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DATE: 5 November 2020

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 virtual meeting of the Environment and Community Services Policy Development
and Scrutiny Committee will take place online on **Tuesday, November 17th at
6.30pm.**

Details of how to view the meeting will be published with the agenda on the Bromley
Council website.

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 TO THE
CHAIRMAN OR COMMITTEE**

In accordance with the Council's Constitution, questions that are not specific to reports
on the agenda must have been received in writing 10 working days before the date of
the meeting. The deadline for this was **5pm on Tuesday, 3rd November.**

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 Wednesday, 11th November.**

4 MINUTES OF THE MEETING HELD ON 9TH SEPTEMBER 2020 (EXCLUDING EXEMPT INFORMATION) (Pages 3 - 32)

HOLDING THE PORTFOLIO HOLDER TO ACCOUNT

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

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting. These questions should have been received by Democratic Services by **5pm on Tuesday 3rd November.**

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 Wednesday 11th November.**

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

Portfolio Holder decisions for pre-decision scrutiny.

a BUDGET MONITORING 2020/21 (Pages 33 - 42)

POLICY DEVELOPMENT AND OTHER ITEMS

7 EXPENDITURE ON CONSULTANTS 2019/20 AND 2020/21 (Pages 43 - 58)

a NET ZERO CARBON ACTION PLAN (Pages 59 - 78)

b ECS PERFORMANCE OVERVIEW (Pages 79 - 80)

c ENVIRONMENT AND PUBLIC PROTECTION RISK REGISTER (Pages 81 - 92)

d REVIEW OF PUBLIC SPACE PROTECTION ORDERS CONCERNING ALCOHOL CONTROL ZONES 2020 (Pages 93 - 116)

8 WORK PROGRAMME AND MATTERS OUTSTANDING (Pages 117 - 122)

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ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the virtual meeting held at 6.30 pm on 9 September 2020

Present:

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

58 DECLARATIONS OF INTEREST

There were no declarations of interest

59 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

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

60 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC TO THE CHAIRMAN OR THE COMMITTEE

No questions were received for the attention of the Chairman or the Committee.

61 MINUTES OF THE MEETING HELD ON 29th JANUARY 2020

The minutes of the meeting held on 29th of January 2020 were agreed as a correct record.

62 QUESTIONS TO THE PORTFOLIO HOLDER

Questions were received from members of the public for written response.

Post Meeting Note:

(The answers to the questions were emailed to the questioners on September 11th).

Councillor Dunn had submitted a question for oral response. The answer to this question had been incorporated into the written responses noted above. This was because at the time of the meeting, the presumption was that no oral responses were being provided. The written response to this question

was noted and then Cllr Dunn was permitted to ask a supplementary question. This was as follows:

'A pupil of Eden Park High School was struck by a car last week, resulting in a broken leg. Can I have your assurance that Bromley Council will fund a study to determine what type of crossing is necessary on the road where the pupil was struck by the car and install it irrespective of TfL funding?'

The Portfolio Holder stated that in his view this was not a valid supplementary question, as a supplementary question should follow on from the original question, and in his view this question did not meet the criteria. The Portfolio Holder agreed to respond to Councillor Dunn by email following the meeting.

Post Meeting Note:

The answer to the supplementary/additional question was disseminated to Councillor Dunn on 9th November 2020.

63 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO HOLDER

a DRAFT PARKS AND GREENSPACE STRATEGY 2020-25

ES20027

The Committee was presented with the Draft Open Space Strategy report and also the Open Space Strategy document 2021--2031 that had been drafted by Idverde. An introduction to the report was provided by the Assistant Director for Environment. It was noted that the strategic document set out the principles and general direction for the future of the Portfolio's various land holdings.

The Assistant Director informed Members that the Strategy covered 168 parks and that the Strategy was for ten years. The contract for maintaining and developing parks and green spaces had been awarded to Idverde in April 2019. The production of the strategy document was part of the contractual agreement and was in line with the Council's objectives.

He explained that the objectives were set out in the draft strategy document and the objectives were supported with case studies. The Strategy was broken down into review stages, and the annual contract performance reports would be provided by Idverde.

A Member drew attention to a section in the report that referenced a 10% increase in income, and she hoped that no small groups or charities would be penalised as a result. It was confirmed that the Council would not be looking to penalise smaller groups in any way--rather they would be looking at the

Events Management Portfolio and would not be looking to penalise local residents.

A discussion took place as to the criteria that would qualify a park for new play facilities; it was explained that Idverde had identified suitable sites, and these had been included in the site management plans which were now being developed.

A Member remarked that the incorporation of case studies into the document was useful, and there was a discussion as to what groups should be involved in the consultation process. The Assistant Director stated that other bodies would be consulted. The Chairman asked who would be able to respond to the consultation, and the Assistant Director replied that the document had identified particular stakeholders who would be consulted. The Assistant Director said that consultation could also involve the public if that was recommended by the Committee.

A Member commented that detail was missing and not much had been factored in with respect to sports facilities. The Assistant Director responded by saying that it was not the purpose of the report to provide granular detail, but the Strategy would identify where gaps existed. Progress on the Strategy would be updated upon annually in the annual report.

The Chairman expressed the view that parks were critical and was glad to see that exciting projects were planned—he hoped the plans would be ambitious. The Chairman recommended that a public consultation of some form should take place in addition to the consultation with stakeholders and this was seconded by the Vice Chairman.

RESOLVED that

- 1) The Portfolio Holder agreed to undertake a consultation with the Stakeholders that had been identified within the Draft Open Space Strategy, plus that residents and visitors to the borough would also be able to comment on the Strategy.**
- 2) The Portfolio Holder would expect to approve an Open Space Strategy Policy following a future ECS PDS meeting after receiving a report on the results of the consultation..**

b AIR QUALITY ACTION PLAN 2020-25 CONSULTATION RESPONSE

ES20041

The Assistant Director for Public Protection and Enforcement presented the Air Quality Action Plan consultation response that had been approved by the GLA. The consultation had received 869 responses from members of the

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public; which was an excellent response, (as the average response for such consultations was 284), and indeed one consultation had only received 34 responses. The GLA had commented that there was a lack of detail in some areas of the Plan and that dates and targets needed to be set; however the overall response to the Plan from the GLA had been very positive. Formal approval for the Plan had been received on the 27th of August. The letter of endorsement from the GLA had been circulated separately to the Committee.

Following consultation, all responses were fed back to internal partners for their response and comment and these were outlined in Appendix A of the report.

The Vice Chairman endorsed the Plan and was pleased to note the positive feedback from the GLA, and also the fact that the Plan would complement the Council's Carbon Neutral Strategy. He was also pleased with the level of public consultation and engagement.

A Member referenced actions that were detailed in the matrices at the end of the Plan, noting that they were due for completion during March and April 2020; he asked for an update concerning these actions. It was deemed prudent that the Member would receive a written answer concerning the question that he had asked about the actions detailed in the Plan. He further referenced the matter of funding for the monitoring of PM10 and PM2.5 and asked why the Council was not able to fund this itself. The Assistant Director for Public Protection stated that LBB did have their own monitoring stations for PM10 and PM2.5 but would make use of extra funding if it could be sourced for additional monitoring. It would be prudent to save money if possible.

A Member commented that it would be useful if LBB could reduce the use of road humps and 20 mph speed limits as this slowed traffic down and created more pollution.

A Member noted that 63% of respondents were female and questioned if the consultation process had been robust enough. The Assistant Director for Public Protection responded that the response was typical. It was noted that Bromley's main concern was with the monitoring of NOX, and that the monitoring of this was being extended.

The Chairman noted that the report stated that a single monitor for PM10 and PM2.5 was considered sufficient. He asked who it was that said one single monitor was sufficient; was it LBB or was it an independent body? The Assistant Director for Public Protection responded that Kings had not expressed concern that having a single monitoring station was an issue.

The Chairman raised the issue of the lack of support from TfL. TfL were trialling electric buses and various forms of non-diesel transport and it would be really helpful if TfL could support Bromley's Air Quality Action Plan by bringing some of these modes of transport to Bromley. The Chairman

wondered if it was possible to 'reverse consult'; he proposed that contact be made with TfL to explore how they could support Bromley's AQAP.

The Chairman asked if it was possible to have a follow up report on the AQAP coming back to the Committee in about a year's time to monitor the actions that had been taken.

The Assistant Director for Public Protection informed the Chairman that this was a matter that had to be reported on annually anyway, and that an annual report of some sort would be generated for ratification by the GLA. The Chairman asked if this was a matter that would normally come to the Committee and the answer to this was 'no'. However, the Chairman requested that in a year's time, an update report of some sort on the AQAP should come back to the Committee.

The Chairman expressed his thanks to the local community for their responses.

RESOLVED that:

1- The report be noted and that the final version of the AQAP be recommended for adoption by the Executive.

2- An update report be brought to the Committee to assess progress on the Plan in a year's time.

c CAPITAL PROGRAMME MONITORING REPORT

FSD20065

Members noted the report which summarised the current position on capital expenditure and receipts following the first quarter of 2020/21. The report outlined the revised capital programme for the four-year period of 2020/21 to 2020/24 as agreed by the Executive and the Leader

RESOLVED that the report be noted.

64 PRE-DECISION SCRUTINY OF REPORTS GOING TO THE EXECUTIVE FOR DECISION

a MOVING TRAFFIC CONTRAVENTIONS

ECS20035

Members were briefed on the Moving Traffic Contraventions report by the Interim Head of Shared Parking Services (Bromley and Bexley) and the LBB Assistant Director for Traffic and Parking. It was noted that the current responsibility for enforcing moving traffic conventions lay with the police, but the police usually only issued about three fixed penalty notices per year. By

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comparison, the neighbouring borough of Bexley had issued 14,000 fixed penalty notices during the same period.

The aim of the recommendations was to improve traffic flow and air quality. The Committee noted that if the recommendations were approved, the relevant procurement route would be established in 2021. The purpose of the report was for the Portfolio Holder to make recommendations to the Executive. The final decision would be made by the Executive or by the Leader.

The consensus was that this was a good report, however one Member expressed concern regarding the source of funding; this had been identified as coming from the contingency budget; the Member recommended that the source of funding should be changed--so that the funding would come either from Invest to Save or from an alternative budget.

A Member noted the proposed 12 locations for the implementation of the first phase regarding enforcing moving traffic conventions. He expressed the view that Widmore Road and St Blaise should have been included in the first phase, as both these areas seemed to have more potential for traffic contraventions. The Interim Head of Shared Parking Services (Bromley and Bexley) explained that that twelve locations were not fixed in stone, and that cameras could be moved to different locations as the need arose. She made it clear that the aim of enforcing any contraventions was to encourage people to drive properly and was not simply a means of enforcing financial penalties and revenue generation for the Council. To this end, in the initial phase of implementation, warning notices would be issued in the first instance to give people a chance to avoid being penalised until they got used to the new regulations.

There was a consensus amongst Members that the cameras should be installed where the need was greatest. It was noted that in terms of best compliance rates, this was normally 85%. This meant that there would be 15% of drivers that would never be fully compliant.

The timescales involved were explained, and that the target date for implementation was October 2021 for two reasons:

1. Initially, permission to implement the recommendations would need to be obtained from London Councils.
2. There was uncertainty as to the length of time required for the procurement process. This was because a decision would need to be made either to simply add new cameras to the existing network or to refresh the whole of the network .

A Member had asked what length of time needed to expire if a vehicle was caught in a yellow box, before enforcement action would be taken. The

answer was that the camera would send images to the CCTV reviewer after three seconds.

The Portfolio Holder reminded Members that the Executive would be making the decision, but he was happy to suggest the inclusion of some flexibility in terms of where the cameras would be placed.

The Chairman commented that the A21 (which was administered by TfL), had now become a permanent bus lane which they were enforcing. He asked if officers were aware of this. The Assistant Director replied that they were aware in the summertime that this may be happening, but it only been notified to the Council on the previous Monday. He further clarified that this only affected the A21 outside of Bromley College.

The Member that had previously raised the issue regarding the budget head for the project re-raised the matter, as the answer had not been provided earlier in the meeting. He asked for clarification of where the money would come from to fund this project—reiterating his point that (in his view) it should not come from the contingency budget. The Director of Environment and Public Protection stated that the budget had been signed off by the Director of Finance, so this was something he would need to go back and speak to him about. He promised that after he had clarified this with the Director of Finance, he would update the Member accordingly .

The following recommendations were agreed for the Portfolio Holder to recommend to the Executive :

1. to approve that Bromley apply to adopt powers to enforce moving traffic contraventions from the 1st April 2021
2. to agree to adopt powers on the basis that Bromley enforces as set out in the report
3. to agree that cameras will be initially installed at the top twelve sites listed in table one, but with some flexibility built into this recommendation to allow cameras to be moved to different locations if required
4. To authorise officers to enter into any necessary agreements or arrangements with neighbouring boroughs
5. to agree to a one-off expenditure of an estimated £266k to implement the policy through a suitable procurement route which would be determined going forward. The funding to be taken from the Councils 2020/21 central contingency fund
6. to request officers to investigate what service providers offered the best value for money for the Council, given the possible need to replace the Council's existing bus lane and school keep clear enforcement

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cameras within the next 18 months, and to produce a further report to Members, including a decision on the recommended procurement route .

**65 ENVIRONMENTAL SERVICES CONTRACTS, LOT 1,2 AND 3
(2019/20 ANNUAL CONTRACT PERFORMANCE UPDATE)**

ES 20040

The Committee was briefed concerning the Environmental Services Contracts that had been awarded to Veolia on the 1st of April 2019. The update was given because the Council's Corporate Performance Rules required that an annual performance review of the contract be provided, this was because the value of the contract exceeded £1m. Representatives from Veolia attended the meeting to answer questions. Veolia was represented by Nick Allan (Senior Contract Manager), Simon Moore (Regional Manager) and Matt Elmer (Waste Collection Contract Manager).

The Vice Chairman noted that the report provided data up to March 2020 and enquired as to what the performance ratios were post March. Mr Moore responded that Veolia had been dealing with an increased level of waste because more people were working from home. He explained that some services had been dropped during the peak of the Covid Pandemic so that the organisation could focus on the key matter of refuse collection. He said that 'post Covid', Veolia was still seeing high levels of waste. Veolia was trying to get back to normal levels of service; missed bin collections were decreasing but there was still much work to do.

The Vice Chairman asked what was being done to decrease contamination levels, and what was being done to address the matter of missed bin collections.

Mr Moore explained that regarding contamination levels, much more wet paper was currently being collected; Veolia was considering the use of new containers. It was noted that the transfer station roof was in a state of disrepair, allowing some rainwater to damage paper whilst it was being stored. It was mentioned that Veolia was aiming to reduce the number of batteries entering the general waste stream--as these were a fire hazard.

Members heard that with respect to textiles, most of the textiles being left out for collection were not good quality, thus reducing their value. Some were not even good enough to be used as rags. Veolia expressed the view that the processing of textiles should be focused around the use of the existing textile banks. It was further noted that there was much contamination in glass waste.

The LBB Strategic Manager for Waste Services explained that as part of the new contract, contamination reporting was more transparent. Residents place materials that are not accepted for recycling within the green box for plastics, cans and glass. As a result of the improved data on contamination, Veolia's

communication team were working with Bromley on a contamination campaign this year. A schools recycling workshop would be provided to inform children as to what could and could not be recycled in Bromley, so that they could help their parents to recycle the right items. Flats recycling communications was another element of the contamination campaign planned for 2020/21 but had been slightly delayed as a result of COVID-19.

A Member enquired if there was any statutory guidance in terms of the times that mechanical street cleaners could operate on residential roads and what arrangements were in place to clear footways when the mechanical cleaners were not able to gain access. Veolia responded that the service had not received many noise complaints and that the core operational hours were 6am to 6pm (Monday to Saturday). Tailored local solutions could be implemented if required. If complaints were received regarding noise, then Veolia would consider what options to take to reduce noise levels. Veolia was dealing reactively with any complaints on a case by case basis. It was explained that randomised checks were undertaken by client officers to check on the work that had been undertaken by Veolia 24 hours after the work had been carried out.

A Member referenced section 3.4 of Veolia's annual report which mentioned that Veolia had expressed the view that it was approaching the limit on what realistically could be delivered. Veolia had asked the Council to review the consistency and achievability of the original targets for missed collections. The Member asked if Veolia could expand on this.

Mr Allan responded that there was room for improvement and Veolia were looking at the targets. He expressed the view that some of the targets needed adjusting. Prior to the Coronavirus outbreak, new services had been planned for September which were just starting. Now, with everything being affected by Covid, it was difficult to assess where targets should be. The view was expressed that they needed six months to review and reassess targets.

A Member commented that it appeared that recent surveys regarding street cleaning had indicated that the service was slightly below target. It was mentioned that a new live system existed in the cabs of the lorries to assist the crew in knowing if they had missed bins.

The LBB Assistant Director for Environment also mentioned that Veolia were asking the Council to consider adjusting performance targets, and he felt that a period was needed to consider if any targets could be adjusted. It was probably the case that another six months would be needed to re-assess the data. He felt that the current performance of each element of the contract was performing effectively.

The use of purple sacks by residents to collect litter was also discussed, along with any possible future plans to collect and recycle this waste. A Member stated that currently, all of the litter waste collected in this manner was placed in the same sack, and then was taken to landfill. She wanted to know

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specifically if any plans were being made to recycle the litter that had been collected.

Veolia considered that the costs associated with this would be too high. They said it would not be economical, but gave assurances that waste collected in this manner would not be landfilled. The Member asked if this matter could be kept as a 'work in progress'. Mr Allan suggested that possibly different colour bags could be used to aid with recycling the litter. Additionally, room would be required on site for storage. The Member responded, saying that the Biggin Hill Ward would be happy to run any pilot scheme.

The Chairman and Vice Chairman thanked Veolia for their sterling efforts over the period of the lockdown. The Chairman mentioned that he was aware that some other local authorities had not discontinued any services during this period and wondered why Bromley had not done the same.

Mr Moore responded that in his view, LBB had done the right thing in providing an effective limited service focusing on refuse collection. It had been the case in both the Bromley and Croydon boroughs that a large number of Veolia staff had gone off work during the early stages of the pandemic, which had affected service delivery.

The Chairman raised the issue of missed bin collections (which was one of the main issues of concern within the Bromley Borough) and asked if the new system that noted missed bin collections was robust enough from the point of view of Bromley residents. It was explained that there was 'in cab technology' which would allocate collections to crews and that feedback regarding any missed bins would be directed to a 'micro site' which would then feed directly into the Bromley Council website. There had been a huge increase in the collection of cardboard and it was possible that Bromley could make a charge for this. It was explained that the collection of large cardboard flat packs was not a statutory obligation.

The Vice Chairman asked what precautions were being taken to protect staff during the current Covid Pandemic. Mr Moore responded that Veolia had plenty of PPE and had put in place rigorous protocols for cleaning vehicles, the wearing of masks, and that these processes had been laid down plainly in the company guidelines. They had developed continuity plans to cope with a possible second wave of the virus which included quick testing for staff.

A Member commented that with respect to Covid 19, it should be accepted that the current conditions would probably remain unchanged for some time--this would be the 'new normal'. She was unclear as to why issues related to wet paper collection were currently a concern--she felt that as far as this matter was concerned, circumstances had not changed. She stated that the issue of missed bins should be dealt with. Collections should now return to normal and that LBB should not accept a higher level of missed bins—collections should return to acceptable levels; Covid19 was no longer an excuse and Veolia should be maintaining the contractual targets.

The LBB Strategic Manager for Waste Services said that it was too early to say if the change that had occurred in waste tonnages as a result of COVID-19 would be sustained--she felt that the current increase in paper tonnage would stay the same while people were working from home. The problems associated with recycling wet paper being rejected would vary depending on the tonnage collected; weather conditions, how long the box had been left outside, and the general manner in which the bins were presented. It also depended on the market for paper. At the moment the demand for paper was lower than the amount of paper collected for recycling as a result of the decline in printed media. This meant that the paper industry would only accept high quality paper and card with a low moisture content. It was in LBB's interest to achieve high quality paper and card recycling, as the Council could obtain good income from paper and card recycling.

A Member raised the question as to whether or not LBB was doing any investigation into the recycling centres—it was felt that some local traders used the centres to dispose of waste late at night; it was asked if checks could be carried out on what they were doing, and was it possible that they could be identified? They needed to pay for their waste collections.

The correct disposal of commercial waste by businesses was discussed. It was noted that this was something that LBB could investigate in partnership with Veolia to check if local businesses were compliant and if they possessed the relevant waste transfer note. LBB was conscious of the issues, and plans were in place to deal with such matters if they arose in the future.

The Chairman thanked the representatives from Veolia for attending the meeting.

RESOLVED that the Committee note the report.

The meeting ended at 8.30 pm

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ECS PDS Committee: 9th September 2020.

Questions and Answers:

Question 1 from Clive Lees:

RVR members have been very concerned for many years at the excess traffic exiting Station Road at Shortlands traffic lights making the junction very dangerous for pedestrians. What is the situation regarding the proposal for a modal filter in Glass Mill Lane?

Answer to Question 1:

TfL have indicated that funding for a temporary/trial modal filter in Glassmill Lane may be available in the second part of this year, as it was not awarded initially. However, the installation of a modal filter in Glassmill Lane would need to run hand-in-hand with temporary/trial one proposed for Hillside Road, so plans to implement both are being discussed with TfL.

Question 2 from Clive Lees:

If funding is the issue, would LBB proceed with installation of the modal filter if there was a contribution from RVR?

Answer to Question 2:

There needs to be funding available, with sufficient time available to complete the measures, to install both the temporary/trial filter in Glassmill Lane plus the filter and cycle route in Valley Road / Hillside Road.

Question 3 from Alisa Igoe:

Ashfield speeding. Could you kindly update our resident's group on the installation date of a new 30mph Vehicle Activation Sign which was offered last June, the moving of the current one, the result of the assessment of the first set of Dragon's Teeth and the date of installation of the second set.

Answer to Question 3:

It was planned to relocate an existing VAS from Court Road (junction with Warren Road) where the crossroads ahead VAS sign will soon no longer be required. However, the scheme in Court Road has been delayed so the VAS is not yet available.

Dragons' teeth markings were proposed in one direction based on the result of the speed survey in the direction of higher speeds and these were installed. Observations by an engineer were carried out this year in March and July and no speeding was observed approaching this junction, nor is there a record of new collisions at this location. There are therefore no plans to install additional dragon's teeth markings.

Question 4 from Alisa Igoe:

Could you kindly confirm the amount of funds allocated for social distancing emergency measures in Chislehurst alone, from the three sources of emergency income which I believe the Council received - £100k from Department of Transport, £295k from Re-opening High Streets Safely Fund and £369k allocated by TfL's Streetspace initiative.

Answer to Question 4:

Spend for social distancing measures has not been broken down by location. Social distancing signs have been installed in both Chislehurst High Street and Royal Parade, and measures are soon to be introduced outside Chislehurst CE Primary School. Not all schemes proposed for Chislehurst received grant funding.

Question 5 from Jenny Dunwoody:

With regard to 'Gear Change: a bold vision for cycling and walking' , what plans has the Council to respond to this document?

If there are no plans, will the Policy Holder commit to a date by when draft plans will be produced?

Answer to Question 5:

The Council already had ambitions to make improvements for cyclists, as set out in our transport strategy (LIP3). In response to the Governments' recent initiative, Bromley has successfully bid for funding to introduce temporary cycle lanes in a number of locations in the Borough, such as Shortlands and Crystal Palace. These will hopefully be in place in the next month or so. We are also pleased to be able to offer cycle training once more, for adults and for children, following strict hygiene guidelines. There have been a number of very well attended Dr Bike events in Bromley over the summer and we are stepping up the pace to deliver escorted rides to the many new cycling commuters on our waiting list.

Question 6 from Brendan Donegan:

When will the Environment Policy Development Scrutiny Committee consider Bromley Council's Air Quality Action Plan 2020-2025?

Answer to Question 6:

This plan will be considered on the 9th of September 2020.

Question 7 from Brendan Donegan:

Bromley Council website states that in September 2020, 6 school streets will start in Bromley Borough. What was the process by which these 6 schools were selected?

Answer to Question 7:

Bromley contacted schools across the Borough in early June to offer them support in respect to their pupils returning to school, where the schools had concerns about social distancing on the highway near to their buildings. There was then a dialogue with schools who felt that a temporary school street might help them, and schools were asked to sign a MOU in regard to what they would offer to operate the school street if the Council was to install the facilities. Eleven schools were interested in a temporary school street, but after ongoing discussions

with these schools, five schools are soon to have the benefit of a temporary school street; these are:

- Harris Primary Academy Crystal Palace, Malcolm Road
- Harris Primary Academy Orpington
- St Mary Cray Primary School, Park road
- Proverest Primary, Tillingbourne Green
- Pratts Bottom School, Hookwood Road

A sixth school, Hawes Down School (The Mead) has sadly had to withdraw from the scheme, as they were in the end unable to staff the barriers.

These temporary School Streets will provide a valuable insight into the selection, design, consultation and management of school streets for consideration going forward.

Question 8 from Andrew Ruck:

What is the expected timetable for a final draft of the Air Quality Action Plan to be produced? Officers obviously need to have a sensible time frame to properly review and consolidate the responses to the Public Consultation within their draft Plan. An effective Plan is certainly worth waiting for, though a rough ETA would be appreciated.

Answer to Question 8:

The consultation concluded on the 10th August 2020 and a team of Officers worked hard to review and consolidate the responses. These were submitted to the GLA on the 27th August 2020 which approved the final plan, as such, there will be no further public consultation. The final draft will be scrutinised by the Environment PDS Committee on the 9th September 2020, in accordance with the timeline agreed by this committee on the 17th March 2020.

Question 9 from Laura Vogel:

Government made funds available for councils to provide temporary infrastructure changes enabling “active travel” through reduced speed limits, low traffic neighbourhoods and temporary cycle lanes; where did

Bromley Council include these in their Covid grant proposals and did Bromley residents lose out on funding and active travel infrastructure due to their omission?

Answer to Question 9:

Further to the report supported by Members of the Environment PDS committee on 8th June this year and subsequently signed off by the Portfolio Holder for Environment and Community Services, bids for measures considered suitable for streets in this Borough were submitted for grant funding. Not all bids were supported by the funding bodies, but grants approved included those for temporary footway widening, cycle routes, pedestrian crossings, school streets and advisory 20mph speed limits.

Question 10 from Laura Vogel:

Bromley schools are reopening in September amidst numerous Covid-related transportation issues, including decreased capacity on busses, student travel costs rising and social distancing at school gates; what actions has the council taken to work with schools to prepare for schools to reopen and prevent gridlock on our roads?

Answer to Question 10:

Bromley contacted schools across the Borough in early June to offer them support in respect to their pupils returning to school, where the schools had concerns about social distancing on the highway near to their buildings. The Education Department of the Council, along with officers from the Council's Traffic and Road Safety Teams, have liaised with TfL about bus services and have also introduced social distancing signage around 114 schools across the Borough. Where schools have requested specific help, officers have liaised with the school regarding the introduction of measures such as temporary school streets and footway widenings, to help parents and pupils as they travel to and from the schools. These measures will help give parents choices as to how their children travel to school, so that whilst it will be appropriate for some parents to drive their children to school, others can choose to walk, scoot or cycle.

Question 11 from Richard Gibbons:

TfL Streetspace, DfT EATF, MHCLG RHSSF funding - Would Portfolio Holder please confirm amounts (£s) allocated/received from each funding source; details of schemes/funding associated with each source; details of other schemes bid for from each source and reasons why unsuccessful; and details of schemes bid for in second round/tranche?

Answer to Question 11:

The report to Environment PDS on 8th June this year set out the range of measures that would be bid for to these funding bodies. The proposals were then worked up by officers and included bids for

- Homesdale Road Zebra Crossing
- Cycle Parking at Stations
- Station Road Pedestrian Crossing
- Glassmill Lane traffic filter
- Farnaby Road Footway Improvement
- Recreation Road Valley Primary school footpath * (£12k)
- Old Hill Traffic Island
- Beckenham Road Clock House Station Temporary Cycle Route (to connect GKH Route)
- Kent House Station via Ravenscroft Road & Marlow Road Temporary cycle route
- Southend Road / Foxgrove Road / Park Road Parallel Zebra Crossing
- Albemarle Road Temporary cycle route * (£52k)
- Bromley Road Temporary cycle route * (£59k)
- Southend Road Pedestrian Refuge * (£20k)
- Beckenham to Greenwich Experimental Cycle Route via Copers Cope Road
- Lennard Road Cycleway scheme * (£30k)
- Manor Rd / Wickham Rd / Bromley Rd junction Temporary pedestrian crossing
- Court Rd / Priory Gardens Floating Bus Stop
- Shortlands Station to Harris Primary School cycle route * (£42k)
- Manor Park Road / A232 Refuge Widening
- Red Lodge Rd / The Avenue pedestrian improvement scheme
- Belmont Lane/Edgebury and Kemnal Road footpath

- Crystal Palace Park Road cycle route and Thicket Road pedestrian facility * (£50k)
- Cintra Park and Chipstead Close Cycle Contraflow
- Ledrington Road Cycle Permeability
- SCHOOLS MEASURES – a bundle of school streets, crossings, widenings and signage * (£204k)
- TOWN CENTRES – a bundle of footway widenings and social distancing signs * (up to £295k)
- Old Cople Lane cycle path
- Anerley Hill temporary crossing
- Penge East Station cycle permeability scheme

Those schemes that were supported by the funding bodies in Tranche 1 are shown with an asterisk, with the amount awarded shown in brackets. All bids not successful in Tranche 1 were submitted to TfL for consideration by them and DfT in tranche 2 (the results of the Tranche 2 bids are not yet known).

The schemes awarded funding in Tranche 1 are still subject to design approval by TfL and must also meet Bromley's own standards before they can be completed on site. Schemes are subject to change, by negotiation with TfL, where a barrier to delivery of the originally envisaged scheme is identified during detailed design.

Question 12 from Richard Gibbons:

Primary/Secondary/SEN School Covid-19 Travel Surveys - Would Portfolio Holder please provide update on numbers of completed surveys received per school, including numbers of households and children represented; and confirm actions being taken in response to surveys, and wide disparity in response rate (0% to 15.7% at 20 July)?

Answer to Question 12:

There have now been 8,110 surveys completed by 113 schools. Breakdown as below
 4228 responses from 89 Primary Schools
 3822 responses from 24 Secondary Schools
 These numbers include independent Schools.

The data available is as follows:

Alexandra Infants School	12
Alexandra Junior School	52
Ashgrove	1
Babington House School	4
Balgowan Primary School	1
Bickley Park School	12
Bickley Primary School	172
Biggin Hill Primary School	2
Bishop Challoner	0
Blenheim Primary School	40
Breaside School	3
Bromley High School	13
Burnt Ash Primary School	1
Castlecombe Primary School	35
Chelsfield Primary School	0
Chislehurst CE Primary School	69
Churchfields Primary School	1
Clare House Primary School	0
Crofton Infant School	161
Crofton Junior School	288
Cudham CE Primary School	0
Darrick Wood Infant School	110
Darrick Wood Junior School	161
Dorset Road Infant School	7

Downe Primary School	0
Edgebury Primary School	2
Eltham College	81
Farnborough Primary School	1
Farringtons School	1
Gray's Farm Primary School	46
Green Street Green Primary	121
Harris Primary Academy Beckenham	142
Harris Primary Academy Crystal Palace	13
Harris Primary Academy Kent House	3
Harris Primary Academy Orpington	16
Harris Primary Academy Shortlands	10
Harris Primary Acadmey Beckenham Green	72
Hawes Down Primary	3
Hayes Primary School	161
Highfield Infant School	160
Highfield Junior School	222
Holy Innocents RC Primary School	53
James Dixon Primary School	94
Keston CE Primary School	50
La Fontaine Academy	5
Langley Park Primary	72
Leesons Primary School	0
Manor Oak Primary School	0
Marian Vian Primary School	139

Mead Road Infant School	1
Midfield Primary School	0
Mottingham Primary School	0
Oak Lodge Primary School	0
Oaklands Primary School	131
Parish CE Primary School	1
Perry Hall Primary School	1
Pickhurst Infant School	199
Pickhurst Junior School	187
Poverest Primary School	59
Pratts Bottom Primary School	31
Raglan Primary School	6
Red Hill Primary School	47
Riverside School	6
Scotts Park Primary School	1
Southborough Primary School	133
St Anthony's RC Primary School	0
St Christopher's School	1
St David's College	0
St George's CE Primary School	113
St James' RC Primary School	11
St John's CE Primary School	35
St Joseph's RC Primary School	56
St Mark's CE Primary School	117
St Mary Cray Primary School	1
St Mary's RC Primary School	68

St Paul's Cray CE Primary School	53
St Peter & St Paul RC Primary School	1
St Philomena's RC Primary School	23
St Vincent's RC Primary School	2
Stewart Fleming Primary School	117
The Highway Primary School	0
Trinity Primary School	75
Tubbenden Primary School	203
Unicorn Primary School	137
Valley Primary School	9
Warren Road Primary School	92
Wickham Common Primary School	7
Wickham Court School	0
Worsley Bridge Junior School	0
Other (please specify):	40

Bickley Park School	7
Bishop Challoner School	3
Bromley High School	22
Bishop Justus School	111
Bullers Wood Boys School	285
Bullers Wood School	531
Charles Darwin	38
Chislehurst School for Girls	313
Coopers Technology College	531

Darrick Wood School	644
Darul Uloom School	0
Eden Park High	1
Farringtons	6
Harris Academy Beckenham	5
Harris Academy Orpington	5
Harris Girls Academy Bromley	2
Hayes School	287
Kemnal Technology College	7
Langley Park Boys School	9
Langley Park Girls School	13
Newstead Wood School	373
Ravens Wood School	440
St Olave's School	111
The Ravensbourne School	395

The many comments received from the surveys have been interesting to read to help
interesting to note that most parents are not planning to alter their school travel beha
existing plans to help parents and pupils as they return to school.

Question 13 from Carrie Heitmeyer:

It is fantastic that Bromley Council is initiating 6 school streets next month.
What are the next steps in terms of the Council considering proposals to
increase or decrease the number of school streets in the borough?

Answer to Question 13:

The 5 or 6 school streets will be monitored over the coming months to see how
effective they are at helping achieve social distancing and how they help

children walk or cycle to school more safely. Although these are only temporary school streets, what is learnt by officers and members will help determine the future use of more permanent school streets in the Borough going forward.

Question 14 from Carrie Heitmeyer:

Please could you provide an explanation of Bromley Council policy on 20mph speed limits in the borough, e.g. if and why all 20mph zones in the borough are 'advisory' rather than 'enforceable'?

Answer to Question 14:

There are a mixture of permanent, part time and advisory 20mph limits across the Borough. The advisory 20mph limit signs are seen as being more effective at alerting drivers to the presence of children in the vicinity of schools at the appropriate times of day, so are often the preferred choice of the Council to improve safety around schools.

Question 15 from Gillian Lees:

Re AQAP Theme 2 Action 7, could this be amended to clarify that the Council seeks to reduce, through awareness campaigns, the use of wood stoves rather than simply promote the use of appropriate fuel. (Wood stoves are generally wholly unnecessary and contribute to particulate matter pollution).

Answer to Question 15:

The action as written has been accepted as appropriate by the GLA. The Mayor's guidance for wood burning stoves in London will be promoted.

Question 16 from Gillian Lees:

Throughout the AQAP, mention is made of using Planning Conditions to control pollution. Would the Council include in the AQAP the requirement that all developments must have a Planning Condition that The Code of Practice<<https://www.bromley.gov.uk/download/downloads/id/3492/control>

[of noise form demolition and construction sites - code of practice.pdf](#)> must be followed in order to prevent particulate pollution from construction sites.

Answer to Question 16:

The actions concerning the application of planning conditions have been accepted as appropriate by the GLA.

Question 17 from Sarah Laughton:

The questions relate to the summary of responses to the consultation (Air quality Action Plan 2020-2025) Theme 3 - Parks verges and Highways.

It was stated that the Council has organised the planting of wildflowers on some grass verges. Precisely which grass verges have been planted with wildflowers so far and when, and are these verges being cut on a twice yearly basis with the arisings being removed and composted?

Answer to Question 17:

The council recently established a wildflower earth mound to the perimeter of Leaves Green Common sowing a 1300 linear meters of wildflower seed mix comprising of Linseed, Barley, Triticale, Phacelia and White Millet. The bunding will be cut and collected once per annum in October. The Heathfield Road and Westerham Road roundabout was recently transformed into a wildflower roundabout consisting of Garlic Mustard, Betony, Foxglove, Wood Avens, Red Campion and Self Heal to name a few. This area will be cut and collected once per annum in October. The council is at final stages of preparing a wildflower creation plan for sites at Coney Hall Recreation Ground, Green Street Green Common, Leaves Green Common and Biggin Hill Recreation Ground, subject to Member consideration. As is the case with all the other projects, the aim is to create wildflower interest with improved wildlife habitat creation. These areas will also receive an annual cut and collect maintenance programme.

These initiatives are all early phase trials and the council will be investigating further projects in line with the soon to be published Open Space Strategy.

Question 18 from Sarah Laughton:

The questions relate to the summary of responses to the consultation (Air quality Action Plan 2020-2025) Theme 3 - Parks verges and Highways.

The report states that Council's ability to extend the planting of wildflowers is budget dependent. Can community groups get involved with planting wildflower plugs or sowing seeds on verges to help the council reduce costs, or cover the costs of doing so and if so, how can they do this?

Answer to Question 18:

Wildflower restoration is an intensive process of scraping off existing vegetation and nutrient topsoil and removing it from land. This is the most costly task in a wildflower restoration programme. Wherever possible the council encourages community involvement and will do so with further initiatives.

Question 19 from Leila Allsopp:

What measure of air quality improvement does LBB hope to achieve from implementation of its new AQAP 2020 over the term of the plan?

Answer to Question 19

The matrix shows the specific actions that are being implemented to improve or maintain air quality. Each of these actions have targets and success of the plan will be measured against these.

Question 20 from Leila Allsopp:

Are there hopes to bring NO₂ & PM_{2.5} levels down to reach specific lower levels at the end of that 5 years or to reduce such pollutant levels by a specific percentage?

Answer to Question 20:

The plan shows the specific actions that will be taken to either maintain or improve air quality. Whilst there is an ambition to meet the WHO levels for PM2.5, there is no percentage target set for reduction for either NO2 or PM2.5.

Question 21 from Jonathan Coulter:

Given that under the AQAP 2020, TFL appears to be identified as the cause of most road related air pollution in the Borough of Bromley, what will LBB do (and advise TFL to do) in order to reduce all boroughwide road traffic, which accounts for 61% of NOx emissions across the borough?"

Answer to Question 21:

Whilst active travel as an option is promoted with technology improvements it would not appear necessary to reduce car usage to reduce NOx from vehicles. Our LIP strategy does have the ambition that providing new active travel options will increase active travel thus reducing unnecessary use of other modes. The ULEZ may encourage earlier replacement of vehicles, but the natural cycle of vehicle replacement is seeing more electric and hybrid cars on our roads. Typically, vehicles with the highest annual mileage are replaced most frequently. Nationally, reports suggest 4% of new cars are electric, with the ULEZ it might be expected that the proportion in London would be higher. All other things being equal, it would appear reasonable to expect NOx emissions from transport to reduce. It is not clear that other sources of NOx are seeing the same impact of technology and will reduce at the same rate.

Consultation with staff possibly affected has started. It is far too soon to say whether this will lead to redundancies, but any proposals to make changes to the structure of the Council's Traffic and Road safety Team would come to this committee for comment, before any impact on staff could be identified.

1-Question from Cllr Ian Dunn:

Please provide an update on the potential redundancies in the Traffic Team.

Answer to Question 1:

As TfL funding for local authorities to implement their local transport strategies is, as far as we know, to cease from the end of October, a consultation with staff possibly affected has started. It is far too soon to say whether this will lead to redundancies, but any proposals to make changes to the structure of the Council's Traffic and Road safety Team would come to this committee for comment, before any impact on staff could be identified.

Question 2 from Cllr Ian Dunn:

Please provide details of any additional payments made to any of our contractors in respect of additional costs they have incurred in respect of COVID.

Answer to Question 2:

The Council have paid Veolia an additional £183k for additional COVID-19 costs that they incurred between 19 March and 31 May 2020 to deliver waste and street cleaning services in accordance with Health and Safety Executive Guidance. The additional costs are reducing with the costs incurred by Veolia in June expected to be £29k and for July, £9k.

Additional costs have not been paid to any other Council contractor.

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Report No.
FSD20084

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: 17th November 2020

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2020/21

Contact Officer: Keith Lazarus, Head of Finance ECS & Corporate
Tel: 020 8313 4312 E-mail: Keith.Lazarus@bromley.gov.uk

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

Ward: (All Wards);

1. Reason for report

This report provides an update of the latest revenue budget monitoring position for 2020/21 for the Environment & Community Services Portfolio, based on expenditure and activity levels up to 30 September 2020.

2. **RECOMMENDATION(S)**

The Environment & Community Services Portfolio Holder is requested to:

- 2.1 Endorse the latest 2020/21 revenue budget monitoring 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: 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: £40m
 5. Source of funding: Revenue budgets 2020/21
-

Personnel

1. Number of staff (current and additional): 144.5fte
 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 This report sets out the results of the latest quarterly revenue budget monitoring exercise for the 2020/21 financial year for the Environment and Community Services Portfolio.
- 3.2 The current position is a projected overall underspending of £0.482m based on financial information available as at 30 September 2020. It should be noted the impact of Covid-19 on the Portfolio's budgets is not included as these details are reported separately to the Executive.
- 3.3 The projected outturn is detailed in Appendix 1A, which shows the forecast spend for each division within the Portfolio compared to the latest approved budget. The main variations are summarised in the table below:

	£'000
Waste collection costs	203
Recycling income	Cr 66
Landfill tax	Cr 45
Arboriculture management	164
Road closures income	Cr 169
Credit card commission	Cr 112
Reduced parking shared service costs	Cr 177
Other parking expenditure variations	Cr 109
Street lighting energy	Cr 150
Other net variations	Cr 21
Total Variation	Cr 482

- 3.5 Appendix 1B provides further detail and commentary on each of the projected variations within each service.

4. 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 "2020/21 Council Tax" report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised 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.

5. FINANCIAL IMPLICATIONS

- 6.1 A detailed breakdown of the projected outturn by service area is shown in Appendix 1A with explanatory notes in Appendix 1B.

6.2 Overall, an underspending of £0.482m is projected to the year-end based on the information available as at 30 September 2020.

7 COMMENTS FROM THE DIRECTOR OF ENVIRONMENT & PUBLIC PROTECTION

7.1 The Environment and Community Services Portfolio has a projected net underspend of £482k for 2020/21. Over above the impact of Covid-19, there continue to be a number of risks and challenges for service budgets.

7.2 In respect of waste, the contracts have now been in place since April 2019. Contract costs are subject to volatility as any growth in the number of properties and tonnages collected will incur additional expenditure, due to the extra collections that would be required and the additional waste that 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 affects the quality of the paper collected and therefore may lead to issues arising with the processing of it as 'paper' and a loss of income. Furthermore, latest monitoring has demonstrated the effect of changing economic and working patterns and it is not possible to predict the extent to which some of these trends will become embedded.

7.3 Over and above the current impact of Covid-19, there continues to be the risk in Parking from fluctuations in both income from on and off-street parking as usage varies, as well as changes in enforcement income. Income levels are difficult to predict as accurately as levels of parking are dependent on a wide variety of factors, some of which are beyond the Council's control.

7.4 Many of the Portfolio's services can be affected by severe weather events which cannot be predicted. In particular, the highways winter service, grounds maintenance and trees.

7.5 Like the rest of the Council, the Covid-19 pandemic and resultant restrictions have impacted on economic activity and are having a significant impact on some of the Portfolio's services, as follows:

- Parking services were severely affected during the initial lockdown restrictions, with a 95% reduction in parking use and a corresponding decrease in the level of enforcement. There has been some level of recovery since July, although activity remains lower than would be expected when the budget for the year was set.
- Waste services were disrupted in the early weeks of the financial year, with some services suspended although these soon returned to normal. However, the effect of more people being at home has significantly increased volumes of residual waste to be disposed, and trade waste income has also been severely affected.
- Revenue from fees and charges is particularly severely affected across all services with marked reductions in income from market rents, street traders' licences and street works.
- The cessation by TfL of LIP grant this year has resulted in a budget shortfall in the funding of traffic and transport services.

7.6 The latest rise in cases and the recent increase in restrictions has again added to the uncertainty of not knowing for how long restrictions will be in place. Nor it is yet clear what the longer term wider economic impacts will be and how this will affect services later in the year and beyond.

Non-Applicable Sections:	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2020/21 budget monitoring files within E&CS Finance section

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Environment & Community Portfolio Budget Monitoring Summary

2019/20 Actuals £'000	Service Areas	2020/21 Original Budget £'000	2020/21 Latest Approved £'000	2020/21 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	ENVIRONMENT & COMMUNITY PORTFOLIO							
	Street Scene & Green Spaces							
5,782	Parks and Green Spaces	5,716	5,726	5,726	0		0	0
Cr 119	Business Support and Markets	Cr 83	Cr 83	Cr 105	Cr 22	1	0	0
17,715	Waste Services	17,776	17,896	17,988	92	2	0	0
5,469	Street Environment	5,678	5,678	5,678	0		0	0
196	Street Regulation	223	223	223	0		0	0
1,307	Management and Contract Support	1,204	1,275	1,310	35	3	0	0
739	Arboriculture Management	724	754	918	164	4		
31,089		31,238	31,469	31,738	269		0	0
	Transport Operations and Depot							
513	Transport Operations and Depot Management	731	731	697	Cr 34	5	Cr 60	0
513		731	731	697	Cr 34		Cr 60	0
	Traffic, Parking and Highways							
192	Traffic & Road Safety	280	240	71	Cr 169	6	0	0
Cr 7,875	Parking	Cr 7,505	Cr 7,505	Cr 7,903	Cr 398	7-10	Cr 226	0
6,719	Highways (including London Permit Scheme)	6,392	6,428	6,278	Cr 150	11	0	0
Cr 964		Cr 833	Cr 837	Cr 1,554	Cr 717		Cr 226	0
30,638	TOTAL CONTROLLABLE	31,136	31,363	30,881	Cr 482		Cr 286	0
4,960	TOTAL NON-CONTROLLABLE	6,182	6,243	6,243	0		0	0
2,480	TOTAL EXCLUDED RECHARGES	2,399	2,399	2,399	0		0	0
38,078	PORTFOLIO TOTAL	39,717	40,005	39,523	Cr 482		Cr 286	0

Reconciliation of Latest Approved Budget

£'000

Original Budget 2020/21

39,717

Carry Forward Requests approved from 2019/20

Green Garden waste DD system

120

Lych Gate Footbridge Repairs

48

Procurement of a Sonic Tomograph

30

Millwood Rd Allotments Water Supply

30

Central Contingency Adjustments

Other

R&M - Norman Park Pavilion No.4 (non controllable)

42

R&M Depot Electrical Remedial Works & Roof survey work (non controllable)

18

Latest Approved Budget for 2020/21

40,005

REASONS FOR VARIATIONS

The Covid-19 restrictions that were introduced on 23rd March have had a significant impact on many of the Portfolio's services. Although restrictions were subsequently eased, they have again been raised recently and it is not known how long these will remain or even be increased in the coming weeks. Nor it is clear what the longer term wider economic impacts will be and how this will affect services later in the year and beyond. Therefore, projections will continue to be refined and updated as the financial year progresses.

1. Business Support and Markets Cr £22k

There is an underspend of £22k projected across the service which is made up of a number of minor variations including staff vacancies and agency cover costs for the market supervisor.

2. Waste Services Dr £92k

Recycling income is projected to overachieve by £66k due to the recent high volume of recyclable items although the sharp drop in paper prices has meant the projected income achieved through this stream this financial year has not been as much as previously anticipated. The relatively dry summer has meant that there have been minimal issues with wet paper loads being rejected but this could change as wetter weather sets in.

The way in which residual waste is disposed of has resulted in the contractor exceeding their targets this financial year and therefore landfill tax is due to underspend by £45k.

Costs relating to 2019/20 that had been in dispute and not settled until this financial year have impacted budget by £255k. This is partly offset by a number of other minor variations within waste services resulting in a projected underspend of £52k.

3. Management and Contract Support Dr£35k

This budget is forecast to overspend by £35k this financial year mainly due to the need for the fix my street officer to remain in post longer than originally intended.

4. Arboriculture Management Dr £164k

Staff vacancies in previous years have contributed towards a backlog of high priority works that now need to be undertaken. As a result, this service is forecast to overspend by £164k this financial year due to the volume of statutory tree surveys and associated remedial works required within the Borough, although service managers will investigate mitigation options to reduce the overall overspend.

5. Transport Operations and Depot Management Cr£34k

Salaries are projected to underspend by £25k due to staff vacancies. Other minor variations within the division result in a further £9k underspend.

6. Traffic & Road Safety Cr£169k

There are projected underspends against LBB funded staffing budgets of £69k mainly due to vacancies including an MG6 post and part-time staff working in fully budgeted posts. However, until the situation regarding TfL LIP funding of staff costs this year is confirmed, this underspend of £69k is not included as a variation at this stage.

Income for road closure charges is projecting a surplus of £169k, which wasn't reported in Q1 monitoring. Despite the current situation with Covid-19, utility companies continue to apply for road closures to undertake works at the level seen in previous years. However, subject to Members' decisions regarding the review of the T&RS service, this underspend may be required to fund any additional costs resulting from that review. This will be updated in the next quarterly report.

Parking Cr£398k

7. Off/On Street Car Parking Cr £75k

There is an anticipated underspend against Credit Card Commission costs of £59k as a result of lower activity.

There are defaults against the contract of Cr £16k against Off Street parking for Quarters 1 and 2.

8. Car Parking Enforcement Cr £53k

There is a projected underspend on Credit Card Commission costs of £53k as a result of lower activity.

9. Parking Shared Service Cr £177k

There is a net projected underspend of Cr £177k for the Parking Shared Service mainly due to underspends on staffing as a result of vacancies across both boroughs and a reduction in the number of agency staff employed. The Head of Parking has now been permanently appointed and has advised they will be undertaking a full review of the Shared Service.

10. Parking Expenditure Variations Cr £93k

There are other variations across the service totalling a potential underspend of Cr £93k mainly due to business rates payments being less than budgeted, savings against Traffic Committee Fees for London and a projected underspend on Third Party Payments. These variations are summarised as follows:

Summary of other Variations within Parking	£'000
Premises	Cr 38
Supplies & Services	Cr 23
Third Party Payments	Cr 32
Total Variations for Parking Expenditure	Cr 93

11. Highways - Including London Permit Scheme Cr £150k

Street Lighting electricity costs are forecast to underspend by £150k this financial year as the new, low energy, lamp post upgrades continue to be rolled out across the Borough. It is anticipated that, subject to a business case and subsequent approval, underspends on this budget in future years will be used to invest in completing the replacement programme across the Borough, therefore releasing greater savings in the longer term.

Waiver of Financial Regulations:

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

- 1) a 1 year extension to the Confirm OnDemand Enterprise License use by Highways from 1st July 2020 to 30th June 2021 costing £75k, cumulative contract value of £226k. This software supports customer enquiries, works orders and
- 2) a 1 year extension to the MarketForce Services Ltd Contract for the market stall assembly from 1st January 2021 to 31st December 2021. Annual value of approximately £77k and a cumulative contract value of £296k.

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.
CSD20111

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 3rd November 2020

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

Title: Expenditure on Consultants 2019/20 AND 2020/21

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

Chief Officer: Director of Corporate Services

Ward: (All Wards);

1. Reason for report

At its meeting on 8th October 2020, the Executive, Resources and Contracts PDS Committee considered the attached report on expenditure on consultants across all Council departments for both revenue (appendix 2) and capital (appendix 3) budgets. The Committee requested that the report be considered by all PDS Committees.

2. **RECOMMENDATION(S)**

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

Impact on Vulnerable Adults and Children

1. Summary of Impact:
-

Corporate Policy

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

Financial

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

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Revenue expenditure on consultants in the Environment and Community Services Portfolio is set out in Appendix 2 and is focussed on (i) one-off specialist advice, no-one with specialist skills and (ii) insufficient in-house skills/resources. Expenditure amounted to £23,258 in 2019/20 and £6,000 in 2020/21 to September 2020.
- 3.2 Capital expenditure on consultants in the Environment and Community Services Portfolio is set out in Appendix 3. There was no capital expenditure in 2019/20 and in the first quarter of 2020/21 capital expenditure amounted to £7,903.

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

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Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 8th October 2020

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

Title: Expenditure on Consultants 2019/20 and 2020/21

Contact Officer: David Bradshaw, Head of Finance
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk
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Chief Officer: Peter Turner, Director of Finance

Ward: N/A

1. Reason for report

Members of ER PDS requested a full report on Consultant expenditure be submitted each year. Officers have therefore looked at total expenditure in 2019/20 and expenditure to June 2020 for both Revenue and Capital Budgets.

2. **RECOMMENDATION(S)**

Members to:-

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

2.2 Refer this report onto individual PDS Committees for further consideration

Impact on Vulnerable Adults and Children

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

Corporate Policy

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

Financial

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

Personnel

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

Legal

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

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 ER PDS members requested information on the Councils expenditure on Consultants be reported each year. To do this officers have looked at the total expenditure in 2019/20 and also the expenditure for this financial year as at the end of June 2020. This work covered both Revenue and Capital expenditure.
- 3.2 The basic reason for the use of consultants is that at times the Council requires that specialised work is undertaken for specific projects. This is particularly valid when consultants are engaged to work on large scale projects. For completeness expenditure on Architects, Engineers, Surveyors and other consultants commissioned to work on Capital Projects have been included as these generally meet the definition of one-off projects. Proposed expenditure on Capital Projects will have been approved by Executive before being included in the Capital Programme.
- 3.3 The Councils Contract Procedure rules sets out the procurement process to be followed when appointing a consultant and there is also guidance available to staff about what needs to be included in the formal agreement when engaging a consultant, which as a minimum needs to confirm the overall cost, project deliverables, clear brief and reporting arrangements. Appendix 1 provides this in more detail.
- 3.4 There is an element of subjectivity as to what constitutes a “consultant” as a number of services could fall within this definition, however it is generally defined as “a person brought into the Council to carry out a specific job” which is not on-going. For the purposes of this report expenditure on medical fees, counsel and legal fees have been excluded as these are considered to be professional fees rather than consultants.
- 3.5 In looking at consultants, members need to be minded that officers will use them to carry out work on the Council’s behalf when:-
- There is no one internally with the relevant skills or experience
 - There is no capacity/resources available to undertake this work
 - Specialist skills are required
- 3.6 It is important when recruiting a consultant that the project brief sets out the reasons for the use of consultant, that officers have consider any alternative options and also to evaluate the effectiveness of the work undertaken by consultants within the authority.
- 3.7 The benefit of employing consultants is that the Council makes a saving in relation to employer National Insurance and pension contribution. Also in employing consultants the Council is under no obligation to pay consultants for days when they are not working for the Council e.g. sickness and holiday and they are only engaged for a specific period of time – however offsetting this is that these staff are often more expensive.
- 3.8 The risk in not using consultants is that the Council would have to recruit a more substantial and specialised workforce at a greater expense, and thus creating an employment relation or a “contract of service” with the associated diversity of employment rights including unfair dismissal and redundancy payment rights, etc.
- 3.9 This report provides a detailed breakdown of all costs officers believe are consultants, broken down over Portfolio’s and service areas. This is shown in Appendix 2 (revenue) and Appendix 3 (capital). It also examines the procurement arrangements associated with engaging the consultants as part of that process.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

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

5. FINANCIAL IMPLICATIONS

- 5.1 The financial implications are included in the body of the report and the appendices.
- 5.2 A summary of the expenditure is detailed in the table below

Expenditure on consultants		
	2019/20	2020/21
	£'000	£'000
		Part Year
Revenue	588	140
Capital	419	71
	1,007	211

6. LEGAL IMPLICATIONS

- 6.1 Legislation affords employees employment rights e.g. paid holiday, maternity leave and pay, entitlement to redundancy payments, minimum notice periods and protection from unfair dismissal. In general terms self-employed individuals and consultants are not entitled to these enhanced statutory rights or protections, because, arguably, they are not employees in the strict legal sense. However, the law around who is an employee/not an employee is constantly evolving and has resulted in a number of high profile cases e.g. Uber, Pimlico Plumbers and Deliveroo.
- 6.2 In addition HMRC also uses criteria e.g. IR35 when determining an individual's employment status. This means that an individual could be considered an employee for tax purposes and yet remains a consultant from an employment perspective. Ultimately, who is an employee or a worker, or self-employed individual for employment law purposes is a matter for the employment tribunal to decide.
- 6.3 To manage and minimise the risk to the Council, the Council procedures should be followed as referred to in para 3.3 and 7.1, which also reference IR35 together with using the Councils consultant contract documentation or other suitable contracts e.g. Jct. In addition the Councils HR and legal departments can be consulted.

7. PROCUREMENT IMPLICATIONS

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

8. POLICY IMPLICATIONS

- 8.1 Consultants may be used to assist officers in meeting the Council's key priorities.

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

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CONSULTANT

Coding for Consultants/Agency/Temp Staff

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

➤ Agency staff – Revenue Funded (0104)*

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

➤ Temporary Staff – Revenue Funded (0104)*

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

➤ Consultants – Revenue/Capital (1708)**

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

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

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

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

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

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

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

Employing the Consultant

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

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

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

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

Requirement for a Consultant

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

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

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

8.2 Procurement – Competition Requirements

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

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

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

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

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

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

8.6 The Appointment of Consultants to Provide Services

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

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

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

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

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

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Report No.
ES20047

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment and Community Services Policy Development and Scrutiny Committee

Date: 17 November 2020

Decision Type: Non-Urgent Non-Executive Key

Title: LBB's NET ZERO CARBON ACTION PLAN

Contact Officer: Lee Gullick, Carbon Programme Manager
Tel: 020 8461 7623 E-mail: lee.gullick@bromley.gov.uk

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

Ward: n/a

1. Reason for report

- 1.1 This report sets out an action plan for achieving the Council's net zero carbon target by 2029. It provides an update on progress made to date, outlining various initiatives, funding options currently available, and governance and reporting processes. With continued financial support and resource commitment, it shows that the target is achievable through a variety of measures.

2. **RECOMMENDATION(S)**

The ECS PDS is asked to:

- 2.1 **Review and provide comments on the proposed action plan to reduce the Council's organisational emissions to net zero by 2029.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: n/a
-

Corporate Policy

1. Policy Status: Update on progress made to LBB's 2029 net zero carbon target.
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposals: See Appendix A for indicative estimates
 2. Ongoing costs:
 3. Budget head/performance centre: Carbon Management Team
 4. Total current budget for this head: £142k
 5. Source of funding: Revenue budget 2020/21 for staffing costs, energy management software and project expenses. Various internal and external funding options for net zero carbon initiatives (see section 6)
-

Personnel

1. Number of staff (current and additional): 3 fte
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-statutory – Government guidance
 2. Call-in: Not Applicable
-

Procurement

1. Summary of Procurement Implications: None
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This action plan will not only benefit the Council by achieving carbon, energy and financial savings, but it will provide broader environmental benefits to the wider local community.
-

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 The Executive established a Carbon Management Programme (CMP) in 2008 to take action to reduce energy consumption, revenue costs and carbon emissions.
- 3.2 Since 2008/09, LBB's Carbon Management Team has quantified the Council's emissions each year, following the guiding principles of the internationally recognised World Resources Institute's Greenhouse Gas (GHG) Protocol Corporate Accounting and Reporting Standard.
- 3.3 LBB's first Carbon Management Programme (CMP1) operated from 2008/09 to 2012/13, achieving a 14% reduction (5,275 tCO₂e) in the Council's GHG emissions.
- 3.4 The second programme CMP2 (2013/14 to 2017/18) achieved a 33% reduction (12,000 tCO₂e) against a 2013 baseline.
- 3.5 A Council Motion on 15th July 2019 unanimously approved a ten-year plan to ensure that the council reaches net zero carbon emissions by 2029. Essentially, this means reducing emissions produced by the Council to zero in order to achieve carbon neutrality.
- 3.6 A 2029 Net Zero Carbon Strategy was reviewed and approved at the Environment and Community Services Policy Development and Scrutiny (ECS PDS) Committee meeting on 29th January 2020, where it was also agreed that an action plan be presented to the ECS PDS committee in the autumn (2020).
- 3.7 CMP3 (2019/20 to 2029/30), the third phase of the Council's Carbon Management Programme, has adopted 2018/19 as the baseline year against which progress will be monitored and measured over the next ten years, and zero emissions set as the new target.

Measuring the Council's Organisational Emissions

- 3.8 We use tonnes of carbon dioxide equivalent (tCO₂e) to allow for comparison between different GHG sources.
- 3.9 The GHG Protocol categorises emissions into three different scopes, which helps define operational boundaries:
 - **Scope 1:** Direct GHG emissions occurring from sources that are owned or controlled by the organisation, such as the emissions from burning gas to heat a building, and the emissions directly entering the atmosphere from using company vehicles.
 - **Scope 2:** Electricity indirect GHG emissions produced from the generation of purchased electricity.
 - **Scope 3:** An optional reporting category that allows for the accounting of other relevant indirect emissions (i.e. emissions resulting from the consequence of an organisation's activities, occurring from sources not owned or controlled by the organisation).
- 3.10 LBB measures carbon emissions for the activities shown in table 1:

Table 1

Scope 1	Scope 2	Scope 3
<ul style="list-style-type: none"> • Building heating: gas & oil consumption (LBB estate) • Council owned fleet: petrol/diesel consumption 	<ul style="list-style-type: none"> • Purchased electricity (LBB estate / borough street lighting) 	<ul style="list-style-type: none"> • Business travel • Staff commuting • Electricity (transmission & distribution) • Waste (Civic Centre) • Water (LBB estate) • Paper (Civic Centre) • Procured services

3.11 The Council's net zero target will apply to all those emissions that it **directly controls**, namely, all scope 1 and 2 emissions, plus scope 3 emissions for business travel, water and paper usage, office waste and electricity (transmission & distribution).

3.12 The Council does not directly control scope 3 emissions arising from staff commuting and procured services, which are therefore excluded from our net zero scope of emissions.

3.13 However, LBB's forthcoming annual CMP3 report will provide greater detail on all organisational emissions, along with procured services and borough-wide emissions, and other projects.

3.14 The Council's net zero profile emissions for 2018/19 totalled **7,196 tCO₂e**, which forms our net zero baseline.

	Emissions (tCO ₂ e/yr)	%
Buildings (electricity & gas)	3,954	54.9
Street lighting	2,888	40.1
Fleet	61	0.8
Waste	3	0.05
Water	55	0.8
Paper	44	0.6
Business travel	191	2.7
Total (tCO₂e/yr)	7,196	

3.15 In 2019/20 our net zero profile emissions totalled **6,584 tCO₂e** (i.e. an 8.5% annual reduction against the baseline).

Source	2018/19	2019/20	2018/19 - 2019/20	
	tCO ₂ e/yr	tCO ₂ e/yr	tCO ₂ e/yr	
	CMP3 Baseline Year	CMP3 Year 1	Tonnage change	Percentage change
Buildings	3,954	3,822	-131.5	-3%
Street lighting	2,888	2,451	-436.7	-15%
Fleet	60.9	33.8	-27.1	-44%
Waste	3.4	2.5	-0.9	-26%
Water	54.6	54.6	0.0	0%
Paper	44.4	35.1	-9.3	-21%
Business travel	190.7	184.0	-6.7	-4%
Total (tCO₂e/yr)	7,196	6,584		

Getting to Net Zero Emissions by 2029

- 3.16 This section provides an overview of our adopted approach to take the Council forward in meeting its net zero emissions target.
- 3.17 The main vehicle for transitioning to a net zero council will be through CMP3 but will involve the Carbon Management Team working closely with other service departments/teams within the Council to make significant energy efficiency improvements across different service areas.
- 3.18 LBB's carbon emissions is a continually moving number due to varying factors such as a changing national grid mix (with more renewables-generated energy becoming available) and carbon reductions achieved from ongoing projects (e.g. the more streetlights upgraded to LED, the fewer emissions). Hence, the ten-year action plan will remain fluid and evolve over time.
- 3.19 Various factors will help inform which projects to take forward, such as: the potential carbon, energy and cost savings of initiatives; available funding; the priorities identified by Members in terms of mobilising medium to large scale projects.
- 3.20 In line with best practice, our aim is to first reduce both our vehicle emissions and energy demand on the national grid as far as possible through **four key initiatives** (potentially delivering a 95% reduction in emissions), then offset all remaining residual emissions through a mix of suitable initiatives outlined in table 2:

Table 2

Reduce LBB's Direct Organisational Emissions		
1	Street Lighting LED Upgrade	Upgrade remaining 14,000 street lights to LED (including dimming capability and photocells).
2	Buildings: energy efficiency	Work closely with LBB's Energy Manager to identify and install energy efficiency measures and smart technology across Bromley Council's estate by targeting the most energy intensive buildings with the highest consumption.
3	Renewable Energy	Procure 100% renewable electricity and gas.
4	Council Fleet	Switch to an electric vehicle fleet.
Offset Residual Emissions		
5	Solar Farms	This initiative would help the Council become more resilient to energy price fluctuations and volatile supply chains, as well as generating a revenue stream.
6	Renewables Investment	Assess investment opportunities in offshore/onshore wind and solar installations.
7	Woodlands, Parks & Greenspaces	Additional tree planting and development of green infrastructure.
8	Certified Carbon Offsets (from UK-based projects)	This is considered a last resort option when all other options have been exhausted, as Bromley's preferred option is to tackle our carbon emissions directly.

- 3.21 During the first several years of CMP3, the Carbon Management Team will continue working on both mobilising carbon reduction projects and assessing the feasibility of initiatives that could potentially feed into our overall net zero action plan.
- 3.22 It is worth noting several factors that will play a significant role in influencing LBB's total carbon emissions, particularly in 2020:
- **Covid-19 pandemic:** the impact of the pandemic has resulted in the majority of Council staff working from home for a prolonged period. This will have a significant impact on emissions arising from office paper/water use, LBB energy consumption, staff commuting, office waste and business travel.
 - **Flexible working:** prior to the pandemic the Council began implementing a flexible working policy, allowing employees to partly work from home where appropriate. The Covid-19 pandemic catalysed this, and it is now envisaged that a significant percentage of staff will continue this new way of working post Covid-19. Therefore, it is expected that emissions mentioned above will continue to remain low for the foreseeable future.
 - **Paperless office and digitalisation:** as the Council continues to push ahead with its paperless office environment (supported by a wide digitalisation exercise), it is expected that paper emissions will reduce significantly.
 - **National grid decarbonisation:** electricity emission factors are expected to continue to decrease over time as more national grid electricity is generated from renewables and fossil fuels are phased out. This will help lower LBB's emissions from electricity consumption. However, there remains significant uncertainty over the rate of this change, hence why strong action to implement energy efficiency measures will remain imperative for achieving carbon neutrality by 2029.
- 3.23 The Parks and Greenspaces LED Lighting Upgrade exercise (previously included in the Net Zero Carbon Strategy) continues to make progress – technical assessments are underway for two parks that will help inform an LED upgrade programme roll out across all parks. However, given that our approach is to focus efforts on the most impactful initiatives, this initiative has been excluded from the net zero action plan since parks lighting accounts for less than 1% of total electricity.

NET ZERO CARBON (NZC) ACTION PLAN

- 3.24 This section outlines the actions we will take to achieve carbon neutrality by 2029. It includes an update on our progress since the Council committed to a net zero target in 2019.
- 3.25 LBB's NZC Action Plan comprises 8 key initiatives outlined in table 2: initiatives 1 to 4 will help drive down the Council's direct emissions as far as possible, whilst initiatives 5 to 8 will be assessed to determine the best mix for offsetting the Council's remaining residual emissions.
- 3.26 The Carbon Management Team (CMT) will take a pragmatic approach by initially focusing on a mixture of projects offering the greatest and best value for money carbon reductions. However, over the life of the ten year plan the CMT will continue to expand its remit to additional areas for reduction, including efforts to affect staff behavioural change.
- 3.27 Each of the eight initiatives are described below, including our progress to date and the key actions moving forward. The tables in Appendix A summarise each initiative with indicative costs, carbon savings, timescales and action owners.

3.28 Initiative 1: STREET LIGHTING LED UPGRADE

Electricity consumption from Bromley's 28,000 street lights currently accounts for approximately 37% of the Council's carbon emissions. Of the 28,000 lights, 10,000 have already been replaced with energy efficient LED lanterns, achieving annual cost savings in excess of £670,000.

The Council are now keen to build on past achievements and convert the remaining 14,000 street lights to LEDs that could achieve an estimated 18% reduction in total organisational carbon emissions.

Key Actions:

- Upgrade all 10m and 8m traffic route lanterns
- Develop/deliver a phased upgrade programme for updating the remaining 10,000 non-LED lights. The potential carbon and energy savings potential will be assessed, however it is worth noting that the remaining columns will predominantly be 6m columns with relatively low wattage lamps, therefore offering lower energy savings compared to the old high wattage lanterns used for the 10m and 8m columns.

Progress:

A project to upgrade a further 3,700 traffic route street lights (10m and 8m columns) to LEDs with dimming capability and photocells was approved in 2019. During early 2020 the design was tweaked to improve upon the original design - better energy efficient lanterns were sourced, and a different dimming profile adopted. The new design will help realise a further £130k annual cost savings and a 220 tCO₂e reduction in carbon, all for the same total project cost.

Due to Covid-19 lockdown measures, the production/supply of the new lights was impacted, consequently delaying the planned installation date. However, production has recommenced, and installation works began last month (October). Apart from the benefits of improved light quality for both pedestrians and road users, this latest project is set to achieve the following:

- Annual cost saving: £360k
- Annual carbon saving: 663 tCO₂e
- Project payback: 3.1 years

3.29 Initiative 2: BUILDINGS (ENERGY EFFICIENCY)

Energy consumption from the operation of LBB's buildings accounts for 58% of the total carbon emissions profile, comprising: electricity (22%) and gas (36%). To realise cost/energy/carbon savings it is imperative that the Council continues to improve the energy efficiency of the estate and move towards the use of low carbon energy sources for heating whenever feasible.

As more buildings (heating) and vehicles switch towards electricity, it becomes increasingly important to ensure that electricity is supplied by renewable sources to not only relieve pressure on the national grid, but to also provide security of electricity supply and protect against electricity price increases.

Key Actions:

- Undertake a full energy audit of the top 10-15 most energy intensive buildings to identify energy efficiency opportunities.

- Develop an energy efficient upgrade programme for the priority sites.
- Ensure any site refurbishments and new build projects incorporate low carbon design elements and solar photovoltaic (pv) installation wherever viable.
- Roll out an Automated Meter Reading (AMR) meter installation programme to achieve more accurate and timely billing and energy monitoring capability.

Progress:

During 2020 the Carbon Management Team has developed a project for the design and installation of solar pv system on the rooftop of the Civic Centre's North Block building, that will help supply the Council with its own generated electricity.

A tender exercise is currently underway via a national public sector energy efficiency framework, with Dec 2020/Jan 2021 being the anticipated installation date. This project will be used as a template for developing further solar rooftop projects across the Council's estate.

An exercise to assess LBB's most energy intensive properties in 2020 has been delayed due to Covid-19 restrictions. LBB's Energy Manager is now aiming to deliver a planned assessment of the LBB estate in 2021 and develop a programme to install AMR meters at strategic sites. Based on the energy efficiency assessment findings, a planned upgrade programme will be developed that will in turn inform accurate carbon savings.

3.30 Initiative 3: 100% RENEWABLE ENERGY

The most effective solution for reducing emissions is a rapid shift to 100% renewable electricity. Electricity associated emissions currently accounts for nearly 60% of LBB's total net zero profile emissions, whilst gas emissions accounts for 36%.

Procuring 100% renewable energy therefore offers the most impactful opportunity for carbon reduction – a potential 96% reduction – by allowing LBB to discount all their energy emissions.

Approximately 25-30% of the national grid's electricity comes from renewables (not to be confused with zero-carbon electricity that includes nuclear). Renewable Energy Guarantee of Origin certificates (REGOs) can be purchased from energy suppliers that certify the electricity coming from the renewable energy element of the national grid. However, energy suppliers can purchase as many REGOs as they like to sell on to organisations/households, without purchasing/offering any true green energy itself. Hence, REGOs do not always come from suppliers with strong environmental credentials. The most credible way to purchase 100% renewable energy is to switch to a green supply that directly leads to increased renewable generation (i.e. where demand translates into new sources of green, renewable energy being built).

Key Actions:

- Quantify any additional costs for switching to 100% renewable energy.
- Review green energy options for both gas and electricity when the existing energy contract nears expiry, including Power Purchase Agreement options to purchase directly from a renewable energy generator.

Progress:

On 23rd October 2020 the Leader of the Council made an executive decision that the Council proceeds with the procurement of green energy.

A tender exercise is currently underway via an energy procurement framework, and a preference for renewable energy has been specified. Initial offers received suggest an increased cost for green gas which could be offset by a decreased green electricity tariff. Hence, the additional costs for switching to credible green energy could potentially be minimal to the Council. However, it is important to note that offers have a very short acceptance window and are being frequently revised, meaning that the tariffs offered are prone to change until a contract is signed.

3.31 Initiative 4: COUNCIL FLEET ELECTRIFICATION

Council fleet refers to vehicles directly managed by the Council but not vehicles used by the Council's contractors (e.g. Veolia for Waste Services). The remaining fleet operated directly by the Council now consists of a mixture of light vehicles, minibuses operated at three educational establishments, and several pool cars. Our gritters are owned by LBB but operated by our contractor as part of the Highways contract.

Although the Council's fleet accounts for less than 1% of the Council's net zero emissions, this is deemed an important initiative for helping to advance vehicle electrification in the broader context. Also, the benefits of electrifying the Council's fleet extend to improving air quality, which feeds into Bromley's Air Quality Action Plan objectives.

Key Actions:

- Install electricity charge points at the main depot to enable electrification of both the Council's own fleet and the next fleet of refuse collection vehicles.
- Switch to a 100% electric fleet

Progress:

The Council continues to assess electric vehicle options as and when existing fleet vehicles are either decommissioned or lease agreements renewed.

The installation of electric charge points has been included in the Council's capital works programme for the depot.

3.32 Initiative 5: SOLAR FARMS

As the largest geographical borough in London, Bromley is well placed to accommodate solar farm installations. With solar panel prices reducing significantly over the past few years, solar farms have become an attractive proposition for reducing electricity bills, demand on the national grid, and carbon emissions, as well as providing energy security and optional income streams. Indeed, another London borough is already pushing ahead with two potential developments.

Well-designed solar farms can be naturally screened from view, with medium-large sites offering the opportunity for some tree planting and enhanced biodiversity through wildflower meadows.

Key Actions:

- Compile a short list of the most suitable LBB-owned sites
- Commission a technical/commercial feasibility study
- Develop a detailed business case for any sites considered technically and commercially viable.

- Public engagement.
- Develop and submit planning applications where appropriate.

Progress:

The Carbon Management Team has conducted a high-level desk-top study to identify and assess the suitability of all Council-owned sites, which highlighted five key sites offering the greatest potential.

A consultant has recently been appointed to conduct a detailed technical and commercial feasibility study for all five sites. Their recommendations will help inform the next steps to be taken in developing a business case in 2021 for any sites deemed suitable/viable.

3.33 Initiative 6: RENEWABLES INVESTMENT

Following the government’s recent announcement for the UK to become a world leader in clean wind energy and all homes to be powered by renewable energy by 2030 it is envisaged that renewable investment opportunities will increase during the course of this plan, allowing organisations to either use the generated electricity themselves, offset their emissions, or create a revenue stream.

Key Actions:

- Explore commercial renewable investment opportunities as and when they materialise
- Explore joint partnership opportunities with other Councils

Progress:

No viable investment opportunities have been identified over the past year. However, the Carbon Management Team will continue to actively monitor the market.

3.34 Initiative 7: WOODLANDS, PARKS & GREENSPACES

Tree planting is a medium to long term solution for carbon sequestration because young trees absorb small amounts of carbon during their early years. In the context of the Council’s ten year net zero target, a significant number of trees/saplings would have to be planted across vast acres of land to make an impact. Tree establishment also comes with its challenges – a robust maintenance programme to stimulate healthy growth, and tree/site protection is vital for its success.

However, the Council recognises the value and many benefits that greenspaces, parks and woodlands provide to residents and natural ecosystems, and the need to protect and enhance them for future generations. As more and more carbon is sequestered over time, this initiative will help the Council maintain its net zero target post 2029 and reduce borough wide emissions.

Key Actions:

- Produce a new Tree Management Strategy
- Consider offsetting opportunities associated with registering new tree planting under the government approved Woodland Carbon Code.
- Quantify/compare carbon sequestration levels for native trees, grasslands, wild meadows, hedgerows, verges.

- Conduct feasibility assessments for shortlisted LBB-owned sites deemed suitable.
- Deliver suitable projects in a cost-efficient manner, maximising grant funding opportunities where possible.

Progress:

The Council’s Arboriculture team are currently producing a new Tree Management Strategy to take forward from 2021 onwards.

LBB’s Parks and Greenspaces team are currently preparing applications for a range of woodland and other habitat grants to manage the rare and priority habitats overseen by our contractor’s Bromley Countryside Team. In addition, a few large projects are being prepared ready for funding applications along with a range of smaller ones.

The Carbon Management team has begun joining up its carbon mitigation objectives with the Parks & Greenspaces and Arboriculture teams, their respective service providers, the public, and councillors to develop and implement a holistic strategy that is able to satisfy cross service objectives.

A shortlist of potential sites has been produced for further consideration to develop natural ecosystems (woodlands/grasslands/meadows or otherwise) that will deliver carbon reductions against the Council’s NZC target.

3.35 Initiative 8: CERTIFIED CARBON OFFSETS

Purchasing certified carbon offset credits remains a last resort option for offsetting any residual carbon emissions that cannot viably be offset through initiatives 5 – 8. If the Council does exercise this option the preference will be for a UK-based project, typically involving tree planting, new woodland creation or peatland bog restoration.

Key Actions:

- Research suitable UK-based carbon offset projects.
- Purchase offset credits in an honest and transparent way.

Progress:

The Carbon Management Team will look to identify the most appropriate and cost-effective carbon offsetting credits further into the ten year plan, once all of the above initiatives have been fully appraised.

4. GOVERNANCE AND REPORTING

- 4.1 Performance against LBB’s 2029 Net Zero Carbon target will be closely monitored, measured and reported by the Carbon Management Team.
- 4.2 Achieving net zero emissions will be iterative, remain ambitious and subject to change as technology evolves, the regulatory environment changes, and more government funding becomes available. Hence, continual review will be required to ensure the action plan is on track.
- 4.3 Each new project/initiative will be quantified in terms of carbon, energy and financial savings, and show before and after statistics to help assess project performance.

- 4.4 Carbon Management Performance reports are provided to the Director of Environment & Public Protection on a monthly basis at the Departmental Management Team (DMT) meetings. This report will include information pertaining to the progress of projects and other relevant carbon reduction work.
- 4.5 The Carbon Management team will report biannually to the Environment Portfolio Holder on the progress made towards LBB's net zero target, and annually to the Environment and Community Services Policy Development and Scrutiny Committee.
- 4.6 Approval to spend the Carbon Neutral Fund on suitable projects will be sought through the Executive Committee as and when required.
- 4.7 The annual 'Bromley's GHG Emissions Performance' report will continue to quantify the Council's performance in reducing their emissions and provide yearly progress statistics against the net zero target. It will include project specific information and report on actions taken to help reduce both scope 3 and borough-wide emissions, ensuring that reporting is accurate, complete and transparent (via the Council's website).

5. POLICY IMPLICATIONS

- 5.1 Aligning with the Transforming Bromley Agenda, the initiatives proposed in table 2 complement the following corporate priorities:
- **Responsible Financial Management Strategy:** reduced future costs to the council through lower energy bills.
 - **Maintaining Organisational Resilience:** A 25-year installation with forecasted output provides stability to external electricity price shocks.
 - **Modern, Efficient and Flexible Work Environment:** As part of the accommodation strategy to modernise Civic Centre buildings.
 - **Effective Resident Engagement:** Demonstrates our environmental commitments to the wider public.
 - **Improving the Public Realm, maintaining our Green Spaces and Promoting Economic Growth:** Safeguarding the environment and promoting a green recovery.
- 5.2 This plan will contribute to achieving the Council's 2029 Net Zero Carbon target commitment.

6. FINANCIAL IMPLICATIONS

- 6.1 At this point in time it is difficult to know the amount of funding required for LBB to become a carbon neutral council due to the uncertainty of which projects will be most suitable. However, Appendix A provides an indication of costings for some of the key initiatives at various stages in their development and funding commitments. Feasibility assessments are being conducted to identify and help inform the most viable and cost-effective projects/initiatives to take forward.
- 6.2 Outlined below are several potential funding streams available to the Council for the initiatives described in this report. More financial options have become available over time as the government introduces further green deals to accelerate national and regional decarbonisation.
- 6.3 Carbon Management Recycling Fund (£500k): Although the total fund amount has been committed to a street lighting LED upgrade project, as soon as the works are completed (estimated to be Spring 2021) LBB will start paying back the fund from the energy savings.

Hence, the fund will start building up again, and the money will be made available for further invest-to-save projects.

- 6.4 Salix Energy Efficiency Loan Scheme (SEELS): Salix Finance provides interest-free government funding to the public sector to improve energy efficiency, reduce carbon emissions and lower energy bills. Interest-free loans, from £5k to over £10m, can be used on a wide range of small to large invest-to-save energy efficiency projects, and paid back through the predicted savings on energy usage.
- 6.5 Salix Decarbonisation Fund: An interest-free loan that works in a similar way to the recycling fund in that LBB would have to provide 50:50 match funding.
- 6.6 The Mayor of London's Energy Efficiency Fund (MEEF): An investment fund, established by the GLA, which will help achieve London's ambition of being a zero carbon city by 2050. MEEF has been developed with Local Authorities as a core sector given their leadership in the low carbon development industry. MEEF has access to £500m of financing that can provide funding for up to 100% of the capital cost of a project. Features include: minimum investment size of £1m; fixed term interest rate; as well as funding individual projects MEEF can also fund estate wide maintenance and refurbishment.
- 6.7 Carbon Offsetting Funds (s106 contributions): To be used on a variety of carbon reduction projects across the borough. Projects can include energy efficiency measures on council property and street lighting. The current available balance is c.£282k with further funding of c.£800k (from 'approved' planning applications) projected.
- 6.8 With all of the above options, projects would need to satisfy certain energy/carbon savings over their lifetime. The Salix/SEELS funding is largely based on payback periods, whilst the Carbon Offsetting Fund (COF) is based on the cost of reducing a ton of carbon.
- 6.9 The GLA's "accelerator" frameworks aims to finance projects in their development stage, such as the commissioning of feasibility studies, consultation services, public engagement etc. With this enabling financial mechanism, the Carbon Management Team envisages more viable projects in the future at no cost to the Council throughout the project's development stage. This mechanism is also designed to deliver projects at pace by streamlining the process to achieve financial and carbon savings earlier.
- 6.10 Carbon Neutral Fund: In recognition of new investment being required to achieve LBB's net zero target, as part of approving the 2020/21 revenue budget the Council agreed to establish a Carbon Neutral Fund. This will provide pump-priming funding of £0.875m for new initiatives to reduce the Council's carbon footprint whilst reducing its long-term energy costs.
- 6.11 Capital Programme Funding: For future energy efficiency initiatives as part of the Environment Work Programme, such as building refurbishment, further street lighting upgrades, and renewable energy projects.
- 6.12 Each initiative to achieve the Council's net zero target will need to be assessed through a detailed business case process, taking into account available funding, revenue budget savings and other investment priorities. Savings generated from these projects will need to be factored into consideration of the Council's future budget strategy.

7. PROCUREMENT IMPLICATIONS

7.1 No procurement implications.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children Legal Implications Personnel Implications
Background Documents: (Access via Contact Officer)	Carbon Management Programme: Executive Report ED98067 (7 October 2008) <u>Bromley Council's GHG Emissions Reporting</u>

APPENDIX A: Net Zero Carbon Action Plan Matrix

Initiative 1: Street Lighting LED Upgrade			
Upgrade remaining 14,000 non-LED street lights (including dimming capability and photocells)			
Cost	Approx. £4.5m		
Carbon Savings (tCO₂)	1,600 - 1,800		
Reduction of LBB's Total Carbon Emissions (%)	24 - 27%		
Action	Timescale	Action Owner	Progress to Date
Upgrade all 10m and 8m traffic route lanterns	2020 - 2021	Highways / Carbon Management	Project approved to upgrade ~ 3650 lights at a cost of £1,121m. Installation works commenced Oct 2020.
Develop/deliver a phased upgrade programme for updating the remaining 10,000 non-LED lights.	2020 - 2026	Highways	Upgrade of remaining non-LED lights now being considered.

Initiative 2: Buildings (energy efficiency)			
Identify and install energy efficiency measures and smart technology across Bromley Council's estate			
Cost	tbc (dependent on opportunities identified)		
Carbon Savings (tCO₂)	380 - 765		
Reduction of LBB's Total Carbon Emissions (%)	5 - 10%		
Action	Timescale	Action Owner	Progress to Date
Undertake a full energy audit of the top 10-15 most energy intensive buildings to identify energy efficiency opportunities.	2021	Strategic Property / Carbon Management	Exercise delayed to 2021 due to (Covid-19) building access restrictions.
Develop/deliver an energy efficient upgrade programme for the priority sites	2021 - 2029	Strategic Property	Dependent on opportunities identified from energy audit.
Ensure any site refurbishments and new build projects incorporate low carbon design elements and solar photovoltaic (pv) installation wherever viable	2020 - 2029	Strategic Property / Carbon Management	Tender exercise currently underway for the installation of solar panels on the rooftop of the Civic Centre's North Block building. Currently investigating scope of LED upgrade project with facilities management contractor. Work streams dependent on outcomes of Capital Works Programme.
Roll out an Automated Meter Reading (AMR) meter installation programme	2021 - 2026	Strategic Property	Assessment to begin 2021.

Initiative 3: 100% Renewable Energy			
Procure 100% renewable electricity and gas			
Cost	tbc (dependent on green tariffs offered at time of energy contract renewal)		
Carbon Savings (tCO₂)	Up to 6,273		
Reduction of LBB's Total Carbon Emissions (%)	Up to 95%		
Action	Timescale	Action Owner	Progress to Date
Quantify additional costs for switching to 100% renewable energy.	2020	Strategic Property	Energy procurement tender currently underway, which will identify any additional costs.
Review green energy options for both gas and electricity when the existing energy contract nears expiry.	2020	Strategic Property / Carbon Management	Green energy options being considered as part of energy procurement tender

Initiative 4: Council Fleet Electrification			
Switch to an electric fleet			
Cost	tbc (varying costs for leased and LBB-owned vehicles)		
Carbon Savings (tCO₂)	Up to 32% (dependent on electricity supply source and electricity transmission and distribution emissions)		
Reduction of LBB's Total Carbon Emissions (%)	< 1%		
Action	Timescale	Action Owner	Progress to Date
Install electricity charge points at the main depot	2021 - 2023	Strategic Property	Included in the Council's capital works programme.
Switch to a 100% electric fleet	2020 - 2029	Transport Operations	The Council continues to assess electric vehicle options as and when existing fleet vehicles are either decommissioned or lease agreements renewed.

Initiative 5: Solar Farms			
Develop solar farm options			
Cost	c. £1.3m per 2MW (10 acre site)		
Carbon Savings (tCO₂)	600 (2MW site)		
Reduction of LBB's Total Carbon Emissions (%)	10% for smallest (10 acre) sized site		
Action	Timescale	Action Owner	Progress to Date
Compile a short list of the most suitable LBB-owned sites	2020	Carbon Management	High-level desk-top study completed - five key sites offering the greatest potential identified.
Commission a technical/commercial feasibility study	2020	Carbon Management	Consultant appointed to conduct feasibility study in Oct/Nov 2020.
Develop a detailed business case for any sites considered technically and commercially viable.	2021	Carbon Management	To be actioned in 2021
Public engagement.	2021 - 2022	Carbon Management	To be actioned in 2021/2022
Develop and submit planning applications where appropriate	2021 - 2022	Carbon Management	To be actioned in 2021/2022

Initiative 6: Renewables Investment			
Assess investment opportunities in offshore/onshore wind and solar installations			
Cost	tbc (as and when opportunities present themselves)		
Carbon Savings (tCO₂)	tbc (dependent on investment scheme)		
Reduction of LBB's Total Carbon Emissions (%)	tbc		
Action	Timescale	Action Owner	Progress to Date
Explore commercial renewable investment opportunities as and when they materialise	2020 - 2029	Carbon Management	Ongoing
Explore joint partnership opportunities with other Councils	2020 - 2029	Carbon Management	Ongoing

Initiative 7: Woodlands, Parks & Greenspaces			
Additional tree planting and development of green infrastructure			
Cost	tbc		
Carbon Savings (tCO₂)	50 (based on 1,020 new whips being planted in 2021)		
Reduction of LBB's Total Carbon Emissions (%)	<1% by 2029		
Action	Timescale	Action Owner	Progress to Date
Produce a new Tree Management Strategy	2020 - 2021	Arboriculture	Currently being written.
Consider offsetting opportunities under the government approved Woodland Carbon Code.	2021 - 2022	Carbon Management / Arboriculture	To be actioned in 2021
Quantify/compare carbon sequestration levels for native trees, grasslands, wild meadows, hedgerows, verges.	2021	Carbon Management / Arboriculture	Initial discussions commenced in 2020.
Conduct feasibility assessments for shortlisted LBB-owned sites deemed suitable	2021 - 2022	Carbon Management / Arboriculture / Parks & Greenspaces	5 priority sites identified - to be further assessed.
Deliver suitable projects in a cost-efficient manner, maximising grant funding opportunities	2021 - 2029	Carbon Management / Arboriculture / Parks & Greenspaces	Potential grant funded schemes/opportunities identified in 2020.

Initiative 8: Certified Carbon Offsets			
Purchase certified carbon offset credits (UK-based projects) as a last resort option			
Cost	From £12/tCO ₂ upwards		
Carbon Savings (tCO₂)	Dependent on residual emissions		
Reduction of LBB's Total Carbon Emissions (%)	Dependent on residual emissions		
Action	Timescale	Action Owner	Progress to Date
Research suitable UK-based carbon offset projects.	2024 - 2029	Carbon Management	To be actioned in 2024
Purchase offset credits in an honest and transparent way	2025 - 2029	Carbon Management	To be actioned between 2025 - 2029

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Report No: ES20045		ECS PORTFOLIO PERFORMANCE MONITORING (2020/21)																						
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	2019-20 TARGET	2019-20 ACTUAL	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Year End Projection	GOOD PERFORMANCE	2020-21 TARGET	2019-20 RAG STATUS	COMMENTARY (BY EXCEPTION)	
1: Improving the Street Scene	ECS 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%	>75% >81% >90%	73% 87% 89%	Annual	Annual	Annual	Annual	Annual	79% 89% 85%	Annual	HIGH	>76% >82% >90%	GREEN	Satisfaction with 'local streets' was up from 73% to 79% and 'local Neighbourhood' is up from 87% to 89%. Town Centres were affected by the COVID-19 pandemic with on-street survey numbers down to just 90% due to a lack of engagement and as a result this has impacted upon the score for that area. As a result of the smaller sample size, the scores are more liable to fluctuations. The team remain committed to deliver excellent services across the board even through the on-going pandemic and will use the albeit limited feedback we received from the completed surveys to guide our resources as we move forwards.	
	ECS 2	Streets Meeting Acceptable Cleanliness (%)	97.60%	99.00%	95.00%	90.44%	95.00%	99.00%	94.73%	94.92%	>92%	95.9167%	96%	98%	97%	98%	97%	98%	97%	HIGH	>92%	GREEN		
2: Minimising Waste and Increasing Recycling	ECS 3	Total Waste Arising (refuse and recycling) (tonnes)	144,660	146,192	145,000	149,875	149,000	145,748	144,266	144,207	146,000	145,748	10,430	11,914	13,780	13,130	11,504	13,440	148,981 annual profile	LOW	146,000	AMBER	COVID-19 has had an impact on both the amount of non-recyclable refuse and recycling produced by residents and businesses in Bromley. With more people working from home the total amount of waste generated between June and September 2020 was higher than it was during the same months in 2019. In addition to home working, this is likely to be because there is more reliance on disposable items like face masks and because shopping is moving online increasing the amount of packaging received. The total waste arisings managed by the Council also include commercial waste, in addition to a rise in total household waste there has been an increase in the total commercial waste arisings over the last 6 months from our business waste collection service and also the amount of waste delivered to our HRRCS. The possible reasons are that there has been an increase in single use items used such as aprons at hairdressers which would have formally been reusable as a result of COVID-19 safety measures taken by local businesses, and where businesses have closed some have taken the opportunity to refurbish/ clear out their premises resulting in additional waste.	
	ECS 4	Household Waste Recycled or Composted (%)	49.02%	47.30%	50.00%	48.35%	50.00%	50.00%	50.00%	50.10%	50.5%	45.3%	47%	54%	52%	54%	50%	55%	52%	HIGH	50.50%	GREEN	There has been an increase in recycling during the lockdown period, mainly for food waste (potentially because people have been cooking more at home) and also in terms of packaging as a result of a growth in online orders.	
	ECS 5	Local Authority Collected Waste Sent to Landfill (%)	27.00%	27.22%	25.00%	23.68%	24.00%	18.00%	24.00%	13.07%	14.00%	5.36%	0.00%	0.40%	0.00%	0.00%	0.00%	0.00%	0%	0%	LOW	2.00%	GREEN	
	ECS 6	Residual Household Waste per Household (kg)	464.6	478.3	445.0	486.7	485.0	434.0	449.0	454.0	450	469	26	33	40	33	29	31	385	LOW	440	GREEN		
	ECS 7	Number of Green Garden Waste customers (No.)	15,864	18,192	20,000	21,845	26,500	23,863	27,259	28,189	30,000	31,147	32,980	34,645	35,814	36,163	37,007	37,191	31,000	HIGH	30,000	GREEN		
3: Enhancing Bromley's Parks and Green Space	ECS 8	Waste & Recycling collections - homes missed (per 100,000)	78	128	60	182	180	119	140	135	120	166	171	158	169	151	116	124	120	LOW	120	GREEN	September shows a performance improvement of 4.16% from August with a very encouraging 124 Missed Bins per 100k. For the first two weeks in September, the target of 120 was achieved, but some staffing issues with absenteeism saw a dip in the 3rd week which was rectified towards the end of the month. (NB: this was not COVID-19 related).	
	ECS 9	Public Satisfaction with Parks and Grounds Maintenance (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	75%	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be delivered in Q4 (Delayed due to COVID-19)	This will be developed in Q4	HIGH	80%	GREEN		
	ECS 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	75%	97%	91%	73%	97%	100%	100%	100%	94%	HIGH	75%	GREEN		
	ECS 11	External Funding (£000)	337	207	340	437	Outcome	175	Quarterly	144	N/A	85	Quarterly	Quarterly	11	Quarterly	Quarterly	Quarterly	Provided in Q3	OUTCOME	N/A	OUTCOME	The quarterly figure has been affected by the impact of COVID-19. At a local level, fundraising will remain a challenge whilst social distancing measures are in operation and whilst the popular 'National Lottery Awards for All' Programme (up to £10k) is temporarily closed to non-COVID related applications. Idverde Fundraising team are optimistic for the year as funds will begin to come in for some of the large projects. In addition, Idverde are still assessing a number of potential new projects to ensure that the Council has a healthy fundraising project pipeline.	
	ECS 12	Partnership Funding* (£000)	172	43	Outcome	60	Outcome	20	Annual	13	N/A	Awaiting Data	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	OUTCOME	N/A	OUTCOME	
	ECS 13	Number of attendees for environmental education sessions at BEECHE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	New KPI for 19/20	4,000	383	0 (Sessions cancelled due to COVID-19)	0 (Sessions cancelled due to COVID-19)	0 (Sessions cancelled due to COVID-19)	0 (Sessions cancelled due to COVID-19)	127	203	2,000	HIGH	4,500	RED	This target is currently not achievable due to COVID-19 and the current limitations in place. The BEECHE centre have to limit the number of attendees at educational sessions in line with government legislation. This target might need to be adjusted to reflect the current limitations. The centre continues to fulfil its role as an educational ecology centre and therefore schools will continue to participate in line with their own social distancing requirements. Only the retail visitor centre is closed to the public.
4: Managing our Transport Infrastructure & Public Realm	ECS 14	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	Net gain in street trees	Felled: 372 Planted: 417 Net gain: 45	Annual	Annual	Annual	Annual	Annual	Annual	Net gain: >0	HIGH	Net gain in street trees	GREEN		
	ECS 15	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	75.0%	60%	89% (288 out of 322)	69% (262 out of 379)	93% (754 out of 807)	89% (1132 out of 1268)	79.46% (1100 out of 1383)	62.58% (719 out of 1149)	80%	HIGH	75.00%	GREEN		
	ECS 16	Condition of principal (A) roads (% considered for maintenance)	1%	2%	<6%	2%	6%	2%	6%	3%	<6%	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	Annual	LOW	<6%			
	ECS 17	Condition of non-principal classified (B & C) roads (% considered for maintenance)	3%	2%	<8%	2%	8%	2%	8%	2%	<8%	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	TBC in Autumn 2020 by TFL	Annual	LOW	<8%			
	ECS 18	Number of FPNs Issued (to utilities in relation to permits)	534	509	N/A	427	Outcome	145	63	48	N/A	89	0	1	10	0	10	12	66	OUTCOME	N/A	OUTCOME		
4: Managing our Transport Infrastructure & Public Realm	ECS 19	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	N/A	N/A	75	25	51	75	62	33	642	OUTCOME	N/A	OUTCOME		
	ECS 20	Routine street lighting maintenance tasks completed within four working 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%	96.5%	100.00%	99.41%	98.52%	95.88%	97.38%	95.50%	97.8%	HIGH	95%	GREEN		
	ECS 21	Routine street lighting maintenance tasks completed within eight working days (monthly) (%)	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	New Indicator	N/A Part year contract	N/A Part year contract	100%	97%	100.00%	99.41%	98.82%	98.63%	98.36%	98.50%	99.0%	HIGH	100%	AMBER	Riney have been asked to provide an improvement plan for future delivery of this service.	
	ECS 22	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%	90.0%	83.8%	93.29%	72.22%	74.69%	72.49%	78.97%	85.89%	79.6%	HIGH	90%	AMBER		
4: Managing our Transport Infrastructure & Public Realm	ECS 23	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%	90.0%	86.0%	96.72%	91.91%	92.26%	93.26%	95.44%	Awaiting Data until following month	90.0%	HIGH	90%	GREEN		
	ECS 24	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%	46%	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	19/20 data will not be recorded due to COVID-19 lockdown	Annual	HIGH	48%		This data has not been collected at schools this year as they were closed in the summer term when the count is usually made. Due to Covid no Hands Up data was collected in July 2020. TFL have confirmed that the previous Stars Accreditation will remain in place for an additional year.	
	ECS 25	Daily Trips Originating in the Borough made by Bicycle (%)	1.0%	1.7%	1.4%	1.2%	1.5%	1.1%	1.5%	0.8%	1.6%	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Annual	HIGH	1.7%		This data has not been made available by TFL yet.	

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	2019-20 TARGET	2019-20 ACTUAL	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Year End Projection	GOOD PERFORMANCE	2020-21 TARGET	2019-20 RAG STATUS	COMMENTARY (BY EXCEPTION)	
5: Improving Travel, Transport & Parking	ECS 26	Daily Trips Originating in the Borough made by Foot (%)	25.0%	25.3%	28.4%	25.3%	28.5%	26.0%	28.5%	25.4%	28.6%	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Annual	HIGH	29.0%			
	ECS 27	Average Vehicle Delay (mins per km - principal roads)	0.77	0.80	<0.7	0.80	<0.7	Awaiting Data from TIL	<0.7	Awaiting Data from TIL	<0.7	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Annual	LOW	0.70			
	ECS 28	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	<1.0	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Awaiting 19/20 data	Annual	LOW	<1.0			
	ECS 29	People Killed or Seriously Injured in Road Traffic Accidents (No.)	107	131	...	129	...	107	<99	111	<92	106 (calendar year 2019)	Calendar Year to Date = 21						85	LOW	<86	GREEN	Since the new way of categorising Killed and Seriously Injured was brought in across London in November 2016, and as KSI numbers are statistically speaking relatively small, it has been difficult to be sure that we have enough data points to project a trend. However, it is disappointing to see no downward movement in the KSI data over the last three years.	
	ECS 30	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	Target cannot be set at present	16	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	Target cannot be set at present		
	ECS 31	Total Road Accident Injuries and Deaths (No.)	N/A	N/A	N/A	N/A	N/A	1024	Target cannot be set at present	737	Target cannot be set at present	883	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	LOW	Target cannot be set at present		
	ECS 32	Customers using online self-serve transactions to challenge PCNs (%)	60.8%	66.9%	N/A	67.5%	72%	70.5%	66.7%	67.4%	76.6%	72.2%	61.0%	75.2%	84.5%	82.9%	80.0%	75.3%	76.5%	HIGH	78.7%	AMBER	Parking Services are continuing to monitor their website and stationery used for PCNs / statutory notices that are sent to customers to ensure that they encourage online appeals over postal. This is an on-going exercise that officers will continue to monitor every quarter and where necessary make any changes to the stationery wording.	
	ECS 33	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	80	16	0	0	0	0	0	0	7	LOW	70	GREEN		
	ECS 34	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%	1.0%	1.8%	0.59%	0.28%	1.09%	1.55%	1.12%	1.57%	1.0%	LOW	1%	GREEN		
	ECS 35	Cashless parking usage in on and off street locations (Percentage of users paying for on and off street parking by RingGo)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	>33%	41.7%	38.59%	42.3%	45.6%	47.7%	50.4%	52.2%	46.1%	HIGH	>40%	GREEN		

*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.
ES20052

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Environment and Community Services PDS Committee and Public Protection and Enforcement PDS Committee

Date: 17 November 2020 and 8 December 2020

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

Title: Risk Register

Contact Officer: Sarah Foster, Head of Performance Management and Business Support
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Lucy West, Senior Performance Officer, Tel: 020 8461 7726 Email: Lucy.West@bromley.gov.uk

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

Ward: All Wards

1. Reason for report

- 1.1 This report presents the latest Environment & 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: E&PP DMT and Corporate Risk Management Group.

2. **RECOMMENDATIONS**

That the Environment and Community Services PDS Committee and Public Protection and Enforcement PDS Committee reviews and comments on the appended E&PP Risk Register. It should be noted that each risk has been highlighted as being relevant to one committee only (and therefore should be discussed at the relevant meeting).

Impact on Vulnerable Adults and Children

1. Summary of Impact: The appended Risk Register covers services provided by the E&PP 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: £31.4m and £2.4m
 5. Source of funding: Existing revenue budget 2020/21
-

Personnel

1. Number of staff (current and additional): - 144.5 FTEs and 46.3 FTEs
 2. If from existing staff resources, number of staff hours: - N/A
-

Legal

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

Procurement

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Risk Register Background

- 3.1 The Council's 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 E&PP 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 quantified and ranked according to the risk presented to the Council).
- 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 E&PP 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 E&PP'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 25th September 2020 and at Audit Sub-Committee, which last met on 3rd November 2020.
- 3.8 At the time of writing, the Council has 116 individual risks (105 departmental plus 11, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 26 risks (~22% of the Council's total).
- 3.10 The appended E&PP 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. There are no E&PP risks currently ragged 'red' following the implementation of management control measures.

Ref	Risk & Description	Gross Risk Rating	Net Risk Rating
1	Emergency Response: Failure to respond effectively to a major emergency / incident internally or externally	8	6
2	Central Depot Access: Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	12	9
3	Fuel Availability: Fuel shortage impacting on transport fleet / service delivery	5	4
4	Business Continuity Arrangements: Lack of up-to-date, tried and tested, BCP for all Council services	8	8
5	Industrial Action: Contractors' staff work-to-rule / take strike action impacting on service delivery	12	8
6	Health & Safety (E&PP): Ineffective management, processes and systems within E&PP departmentally	12	8
7	Highways Management: Deterioration of the Highway Network due to under-investment	8	6
8	Arboricultural Management: Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc	12	9
9	Income Variation (Highways and Parking) (Non-Covid): Loss of income at a time when the Council is looking to grow income to off-set reduced funding	9	6
10	Waste Budget: Increasing waste tonnages resulting in increased waste management costs	20	12
11	Town Centre Businesses and Markets: Loss of town centre businesses to competition	15	6
12	Staff Resourcing and Capability: Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	12	9
13	Climate Change: Failure to adapt the borough and Council services to our changing climate	12	8
14	Income Reconciliation (Public Protection Licensing): Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	6	6
15	Income Reconciliation (Waste Management): Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	2	2
16	Dogs and Pests Contract: Failure to deliver the contract to the required service levels	6	4
17	Out of Hours Noise Service: Failure to deliver statutory services	12	12
18	Integrated Offender Management: Failure to contribute to IOM in Bromley	12	12
19	Anti-Social Behavior Co-Ordinator post: Failure to deliver ASB problem solving and partnership activity	12	12
20	Gangs and Serious Youth Violence Officer: Inability to deliver strategic coordinated gang disruption work with partners across the borough*	16	16
21	The provision of 24/7 CCTV Monitoring: Inability to provide 24-7 CCTV monitoring	12	6
22	Loss of Income from Licensing: Lost income from alcohol and gambling licenses	12	9
23	Risk to Health: Officers exposed to COVID-19 through enforcement visits	12	9
24	Staff Resourcing - Public Protection Enforcement: Inability to deliver to existing statutory responsibilities	9	6
25	Increased Costs for Coroners Service: Additional estimated costs due to high risk post mortems	12	9
26	COVID-19 related loss of income (Traffic & Parking): Greatly reduced income from parking charges. Failure to deliver transport improvements.*	20	12

*Note that since the September review of the risk register, funding has been extended for both of these risks (LIP to end of March 2021 and Gangs Officer for a further year). These risk scores will reduce in the next version of the register.

- 3.11 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (i.e. 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.
- 3.12 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 regularly reviewed and adjusted in light of any 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. It also covers Public Protection activities which do impact on vulnerable people – for example the Trading Standards team are responsible for safeguarding vulnerable adults who may be targeted by rogue traders and the Anti-Social behaviour and Gangs and Serious Youth Violence teams are actively targeting and supporting those young people that are at risk of crime.

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 some contracts is captured in the appended register due to their 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. 12: Staff Resourcing and 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. compliance with Health & Safety law and Industrial Action.

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

RISK REGISTER REPORT (ES18037): RISK ASSESSMENT GUIDANCE SUMMARY

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

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

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

Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	
1	1	Both	All E&PP	Emergency Response Failure to respond effectively to a major emergency / incident internally or externally	Cause(s): -Emergency may be triggered by storms, floods, snow, extreme heat or other emergency. Ineffective response could be caused by capacity and/or organisational issues Effect(s): - Failure to fulfil statutory duties in timely manner - Disruption to infrastructure and service provision in general	Service Delivery	2	4	8	1. Corporate Major Emergency Response Plan 2. Adoption of Standardisation Process in terms of Emergency Response 3. Business Continuity Policy & Strategy and associated Service Business Continuity Plans 4. Out-of-Hours Emergency Service 5. Winter Service Policy and Plan (reviewed annually) 6. Ongoing training, Testing and Exercising programme 7. Multi-agency assessment of emergency risks 8. Training Programme delivered for volunteers in respect of Standardisation Process 9. Implementation of 'on-call rota' for Emergency Response Manager and at Director level 10. Multi-agency forum for emergency preparedness, response and recovery planning within the Borough	2	3	6	1. Delivery of the Business Continuity Management process by CLT 2. Development of risk-specific arrangements based upon London Resilience frameworks, informed by the Borough Community Risk Assessment 3. Recruit and train more Emergency Response Volunteers 4. Implementation of the Resilience Standards For London	David Tait
2	2	Both	All E&PP	Central Depot Access Major incident resulting in loss of / reduced Depot access affecting service provision (LBB's main vehicle depot)	Cause(s): -Fire, explosion, train derailment, strike etc. Effect (s): -Significant service disruption (Waste, Street Cleaning, Gritting, Fleet Management, Streetscene & Greenspace service management etc.)	Service Delivery	4	3	12	1. Contingency plans for: - Alternative vehicle parking - Temporary relocation of staff - Storage of bulky materials 2. Implement Business Continuity Plans 3. Close liaison with other Depot users (e.g. Waste Contract, Street Cleansing) and Highways Winter Service Team 4. 'Central Depot Users Group' (Health & Safety forum for all site users) 5. Work Place Risk Assessments in place 6. Depot Insurance reviewed September 2019 to ensure full reinstatement cover is in place 8. Waste Service Change has incorporated separate battery collection which will reduce likelihood of fires from batteries in residual waste	3	3	9	1. Site re-development plans to include recommendations from fire safety audit. To include consideration of fire suppression systems	Paul Chilton
3	3	Both	All E&PP	Fuel Availability Fuel shortage impacting on both LBB and service provider transport fleet	Cause(s): -National or local fuel shortage caused by picketing or other external factors Effect (s): -Failure to provide services impacting on residents and other customers	Service Delivery	1	5	5	1. Identified alternative fuel supplies at contractors and neighbouring boroughs (corporate Fuel Disruption Plans based on National Plan are held by the Emergency Planning Team) 2. Designated Filling Station identified under National Emergency Plan by London Resilience Team as designated fuel supply for LBB logoed vehicles 3. Fuel store at Central Depot 4. Ongoing liaison with other London Boroughs concerning collaboration and assistance	1	4	4	1. Continue to monitor service provider arrangements for ensuring adequate fuel supply	Peter McCready
4	4	Both	All E&PP	Business Continuity Arrangements Lack of up-to-date, tried and tested, BCP for all Council services	Cause(s): -Failure to implement and keep up-to-date effective service and corporate Business Continuity Plans Effect(s): -Non-provision of critical services following an incident (internal or external)	Service Delivery	2	4	8	1. Corporate Risk Management Group now encompasses Business Continuity 2. Full suite of BC plans in place across all Directorates, including E&PP 3. Overarching corporate BC plan developed identifying prioritisation of all services 4. All E&PP BC plans now transposed on to new corporate BCP template 5. Corporate BC management policy & strategy document signed off by leader and chief exec 6. Ensure all service providers have up to date Business Continuity Plans	2	4	8	1. CLT adoption of BCM which will monitor delivery on behalf of COE going forwards. Current COVID-19 disruption to ways of working has tested BCPs during the largest disruption encountered in decades. ICT system failure has been identified as the largest risk and is outside the control of E&PP	David Tait
5	6	Both	All E&PP	Industrial Action Contractors' staff work-to-rule / take strike action impacting on service delivery	Cause(s): -Union dissatisfaction over pay and conditions (particularly in Waste, Libraries) Effect (s): -Temporary disruption to service / reduced customer satisfaction	Service Delivery	3	4	12	1. Ongoing monitoring / meetings regarding workforce issues 2. Joint development of Business Contingency Plans with Service Providers 3. Staff training and engagement built into the Environmental Services contracts	2	4	8	1. Review public communications to be used in the event of a strike 2. Staff training and engagement incorporated into communications with Library staff	Colin Brand
6	8	Both	All E&PP	Health & Safety (E&PP) Ineffective management, processes and systems within E&CS departmentally	Cause(s): -Failure to take departmental action to reduce likelihood of accidents, incidents and other H&S issues Effect (s): -HSE investigation / prosecution leading to fines, increased insurance claims, and reputational damage	Health & Safety	3	4	12	1. Workplace Risk Assessments (including lone and home working) 2. Accident & Incident Reporting system (AR3 & Riddor) 3. Contractor Inspection electronic Reporting system 4. Interface with Corporate Risk Management Group 5. Annual audits and annual paths surveys (Parks) 6. Cyclical 5-year survey of park trees and highway trees 7. Regular Footway inspections 8. Fire responsible persons list in place for all sites under the control of E&PP 9. EPP Health and Safety Committee meets regularly to review departmental Health and Safety arrangements 10. All corporate policies followed for COVID-19 risk assessments. Staff home working unless unable to do so.	2	4	8	1. Ensure Workplace Risk Assessments (inc. Homeworking) updated annually and biennial reviews conducted 2. Encourage reporting of all significant accidents and incidents using AR3 form (and reporting of RIDDOR incidents) 3. and ensure the necessary communication and training is provided. 4. Ensure resource exists to discharge statutory functions 5. Ensure any staff wishing to return to the office during COVID-19 have done so in accordance with all corporate processes and procedures.	Sarah Foster (Paul Chilton leading during COVID 19 whilst SF is seconded to Shielding, Volunteering and Assistance programme)
7	12	ECS	Highways	Highways Management Deterioration of the Highway Network due to under-investment	Cause(s): -Failure to manage Highways in respect of traffic volumes, winter weather, financial resources leading to deteriorating condition Effect (s): -Leading to increased maintenance costs, insurance claims (trips, falls and RTAs) and reputational damage	Financial	2	4	8	1. Strategy to mitigate insurance claims 2. Inspection regime and defined intervention levels for maintenance repairs and monitoring 10% of works for compliance 3. Winter Maintenance procedures (gritting / salting) 4. Increased salt storage capacity 5. Improved customer expectation management 6. Asset management technique (e.g. Highway Asset Management Plan) 7. New capital programme to reduce reactive works 8. Performance Management measures incorporated into Highways contract 9. Modernisation of contractor's programming and completion of maintenance repairs involving remote working ICT technology	3	2	6	2. Additional inspections carried out and repairs undertaken as necessary	Garry Warner

Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	21.09.20
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING		
8	13	ECS	SSGS	Arboricultural Management Failure to inspect and maintain Bromley's tree stock leading to insurance claims etc.	Cause(s): -Failure to ensure that trees are managed as safely as reasonably practicable Effect (s): -Leading to blocked highways, reputational damage and financial liabilities	Financial	4	3	12	1. Tree care and safety contract in place (new contract commenced April 2019) 2. Full asset Survey of ~30% of street and park trees (and 50% of school trees) 3. Risk trees identified and registered increased inspection frequency using asset management database (Confirm) 4. Implement remedial works to address risk associated defects 5. Review Tree Risk Management Strategy (annually) 6. Review the 'Storm Strategy' annually to be able to respond quickly and call in additional staff, equipment and contractors 7. Provide a cyclical safety survey and remedial works schedule commensurate to budget availability and potential prioritisation 8. Work with FixMyStreet Officer (Secondment) to ensure enquiries are responded to as quickly as possible	2	3	6	1. Recruitment of 1 FTE to ensure that the Arboriculture Team are up to full capacity and enabling tree surveying to be up to date.	Peter McCready
9	14	ECS	All E&PP	Income Variation (Highways and Parking*) Loss of income when the Council is looking to grow income to offset reduced funding *Note new COVID-19 specific parking risk addition at the end of this register	Cause(s): - Improved Street Works performance by utility companies (reduced fines) - Under-achievement of expected car parking income and parking enforcement, due to resistance to price increases and reduced incidents - Loss of income from Penalty Charge Notices for Bus Lane Enforcement activity - Reduction in Street Enforcement activity (Fixed Penalty Notices) - Failure of APCOA (new Parking contractor) to provide contracted services (e.g. strikes) Effect (s): -Loss of income with potential to reduce service delivery funds	Financial	3	3	9	1. Regular income monitoring and review of parking tariff structures, including benchmarking Parking charges against other authorities and local private sector competitors 2. Monitoring contractor performance (e.g. only issue good quality PCNs) 3. Good debt recovery systems 4. Monitoring parking use and avoid excessive charge increases 5. Provide attractive, safe clean car parks 6. Regular contractor meetings 7. Monitoring of parking enforcement activity through Performance Indicators reported to PDS Committees (E&CS, PP&E) 8. Scrutiny of APCOA at PDS meetings	3	2	6	1. Refine procedure for resolving disputes with utilities 2. Review of parking tariff structures 3. Monitor income trends 4. Continue to monitor success in achieving enforcement objectives 5. Intelligence-led targeting of hotspot sites for enforcement 6. Review of further income opportunities as part of Council's Transformation agenda	Colin Brand
10	15	ECS	SSGS	Waste Budget Increasing waste tonnages resulting in increased waste management costs	Cause(s): - COVID-19 pandemic has and will continue to impact the amount of waste generated by Bromley Households and Businesses. Increased home working and a move towards single use could increase waste tonnages and associated costs. - Failure to anticipate/manage waste management financial / cost pressures due to increasing landfill tax, increasing property numbers, declining recycling income (lower paper tonnages or rejected wet paper loads) and limited alternate treatment capacity. - Waste tonnage growing faster than budgeted or operational factors (i.e. adverse weather conditions, additional home working during COVID-19 etc.) Effect (s): - Budgets being exceeded and potential knock-on impact on other Council services	Financial	5	4	20	1. Cost pressures recognised in Council's Financial Strategy 2. Send virtually zero to landfill from April 2020, minimising any tax increase 3. Continued focus on promoting waste minimisation and recycling (e.g. in Environment Matters and through targeted campaigns and initiatives e.g. the flats above shops pilot launched in September 2020) - Monthly monitoring of recycled tonnages and projection to yearly figures - Regular and sustained recycling awareness campaign - Consolidation of Compositing for All campaign - Continuing investigation of waste minimisation and recycling initiatives - Monthly monitoring of all waste tonnages and projection to yearly figures - Monthly monitoring of all collection costs and figures - Ongoing analysis of collection and disposal methodology 4. Reviewing and benchmarking operational costs to identify options 5. Monitoring procedure in place (from December 2019) for the testing of paper loads to determine moisture content.	3	4	12	1. Continue to work with Veolia to ensure that recycling services are offered to residents throughout the COVID-19 pandemic.	Peter McCready
11	18	ECS	All E&PP	Town Centre Businesses and Markets Loss of town centre businesses to competition and as a result of the COVID-19 pandemic	Cause(s): -COVID-19 Pandemic causing businesses and market traders to cease trading (temporarily or permanently) - Town centre social distancing measures resulting in a reduced amount of market stalls Effect(s): -Reduction in high street business and market stall occupancy -Loss of income (Business rates and market stalls) -Poor public perception and negative publicity	Financial	5	3	15	1. BID Teams organise town centres events 2. Investment in Orpington High Street and Bromley North (done) 3. Regular advertising / promotion of markets and availability of stalls 4. Review of Market operational costs to reduce costs where possible (a new Market Strategy is under development and will be delivered from 2020/21) 5. Regular maintenance and renewal of market infrastructure - recent market relocation project has been completed and feedback from traders is positive 6. Markets Manager attends regular strategy meetings with BIDs and has provided guidance for a new town centre (BID) framework agreement	2	3	6	1. Ongoing review of market provision linked to outsourcing service provision 2. Detailed annual action plan to be drawn up for each town centre	Colin Brand

Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	21.09.20	
														FURTHER ACTION REQUIRED	
12	39	Both	All E&PP	Staff Resourcing and Capability Loss of corporate memory and ability to deliver as key staff leave (good new staff are at a premium)	Cause(s): -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. Effect (s): -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).	Service Delivery	3	4	12	1. Ongoing programme to find and retain quality staff through internal schemes such as career grades and ongoing CPD	3	3	9	1. Consider potential for contractors to supply necessary skills 2. Review options with HR for incentivisation schemes to ensure staff recruitment and retention is high 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.	Colin Brand
13	41	Both	All E&PP	Climate Change Failure to adapt the borough and Council services to our changing climate	Cause(s): -Severe weather events including extreme heat, storms, floods etc. Effect (s): -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	Service Delivery	3	4	12	1. Adopt best adaptation practice as identified through London Climate Change Partnership, UK Climate Impacts Programme, and the Local Adaptation Advisory Panel 2. Implementation of LBB's Carbon Management Programme 3. LBB Surface Water Management Plan and Draft Local Flood Risk Strategy 4. Establish net zero (direct) carbon emissions target for 2029 as part of 10 year climate plan	2	4	8	1. Emergency Planning to liaise with Public Health on cross-cutting issues e.g. excess summer deaths and vector-borne disease etc. 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	Sarah Foster (Colin Brand leading during COVID-19 whilst SF is seconded to Shielding, Volunteering and Assistance programme)
14	25	PPE	Public Protection	Income Reconciliation (Public Protection Licensing) Uncertainty around income reconciliation when the Council is looking to grow income to offset reduced funding	Cause(s): - Lack of processes to reconcile actual licence fee income against expected income held on service specific IT systems. Effect (s): - Loss of income with potential to reduce service delivery funds - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Continual Benchmarking of licensing charges against other authorities	3	2	6	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this	Joanne Stowell
15	26	ECS	SSGS	Income Reconciliation (Waste Management) Uncertainty around income reconciliation linked to the mobilisation of new waste contracts	Cause(s): -Lack of integration between client and service provider IT systems so that data is not linked - Loss of income due to the closure of some businesses during the COVID-19 pandemic Effect (s): - Loss of income from Commercial Waste and Green Garden Waste services with potential to reduce service delivery funds - Costs incurred as a result of additional last minute resources required to deliver services - Reputational damage	Financial	3	2	6	1. Regular income monitoring 2. Good debt recovery systems 3. Monitoring of activity through Performance Indicators 4. Suspend commercial accounts allowing the businesses to return once open following the COVID-19 pandemic.	1	2	2	1. Refine procedure for reconciliation of expected income against actual and provide suitable training for staff to deliver this. 2. Project in 2020/21 to review the platform under which the garden waste and commercial waste service are hosted on. 3. Work with Veolia to review the commercial waste service offer to businesses with a view to provide a recycling offer and grow the commercial waste customer base.	Peter McCreedy
16	28	PPE	Public Protection	Dogs and Pests Contract Failure to deliver the contract to the required service levels	Cause(s): -Lack of robustness within contract specification in terms of contract deliverables and Key Performance measures Effect (s): -Inability to deliver statutory functions -Reputational damage	Service Delivery	3	2	6	1. Identification of named Contract Manager 2. Regular contract management meetings with service provider 3. Review of contract specification to identify change control requirements (a contract change notice regarding a change to invoicing was signed in August 19).	2	2	4	This contract is now running well, the contract is due to be extended for 1 year and no action is required at this time.	Joanne Stowell
29		PPE	Public Protection	Out of Hours Noise Service Failure to deliver statutory services	Cause(s): The out of hours noise service is dependant on grant funding from the Mayors Office for Policing & Crime (MOPAC) by way of the Local Crime Prevention Fund. This grant is released on a 2 year cycle, current cycle ends March 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. Effect: Inability to deliver Out of Hours Noise Service.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB. 2. Review the Service offer	Tony Baldock

Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	RISK OWNER
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	
18	30	PPE	Public Protection	Integrated Offender Management Failure to contribute to IOM in Bromley	Causes: -IOM functions are reliant on grant funding from MOPAC via the LCPF, equates to one day per week. Reduction or cessation of grant after April 2020. Effect: -Inability to contribute to IOM in Bromley.	Service Delivery	3	4	12	1. Annual review with MOPAC on service outcomes	3	4	12	1. Meetings with MOPAC to ensure early warnings of any change to funding levels. MOPAC funding is outside of the control of LBB.	Tony Baldock
19	31	PPE	Public Protection	Anti-Social Behaviour Co-Ordinator post: Failure to deliver ASB problem solving and partnership activity	Cause(s): -Grant from MOPAC via the LCPF is used to fund the ASB Co-ordinator post which is responsible for delivering targeted ASB project work across the borough with partner agencies. Reduction or cessation of grant after April 2021. Effect: -Inability to fund this post would result in the cessation of targeted ASB work with partners across the borough. Funding for this post was reduced in 2018 and the shortfall was met by LBB. 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.	Tony Baldock
20	32	PPE	Public Protection	Gangs and Serious Youth Violence Officer Failure to deliver Gang problem solving and partnership activity	Cause(s): -this has funding from MOPAC for 1 year only and the post which is responsible for the strategic coordination of gang interventions and reductions in serious youth violence. Effect: -Inability to fund this post would result in the cessation of strategic coordinated gang disruption work with partners across the borough.	Service Delivery	3	4	16	1. Annual review with MOPAC on service outcomes	4	4	16	1. This post is now vacant and a business case is being developed to support growth and fund the post from revenue.	Tony Baldock
21	33	PPE	Public Protection	The provision of 24/7 CCTV Monitoring	Cause: -COVID 19 Pandemic Effect: -Potential Loss of officers through sickness arising from a potential second wave leading to an inability to provide 24-7 CCTV monitoring .	Service Delivery	3	4	12	1. The contract is currently running back at full strength, however, should a second wave occur, there would again be a move to running a single operator crew, as this would still since provides continued 24 hour monitoring). should a second wave occur, shift hand overs would not be in person, so the operator signing off would not see the next shift operator and handover notes would be left. Engineers who visit the room for maintenance would keep main room closed if accessing the server room, and if they do have to enter the control room they will maintain 2m social distancing at all times. This is achievable when there is only a single operator in the room. The supervisor will mostly work from home.	2	3	6	1. Monitor and review monthly with Contractors	Rob Vale
22	34	PPE	Public Protection	Loss of Income from Licensing	Cause: -COVID 19 pandemic and the potential impact on achieving income from licensing. Effect: -The majority of income relates to alcohol and gambling licences which are renewed between October and November each year. The Team has already received the income for the first 7 months of this financial year and have not had any requests to refund existing licences. However, there is a risk that the expected income target will not be met.	Financial	3	4	12	1. The Council's Covid business support schemes offer business rate deferral as well as discretionary grants to cover non staffing overheads, the government have not specifically provided assistance with the costs of licences and premiums and there is an assumption that the loss of use of the licence would be covered under the distortionary grants. For most businesses the licence would be a minor cost and they would be more concerned with significant overheads such as staffing, rents and rates. Should expected income targets not be met, the Division would look to mitigate the shortfall by reducing expenditure in the first instance to maintain a balanced budget.	3	3	9	1. Monitor and review income and government guidance.	Rob Vale
23	35	Both	All E&PP	Risk to Health - Ill health resulting from enforcing Health Protection COVID 19 Restrictions Regulations 2020 or from operating public sites	Cause: -COVID 19 pandemic and the National requirement that Environmental Health and Trading Standards Officers enforce the COVID 19 Health Regulations. - Operational activities requiring staff to undertake site visits or to operate public facilities. Effect: -The potential for Officers, Contractors and Visitors to be exposed to and infected by, COVID 19	Service Delivery	3	4	12	1.Risk assessments have been undertaken. No face to face inspections to take place, all investigations to be undertaken at arms length via email or telephone, drive by etc., unless there is a life and limb enforcement issue. Should face to face contact be necessary, PPE (gloves/masks/sanitiser) is available and must be used. 2. Assessments for bulky waste collections undertaken via telephone.	3	3	9	1.To regularly review the risk assessments	Colin Brand
24	36	PPE	Public Protection	Staff Resourcing - Public Protection Enforcement The requirement of Public Protection to enforce the social distancing measures	Cause: -The impact of the Covid 19 pandemic and relaxation of the lockdown places an additional enforcement responsibility on Public Protection to enforce social distancing measures in business premises. Effect: -This additional responsibility may interfere with the ability to deliver to existing statutory responsibilities.	Service Delivery	3	3	9	1. A joint BCU Enforcement approach was developed and agreed in April 2020, whereby The South BCU will work collegially with the Council to undertake joint enforcement activity where appropriate. Investigations, regulatory and enforcement activities will have regard to local context, be risk based and targeted to where they will have the greatest effect. Enforcement will be a last resort, and overall a process of escalation will be used until compliance is reached. Exceptions may occur where there is a serious risk to public safety. The Met Police have now issued another London wide enforcement protocol that covers the latest changes to legislation, however, the one that is already in place covers the approach, and is being updated.	2	3	6	1. Ongoing weekly meetings with the BCU leadership team to discuss capacity and response.	Joanne Stowell

Environment & Public Protection (E&PP) Risk Register



No.	E&PP RISK REF	Relevant PDS Committee	DIVISION	RISK TITLE & DESCRIPTION	RISK CAUSE & EFFECT	RISK CATEGORY	GROSS RISK			EXISTING CONTROLS IN PLACE TO MITIGATE THE RISK	CURRENT RISK			DATE LAST REVIEWED:	21.09.20
							LIKELIHOOD	IMPACT	RISK RATING		LIKELIHOOD	IMPACT	RISK RATING	FURTHER ACTION REQUIRED	RISK OWNER
25	37	PPE	Public Protection	Increased Costs for Coroners Service	Cause: -COVID 19 Pandemic and the resultant excess deaths and impact on the Coroners services. Effect: -Additional estimated costs (£57k) over the BAU contract costs due to high risk post mortems.	Financial	3	4	12	1. Ongoing communication with the South London Coroners Consortium to ensure that additional costs are scrutinised. The Consortium is looking to mitigate the additional costs by reducing expenditure in the first instance to maintain a balanced budget.	3	3	9	1. If the costs cannot be absorbed by the consortium, the Division would look to mitigate the additional spend by reducing expenditure within the division/department in the first instance to maintain a balanced budget.	Joanne Stowell
26	38	Both	Traffic and Parking	COVID-19 related loss of income Greatly reduced income from parking charges. Current cessation of TfL grant funding for transport improvements.	Cause(s): -Fewer people were using paid-for parking during lockdown and this continues post-lockdown -TfL LIP funding has not been restored, so 20+ staff in Traffic and Road Safety are likely to be put at risk Effect (s): - April to June saw a 95% reduction in parking income; this is still down by about 80% - Failure to deliver new traffic and highway improvement schemes.	Service Delivery / Financial	5	4	20	1. Encourage residents to have confidence to visit town centres 2. Seek replacement grant funding.	4	3	12	This risk will remain high until such time as car use returns to pre-COVID levels. Council should use the limited funding available to support economic recovery for town centres, returning school pupils and those travelling to work. Council to consider making redundancies if funding no longer available to implement Local Implementation Plan (LIP).	Angus Culverwell

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Report No.
CSD20115

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 17 November 2020

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

Title: COVER REPORT FOR REVIEW OF PUBLIC SPACE
PROTECTION ORDERS CONCERNING ALCOLHOL CONTROL
ZONES 2020

Contact Officer: Stephen Wood, Democratic Services Officer
Tel: 020 8313 4316 E-mail: Stephen.Wood@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: (All Wards);

1. Reason for report

On 30th September 2020, a report concerning the Review of Public Space Protection Orders concerning alcohol control zones for 2020 was brought before the General Purposes and Licensing Committee. The report was submitted to GP&L to consider if the current provisions were still required, and if so, did they need amending in any way? The current provisions could be extended if necessary. The Committee accepted the recommendations of the report, and it was agreed that the report should be presented to the ECS PDS Committee on 17th November for the Committee's information and noting.

GP&L made the following recommendations:

- 1- The proposed statutory consultation exercise be approved to go out for public consultation in line with the Government's Guide to Good Practise, to review the current public space protection order controls concerning the consumption of alcohol in a public place in the Borough.
- 2- If no significant objection emerges as part of the consultation and no issues arise as a consequence of legal compliance cheques, the Director of Environment and Public Protection be given delegated authority to create the Public Space Protection Order, in consultation with the Committee as soon as possible following the end of statutory consultation; if a significant objection does occur, then the matter will be referred back to the Committee on the 26th of January 2021 for a final decision on how to proceed

2. RECOMMENDATION:

2.1 That the Committee notes the report.

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: Excellent Council Quality Environment:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £359,420
 5. Source of funding: 2020/21 revenue budget
-

Personnel

1. Number of staff (current and additional): 7 (6.67fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: N/A
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

The documents to follow on the agenda are comprised thus:

- I. Report ES20033 which is the substantive report written by Anthony Baldock—Head of Service for Community Safety
- II. Suggested questions for the consultation exercise
- III. Outline of Bromley’s intended provisions under the order
- IV. Map of current exclusion zones
- V. Letter of support from the police.

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	The documents following this report on the agenda as outlined in the commentary. <u>Building a Better Bromley (2016-18)</u>

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 30/09/2020

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

Title: REVIEW OF PUBLIC SPACE PROTECTION ORDERS
CONCERNING ALCOHOL CONTROL ZONES 2020

Contact Officer: Tony Baldock, Head of Service - Community Safety
Tel: 020 8313 4241 E-mail tony.baldock@bromley.gov.uk

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

Ward: All

1. Reason for report

To fulfil the Council's obligations to review the existing Public Space Protection Orders (PSPO) regarding drinking in a public place, to see if they are still necessary or effective. A PSPO can last for up to three years, after which it must be reviewed. If the review supports an extension and other requirements are satisfied, it may be extended for up to a further three years. There is no limit on the number of times an Order may be reviewed and renewed.

2. **RECOMMENDATIONS**

The General Purposes and Licensing Committee is requested to:

- 2.1 Agree that the proposed statutory consultation exercise (Appendix A) be approved to go out for public consultation line with the Government's Guide to Good Practice, to review the current PSPO controls in concerning the consumption of alcohol in a public place in the Borough.
- 2.2 Agree that if no significant objection emerges as part of the consultation and no issues arise as a consequence of legal compliance checks, the Director of Environment and Public Protection be given delegated authority to create the Public Space Protection Order, in consultation with the Committee, as soon as possible following the end of the statutory consultation. If significant objection does occur then the matter will be referred back to this Committee on the 26th January 2021 for a final decision on how to proceed. The Exact wording of the PSPO proposals can be seen at (Appendix B).

Impact on Vulnerable Adults and Children

1. Preventing anti-social behaviour arising from people consuming alcohol in a public places is desirable for all residents including vulnerable adults and children. Consideration of any additional impacts on groups of residents is considered when exercising the use of Public Space Protection Orders. The proposals contained within this report will make parks and open spaces safer for those who are vulnerable living in the borough.
-

Corporate Policy

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

Financial

1. Cost of proposal: The cost of any new signage required if the PSPO is amended or extended Borough-wide
 2. Ongoing costs: None
 3. Budget head/performance centre: Public Protection
 4. Total current budget for this head: £2.300m
 5. Source of funding: Existing controllable revenue budget for 2020/21
-

Personnel

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

Legal

1. Legal Requirement: Non-Statutory - Government Guidance Anti-Social Behaviour, Crime and Policing Act 2014 (Prescribed Offences and Penalties etc.) Regulations 2006
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide impact on residents, children, families and tourists visiting Bromley run parks and public spaces.
-

Ward Councillor Views

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

3. COMMENTARY

Background

- 3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 provides local authorities with powers to create a Public Spaces Protection Order (PSPO) where they are satisfied that activities carried out in a public place have had a detrimental effect on the quality of life of those in the locality.
- 3.2 The Council currently has 3 alcohol exclusion zones (AEZ's). These AEZ's were originally introduced through a Designated Public Place Orders and have subsequently become PSPO's as a result of the Anti-Social Behaviour, Crime and Policing Act 2014 through transitional arrangements within the Act as of 20th October 2017.
- 3.3 Although the vast majority of people drink and behave responsibly there was historically a problem of alcohol related crime and disorder in some areas of Bromley. The Police therefore approached the Council at that time for support in dealing with this problem and the AEZ's were put in place to allow this behaviour to be controlled

Review of Existing Arrangements

- 3.4 The existing areas subject to AEZ's are as follows:
 - Beckenham Town Centre
 - Bromley Town Centre
 - Penge Town Centre
- 3.5 Orpington was also formerly covered by an AEZ but this was not reviewed or renewed. Some amendment has also made to the areas covered by the remaining AEZ's, such the removal of Queensmead. Maps of the extant AEZ's are included at Appendix C.
- 3.6 Alcohol Exclusion Zones are now more commonly referred to as controlled drinking zones (CDZ's). This is because the drinking of alcohol in a controlled zone is not usually prohibited. The reason for the introduction of such controls is only designed to deal anti-social behaviour from members of the public consuming alcohol which has a detrimental effect on others enjoying a public place.
- 3.7 The land subject to PSPO can apply to any land which is open to the air and to which the public have access A number of London Councils have introduced PSPO's to control behaviour in relation to the consumption of alcohol in a public places. Most of these PSPO's have resulted from conversions from Designated Public Place Orders. A number of Boroughs in Central London and District and Boroughs outside of the capital have designated their entire areas CDZ's. This approach does have the benefit of allowing controls around anti-social behaviour to be applied in a consistent and effect manner in all public spaces and is recommended for LBB also.
- 3.8 Serious problems were recently encountered with regards to Queensmead during the

lockdown period and the absence of this area being included in the current AEZ resulted in the need for a sec.35 Dispersal Order to be put in place.

3.9 As the number of Boroughs and District Councils who choose to designate entire areas increases problems of displacement of alcohol related anti-social behaviour may be displaced. Most London Boroughs directly bordering Bromley to the North now have such controls in place.

3.10 Preliminary discussions ahead of any formal consultation exercise have indicated that anti-social behaviour related to the consumption of alcohol is still an issue on Council run parks and open spaces. The following data has been provided by Ward Security the Council's contractor concerning alcohol related ASB within Council owned parks.

April 2020

- ASB -9
- Alcohol Abuse-1

ASB was at: Havelock Rec, Crystal Palace Park, Civic Centre, Queens Gardens, Church House Gardens, and Alcohol Abuse was at Queens Gardens

3.11 May 2020

- ASB -13
- Alcohol Abuse-2
- Drug Abuse-1

ASB was at: Crystal Palace Park, Norman Park, Church House Gardens, Priory Gardens, Kelsey Park. Alcohol Abuse was at Priory Gardens and Drug Abuse was at Church House Gardens.

3.12 June 2020

- ASB -11
- Alcohol Abuse-4

ASB was at: Crystal Palace Park, Poverest Park, Church House Gardens, Biggin Hill Rec, Hayes Common, Kings Road, Priory Gardens. Alcohol Abuse was at Hayes Common, Norman Park, Queensmead Rec, Church House Gardens.

3.13 The Metropolitan Police have also reported the following incidents in general relating to alcohol and ASB for the entire borough. (The codes relate to incidents concerning the use of alcohol).

Count of alcohol related CADs with opening code 209 for the borough of Bromley for the period of 01/07/2019 to 30/06/2020

Year	Total
July to Dec 2019	4
Jan to Jun 2020	10
Grand Total	14

Year	Month	Total
2019	Jul	72
	Aug	63
	Sep	80
	Oct	60
	Nov	57
	Dec	76
2020	Jan	64
	Feb	38
	Mar	51
	Apr	49
	May	69
	Jun	68
Grand Total		747

PSPO Proposal

- 3.14 The spread of alcohol-related ASB reports over the period would suggest there is a need to retain the existing powers held by Police under the current AEZ; with this in mind a continuation of existing powers on a borough-wide basis authorising Police to require a person to stop drinking and surrender alcohol where ASB is occurring or is likely to occur will be sought.
- 3.15 As a part of the consultation it is considered sensible to expand the process beyond just keeping the current controls in place to cover other psycho active substances as well as alcohol and also to consider the areas covered by the current designated spaces to see if they should be enlarged to be borough wide.

Consultation Timeline and Next Steps

- 3.11 To comply with the Councils obligation to review PSPO's it is proposed that a 6 week consultation exercise is undertaken with all key stakeholders and the public. This will be undertaken via direct contact with statutory partners who make up the Community Safety Partnership and through the Council's social media pages using online survey including the questions as set out at Appendix A.
- 3.11 As a part of the consultation it is considered sensible to expand the process beyond just keeping the current controls in place to cover other psycho active substances as well as alcohol and also to consider the areas covered by the current designated spaces to see if they should be enlarged.
- 3.12 Timetable

Consultation with Statutory Consultees and key stakeholders to include the public - 6 weeks	1st October 2020 – 5th November 2020
Collate responses and Amend Extant PSPO as Appropriate	5th November 2020 – 3rd December 2020
Collate responses and Refresh PSPO regarding Alcohol in Public Places	10th December 2020 – 17th December 2020

Report with Findings and Suggested PSPO if Considered Desirable to Retain and or Enlarge	26th January 2021
Report to Executive	27th January 2021

Implementation

4. POLICY IMPLICATIONS

4.2 Increased enforcement action is a key aim in “Building a Better Bromley” in improving a safe and quality environment for the public.

4. FINANCIAL IMPLICATIONS

4.1 . Should the PSPO be amended, new signage highlighting the changes would be required and the changes advertised in the local press, in libraries and at Bromley Civic Centre. Signage would also be needed on entrance points to the Borough if the area is extended to be Borough-wide. The cost of any additional signage required and of the consultation process will be met from the existing Public Protection revenue budget.

4.2 Ongoing enforcement of this legislation resides with the Police and, as such, there are no further financial considerations for the Authority.

5. PERSONNEL IMPLICATIONS

5.1 The enforcement of the legislation designated on the highway would be carried out by enforcement officers within Environment and Public Protection and Ward Security enforcement officers as part of their business as usual. If the PSPO extends beyond Council land the Metropolitan Police would enforce. The Metropolitan Police have confirmed they would be in support of amending the current controlled areas. A copy of their response is included at Appendix D.

5.2 The Police are also authorised to issue FPN’s concerning PSPO’s.

6. LEGAL IMPLICATIONS

6.1 A legal concurrent must be sought and inserted.

7. PROCUREMENT IMPLICATIONS

7.1 There are no implications.

Non-Applicable Sections:	Procurement
Background Documents: (Access via Contact Officer)	1. The Anti-social Behaviour, Crime and Policing Act 2014 http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted
Report Number: ACS07020	Bromley Alcohol Controls Review (21/09/2005) Alcohol Consumption in Public Places in Bromley (21/02/2007)

Appendix A

Suggested Questions for Consultation Exercise

Part A

1. Are you aware that there are controls regarding anti-social behaviour and alcohol in three public parks in the London Borough of Bromley? Y/N
2. If you are aware of the current controls concerning alcohol in some public spaces would you be in favour of continuing with controls concerning alcohol and the prevention of anti-social behaviour in the London Borough of Bromley? Y/N
3. If controls regarding alcohol and anti-social behaviour are retained do you think they should apply to all public spaces or just areas directly under the control of Bromley Council?
Borough wide Y/N Bromley Council only Y/N
4. Have you ever witnessed anti-social behaviour due to alcohol in a public place in the London Borough of Bromley? Y/N
5. Do you think the current controls concerning alcohol should be extended to cover the use of other psycho reactive substances such a nitrous oxide? Y/N
6. Do you have any further comments or suggestions you would like to make concerning anti-social behaviour and alcohol that you feel the Council should be aware of whilst reviewing the current alcohol exclusion zones?

Part B

We are asking these questions to allow us to monitor responses for further analysis . You do not have to answer these questions if you do not want to.

1. What is your sex? Female Male Prefer not to say
2. When were you born? Age Groups

Thank you for completing these monitoring questions.

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LONDON BOROUGH OF BROMLEY

THE BROMLEY COUNCIL PUBLIC SPACES PROTECTION ORDER 2020

THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (PART 4 CHAPTER 2 SECTIONS 59-75)

The London Borough of Bromley ('the Council') in exercise of its powers under the Anti-social Behaviour, Crime and Policing Act 2014 ('the Act') hereby makes the following Public Spaces Protection Order ('the Order').

PART 1 – GENERAL

- 1.1 This Order comes into force on xxxx for a period of 3 years.
- 1.2 This Order applies to all Land-
 - (a) which is open to the air (including land which is covered but open to the air on at least one side);
 - (b) to which the public are entitled or permitted to have access (with or without payment); and
 - (c) which is outlined in red on the plan attached as the Schedule to this Order.
- 1.3 Before expiry of this Order the Council may extend, vary or discharge it in accordance with the provisions of the Act.
- 1.4 In making this Order the Council is satisfied on reasonable grounds that-
 - (a) the activities covered by this Order have been carried on in a public place within the Council's area and have had a detrimental effect on the quality of life of those in the locality; and
 - (b) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature; is, or is likely to be, such as to make the activities unreasonable; and justifies the restrictions imposed.
- 1.5 The Council is also satisfied that the prohibitions and requirements set out within this Order are reasonable-
 - (a) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or

(b) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

1.6 In making this Order the Council has had particular regard to the rights and freedoms of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights.

1.7 An “authorised person” means a person authorised in writing by the Council to enforce, and issue fixed penalty notices under, this Order.

Penalty

1.8 A person who is guilty of an offence under Part 2 of this Order shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

1.9 A person who is guilty of an offence under Part 3 or Part 4 of this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

1.10 A constable or authorised person may issue a fixed penalty notice to any person they have reason to believe has committed an offence under this Order.

1.11 Where a person is issued with a fixed penalty notice for an offence under this Order, the amount of the fixed penalty is £100.

1.12 A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of the fixed penalty to the Council.

1.13 Where a person is issued with a fixed penalty notice under this Order-

(a) no proceedings may be taken for the offence before the end of the period of 14 days following the date of the notice;

(b) the person may not be convicted of the offence if the person pays the fixed penalty in full before the end of that period.

PART 2 – ALCOHOL

Preliminary

2.1 This Part of the Order does not apply to the consumption of alcohol on or in the following places-

- (a) Premises (other than Council operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;
- (b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
- (c) A place within the curtilage of premises within Article 2.1 (a) or (b);
- (d) Premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before that time;
- (e) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses);
- (f) Council operated licensed premises-
 - (i) when the premises are being used for the supply of alcohol; or
 - (ii) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

2.2 A requirement imposed by an authorised person under Part 2 Article 2.4 below is not valid if the authorised person is asked by the person to show evidence of their authorisation and fails to do so.

2.3 A constable or authorised person may dispose of anything surrendered under Part 2 Article 2.4 in whatever way they think appropriate.

Offence

2.4 A person who fails to comply without reasonable excuse with any requirements of a constable or authorised person-

- (a) to cease consumption of alcohol or anything which the constable or authorised person reasonably believes to be alcohol; or

(b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol;

on Land to which this Order applies commits an offence.

PART 3 – PSYCHOACTIVE SUBSTANCES

Preliminary

- 3.1 In this Part of this Order “psychoactive substance” means any substance which-
- (a) is capable of producing a psychoactive effect in a person who consumes it; and
 - (b) is not an exempted substance under section 3 of the Psychoactive Substances Act 2016.
- 3.2 For the purposes of this Part of this Order-
- (a) a substance produces a psychoactive effect in a person if, by stimulating or depressing the person’s central nervous system, it affects the person’s mental functioning or emotional state; and references to a substance’s psychoactive effects are to be read accordingly;
 - (b) a person consumes a substance if the person causes or allows the substance, or fumes given off by the substance, to enter the person’s body in any way.
- 3.3 A constable or authorised person may dispose of anything surrendered under Part 3 Article 3.4 in whatever way they think appropriate.

Offence

- 3.4 A person who fails to comply without reasonable excuse with any requirement of a constable or authorised person-
- (a) to cease consumption of a psychoactive substance or anything which the constable or authorised person reasonably believes to be a psychoactive substance; or
 - (b) to surrender anything in their possession which is, or which the constable or authorised person reasonably believes to be, a psychoactive substance or a container for a psychoactive substance;
- on Land to which this Order applies commits an offence.

PART 4-URINATION AND DEFECATION

Offence

- 4.1 A person commits an offence if at any time they urinate and/or defecate without reasonable excuse for doing so on or within Land to which this Order applies.

Date: xxxx

The **COMMON SEAL** of the

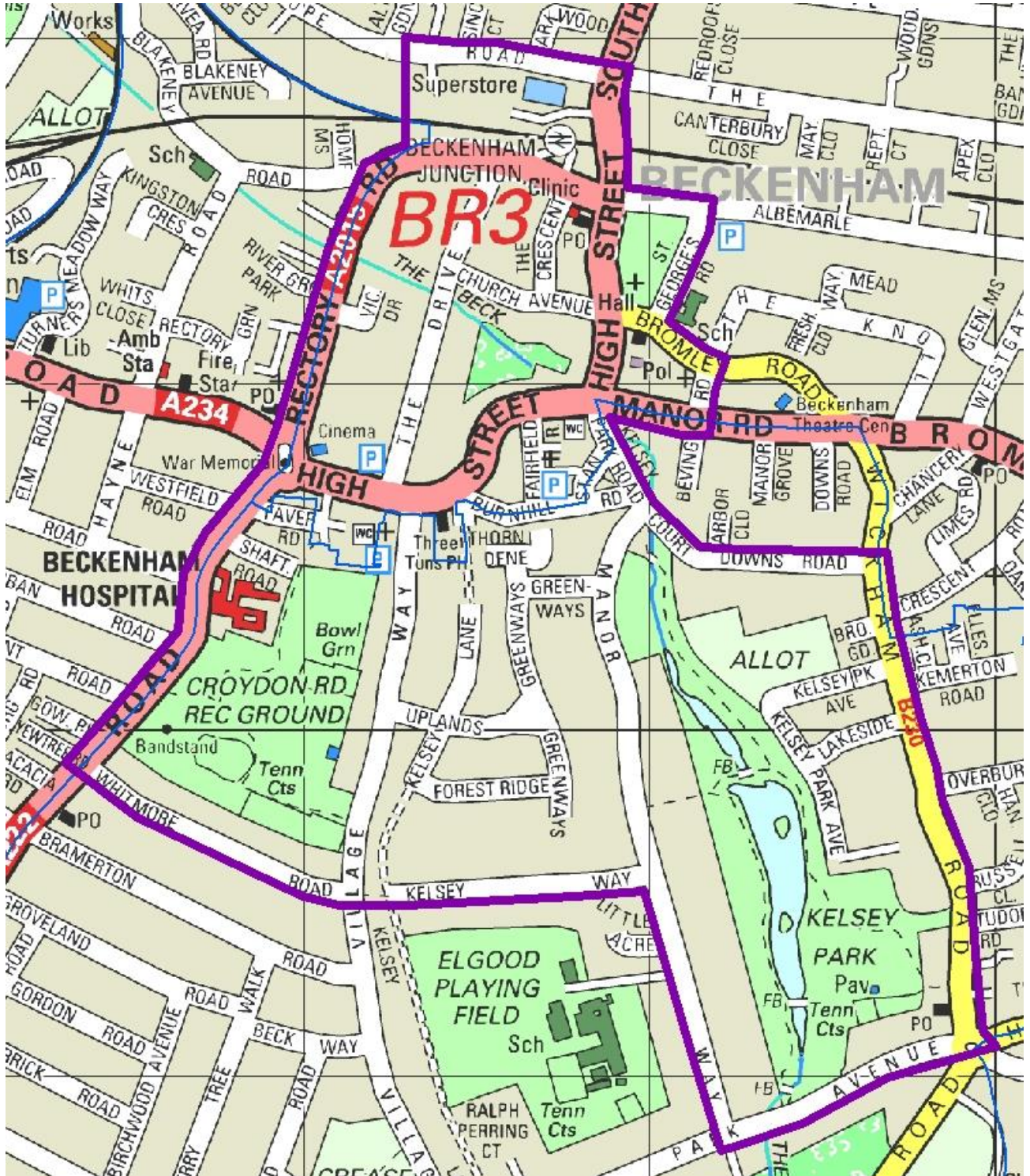
LONDON BOROUGH OF BROMLEY

was hereunto affixed on the

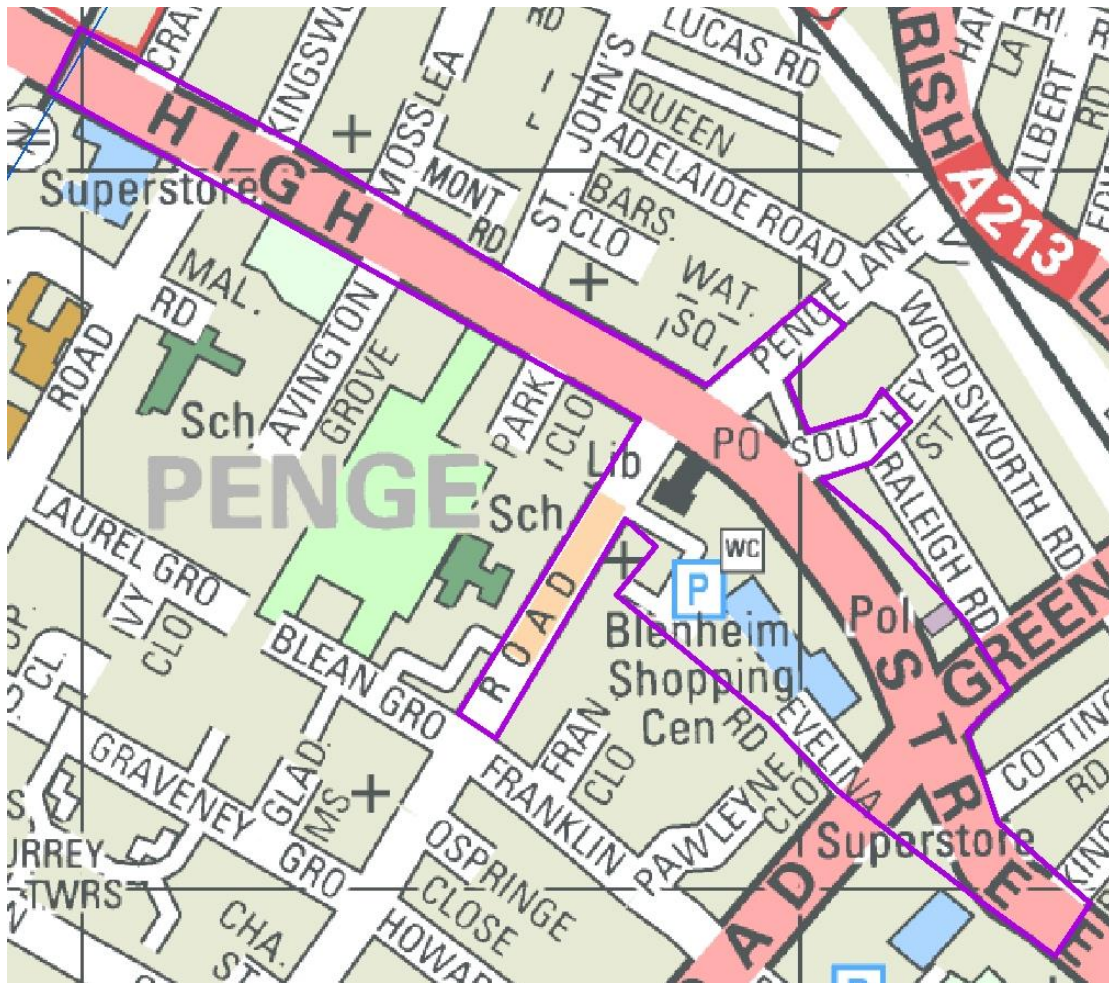
Authorised Signatory

Appendix C
Current Alcohol Exclusion Zones In Bromley

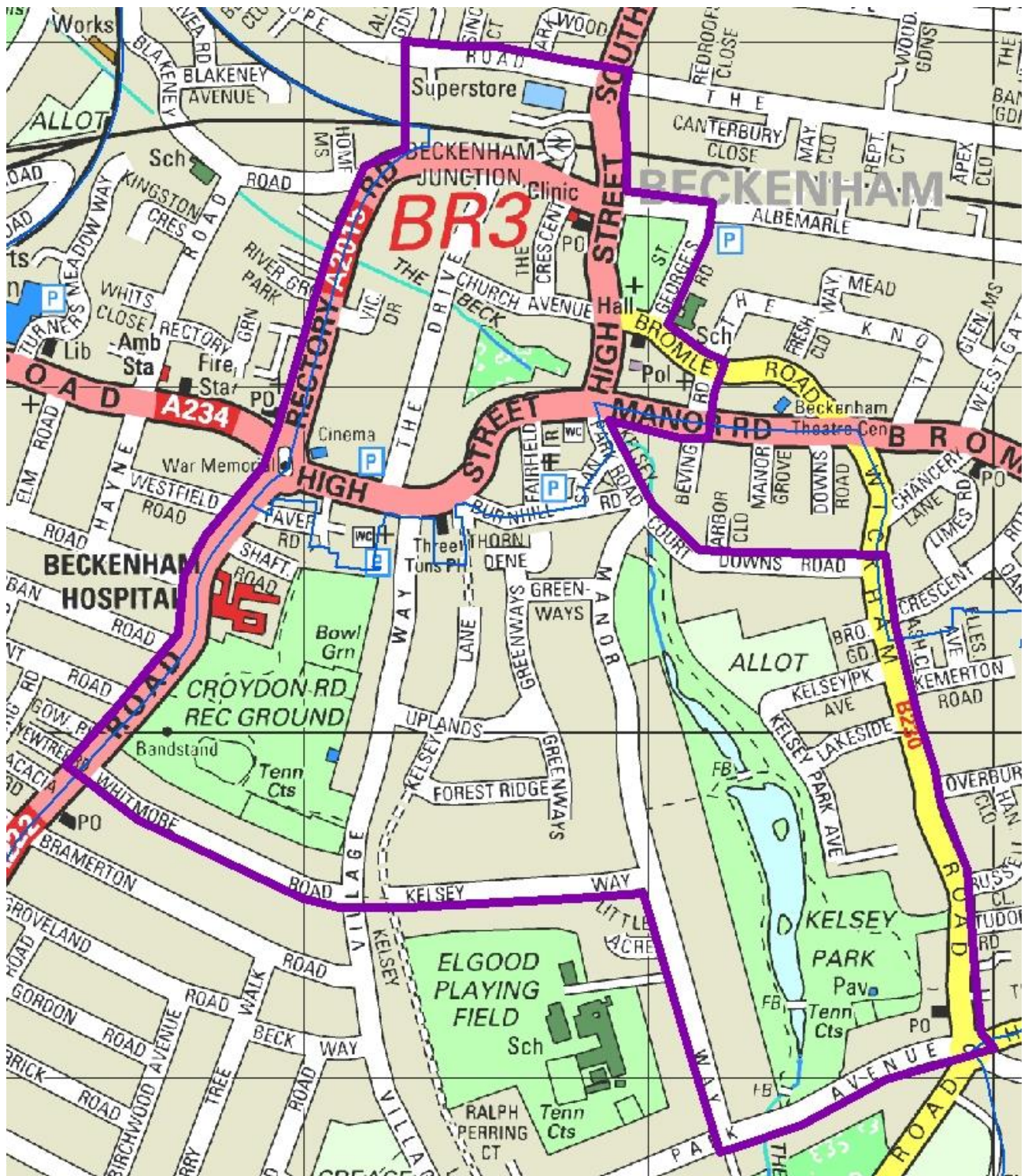
Beckenham AEZ



Penge AEZ



Bromley AEZ



APPENDIX C



Bromley
1-9 High Street
Bromley
BR1 1ER

09/07/2020

Dear Antony Baldock,

I am the Dedicated Ward Sergeant for Chislehurst, Bickley and Mottingham wards within the Bromley borough. I have recently been covering the Inspector role for Safer Neighbourhoods for the Bromley Borough within the South Area BCU. In this time I have supported a number projects locally to improve and increase the effectiveness of the police locally.

I have reviewed the two requests to support a Public Spaces Protection Order for –

- 1) Borough wide controlled drinking zone
- 2) Controlled zone around Star Lane to reduce ASB from off road bikes / motorbikes.

I am in full support for these applications from a policing stand point, this will assist police in reducing the amount of ASB through alcohol related ASB / crime and the ASB caused by the off road bikes. It will allow officers to enforce and prevent offences taking place.

The majority of the Alcohol related calls are low level in nature which the police would have responded to, the policing style will be to engage and address this issue by way of asking people to leave the area or where offences have taken place seek to issue a fine or arrest the person. Having a dispersal zone for the borough will allow officers to take another approach to disperse those who commit low level alcohol related ASB. This will assist us in preventing re-offending and reducing the issues.

Yours sincerely,

Police Sergeant Jamie Keen 124SN.

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Report No.
CSD20101

London Borough of Bromley

PART ONE - PUBLIC

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

Date: Tuesday 17 November 2020

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

Title: ECS PDS WORK PROGRAMME AND MATTERS ARISING

Contact Officer: Stephen Wood, Democratic Services Officer
Tel: 020 8313 4316 E-mail: Stephen.Wood@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: (All Wards);

1. Reason for report

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

- Developing the 2020/2021 Forward Work Programme; and
- Updating Members on any matters that are outstanding from previous meetings.

2. **RECOMMENDATION(S)**

2.1 **That the Committee reviews and comments on:**

- (a) **Forward Work Programme for 2020/21 (Appendix 1);**
- (b) **Updates on any committee requests or matters arising (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: Excellent Council Quality Environment:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Environment Portfolio Revenue Budget & LIP funding
 4. Total current budget for this head: £30.0m and £4.347m of TfL / LIP funding
 5. Source of funding: 2019/2020 controllable revenue budget.
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Not applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Forward Work Programme

- 3.1. **Appendix 1** sets out the Environment and Community Services Portfolio's Forward Work Programme for 2020/2021 including: the provisional report title; the lead report author and the Committee's role. Committee members are 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. So in essence the work programme is fluid.

Previous Requests by the Committee

- 3.1 **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

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

5. POLICY IMPLICATIONS

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

Non-Applicable Sections:	Financial, Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	<u>Environment PDS Committee agendas and minutes: 2006/07 to 2019/2020</u> <u>Environment Portfolio Plan ES18035</u> <u>Building a Better Bromley (2016-18)</u>

**ENVIRONMENT PDS COMMITTEE
FORWARD WORK PROGRAMME**

Appendix 1

Meeting Date: 17th November 2020	Report Author	Decision Maker
Environment Portfolio Plan 2020/21: Performance Overview	Lucy West	PDS Committee
Budget Monitoring	Keith Lazarus	Portfolio Holder
Work Programme & Matters Arising	Steve Wood	PDS Committee
2029 Net Zero Carbon Action Plan	Lee Gullick	Portfolio Holder
ECS Risk Register	Sarah Foster	PDS Committee
Expenditure on Consultants	Philippa Gibbs	PDS Committee
Review of Public Space Protection Orders concerning Alcohol Control Zones 2020	Tony Baldock	PDS Committee
Meeting Date: 14th January 2021	Report Author	Committee Role/Decision Maker
Forward Work Programme & Matters Arising	Steve Wood	PDS Committee
Environment Portfolio Plan 2020/21: Performance Overview	Lucy West	PDS Committee
Risk Register Report	Sarah Foster	PDS Committee
Footway Recycling Pilot Result and Future Plans	Amy Harris	Portfolio Holder
Contracts Register	Sarah Foster	PDS Committee
Riney Contract Performance Report	Gary Warner	PDS Committee
Street Lighting Programme 2021/22	Gary Warner	PDS Committee
Parking Service Review	Chloe Wenbourne	PDS Committee
Meeting Date: 11th March 2021	Report Author	Committee Role/Decision Maker
Forward Work Programme & Matters Arising	Steve Wood	PDS Committee
Budget Monitoring	Keith Lazarus	Portfolio Holder
Environment Portfolio Plan 2020/21: Performance Overview	Lucy West	PDS Committee only.

Risk Register Report	Sarah Foster	PDS Committee
Contracts Register	Sarah Foster	PDS Committee
Report on the results of the Consultation of the Open Space Strategy	Peter McCready	Portfolio Holder
Possible Future Agenda Items	Report Author	Committee Role/Decision Maker
Shortlands Friendly Village – TfL Gateway 2 submission	Angus Culverwell	Portfolio Holder
Capital Spend Post-Completion Report: Highways Investment--- delayed till early 2021	Gary Warner	PDS Committee
Options to Maintain Paper and Card Recycling Quality	Amy Harris	Portfolio Holder.
AQAP Follow Up report (September 2021)	Joanne Stowell	PDS Committee
Report on the results of the Open Space Consultation	Peter M	Portfolio Holder

APPENDIX 2

ENVIRONMENT PDS COMMITTEE PROGRESS REPORT ON PREVIOUS REQUESTS

Meeting Date	Committee Request/Matters Arising	Progress
09/09/20 ECS PDS	The Portfolio Holder would expect to approve an Open Space Strategy Policy following a future ECS PDS meeting after receiving a report on the results of the consultation.	This is expected to be reported on at the ECS PDS meeting in March 2021
09/09/20 ECS PDS	An update report be brought to the Committee to assess progress on the AQAP in a year's time. (September 2021)	This has been noted and added to the Work Programme.
09/09/20 ECS PDS	With respect to the report on moving traffic contraventions , the Portfolio Holder reminded Members that the Executive would be making the decision, but he was happy to suggest the inclusion of some flexibility in terms of where the enforcement cameras would be placed.	Awaiting Update
09/09/20 ECS PDS	A Member requested that the monies required to implement the recommendations in the Moving Traffic Contraventions report be allocated from a budget other than the Contingency Fund.	Although planned additional expenditure is not really a 'contingency' the Member was advised that the Treasurer had confirmed the Council's fund with that name was an appropriate and convenient budget from which to implement the Moving Traffic Contraventions recommendations.