council aims to maintain and publicise high standards of arboricultural management via the implementation of the tree management strategy as available on the council's website.
- 1.6. Significant public and political attention has been drawn to the benefits of trees in recent years leading to the development of enhanced tree planting targets both at a local and national level. The Council takes a long term 'tree time' view on these targets. Planting a tree is of little value if the tree fails to establish. The approach taken to address this is through the implementation of the 'right tree for the right place' philosophy and through the commitment of the Council's Service Provider, Glendale, to maintain these young trees until established.

#### **Current Position – Performance Standards**

- 1.7. Contract performance is managed through a governance model set out in the contract documentation known as the Performance Management Framework (PMF), which comprises of a series of Key Performance Indicators set at contract commencement. These indicators are reviewed on a monthly, bi-annual and annual basis to ensure they are fit-for-purpose and any proposed changes are made through a Change Control Notice procedure.
- 1.8. In addition to the client's monitoring system and partnership inspections the Service Provider is also responsible for self-monitoring to ensure the standards set out in the contract specification are adhered to. Access to the Service Provider's contract management system (software system called Glendale Live) is provided to members of the client Arboriculture Team and the Performance Management and Business Support Team to view real-time data and access before and after date-stamped photographic evidence of completed works.

1.9. Throughout the contract mobilisation phase (e.g. first year of the contract), the Council is working in partnership with both its ICT Service Provider, BT, and Glendale, on the integration of IT systems to facilitate the extraction of the data required under the contract in order to monitor the contractor's performance (e.g. PMF). This data is derived from the quantitative and qualitative monitoring being undertaken by the service. This information is reviewed and reported on a monthly basis by Performance Management and Business Support officers and Contract Management officers.

### Ad-Hoc and Routine Works

1.10. These works constitute the majority of the service provided by the Service Provider, originating primarily from cyclical tree surveying, the species specific management of basal growth, subsidence mitigation pruning and public enquiries. This information is represented in Figure 1 indicating a variation in the volume of works completed by comparing the period since the current contract commencement (e.g. 1<sup>st</sup> April to 1<sup>st</sup> November 2019) with the same period during the previous two years). The volume of works raised during the first seven months of the contract with Glendale has seen a significant increase (approx. 3500 works requests), compared with the volumes requested during 2018 (approx. 1900) and 2017 (2900). Seasonal variations can be impacted by weather conditions (e.g. severe strong winds) and are the main contributory factor to the variations in work requests. Through the application of the council's proactive tree management strategy officers endeavour to limit the volume of potential ad-hoc works and reduce potential risk to the council associated to insurance claims.

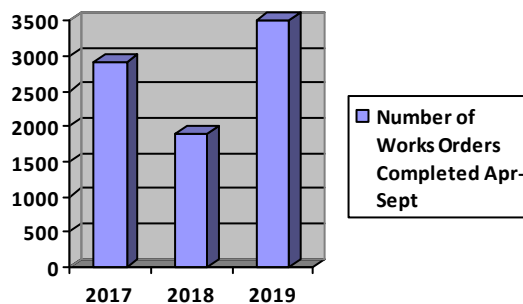


Figure 1

### Monitoring of Completion of Works (April-July 2019)

3.11 As set out in the contract documentation the primary Key Performance Indicator (KPI) for all routine and ad-hoc arboricultural works, is the measure of works completed within the designated time frame on the basis of the councils risk based priority system. The PMF (paragraphs 3.7 & 3.8) monitors and records the monthly values and where performance is not achieved a Performance Adjusted Value (PAV) is applied. A PAV is an estimate of the costs incurred by the Council implementing and managing the service in order to return the performance to the expected level. Under this KPI the performance over the first four months of the contract has been within the Service Level Agreement (SLA) as set out in the contract documentation. Figure 2 illustrates this measure. Data for the period August to September 2019 is pending further quality monitoring and verification.

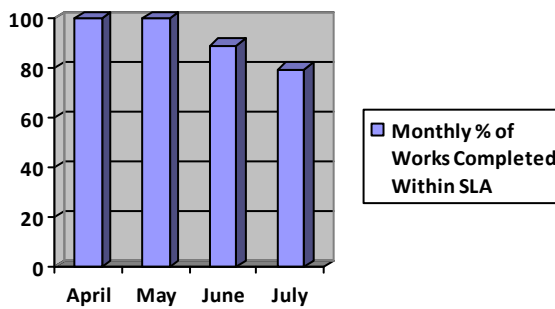


Figure 2

3.12 A Performance Adjusted Value (PAV) has been applied during this period for failure to notify the Service Manager of damage to property while undertaking arboricultural works on behalf of the Council. A standard charge of £300 was applied as set out in the PMF.

3.13 The remaining Key Performance Indicators set out within the contract documentation have been met since contract commencement and documented as part of the routine contract governance processes.

### Emergency Call Out

3.14. Typically arising from severe weather events, emergency works are received by the Service Provider, Glendale, by the Council's Contact Service Centre and assigned by the Service Provider to a team to make the situation safe.

3.15. For all works set as Emergency Call Out, the Service Provider will respond by attending the given location or site to make any reported situation safe within one hour during normal working time (8.30am to 5.30pm) and two hours at any other time. These targets are monitored on a monthly basis as part of the governance model (PMF). The illustration in Figure 3 indicates the increasing volume of hours worked to complete Emergency Call-Outs during the period April to September 2019.

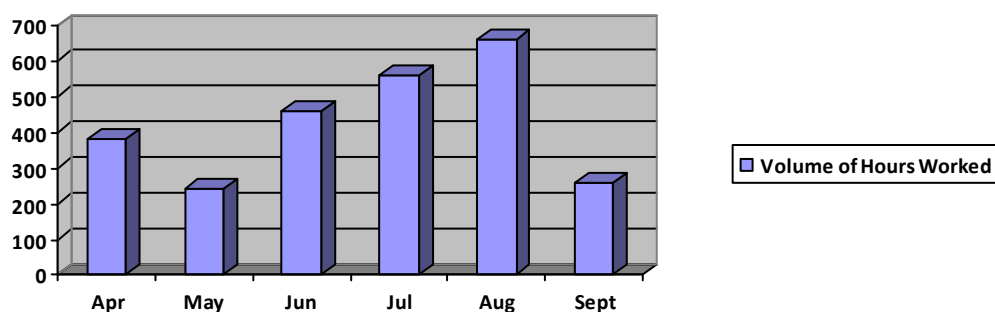


Figure 3

### Tree Planting

3.16. The annual tree planting season is carried out between the months of November and March each year. This programme comprises of the replacement of street and park trees where felling has occurred, or where contributions have been made for new provision.

3.17. Arrangements have been made for the planting of 400 trees in Phase one of the 2019/20 planting programme. Preparations are in progress to further order planting of Phase 2 which will

be issued to the Service Provider at the beginning of January, comprising of approximately 100 trees.

### **Client Management Team**

- 3.18. At contract commencement there were significant client staff resourcing issues within the Arboriculture Team of the Environment and Public Protection Department. The interim service manager has since been successfully appointed to the role of the Service Manager and has been in post since June 2019.
- 3.19. At the time of writing this report (following a poor response from the first external advertisement of vacant posts held during the summer and failure to appoint agency staff) a second recruitment exercise has been undertaken during October 2019 through dedicated trade journals. Interviews were held and a job offer made to one successful candidate who has accepted the role. The second vacant post of arboriculture officer will now be re-advertised as a development role (apprentice level), with on the job technical training and funding for an arboriculture qualification provided as part of the role.
- 3.20. The contractor has had no change of management over the term of the contract and has a full complement of operational staff.

### **Review of Contract Purpose**

- 3.21. The council have an ongoing requirement for Arboricultural Services. The scope of this service is only anticipated to grow as current trees age and new trees are planted. The contract is based on a schedule of rates and future demands on the service can be met providing adequate funding is available.

## **4. COMMISSIONING & PROCUREMENT CONSIDERATIONS**

- 4.1 The Executive awarded the contract in November 2018 (Report No. ES18077) for an initial 8 year period with the contract commencing on 1<sup>st</sup> April 2019, with an option to extend the contract for a further two 4 year periods. Options for the future provision of these services, including a possible contract extension, will be considered in 2024.

## **5. FINANCIAL CONSIDERATIONS**

- 5.1 Within the 2019/20 revenue budget for Tree Maintenance and recharges to other departments there is a sum of £533,830 available for the Arboricultural Services Contract with Glendale. The table below provides a breakdown of the budgets and projected spend for each service area as follows;

<b>Revenue 2019/20 Service Area</b>	<b>Budget £</b>
Tree Maintenance – Parks & Green Spaces	102,190
Amenity/Environment – Tree Planting & Maintenance	431,640
<b>Total Revenue</b>	<b>533,830</b>

- 5.2 The current high volume of ad-hoc and routine works may have a financial impact on the revenue budget for the Glendale contract. However, as mentioned in this report there are staffing vacancies and the underutilised staffing budget, this financial year, should be sufficient

to offset any contract pressures. At this time the financial risk of these pressures cannot be determined and the contract should be closely monitored throughout 2019/20.

**6. POLICY IMPLICATIONS**

6.1 The activities in this report reflect the Council’s existing policy as set out in the [Environment and Community Services Portfolio Plan 2019/20](#) and [Building a Better Bromley 2016-18](#).

<b>Non-Applicable Sections:</b>	Personnel, Procurement
Background Documents: (Access via Contact Officer)	<a href="#">Environment Portfolio Plan ES18035</a>  <a href="#">Building a Better Bromley (2016-18)</a>  <a href="#">Council’s Tree Management Strategy</a>  Report Nos: <a href="#">ES18077</a> Award of Contract for Arboricultural Services; <a href="#">ES17088</a> Environment Services Commissioning Programme Update; <a href="#">ES17002</a> Environmental Services Procurement Strategy

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Report No.  
ES19078

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

PUBLIC PROTECTION & ENFORCEMENT PDS COMMITTEE

**Date:** 13th November 2019 and 14th November 2019

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

**Title:** FLY-TIPPING ACTION PLAN UPDATE

**Contact Officers:** Toby Smith, Enforcement Manager  
E-mail: Toby.Smith@bromley.gov.uk  
Sarah Foster, Head of Performance Management and Business Support  
E-mail: Sarah.Foster@bromley.gov.uk

**Chief Officer:** Colin Brand, Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for report

- 1.1 This report outlines the actions that have been identified for delivery during 2019/20 in order to support the outcomes of the Council's Fly-Tipping and Enforcement Working Group.
- 1.2 This report is being presented to both the ECS PDS Committee (to specifically review the educational, prevention and operational activities) and the PPE PDS Committee Meeting (to review the enforcement activities), though both Committees have the opportunity to comment on the action plan in its entirety.

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2. **RECOMMENDATION**

- 2.1 **That Members note and comment on the content of the Fly-Tipping Action Plan, suggesting future activities for consideration by the Fly-Tipping and Enforcement Working Group where applicable.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The reduction of fly-tipping and other envirocrime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: Estimated Cost Further Details
  2. Ongoing costs: Recurring Cost Non-Recurring Cost Not Applicable: Further Details
  3. Budget head/performance centre: Members' Initiatives
  4. Total current budget for this head: Total current uncommitted balance of £120,824
  5. Source of funding: Members' Initiative Scheme (fly tipping scheme)
- 

### Personnel

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

### Legal

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

### Procurement

1. Summary of Procurement Implications: Procurement of prevention measures and environmental campaign activity will be in line with Contract Procedure Rules and Financial Regulations. Where highway related works cannot be procured through the existing Highways Maintenance contract, these projects will be procured through a mini-competitive tender exercise.
- 

### Customer Impact

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

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors' comments: Ward Councillors are supportive of the targeted local prevention measures included within the action plan.

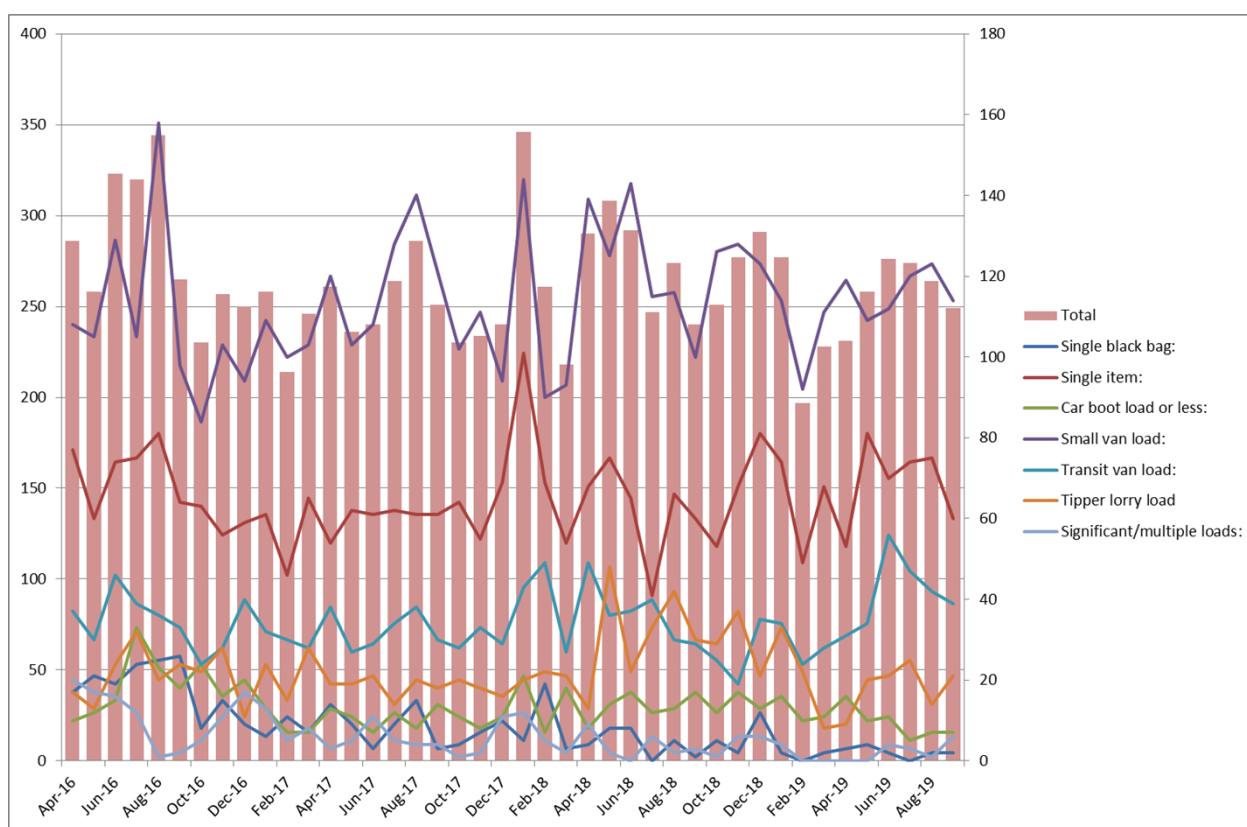
### 3. COMMENTARY

3.1 As part of the Council's Public Protection and Enforcement Portfolio Plan 2019/20, there is a commitment to keeping the borough's streets clean and green and to reduce litter, dog fouling and fly-tipping through a programme of contracted works, education and enforcement activity. Targets have been set to reduce the number of fly-tipping incidents in the borough to less than 3000 per annum and to take enforcement action against 10% of fly-tips.

3.2 During the first six months of 2019/20, there have been 1,552 fly-tipping incidents, amounting to an estimated 966.22 tonnes of waste, which compares to 1,651 during the same period in 2018/19. Of those incidents during 19/20, 111 (7.2%) have been subject to enforcement activity (investigations as reported to Defra, including fines and prosecutions). Whilst a higher volume of enforcement activity would be desirable, this is limited by the quantity and quality of evidence available at the time of each incident.

3.3 Figure 1 indicates the fly-tips by type and volume of material from 2016 onwards, showing that the largest numbers are from small van loads, followed by single items.

**Figure 1: Fly-tips by type 2016-2019**



3.4 A Fly-Tipping and Enforcement Working Group has been established and is comprised of senior officers within the Council. The Fly-Tipping Action Plan is an output of the Group and is included at Appendix A for Members to review and comment on its current content. Terms of Reference, including membership of the group and key outcomes are included at Appendix B.

3.5 Activities undertaken as part of the 2019/20 Plan include targeted awareness campaigns (such as letters to residents in the immediate vicinity of a fly-tipping hotspot), physical prevention measures such as barriers and road closures and a benchmarking exercise to establish best practice that can be applied within the borough.

- 3.6 The public can assist officers to manage fly-tips by reporting issues via Fix-My-Street (FMS), an on-line reporting facility which now handles almost 70% of residents' reports regarding the streetscene. FMS provides the public with an opportunity to upload photographic evidence of fly-tips and to see an update on the system when the rubbish has been removed. During the first six months of 2019/20, 1856 reports on FMS have been related to fly-tipping (1746 excluding reports within parks). This number of reports is higher than the actual number of incidents as it includes duplicate reports on the FMS system where different members of the public may have reported the same issue.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 The reduction of fly-tipping and other Envirocrime will lead to a positive impact for all service users and has no specific impact on vulnerable adults and children.

#### **5. POLICY IMPLICATIONS**

- 5.1 Work undertaken as part of the Fly-Tipping Action Plan supports existing Council Policy.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 The annual cost of fly-tip removal is a fixed price sum which is included as part of the Street Environment Contract (Lot 3 of the Environmental Services Contracts, which commenced in April 2019). The set fee is regardless of quantities and, based on fly-tips cleared to date, is in line with Defra benchmarked costs for other local authorities.
- 6.2 The disposal of the fly-tipped waste is undertaken through the Waste Disposal Contract (Lot 1) via the Council's Central Waste Depot at Waldo Road. Costs of disposal have been benchmarked and are also in line with the Defra figures.
- 6.3 Activities set out within the Fly-Tipping Action Plan (unless otherwise stated) are funded through the Members Fly-Tipping Initiative Fund. The fund initially totalled £250k and at the time of writing this report, £15,696 has been spent, with a further £113,480 committed.
- 6.4 There is a remainder of £120,824 within the Fund. The sum of the identified potential activities within the action plan (Appendix A) for 2019/20 totals £273,360. Activities will therefore be prioritised by the Working Group in consultation with the Environment Portfolio Holder and Members and according to the impact they are likely to have on preventing and reducing fly-tipping in the borough. Alternative funding will need to be identified for any schemes that cannot be funded through the fly tipping initiative fund. The financial impact of this cannot be determined at this time.

#### **7. LEGAL IMPLICATIONS**

- 7.1 The council obtained an interim injunction last year to prevent unauthorised camping and dumping of waste on a number of named sites throughout the Borough. When the matter went to a contested hearing earlier this year, this was only upheld in relation to the prohibition of dumping of substantial waste on those areas. Bromley Council have lodged an appeal against the refusal to grant the injunction in respect of camping on those sites, and this is due to be heard at the Court of Appeal on the 3rd and 4th December, where the council will be represented by Junior and Senior Counsel. Given the considerable uncertainty as to outcome, parties have agreed that they should each bear their own costs in the matter, so in the event of losing this appeal, Bromley will not incur 3rd party costs.

**8. PROCUREMENT IMPLICATIONS**

8.1 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

<b>Non-Applicable Sections:</b>	Personnel
Background Documents: (Access via Contact Officer)	

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**London Borough of Bromley Fly-Tipping Action Plan 2019/20 - Q2 Update**

Activity No.	Portfolio Plan	Fly-Tipping and Enforcement Working Group Theme	Activity Description	Outputs	Target Completion Date	Q2 19/20 Progress Update	Lead Officer	Action Required	RAG Status of Activity (Green = On Track, Amber = Slightly Off Track, Red = Off Track, Blue = Complete)
1	PP&E	Enforcement	Obtain High Court Injunction against traveller incursions (in order to reduce the resulting fly-tipping of waste)	Injunction Obtained	Dec-19	Appeal court hearing is scheduled for December 4th 2019	Enforcement Manager	Enforcement Manager to attend court and following this, provide an update to Members.	AMBER
2	PP&E	Enforcement	Targeted Enforcement Officer Patrols in identified littering hot spots	6 hours of patrols completed per week	Apr-20	144 hours of patrolling undertaken during 2019/20 by the Parks Security Contractor.	Enforcement Manager	Enforcement Manager to undertake refresher training on the littering hotspots and the methodology for undertaking effective patrols. To liaise with the Parks Security Contractor to ensure that sufficient officer coverage is in place to enable a suitable issuing of FPNs.	GREEN
3	PP&E	Enforcement	MOPAC Operations	1 per month	ongoing	Mobile stop and search patrols of vehicles suspected of being involved in fly-tipping. 1 per month completed.	Enforcement Manager	Continued effective partnership working with colleagues in the Police and Fire Brigade.	GREEN
4	PP&E	Enforcement	Cul-de-Sac in Wagtail Way, Orpington blocked off due to becoming a fly-tipping hotspot	Road Blocked	Jul-20	100% success rate with no fly-tipping in this location since the closure was put in place.	Enforcement Manager	No further action required at this time. Residents and Ward Councillors are very pleased with the success in terms of fly-tipping. The Council will now investigate alternatives for blocking the road as the existing concrete blocks are unsightly.	GREEN
5	ECS	Prevention Infrastructure	Installation of wooden stud posts around the perimeter of Okemore Gardens to prevent the incursion of vehicles that may be involved in fly-tipping.	Installation Complete	Mar-20	A quotation for the works has been obtained through the LBB Highways contractor.	Enforcement Manager	Enforcement Manager will be presenting the scheme to the Portfolio Holder for approval during November.	GREEN
6	ECS	Prevention Infrastructure	Leaves Green Bunding Project	Bunding Project Complete	Mar-20	A planning application has been submitted through the Enforcement Manager.	Enforcement Manager	A decision will be reached on 7th November 2019 at the Planning and Appeals sub-committee. Recommendation in the published agenda item is that, based on information available, the scheme should proceed.	GREEN
7	ECS	Prevention Infrastructure	Green Street Green	Installation Complete	Mar-20	A quotation for the works has been obtained through the LBB Highways contractor.	AD Highways	AD Highways is taking this project forward.	GREEN
8	ECS	Prevention Infrastructure	Installation of high Security drop bollards at the end of Star Lane	Installation Complete	Mar-20	A quotation for the works has been obtained through the LBB Highways contractor	AD Highways	Enforcement Manager will be presenting the scheme to the Portfolio Holder for approval during November.	GREEN
9	ECS	Prevention Infrastructure	Installation of 434 linear metres of metal knee high post and rail fencing at Mottingham Recreation Ground	Installation Complete	Mar-20	A quotation for the works has been obtained through the LBB Highways contractor	Enforcement Manager	Enforcement Manager will be presenting the scheme to the Portfolio Holder for approval during November.	GREEN
10	ECS	Prevention Infrastructure	Temporary closure of Star lane to prevent fly-tipping	Closure in place from March and is ongoing	Mar-19	The closure of Star Lane resulted in a reduction of fly-tipping in the local area	Enforcement Manager	A proposal to implement a permanent closure will be prepared by the Enforcement Manager for discussion with the Working Group and Board during November.	COMPLETE

Activity No.	Portfolio Plan	Fly-Tipping and Enforcement Working Group Theme	Activity Description	Outputs	Target Completion Date	Q2 19/20 Progress Update	Lead Officer	Action Required	RAG Status of Activity (Green = On Track, Amber = Slightly Off Track, Red = Off Track, Blue = Complete)
11	ECS	Education	Deliver a Magistrate Training Session on the enforcement issues affecting the Council and how these can be better supported by Magistrates (for example costs incurred by the Local Authority vs penalties imposed by the Magistrate, speed of the courts in terms of responding to hearing requests relating to RIPA and incursions).	Training Delivered	Dec-19	Training for magistrates was completed In September in partnership with LBB Trading Standards and Community Safety and was well received.	Enforcement Manager	No further action required at this time.	COMPLETE
12	ECS	Education	Environmental Campaigns Working Group to be established	Group Established	Sep-19	Terms of Reference established. Inaugural meeting held. Meetings scheduled quarterly for 19/20. Criteria established for environmental campaign eligibility and monitoring.	Environmental Campaigns Co-ordinator	Environmental Campaigns plan to be updated with activities to be delivered during the remainder of 2019/20.	COMPLETE
13	ECS	Education	Environmental Campaigns Working Group meetings to be scheduled for every 3 months (with a new campaign highlighted for development at each meeting)	Campaign identified every three months	On-going	Inaugural meeting with Neighbourhood Managers held on 06/11/19.	Environmental Campaigns Co-ordinator	Follow up meeting scheduled for 27/11/19 and then last Wednesday of every month thereafter.	GREEN
14	ECS	Education	Country Lanes Anti-Littering Campaign Trial	5 signs installed down Old Hill	4 months after installation of signs	Visuals for signs produced and quotation obtained	Environmental Campaigns Co-ordinator	Approval has been obtained by the Portfolio Holder to proceed. Ward Member consultation in progress.	GREEN
15	ECS	Education	Country Lanes Anti-Littering Campaign	Signs installed down country lanes in priority order	On-going	N/A	Environmental Campaigns Co-ordinator	Awaiting evaluation of trial.	GREEN
16	ECS	Education	Environment Matters Newsletters- November 2019 which will cover fly-tipping waste carrier legislation and enviro-crime	Newsletter delivered to 140K households	Nov-19	Newsletter distributed during November 2019	Communications Executive	No further action required at this time.	GREEN
17	ECS	Education	Safer Bromley Newsletter -November 2019 which will cover fly-tipping waste carrier legislation and enviro-crime	Newsletter delivered to 140K households	Nov-19	Newsletter distributed during November 2019	Communications Executive	No further action required at this time.	GREEN
18	ECS	Education	Environment Matters Newsletters- Spring 2020 which covered fly-tipping waste carrier legislation and enviro-crime	Newsletter delivered to 140K households	Mar-20	N/A	Communications Executive	No further action required at this time.	COMPLETE
19	ECS	Education	Safer Bromley Newsletter - Spring 2020 which will cover fly-tipping waste carrier legislation and enviro-crime	Newsletter delivered to 140K households	Mar-20	N/A	Communications Executive	No further action required at this time.	GREEN



Activity No.	Portfolio Plan	Fly-Tipping and Enforcement Working Group Theme	Activity Description	Outputs	Target Completion Date	Q2 19/20 Progress Update	Lead Officer	Action Required	RAG Status of Activity (Green = On Track, Amber = Slightly Off Track, Red = Off Track, Blue = Complete)
20	ECS	Education	Ad Hoc News releases and online content including social media publicising related prosecutions and enforcement activity	Media releases following prosecutions	ongoing	There have been 3 news releases this year relating to fly-tipping and other envirocrime prosecutions and enforcement activity	Communications Executive	Information will continue to be published as and when activities occur.	GREEN
21	ECS	Education	Fly-Tipping feature in the trader publication to Gas Safe professionals giving these traders advice about waste disposal.	Article Published	Jun-19	Complete	Communications Executive and Senior Performance Officer	No further action required at this time.	COMPLETE
22	ECS	Education	Published anti fly-tipping messaging in Orpington and Bromley town centres on Digital Information displays.	Messages Published	Jun-19	Complete	Communications Executive	Digital Information content to be reviewed during Q3 to plan future advertisements as part of Environmental Campaigns Working Group.	COMPLETE
23	ECS	Education	Targeted local newspaper advertising raising awareness of fly-tipping as well as promoting correct waste disposal options	Article Published	Mar-20	Advertising messaging is currently being developed.	Communications Executive	Draft adverts are to be developed during Q3.	GREEN
24	ECS	Operational Activity	ECHO System to be implemented by the Waste Collection and Disposal Service Provider (and integrated with LBB IT systems), in order to raise awareness of waste collection days and provide a reporting system linked directly to the Service Provider (reduction in fly-tipping of household black bagged waste)	System implemented	Sep-19	The ECHO system has been implemented in time for the waste service change and is working well.	Neighbourhood Manager (Waste)	No further action required at this time.	GREEN
25	ECS	Operational Activity	ECHO System to be implemented by the Street Environment Service Provider (and integrated with LBB IT systems).	System implemented	Mar-20	Regular meetings as part of ICT Integration Project Board	Neighbourhood Manager (Street Environment)	Full integration will be developed with the Service Provider within Q4.	GREEN
26	ECS	Operational Activity	Targeted letters to residents in fly-tipping hotspot areas advising them of local incidents and asking for information.	Letters sent	Mar-20	Hot-Spot research in progress	Technical Support Team Manager	Letter to be drafted (linked to Street Environment Contract data and FMS reports)	GREEN
27	ECS	Data and Analytics	Fully mobilise the Performance Management Framework (PMF) to monitor and manage the performance of the Street Environment Service Provider (fly-tip clearances).	Report Produced	Dec-19	PMF has been tested for 6 months and is fully applied to the contract from October 2019.	Neighbourhood Manager (Street Environment)	PMF to be monitored monthly to identify any performance trends or issues.	GREEN
28	ECS	Data and Analytics	Analysis of 'optimum' fly-tipping removal times	Data Produced	Dec-19	Research in progress	Technical Support Team Manager	Further discussion required with Keep Britain Tidy around Local Authority factors which can inadvertently influence fly-tipping.	GREEN
29	ECS	Data and Analytics	Establish Benchmarking activity against other local authorities in terms of no. of fly-tipping incidents (on a population basis).	Data Produced	Mar-20	In progress	Senior Performance Officer	Survey to be distributed via London Environment Directors Network.	GREEN

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**Fly-Tipping and Enforcement Working Group**  
*Terms of Reference (Updated October 2019)*

**1.0 Background**

- 1.1 The Fly-Tipping and Enforcement Working Group was created in July 2018 to identify issues relating to fly-tipping and other enforcement activities in Bromley, to implement solutions to address and reduce issues such as fly-tipping, littering and graffiti, and to enforce against highways licensing breaches.
- 1.2 During 2016/17 a Fly-Tipping initiatives project was undertaken with the aim of reducing the levels of fly-tipping in the borough in the short, medium and long term through undertaking a number of operations and campaigns and to catch and prosecute fly-tipping offenders. Activity of that group did not continue in a formal way due to the lead officer leaving the department, however, the aims of that project will be continued through this working group.

**2.0 Purpose of the Fly-Tipping and Enforcement Working Group**

- 2.1 The proposed outcomes from the working group are:
- Less fly-tipping incidents in the borough / key hotspots;
  - Less graffiti, litter and abandoned vehicles;
  - Less highways offences/breaches of licences;
  - Increased enforcement activity (investigations, prosecution and fines);
  - Improved communication through a targeted Communications Plan;
  - Increased resident satisfaction.
- 2.2 The Group will maintain responsibility for examining, advising and co-ordinating Environment and Public Protection's approach to the following:
- a) Fly-tipping prevention activities
- Identification and delivery of projects to install street infrastructure in known hotspot areas
    1. overhead barriers;
    2. width restrictors;
    3. target hardening;
  - Communications Campaigns
    1. targeted education activities (waste producers and waste carriers);
    2. posters/signage in hotspot areas;
    3. events in hotspot areas;
    4. Website and social media communication (including promotion of Fix My Street as a reporting tool).
- b) Stop and Search Vehicle Seizure operations
- Deliver operations to stop and investigate suspect waste carrying vehicles in partnership with the Police to verify if they have the correct waste carrier licenses / paperwork.

c) Targeted enforcement activities

- Co-ordination of enforcement activities in fly-tipping hot spot areas;
- Targeted enforcement of business activity requiring highways licenses;
- Review of current enforcement policy to ensure it is fit for purpose;
- Determination of the criteria for prosecution (with advice from Legal Services).

d) Performance Monitoring and Management

- Undertake GIS data analysis for fly-tips to map hot-spot areas which will help determine where enforcement projects will be focused going forwards;
- Service review of licensing of highways through benchmarking activities and customer feedback;
- Review of Key Performance Indicators used by the department to measure enforcement activities;
- Reporting of performance to the relevant stakeholders (to include Portfolio Holders and associated PDS committees for Environment & Community Services and Public Protection & Enforcement, LEDNET and other Local Authorities);
- Benchmarking of enforcement activities against other, similar sized local authorities.

Each project delivered to support the outcomes of the group will require a business case and will be assessed for suitability for delivery by members of the Fly-tipping and Enforcement Board (membership details below).

### 3.0 Financial Resourcing

3.1 Project funding to support the deliverables of the Group will be available from two sources:

1) Current revenue budget (for the delivery of the Environmental Services contracts that currently tackle Street Environment and Enforcement activities); and

2) Members' Initiative Fund for Fly-Tipping prevention - a fund established specifically to tackle fly-tipping, with budget allocation requiring sign off by the Portfolio Holder for Environment and Community Services.

### 4.0 Membership

4.1 The membership of the **Working Group** must reflect the remit of the group.

4.2 Membership of the group will be reviewed annually (April). Representatives will be asked to accept membership or nominate a replacement.

4.3 Membership of the Board includes:

- o Chairman – Head of Enforcement (Toby Smith);

- Neighbourhood Manager and Street Environment Contract Manager (David Hall);
- Technical Support Team Manager (Jonathan Richards);
- Environmental Campaigns Officer (Jackie Baxter);
- Communications Executive (Andrew Rogers);
- Clerk – A representative of the Performance Management and Business Support Team.

4.4 Associate members of the Working Group will include the Head of Legal Services, Parks Management and Grounds Maintenance Contract Manager, the Head of Performance Management and Business Support and the Assistant Director for Public Protection.

4.5 Membership of the **Fly-tipping and Enforcement Board** (includes:

- Chairman – Assistant Director of Environment (Peter McCready);
- Director of Environment and Public Protection (Colin Brand);
- Portfolio Holder for Environment and Community Services.

The Board will meet as and when required to review and discuss the progress and report on the outcomes of all proposed and ongoing projects. Individual project proposals will be submitted to the Chairman of the Board on an ongoing basis via the Council's approved Business Case template.

4.6 Representation from project partners will be arranged as required.

## **5.0 Reporting and Enabling Mechanisms**

5.1 The Working Group will meet every month for no longer than 1.5 hours.

5.2 Notes and actions from each meeting will be recorded and circulated to the group within 10 days of each meeting. All related documentation will be saved on the Fly-Tipping and Enforcement Sharepoint site.

5.3 The Working Group will submit an annual work programme (Fly-Tipping Action Plan) to DMT for approval.

5.4 The Working Group will provide a quarterly update to DMT, and report by exception.

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Report No.  
ES19070

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** 13th November 2019

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

**Title:** ARBORICULTURAL SERVICES: UPDATE OF AUDIT FINDINGS

**Contact Officer:** Sarah Foster, Head of Performance Management and Business Support  
E-mail: Sarah.Foster@bromley.gov.uk

**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

This report is in response to a request by Members of the Environment & Community Services PDS Committee and the Audit Sub-Committee, to have an opportunity to further discuss the recent findings of the internal audit report into the Arboricultural Services Contract. There were four priority 1 recommendations and six priority 2 recommendations arising from the audit. An update was presented to this Committee in June 2019 (report [ES19043](#)) and this report provides a further summary of progress since then, regarding the steps taken to address each of the outstanding P1 audit findings.

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2. **RECOMMENDATION(S)**

2.1 **That PDS Committee reviews and comments on the content of the report.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The services delivered by the Arboriculture Contract are used by all residents, including vulnerable adults and children. Protection is not the 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: Not Applicable
  2. BBB Priority: Quality Environment
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: 068000 - Arboriculture Services Budget
  4. Total current budget for this head: £769k
  5. Source of funding: Existing controllable revenue budget for 2019/20
- 

### Personnel

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

### Legal

1. Legal Requirement: Statutory Requirement The Highways Act 1980 imposed on the London Borough of Bromley a duty of care to maintain all trees on the street in a safe condition, which includes routine maintenance.
  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**

- 3.1 During Quarter 3 of 2018/19, an internal audit was undertaken of the Arboricultural Services Contract, managed by the Neighbourhood Management Division of Environment and Public Protection. The objective of the audit was to review the governance and management of the contract to ensure controls were satisfactory and mitigate risk. A copy of the initial findings can be found in [Audit Report ECS/7/2018/AU](#)
- 3.2 This report seeks to provide an update on progress made since the previous report [ES19043](#) to this committee in June 2019. A progress report [FSD19081](#) was presented to Audit Sub-Committee on 17<sup>th</sup> October 2019 which highlights that all four P1 recommendations remain open.
- 3.3 At the time of the 18/19 audit, there were significant resourcing issues within the arboriculture team. The Interim Service Manager has since been successfully appointed to the Service Manager role. An initial recruitment exercise was undertaken to appoint to the two vacant Arboriculture Officer roles, but this was unsuccessful. A subsequent recruitment exercise has now identified a suitable officer who, at the time of writing this report, has accepted the position. The second vacant post will now be advertised as a development opportunity, to include on the job training and an Arboriculture qualification.
- 3.4 An update against each of the outstanding P1 recommendations is given below.

#### **3.5 Priority 1 recommendation (1): Payment Process**

- 3.5.1 At the time of the review undertaken by Audit in October 2019, the auditor was satisfied that good progress has been made, in particular now that payment responsibilities for Arboriculture have been transferred to the Performance Management and Business Support Team and there is a clear separation of financial duties. Clear documented payment processes are now in place.
- 3.5.2 The robust Performance Management Framework (PMF) referenced in report ES19043 is now implemented and has been tested for 6 months of the new contract.
- 3.5.3 This priority one recommendation remains open due to the insufficient time to demonstrate that all new processes have been implemented and tested effectively. However given the work done to date, it is accepted that the recommendation is partially implemented.

#### **3.6 Priority 1 recommendation (2): Open Orders and Confirm**

- 3.6.1 The recommendation relating to open orders was considered in two parts; the cleansing of data on Confirm for the previous contract and the number and value of open orders since April 2019.

##### **Previous Contract**

- 3.6.2 When the previous contract expired, the outgoing provider was given 3 months access to Confirm to process allocated jobs and submit the final payment certificate. The previous service provider failed to achieve this and therefore requested access to Confirm to complete all tasks to allow the final invoice for March 2019 to be submitted. The final invoice was submitted to the Council for payment on 31<sup>st</sup> October 2019.
- 3.6.3 The schedule of works submitted with the invoice as evidence for payment is currently being reviewed by the Service Manager in order to confirm this information in preparation for

agreeing the final invoice sum. The defaults applicable to the previous contract will be deducted from the final invoice before payment.

### **Current Contract**

- 3.6.4 As at 4<sup>th</sup> November 2019, there are 1057 jobs that have been delivered and paid for since the start of the contract. Of the remaining jobs on the system, 275 jobs have been completed and are awaiting payment (these will be paid in the October 2019 invoice) and there are 248 jobs shown on the system as having been accepted by the contractor that are awaiting completion (to be paid upon completion in the November invoice).
- 3.6.5 The recommendation relating to open orders and Confirm remains outstanding, until the final invoice from the previous contract has been paid.

### **3.7 Priority 1 recommendation (3): Monitoring the contract**

- 3.7.1 The agreed performance monitoring regime is to inspect the ten (No.) highest value jobs each month (allocated to the Service Manager). The remainder of inspections are allocated to the arboricultural officers according to geographical area. A total of 10% of all jobs are inspected each month (this includes the 10 highest value jobs). Monitoring visits must be completed before the monthly Service Operations Board (SOB) to allow discussion and agreement.
- 3.7.2 A procedure for undertaking quality monitoring checks has been written by the Service Manager. A procedure is also documented for the quantitative checks undertaken by the Performance Management and Business Support team (forming part of the invoice payment procedure).
- 3.7.3 The system administrator confirmed that a management report is currently being developed that will be added to the Confirm Dashboard to show the status of each job to allow the contractor and client to more easily monitor and control progress on all tasks.
- 3.7.4 The Service Operations Board (SOB) minutes for Arboricultural Services were inspected by Audit for the five months May to September. They agreed that these are a comprehensive record of discussions and agreed actions with senior representation from LBB and the contractor. There were some problems at the start of the contract with regard to access to Confirm and uploading information. Further training is being delivered by BT to the Service Provider and members of the Performance Management and Business Support Team. The SOB minutes evidence consideration of the contract KPI's in line with the new Performance Management Framework.
- 3.7.5 The recommendation relating to monitoring of the contract is now considered partially implemented by Audit, as the Environment and Public Protection department have addressed key issues such as the procedure notes and completion of quality monitoring. There are still issues to resolve with the completion of the monitoring spreadsheet. The recruitment to the two vacant posts should assist greatly with this monitoring.
- 3.7.6 Internal Audit will complete testing on ordering, monitoring and payment before the next meeting of Audit Sub-Committee to give assurance that the agreed procedures are being followed for quarter three of this new contract.

### **3.8 Priority 1 recommendation (4): Defaults**

- 3.8.1 The defaults applicable to the previous contract will be deducted from the final invoice.

3.8.2 Defaults are no longer applied to the contract under the new Performance Management Framework. If the Service Provider has not performed to the required standard, a Performance Adjusted Value (PAV) is applied to the monthly invoice for each applicable performance indicator. In addition, if performance drops below a certain pre-determined minimum threshold, an additional sum of money is kept in abeyance until the Service Provider has been able to demonstrate (through the application of a Corrective Action Plan) that performance has returned to the acceptable range. This approach provides an incentive for the Service Provider to apply additional resource to the contract in order to improve their performance. If at the end of the agreed period the Corrective Action Plan fails to achieve the specified outcome, the amount previously kept in abeyance will be applied to the contract as a performance deduction.

#### 4. POLICY IMPLICATIONS

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’)

<b>Non-Applicable Sections:</b>	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	<a href="#">Environment Portfolio Plan ES18035</a> <a href="#">Building a Better Bromley (2016-18)</a>

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Report No.  
ES19068

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

PUBLIC PROTECTION & ENFORCEMENT PDS COMMITTEE

**Date:** 13th November 2019 and 14th November 2019

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

**Title:** RISK REGISTER

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

**Chief Officer:** Colin Brand, Director of Environment & Public Protection

**Ward:** All Wards

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1. Reason for report

- 1.1 This report presents the revised Environment and Public Protection Risk Register for detailed scrutiny by both PDS Committees.
- 1.2 This appended Risk Register also forms part of the Annual Governance Statement evidence-base and has been reviewed by: EPP DMT, Corporate Risk Management Group; and Audit Sub-Committee.

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2. **RECOMMENDATIONS**

**That the Environment and Community Services PDS Committee and Public Protection and Enforcement PDS Committee reviews and comments on the appended EPP Risk Register, which has been updated in light of progress made since the previous meeting.**

### Impact on Vulnerable Adults and Children

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

### Corporate Policy

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

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre: E&CS and PP&E Portfolios
  4. Total current budget for this head: £31.3m and £2.6m controllable Budgets
  5. Source of funding: Existing revenue budget 2019/20
- 

### Personnel

1. Number of staff (current and additional): - 145.7FTEs and 50.1 FTEs
  2. If from existing staff resources, number of staff hours: - N/A
- 

### Legal

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

### Procurement

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

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

#### Risk Register Background

- 3.1 The Council's aims are set out in [Building a Better Bromley](#) and the Portfolio Plans, and a risk can be defined as anything which could negatively affect the associated outcomes. Some level of risk will be associated with any service provision: the question is how best to manage that risk down to an acceptable level? (this is known as our 'risk appetite')
- 3.2 It follows that the Council should be able to clearly and regularly detail the main departmental risks and related mitigation measures to ensure a) that desired outcomes are achieved and b) to allow for Member scrutiny – the purpose of this report.
- 3.3 Although the appended EPP Risk Register is comprehensive, departmental risk management activity is certainly not exclusive to this report. For instance:
- major programmes and services (e.g. Tree Management Strategy) will have associated Risk Registers (such registers are reviewed by the relevant Programme / Service Boards);
  - financial risk is addressed in each Portfolio's Budget Monitoring Reports and, more generally, in the Council's Annual Financial Strategy Report;
  - audit risk is captured through the Audit Programme's planned and investigative activity and associated reports and management action requirements;
  - contract risk forms part of the Contracts Database (all contracts are now quantified and ranked according to the risk presented to the Council). The new Environmental Services Contract, therefore, appears both in this Risk Register and the Corporate Contracts Register, due to its size and complexity. The Contracts Register for the relevant portfolios are detailed on the November 2019 meeting agendas.
- 3.4 In 2016/17 Zurich Municipal (the Council's insurer) undertook a 'check and challenge' review (involving all management teams) of the Council's general approach and the individual risks. This resulted a new-style of register and a greater consistency of approach across the Council. Zurich attended during 2018/19 to repeat this exercise with all EPP risk owners.
- 3.5 It was agreed that Risk Registers should be presented to each Departmental Management Team, the relevant PDS committee, and Audit Sub-Committee twice a year (minimum) to allow activity to be scrutinised in a regular and systematic manner. Individual risks should naturally be reviewed (by Risk Owners) at a frequency proportionate to the risk presented (see appendix).
- 3.6 In addition to its use for management and reporting purposes, the Risk Register also forms part of EPP's evidence-base for contributing to the Council's Annual Governance Statement (which, itself, forms part of the Council's end-of-year management procedures).
- 3.7 Risks from all three departments are considered at the (officer) Corporate Risk Management Group (CRMG), which reviewed all the Risk Registers when it last met on 11<sup>th</sup> September 2019.
- 3.8 The Risk Registers were reviewed by Audit Sub-Committee (17 October 2019), but detailed scrutiny of individual registers is the responsibility of each PDS committee (hence this report).
- 3.9 At the time of writing, the Council has 103 individual risks plus 10, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.10 EPP Department currently has 25 risks (~24% of the Council's total).

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

Ref	Risk & Description	Gross Risk Rating	Net Risk Rating
1	<b>Emergency Response:</b> Failure to respond effectively to a major emergency / incident internally or externally	8	6
2	<b>Central Depot Access:</b> Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	12	9
3	<b>Fuel Availability:</b> Fuel shortage impacting on transport fleet / service delivery	5	4
4	<b>Business Continuity Arrangements:</b> Lack of up-to-date, tried and tested, BCP for all Council services	8	8
5	<b>Industrial Action:</b> Contractors' staff work-to-rule / take strike action impacting on service delivery	12	8
6	<b>Health &amp; Safety (EPP):</b> Ineffective management, processes and systems within EPP departmentally	12	8
7	<b>Environmental Services Contract (Mobilisation):</b> Failure to effectively mobilise new Environmental Services contracts	8	4
8	<b>Highways Management:</b> Deterioration of the Highway Network due to under-investment	8	6
9	<b>Arboricultural Management:</b> Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc	12	12
10	<b>Income Variation:</b> Loss of income at a time when the Council is looking to grow income to off-set reduced funding	9	6
11	<b>Waste Budget:</b> Increasing waste tonnages resulting in increased waste management costs	12	6
12	<b>Food Standards Agency Audit:</b> Failure to meet required service standards as required by Food Standards Agency Audit (April 2017)	3	3
13	<b>Town Centre Businesses:</b> Loss of town centre businesses to competition	12	6
14	<b>New Parking Schemes:</b> Failure to deliver new parking schemes resulting in income loss and congestion	12	4
15	<b>Staff Resourcing and Capability:</b> Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	12	12
16	<b>Climate Change:</b> Failure to adapt the borough and Council services to our changing climate	12	8
17	<b>Mortuary Contract</b> Failure to procure tendered services to budget	3	3
18	<b>CCTV Contract (Mobilisation)</b> Failure to effectively mobilise the new CCTV contracts	6	3
19	<b>Income Reconciliation (Public Protection Licensing)</b> Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	6	6
20	<b>Income Reconciliation (Waste Management)</b> Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	6	2
21	<b>Bromley Town Centre Market Reorganisation</b> Failure to deliver a successful market reorganisation which meets the needs of traders, businesses and customers	9	6



22	<b>Dogs and Pests Contract</b> Failure to deliver the contract to the required service levels	6	4
23	<b>Out of Hours Noise Service</b> Failure to deliver statutory services	12	12
24	<b>Integrated Offender Management</b> Failure to contribute to IOM in Bromley	12	12
25	<b>Anti-Social Behavior Co-Ordinator post:</b> Failure to deliver ASB problem solving and partnership activity	12	12

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

#### **4. IMPACT ON VULNERABLE ADULTS & CHILDREN**

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

#### **5. POLICY IMPLICATIONS**

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

#### **6. PROCUREMENT IMPLICATIONS**

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

#### **7. FINANCIAL IMPLICATIONS**

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

#### **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no direct personnel implications but the Risk Register does identify service areas where recruitment and capacity present challenges (e.g. 15: Staff Resourcing & Capability).

## 9. LEGAL IMPLICATIONS

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

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	None

## RISK REGISTER REPORT (ES18037): RISK ASSESSMENT GUIDANCE SUMMARY

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

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

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

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## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
1	1	All E&PP	<b>Emergency Response</b> Failure to respond effectively to a major emergency / incident internally or externally	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Emergency may be triggered by storms, floods, snow, extreme heat or other emergency. Ineffective response could be caused by capacity and/or organisational issues</li> </ul> <p><b>Effect(s):</b></p> <ul style="list-style-type: none"> <li>- Failure to fulfil statutory duties in timely manner</li> <li>- Disruption to infrastructure and service provision in general</li> </ul>	Service Delivery	2	4	8	<ol style="list-style-type: none"> <li>1. Corporate Major Emergency Response Plan</li> <li>2. E&amp;CS Incident Plan (held by Emergency Planning)</li> <li>3. Service Business Continuity Plans</li> <li>4. Out-of-Hours Emergency Service</li> <li>5. Winter Service Policy and Plan (reviewed annually)</li> <li>6. Training, Testing and Exercising (includes training provided as part of Corporate Business Continuity Group formed in June 2018), to include Safer Cities Exercise (May 2019)</li> <li>7. Multi-agency assessment of emergency risks</li> <li>8. 2019 Training Programme in place for volunteers to be trained to run the Borough Emergency Control Centre (BECC)</li> </ol>	2	3	6	<ol style="list-style-type: none"> <li>1. Continuation of the Corporate Business Continuity Group</li> <li>2. Development of risk-specific arrangements in accordance with Minimum Standards for London and informed by the Borough Risk Assessment</li> <li>3. Implement 'on-call rota' for Emergency Response Manager</li> <li>4. Recruit and train more Emergency Response Volunteers (to include Silver training for CLT)</li> </ol>	David Tait
2	2	All E&PP	<b>Central Depot Access</b> Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Fire, explosion, train derailment, strike etc.</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>-Significant service disruption (Waste, Street Cleaning, Gritting, Fleet Management, Streetscene &amp; Greenspace service management etc.)</li> </ul>	Service Delivery	4	3	12	<ol style="list-style-type: none"> <li>1. Contingency plans for: <ul style="list-style-type: none"> <li>- Alternative vehicle parking</li> <li>- Temporary relocation of staff</li> <li>- Storage of bulky materials</li> </ul> </li> <li>2. Implement Business Continuity Plans</li> <li>3. Close liaison with other Depot users (e.g. Waste Contract, Street Cleansing) and Highways Winter Service Team</li> <li>4. 'Central Depot Users Group' (Health &amp; Safety forum for all site users)</li> <li>5. Work Place Risk Assessments in place</li> <li>6. Depot Insurance reviewed September 2019 to ensure full reinstatement cover is in place</li> <li>7. Consideration of issue as part of the mobilisation of Environmental Services Contracts, through involvement of new Service Providers in the Central Depot User Group and liaison with colleagues in Property regarding future development of the site.</li> </ol>	3	3	9	<ol style="list-style-type: none"> <li>1. Site re-development plans to include recommendations from fire safety audit. To include consideration of fire suppression systems</li> <li>2. Waste Service Change to incorporate separate battery collection which will reduce likelihood of fires from batteries in residual waste</li> </ol>	Paul Chilton
3	3	All E&PP	<b>Fuel Availability</b> Fuel shortage impacting on both LBB and service provider transport fleet	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-National or local fuel shortage caused by picketing or other external factors</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>-Failure to provide services impacting on residents and other customers</li> </ul>	Service Delivery	1	5	5	<ol style="list-style-type: none"> <li>1. Identified alternative fuel supplies at contractors and neighbouring boroughs (corporate Fuel Disruption Plans based on National Plan are held by the Emergency Planning Team)</li> <li>2. Designated Filling Station identified under National Emergency Plan by London Resilience Team as designated fuel supply for LBB logoed vehicles</li> <li>3. Fuel store at Central Depot</li> <li>4. Ongoing liaison with other London Boroughs concerning collaboration and assistance</li> </ol>	1	4	4	<ol style="list-style-type: none"> <li>1. Continue to monitor service provider arrangements for ensuring adequate fuel supply</li> </ol>	Peter McCready
4	4	All E&PP	<b>Business Continuity Arrangements</b> Lack of up-to-date, tried and tested, BCP for all Council services	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Failure to implement and keep up-to-date effective service and corporate Business Continuity Plans</li> </ul> <p><b>Effect(s):</b></p> <ul style="list-style-type: none"> <li>-Non-provision of critical services following an incident (internal or external)</li> </ul>	Service Delivery	2	4	8	<ol style="list-style-type: none"> <li>1. Corporate Risk Management Group now encompasses Business Continuity</li> <li>2. Corporate Business Continuity Group established in June 2018 with representation from EPP</li> <li>3. Undertaking Business Impact Analyses of all services to identify priorities</li> <li>4. Developing a Corporate Business Continuity Plan and updating service BCPs</li> <li>5. Emergency Planning Training Exercises (March 2018 and May 2019) with involvement across all of EPP</li> </ol>	2	4	8	<ol style="list-style-type: none"> <li>1. Continue to conduct training exercises to ensure that BCPs for each service area work in real life. ICT system failure has been identified as the largest risk and is outside the control of EPP</li> </ol>	David Tait
5	6	All E&PP	<b>Industrial Action</b> Contractors' staff work-to-rule / take strike action impacting on service delivery	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Union dissatisfaction over pay and conditions (particularly in Waste, Libraries)</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>-Temporary disruption to service / reduced customer satisfaction</li> </ul>	Service Delivery	3	4	12	<ol style="list-style-type: none"> <li>1. Ongoing monitoring / meetings regarding workforce issues</li> <li>2. Joint development of Business Contingency Plans with Service Providers</li> <li>3. Staff training and engagement built into the mobilisation strategy for the new Environmental Services contracts</li> </ol>	2	4	8	<ol style="list-style-type: none"> <li>1. Review public communications to be used in the event of a strike</li> <li>2. Staff training and engagement incorporated into communications with Library staff</li> </ol>	Colin Brand

## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
6	8	All E&PP	<b>Health &amp; Safety (E&amp;CS)</b> Ineffective management, processes and systems within E&CS departmentally	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Failure to take departmental action to reduce likelihood of accidents, incidents and other H&amp;S issues</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>- HSE investigation / prosecution leading to fines, increased insurance claims, and reputational damage</li> </ul>	Health & Safety	3	4	12	<ol style="list-style-type: none"> <li>1. Workplace Risk Assessments (including lone and home working)</li> <li>2. Accident &amp; Incident Reporting system (AR3 &amp; Riddor)</li> <li>3. Contractor Inspection electronic Reporting system</li> <li>4. Interface with Corporate Risk Management Group</li> <li>5. Annual audits and annual paths surveys (Parks)</li> <li>6. Cyclical 5-year survey of park trees and highway trees</li> <li>7. Regular Footway inspections</li> <li>8. Fire responsible persons list in place for all sites under the control of E&amp;PP</li> <li>8. EPP Health and Safety Committee meets regularly to review departmental Health and Safety arrangements</li> </ol>	2	4	8	<ol style="list-style-type: none"> <li>1. Ensure Workplace Risk Assessments (inc. Homeworking) updated annually and biennial reviews conducted</li> <li>2. Encourage reporting of all significant accidents and incidents using AR3 form (and reporting of RIDDOR incidents)</li> <li>3. and ensure the necessary communication and training is provided.</li> <li>4. Ensure resource exists to discharge statutory functions</li> </ol>	Sarah Foster
7	11	SSGS	<b>Environmental Services Contract (Mobilisation)</b> Failure to effectively mobilise the new Environmental Services Contracts	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Unfamiliarity with new contract model (client &amp; contractors)</li> <li>- Lack of client capacity to progress mobilisation</li> <li>- Lack of supplier capacity to progress mobilisation</li> <li>- Significant service change requiring service-user consultation</li> <li>- Lack of preparation of contract transition (exit and mobilisation) plans</li> </ul> <p><b>Effect(s):</b></p> <ul style="list-style-type: none"> <li>- Reputational damage</li> <li>- Costs incurred as a result of additional last minute resources required to deliver services</li> <li>- Failure to deliver service to requirements / KPIs / expectations</li> </ul>	Service Delivery, Financial & Reputational	2	4	8	<ol style="list-style-type: none"> <li>1. Regular Project Planning meetings are held to discuss contract transition</li> <li>2. Transition Plans developed and continually reviewed through regular contract meetings</li> <li>3. Formal meetings with agreed Terms of Reference according to contract schedules have been established with service providers to mobilise contracts. Following contract commencement in April 2019, progress with mobilisation is being monitored closely by Contract Managers and any issues for resolution are being captured by the Mobilisation Team</li> </ol>	1	4	4	<ol style="list-style-type: none"> <li>1. Lessons learned documentation to be reviewed during internal audit in Q3</li> </ol>	Peter McCready
8	12	Highways	<b>Highways Management</b> Deterioration of the Highway Network due to under-investment	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Failure to manage Highways in respect of traffic volumes, winter weather, financial resources leading to deteriorating condition</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>- Leading to increased maintenance costs, insurance claims (trips, falls and RTAs) and reputational damage</li> </ul>	Financial	2	4	8	<ol style="list-style-type: none"> <li>1. Strategy to mitigate insurance claims</li> <li>2. Inspection regime and defined intervention levels for maintenance repairs and monitoring 10% of works for compliance</li> <li>3. Winter Maintenance procedures (gritting / salting)</li> <li>4. Increased salt storage capacity</li> <li>5. Improved customer expectation management</li> <li>6. Asset management technique (e.g. Highway Asset Management Plan)</li> <li>7. New capital programme to reduce reactive works</li> <li>8. Performance Management measures incorporated into Highways contract</li> <li>9. Modernisation of contractor's programming and completion of maintenance repairs involving remote working ICT technology</li> </ol>	3	2	6	<ol style="list-style-type: none"> <li>1. Review frequency of Highways Inspections and adjust as deemed appropriate to effectively manage the risk in line with revised Code of Practice (published 2016)</li> <li>2. Additional inspections carried out and repairs undertaken as necessary</li> </ol>	Garry Warner
9	13	SSGS	<b>Arboricultural Management</b> Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc.	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Failure to ensure that trees are managed as safely as reasonably practicable</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>- Leading to blocked highways, reputational damage and financial liabilities</li> </ul>	Financial	4	3	12	<ol style="list-style-type: none"> <li>1. Tree care and safety contract in place (new contract commenced April 2019)</li> <li>2. Full asset Survey of ~30% of street and park trees (and 50% of school trees)</li> <li>3. Risk trees identified and registered increased inspection frequency using asset management database (Confirm)</li> <li>4. Implement remedial works to address risk associated defects</li> <li>5. Review Tree Risk Management Strategy (annually)</li> <li>6. Review the 'Storm Strategy' annually-to be able to respond quickly and call in additional staff, equipment and contractors</li> <li>7. Provide a cyclical safety survey and remedial works schedule commensurate to budget availability and potential prioritisation</li> </ol>	4	3	12	<ol style="list-style-type: none"> <li>1. Staffing levels are not satisfactory within the Arboriculture team, therefore existing risk controls alone are not sufficient. Suitable staff to fill the 2 vacancies could not be identified through the standard recruitment process to fill vacant tree officer posts. An apprenticeship opportunity is being investigated with HR for one of these posts. As at 30.09.19 the advert for the remaining tree officer post is open and 4 applicants had applied, with a closing date of mid October in industry journals</li> </ol>	Peter McCready

## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
10	14	All E&PP	<p><b>Income Variation (Highways and Parking)</b> Loss of income when the Council is looking to grow income to offset reduced funding</p>	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Improved Street Works performance by utility companies (reduced fines)</li> <li>- Under-achievement of expected car parking income and parking enforcement, due to resistance to price increases and reduced incidents</li> <li>- Loss of income from Penalty Charge Notices for Bus Lane Enforcement activity</li> <li>- Reduction in Street Enforcement activity (Fixed Penalty Notices)</li> <li>- Failure of APCOA (new Parking contractor) to provide contracted services (e.g. strikes)</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>- Loss of income with potential to reduce service delivery funds</li> </ul>	Financial	3	3	9	<ol style="list-style-type: none"> <li>1. Regular income monitoring and review of parking tariff structures, including benchmarking Parking charges against other authorities and local private sector competitors</li> <li>2. Monitoring contractor performance (e.g. only issue good quality PCNs)</li> <li>3. Good debt recovery systems</li> <li>4. Monitoring parking use and avoid excessive charge increases</li> <li>5. Provide attractive, safe clean car parks</li> <li>6. Regular contractor meetings</li> <li>7. Monitoring of parking enforcement activity through Performance Indicators reported to PDS Committees (E&amp;CS, PP&amp;E)</li> <li>8. Scrutiny of APCOA at PDS meetings</li> </ol>	3	2	6	<ol style="list-style-type: none"> <li>1. Refine procedure for resolving disputes with utilities</li> <li>2. Review of parking tariff structures</li> <li>2. Monitor income trends</li> <li>3. Continue to monitor success in achieving enforcement objectives</li> <li>4. Intelligence-led targeting of hotspot sites for enforcement</li> <li>5. Review of further income opportunities as part of Council's Transformation agenda</li> </ol>	Colin Brand
11	15	SSGS	<p><b>Waste Budget</b> Increasing waste tonnages resulting in increased waste management costs</p>	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Failure to anticipate/manage waste management financial / cost pressures due to increasing landfill tax, increasing property numbers, declining recycling income (lower paper tonnages) and limited incineration capacity</li> <li>- Waste tonnage growing faster than budgeted or operational factors (i.e. adverse weather conditions, etc.)</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>- Budgets being exceeded and potential knock-on impact on other Council services</li> </ul>	Financial	3	4	12	<ol style="list-style-type: none"> <li>1. Cost pressures recognised in Council's Financial Strategy</li> <li>2. Landfill tonnages falling - offsets any tax increase</li> <li>3. Continued focus on promoting waste minimisation and recycling (e.g. in Environment Matters and through targeted campaigns such as Food Waste doorstepping)</li> <li>- Monthly monitoring of recycled tonnages and projection to yearly figures</li> <li>- Regular and sustained recycling awareness campaign</li> <li>- Consolidation of Compositing for All campaign</li> <li>- Continuing investigation of waste minimisation and recycling initiatives</li> <li>- Monthly monitoring of all waste tonnages and projection to yearly figures</li> <li>- Monthly monitoring of all collection costs and figures</li> <li>- Ongoing analysis of collection and disposal methodology</li> <li>4. Consideration of alternative disposal routes e.g. increased use of Veolia's Mechanical Biological Treatment (MBT) plant</li> <li>5. Reviewing and benchmarking operational costs to identify options</li> <li>6. Achieving best value tenders under new contract - contract commencement April 2019</li> </ol>	2	3	6	<ol style="list-style-type: none"> <li>1. The new waste contract commenced in April 2019. This risk will continue to be reviewed during the first contract year to determine whether any additional action is required</li> </ol>	Peter McCready

## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
12	17	Public Protection	<b>Food Standards Agency Audit</b> Failure to meet required service standards as required by Food Standards Agency Audit (April 2017)	<p><b>Cause(s):</b> -Lack of resource to meet Code of Practice service standards. Staff are not staying with Bromley due to other authorities providing more attractive employment opportunities.</p> <p><b>Effect(s):</b> -Leading to reputational damage and possible use of Power of Direction</p>	Health & Safety	1	3	3	<p>Following a meeting with the FSA (September 2018), they accepted the issues the Team has in recruiting Officers with the prerequisite qualifications necessary to carry out the spectrum of work. In response, they advised the Team to:</p> <ol style="list-style-type: none"> <li>Focus on completing due A -D inspections</li> <li>Focus on completing overdue C-D inspections</li> <li>This authorisation to shift focus has necessitated a new work programme designed to achieve the desired outcome which has now been developed by the Lead Practitioner.</li> </ol> <p>1. The new work programme has been implemented, and focus was given to completing due A -D inspections and overdue C-D inspections. 2. There are still issues with recruitment, as a FTE officer has resigned, and an agency officer left with no notice. Still a need to recruit to 1.4 X FTE food safety officers to address the vacancies. FSA confirmed September 2019 that they will now sign off the audit. Officers in this team have worked incredibly hard to achieve this and are now delivering a new Food Safety Service Plan.</p>	1	3	3	<ol style="list-style-type: none"> <li>Establish a process whereby recruitment of Environmental Health Officers to Bromley is encouraged and staff are provided with an incentive to remain.</li> <li>Build resilience into food safety team.</li> </ol>	Joanne Stowell
13	18	All E&PP	<b>Town Centre Businesses</b> Loss of town centre businesses to competition	<p><b>Cause(s):</b> -Failure to redevelop high streets coupled with competition from out-of-town developments and online shopping</p> <p><b>Effect(s):</b> -Reduction in high street business and market stall occupancy Loss of income (Business rates and market stalls) Poor public perception and negative publicity</p>	Financial	3	4	12	<ol style="list-style-type: none"> <li>BID Teams organise town centres events</li> <li>Investment in Orpington High Street and Bromley North (done)</li> <li>Regular advertising / promotion of markets and availability of stalls</li> <li>Review of Market operational costs to reduce costs where possible (a review of the markets service is being undertaken as part of the Transforming Bromley agenda)</li> <li>Regular maintenance and renewal of market infrastructure - recent market relocation project has been completed and feedback from traders is positive</li> </ol>	2	3	6	<ol style="list-style-type: none"> <li>Ongoing review of market provision linked to outsourcing service provision to Bromley Business Improvement District</li> <li>Detailed annual action plan to be drawn up for each town centre</li> <li>Market Manager is to attend regular strategy meetings with BIDs</li> </ol>	Colin Brand
14	19	Traffic and Parking	<b>New Parking Schemes</b> Failure to deliver new Parking schemes resulting income loss and congestion	<p><b>Cause(s):</b> Increasing demand from residents for parking schemes coupled with decreasing grant funding from TfL</p> <p><b>Effect (s):</b> Increased congestion and reduced income</p>	Service Delivery	3	4	12	<ol style="list-style-type: none"> <li>Set up register of agreed schemes with designated officers and timescales</li> <li>Develop and agree financial appraisal framework with finance department</li> <li>Software procured (2013/14) to help improve project and programme management</li> </ol>	2	2	4	<ol style="list-style-type: none"> <li>Consideration to be given to better balancing the cost of scheme design against parking charges</li> </ol>	Angus Culverwell



## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
15	20	All E&PP	<b>Staff Resourcing and Capability</b> Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Availability of suitably qualified / experienced staff to replace retirees and leavers. Particular problem within Planning, Environmental Health and Traffic professionals (TfL offers better remuneration and career progression). Lack of incentive for good staff to remain at LBB.</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>-Loss of organisational memory, greater reliance on contracted staff, delays in delivering services / plans (e.g. Transport Local Implementation Plan). Inability to effectively manage contracts as Contract Managers may have started out in a different role (i.e. as Service Managers) and do not have the necessary expertise to do so (i.e. auditing).</li> </ul>	Service Delivery	3	4	12	1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and ongoing CPD	4	3	12	<ul style="list-style-type: none"> <li>1. Consider potential for contractors to supply necessary skills</li> <li>2. Review options with HR for incentivisation schemes to ensure staff recruitment and retention is high</li> <li>3. Existing controls are not currently sufficient to maintain the staff quota within the Arboriculture team. Explore apprenticeship scheme as a possibility to ensure this team can maintain deliverables of the service in terms of client inspections and reporting. Enlist contractor to assist with tree survey backlog.</li> </ul>	Colin Brand
16	22	All E&PP	<b>Climate Change</b> Failure to adapt the borough and Council services to our changing climate	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>-Severe weather events including extreme heat, storms, floods etc.</li> </ul> <p><b>Effect (s):</b></p> <ul style="list-style-type: none"> <li>-Resulting in threats to service provision, environmental quality and residents' health in addition to reputational damage caused by perceived lack of action to tackle climate change</li> </ul>	Service Delivery	3	4	12	<ul style="list-style-type: none"> <li>1. Adopt best adaptation practice as identified through London Climate Change Partnership, UK Climate Impacts Programme, and the Local Adaptation Advisory Panel</li> <li>2. Implementation of LBB's Carbon Management Programme</li> <li>3. LBB Surface Water Management Plan and Draft Local Flood Risk Strategy</li> <li>4. Establish net zero (direct) carbon emissions target for 2029 as part of 10 year climate plan</li> </ul>	2	4	8	<ul style="list-style-type: none"> <li>1. Emergency Planning to liaise with Public Health on cross-cutting issues e.g. excess summer deaths and vector-borne disease etc.</li> <li>2. Detailed climate action plan to be developed as part of ongoing Carbon Management Programme, in order to achieve net zero carbon emissions by 2029</li> </ul>	Sarah Foster
17	23	Public Protection	<b>Mortuary Contract</b> Failure to procure tendered services to budget	<p><b>Cause(s):</b></p> <ul style="list-style-type: none"> <li>- Lack of interest from potential bidders</li> <li>- Tendered costs being higher than budget / forecast</li> </ul> <p><b>Effect(s):</b></p> <ul style="list-style-type: none"> <li>- Risk of challenge</li> <li>- Reputational damage</li> <li>- Failure to achieve best value</li> <li>- Lack of competition / bids</li> <li>- Failure to deliver service to requirements / KPIs / expectations</li> </ul>	Financial & Service Delivery	1	3	3	1. Negotiations for the new contract are now complete and a report recommending contract award was presented to Executive in September 2019. This was fully supported and the contract documentation has been signed.	1	3	3	No action required at this time.	Joanne Stowell

## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
18	24	Public Protection	<b>CCTV Contract (Mobilisation)</b> Failure to effectively mobilise the new CCTV contracts	<b>Cause(s):</b> - Unfamiliarity with new contract model (client & contractors) - Lack of client capacity to progress mobilisation - Lack of supplier capacity to progress mobilisation - Significant service change requiring service-user consultation - Lack of preparation of contract transition (exit and mobilisation) plans  <b>Effect(s):</b> - Reputational damage - Costs incurred as a result of additional last minute resources required to deliver services - Failure to deliver service to requirements / KPIs / expectations	Service Delivery, Financial & Reputational	2	3	6	1. Regular Contract meetings are held to discuss and monitor contract mobilisation	1	3	3	1. Continued review of contract as mobilisation is completed, as part of client project meetings	Joanne Stowell
19	25	Public Protection	<b>Income Reconciliation (Public Protection Licensing)</b> Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	<b>Cause(s):</b> - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems.  <b>Effect (s):</b> - Loss of income with potential to reduce service delivery funds - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Continual Benchmarking of licensing charges against other authorities	3	2	6	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this	Joanne Stowell
20	26	SSGS	<b>Income Reconciliation (Waste Management)</b> Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	<b>Cause(s):</b> -Lack of integration between client and service provider IT systems so that data is not linked  <b>Effect (s):</b> - Loss of income from Commercial Waste and Green Garden Waste services with potential to reduce service delivery funds - Costs incurred as a result of additional last minute resources required to deliver services - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators	1	2	2	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this 2. Governance of mobilisation to be reviewed by internal audit in Q3	Peter McCready
21	27	SSGS	<b>Bromley Town Centre Market Reorganisation</b> Failure to deliver a successful market reorganisation which meets the needs of traders, businesses and customers	<b>Cause(s):</b> -Insufficient engagement to identify the needs of all stakeholders throughout the project  <b>Effect (s):</b> -Inability to deliver a thriving town centre market -Loss of income from reduced market stall hire -Reputational damage caused by dissatisfied businesses	Reputational/ Financial	3	3	9	1. Project Manager identified to lead on market reorganisation 2. Regular stakeholder meetings to review the progress of the market reorganisation (Markets Manager, Markets Supervisor, enforcement team, Highways team, Planning team and BID) 3. Public consultation on the design and layout of the new market position 4. Live RAID log maintained by Markets Manager and Business Support Team detailing any concerns raised by stakeholders and actions to address them 5. Regular dialogue with traders and businesses (in person meet and greet with Markets Manager and Markets Supervisor) 6. Successful launch event with the Mayor for new market location/to officially open Christmas trading	2	3	6	1. Lessons learned documentation to be completed 2. Meetings with Highways team to be continued in order to complete outstanding Highways snagging list in the High Street 3. Impact of potential High Street retail units/kiosks on existing market stalls to be reviewed	Sarah Foster



## Environment & Public Protection (E&PP) Risk Register

													DATE LAST REVIEWED:	07/10/2019
No.	E&PP RISK REF	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK RATING			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			FURTHER ACTION REQUIRED	RISK OWNER
						LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
22	28	Public Protection	<b>Dogs and Pests Contract</b> Failure to deliver the contract to the required service levels	<b>Cause(s):</b> -Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures  <b>Effect (s):</b> -Inability to deliver statutory functions -Reputational damage	Service Delivery	3	2	6	1. Identification of named Contract Manager 2. Regular contract management meetings with service provider 3. Review of contract specification to identify change control requirements (a contract change notice regarding a change to invoicing was signed in August 19).	2	2	4	No action required at this time.	Joanne Stowell
23	29	Public Protection	<b>Out of Hours Noise Service</b> Failure to deliver statutory services	<b>Cause(s):</b> The out of hours noise service is dependant on grant funding from the Mayors Office for Policing & Crime (MOPAC) by way of the Local Crime Prevention Fund. This grant is released on a 2 year cycle, current cycle ends March 2021. The grant was reduced in 2017 and there is no guarantee it will be sustained post April 2021. The service is staffed on a voluntary basis.  <b>Effect:</b> Inability to deliver Out of Hours Noise Service.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB. 2. Review the Service offer	Hedley Pugh
24	30	Public Protection	<b>Integrated Offender Management</b> Failure to contribute to IOM in Bromley	<b>Causes:</b> -IOM functions are reliant on grant funding from MOPAC via the LCPF, equates to one day per week. Reduction or cessation of grant after April 2020.  <b>Effect:</b> -Inability to contribute to IOM in Bromley.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB.	Rob Vale
25	31	Public Protection	<b>Anti-Social Behaviour Co-Ordinator post:</b> Failure to deliver ASB problem solving and partnership activity	<b>Cause(s):</b> -Grant from MOPAC via the LCPF is used to fund the ASB Co-ordinator post which is responsible for delivering targeted ASB project work across the borough with partner agencies. Reduction or cessation of grant after April 2021.  <b>Effect:</b> -Inability to fund this post would result in the cessation of targeted ASB work with partners across the borough. Funding for this post was reduced in 2018 and the shortfall was met by LBB. LBB continue to meet the slight shortfall in 2019.	Service Delivery	3	4	12	1. Review of project outcomes to determine whether they can be delivered on a reduced budget with LBB contributions in kind	3	4	12	1. Review of Community Safety functions to allow for MOPAC project delivery on reduced days per week. MOPAC funding is outside of the control of LBB.	Rob Vale

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## London Borough of Bromley

Report No.  
ES19075

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** 13th November 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:** Colin Brand, Director of Environment & Public Protection

**Ward:** All Wards

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1. Reason for report

1.1 This report presents an extract from the October 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 27<sup>th</sup> September 2019 and presented to E&RC PDS on 9<sup>th</sup> October 2019.

1.2 There is no accompanying 'Part 2' of this agenda, as any relevant commentary is included in the Part 1 report.

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2. **RECOMMENDATIONS**

That PDS Committee:

2.1 **Reviews the appended £50k Contracts Register (which also forms part of the Council's commitment to data transparency).**

### 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: - £31.33m
  5. Source of funding: - Existing controllable revenue budget for 2019/20
- 

### Personnel

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

### Legal

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

### Procurement

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

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

#### Contracts Register Background

- 3.1 The Contracts Database is fully utilised by all Contract Managers across the Council as part of their Contract Management responsibilities, which includes the 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 Registers 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 207 active contracts covering all portfolios as of 27<sup>th</sup> September 2019 for the October reporting cycle as set out in Appendix 1.

3.6

Environment and Community Services Portfolio				
Item	Category	April 2019	July 2019	October 2019
<b>Total Contracts</b>	£50k+	21	14	15
<b>Concern Flag</b>	Concern Flag	3	0	1
<b>Risk Index</b>	Red	5	3	4
	Amber	9	4	4
	Yellow	5	4	5
	Green	2	3	2
<b>Total</b>		21	14	15
<b>Procurement Status</b>	Red	16	1	2
	Amber	1	1	1
	Yellow	0	2	2
	Green	4	10	10
<b>Total</b>		21	14	15

- 3.7 Contracts may be flagged for attention due to the tight timescales for tender (rather than any performance issues associated with the delivery of the contract). During this contract cycle, there is one ECS portfolio contract flagged for attention, as set out in paragraph 3.8 below.

3.8 Contract ID 4865 for depot security: This contract commenced on 1<sup>st</sup> April 2019 and now serves the Central Depot only. LBB have been in discussion with Veolia concerning their interest in taking over Central Depot security under a variation to their existing Environmental Services contract from 1<sup>st</sup> April 2020. A quotation for this work has been provided by Veolia for consideration, but was deemed to be too high by LBB, when compared to the previous contract sum. Veolia have been asked to submit a lower price (based on delivery of an 'as is' service). In the meantime, the procurement of this service through the existing ESPO framework (via a mini-competition) will now be explored, to ensure there is plenty of time for contract award in early 2020.

#### **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](http://Bromley.gov.uk) to aid transparency (this data is updated after each Contracts Sub-Committee meeting).

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

Item	Category	April 2019	July 2019	October 2019
Contracts (>£50k TCV)	All Portfolios	214	205	207
<b>Flagged as a concern</b> 	All Portfolios	8	4	2
<b>Capital Contracts</b>	All Portfolios	9	9	5
<b>Portfolio</b>	Children, Education and Families	0	0	35
	Adult Care and Health	82	82	72
	Public Protection and Enforcement	0	0	5
	Executive, Resources and Contracts	0	0	55
	Environment and Community Services	21	14	15
	Education, Children and Families	36	36	0
	Resources Commissioning and Contract Management	58	56	0
	Renewal and Recreation and Housing	10	12	25
	Public Protection and Safety	7	5	0
<b>Total</b>		<b>214</b>	<b>205</b>	<b>207</b>
<b>Risk Index</b>	Red	11	10	12
	Amber	83	74	72
	Yellow	83	82	83
	Green	37	39	40
<b>Total</b>		<b>214</b>	<b>205</b>	<b>207</b>
<b>Procurement Status</b>	Red	72	55	50
	Amber	24	23	48
	Yellow	49	45	24
	Green	69	82	85
<b>Total</b>		<b>214</b>	<b>205</b>	<b>207</b>
<b>Procurement Status</b>	Imminent	3	0	5
<b>Total</b>		<b>3</b>	<b>0</b>	<b>5</b>

## 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.

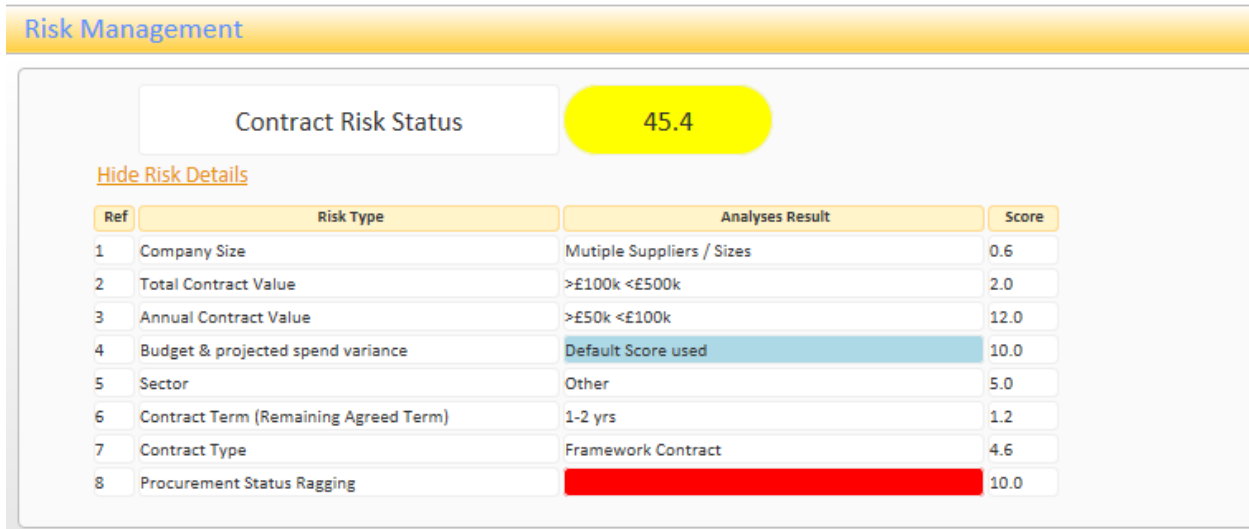
Register Category	Explanation
<b>Risk Index</b>	Colour-ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) / colour reflecting the contract's intrinsic risk
<b>Contract ID</b>	Unique reference used in contract authorisations
<b>Owner</b>	Manager/commissioner with day-to-day budgetary / service provision responsibility
<b>Approver</b>	Contract Owner's manager, responsible for approving data quality
<b>Contract Title</b>	Commonly used or formal title of service / contract
<b>Supplier</b>	Main contractor or supplier responsible for service provision
<b>Portfolio</b>	Relevant Portfolio for receiving procurement strategy, contract award, contract monitoring and budget monitoring reports
<b>Total Contract Value</b>	The contract's value from commencement to expiry of formally approved period (excludes any extensions yet to be formally approved)
<b>Original Annual Value</b>	Value of the contract its first year (which may be difference from the annual value in subsequent years, due to start-up costs etc.)
<b>Budget</b>	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)
<b>Projection</b>	Expected contract spend by the end of the current financial year
<b>Procurement Status</b>	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').
<b>Start &amp; End Dates</b>	Approved contract start date and end date (excluding any extension which has yet to be authorised)
<b>Months duration</b>	Contract term in months
<b>Attention </b>	Red flag indicates that there are potential issues, or that the timescales are tight and it requires close monitoring. (also see C&P Commentary in Part 2)
<b>Commentary</b>	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>
<b>Capital</b>	Most of the Council's contracts are revenue-funded. Capital-funded contracts are separately identified (and listed at the foot of the Contracts Register) because different reporting / accounting rules apply

### Contract Register Order

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

## Risk Index

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



## Procurement Status

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

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

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

October 2019																	
Risk Index		Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value	Original Annual Value	Budget	Projection	Proc. Status	Start Date	End Date	Months Duration	Attention	Capital
●	A	4865	Paul Chilton	Garry Warner	<a href="#">Central Depot Security</a>	Manpower Direct UK Ltd	Environment and Community Services	94,000	94,000			■	01/04/2019	31/03/2020	12	⚠	
●	R	4	Toby Smith	Peter McCready	<a href="#">Parks Security</a>	Ward Security Limited	Environment and Community Services	4,130,000	413,000			■	01/04/2010	31/03/2020	120		
●	R	3805	Garry Warner	Nigel Davies	<a href="#">CONFIRM</a>	Pitney Bowes Software Europe Ltd	Environment and Community Services	173,730	86,865			■	01/07/2018	30/06/2020	24		
●	Y	4885	Paul Chilton	Garry Warner	<a href="#">Supply of Leased Cars</a>	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	2,100,000	525,000			■	16/05/2019	15/05/2022	36		
●	Y	3695	Paul Chilton	Garry Warner	<a href="#">Provision of Motor Vehicle Fuels</a>	Watson Fuels	Environment and Community Services	60,000	20,000			■	01/07/2017	30/06/2020	36		
●	G	4869	David Hall	Peter McCready	<a href="#">Environment Services Lot 3: Street Environment</a>	Veolia Environmental Services (UK) PLC	Environment and Community Services	44,936,034	5,617,004			■	01/04/2019	31/03/2027	96		
●	G	4870	James Hilsden	Peter McCready	<a href="#">Environment Services Lot 4: Parks Management and Grounds Maintenance</a>	id verde	Environment and Community Services	37,590,832	4,698,854			■	01/04/2019	31/03/2027	96		
●	G	4866	Hugh Chapman	Peter McCready	<a href="#">Environments/ Services: LOT 5 - Arboricultural Maintenance Services</a>	Glendale Countryside Ltd	Environment and Community Services	4,075,624	509,453			■	01/04/2019	31/03/2027	96		
●	G	4891	Allen Herve	Angus Culverwell	<a href="#">Videalert Ltd</a>	Videalert Ltd	Environment and Community Services	315,600	125,396			■	01/06/2019	31/05/2024	60		
●	G	4886	Paul Chilton	Garry Warner	<a href="#">Supply of Leased Commercial Vehicles</a>	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	113,928	34,880			■	16/05/2019	15/05/2022	36		
●	G	4868	Jim Cowan	Peter McCready	<a href="#">Environment Services Lot 2: Waste Collection, Management of Waste Sites and Materials Handling &amp; Sale of Recyclates</a>	Veolia Environmental Services (UK) PLC	Environment and Community Services	98,436,664	12,304,583			■	01/04/2019	31/03/2027	96		
●	G	3764	Garry Warner	Colin Brand	<a href="#">Highway Maintenance</a>	JB Riney & Co Ltd	Environment and Community Services	90,000,000				■	01/07/2018	30/06/2026	96		
●	G	4867	Amy Harris	Peter McCready	<a href="#">Environment Services Lot 1: Disposal of Residual Waste</a>	Veolia Environmental Services (UK) PLC	Environment and Community Services	73,338,103	9,595,359			■	01/04/2019	31/03/2027	96		
●	G	1371	Chloe Wenbourne	Angus Culverwell	<a href="#">Parking Enforcement and Associated Services</a>	APCOA Parking (UK) Ltd	Environment and Community Services	19,222,178	1,922,217			■	03/04/2017	02/04/2027	120		

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Report No.  
ES19065

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

**Date:** 13 November 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:** Colin Brand, Director of Environment & Public Protection

**Ward:** (All Wards)

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1. Reason for report

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

- developing the 2019/20 Forward Work Programme; and
- progressing requests made at previous meetings

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2. **RECOMMENDATIONS**

2.1 That PDS Committee reviews and comments on:

- (a) Forward Work Programme for 2019/20 (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: £31.3m and £5.3m of TfL funding (including LIP)
  5. Source of funding: 2019/20 controllable revenue budget and 2019/20 capital programme agreed by TfL (which includes £1506k c/f from 2018/19)
- 

### Personnel

1. Number of staff (current and additional): 145.7 FTEs
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: Not Applicable
- 

### Customer Impact

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

### Ward Councillor Views

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



### 3. COMMENTARY

#### Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment and Community Services Portfolio's Forward Work Programme for 2019/20 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 2019/20
  - [Building a Better Bromley 2016-18](#) ('Quality Environment' & 'Excellent Council').

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

## APPENDIX 1

### ENVIRONMENT PDS COMMITTEE FORWARD WORK PROGRAMME: 2019/20 MEETINGS

Meeting Date: 29 January 2020	Division	Committee Role
Draft Budget: 2020/21	Finance	Pre-decision scrutiny
West Wickham High Street Improvement TfL study	T&P	Pre-decision scrutiny
Cycle Hubs at Stations	T&P	Pre-decision scrutiny
Electric Vehicle Rapid Charge Points	T&P	Pre-decision scrutiny
William Barefoot Drive / Mottingham Road Bus Reliability Improvements	T&P	Pre-decision scrutiny
Public Space Protection Orders	E&PP	Pre-decision scrutiny
Fixed Penalty Notices – Level of Fine Review	E&PP	Pre-decision scrutiny
Environment Portfolio Plan: Performance Overview	E&PP	PDS Committee
<i>idverde</i> Parks & Grounds Maintenance Contract Scrutiny (Lot 4)	S&G	PDS Committee
APCOA Parking Contract Scrutiny	T&P	PDS Committee
Carbon Management	S&G	PDS Committee
Forward Work Programme & Matters Arising	E&PP	PDS Committee
Meeting Date: 17 March 2020	Division	Committee Role
Budget Monitoring: 2019/20	Finance	Pre-decision scrutiny
Environment Portfolio Plan: Performance Overview	E&PP	PDS Committee
Veolia Waste and Street Cleansing Contract Scrutiny (Lots 1-3)	S&G	PDS Committee
Capital Spend Report – Highways Investment	Highways	PDS Committee
Capital Spend Report – Street Lighting	Highways	PDS Committee
Capital Spend Report – Woodland Improvement Scheme	S&G	PDS Committee
Forward Work Programme & Matters Arising	E&PP	PDS Committee
Contract Register	E&PP	PDS Committee
Risk Register	E&PP	PDS Committee

## APPENDIX 2

### ENVIRONMENT PDS COMMITTEE MATTERS ARISING

Request Date	Committee Request	Progress
28 August 2019	Performance Overview: A Member commented on outcome 10 which was regarding the cutting and strimming of highways and verges by <i>idverde</i> . She was concerned to note that the 2019-2020 target was only 75%; she felt that this was too low and asked for the target to be revised upwards.	This KPI was discussed with the Service Provider at the Service Operations Board Meeting. Due to seasonal variations, it is expected that performance will drop to around 80% at some points during the year. <i>idverde</i> have therefore requested that a full year's data should be presented before this target is reviewed.
28 August 2019	The Chairman referred to outcomes 13 and 15 which indicate the number of volunteer hours worked by friends of parks and countryside & woodland sites respectively. In light of feedback from friends groups and one of the public questions, he asked for this to be reviewed.	Volunteer hours indicators have been removed from the portfolio plan dashboard. The hours worked will still be measured by officers, as this is a useful indicator for measuring community engagement. However, as the indicator is not a direct measure of contractor performance, it will not be reported to this committee.  Instead, new indicators measuring contractor performance are now in place for grass cutting and tree planting.
28 August 2019	A Member asked that a list of the street lights that were being upgraded be provided to Members.	Complete.
28 August 2019	The Chairman (Cllr Harmer) had requested a future report to be presented to the Committee regarding any remaining lighting that was not being upgraded during the current project.	This project has now been included within the EPP Transformation Programme and will form part of an update report as part of that programme of work.
28 August 2019	Members asked for clarification of the TOR for the Members Initiative Earmarked Reserve to be provided (in the context of funding for the anti-idling campaign and the Civic Centre Multi-Storey Car Park).	The Director of Environment and Public Protection has provided this information to the Portfolio Holder.
28 August 2019	APCOA to provide updated data concerning staff turnover from the date that the new Contracts Manager was employed.	This data will be included in the Contract Scrutiny report to be presented at the January 2020 PDS meeting.
28 August 2019	ACPOA were unsure of the reasons why the number of PCNs cancelled due to CEO errors over the last two months had risen. ACPOA promised to look into the matter and come back with an answer.	This data will be included in the Contract Scrutiny report to be presented at the January 2020 PDS meeting.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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