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DATE: 22 June 2023

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

Councillor Will Rowlands (Chairman)  
Councillor Adam Jude Grant (Vice-Chairman)  
Councillors Felicity Bainbridge, Kathy Bance MBE, Simon Fawthrop, Colin Hitchins,  
Alisa Igoe, Chloe-Jane Ross, Alison Stammers and Harry Stranger

**Co-opted Member:**

Dragos Puiu: Bromley Youth Council.

A meeting of the Environment and Community Services Policy Development and  
Scrutiny Committee will be held at Bromley Civic Centre on **THURSDAY 29 JUNE  
2023 AT 7.00 PM**

TASNIM SHAWKAT  
Director of Corporate Services & Governance

***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 CO-OPTED MEMBER (Pages 5 - 8)**
- 4 MINUTES OF THE MEETING HELD ON 16TH MARCH 2023 (Pages 9 - 36)**
- 5 QUESTIONS FROM COUNCILLORS OR MEMBERS OF THE PUBLIC TO THE CHAIRMAN**

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. Questions that are not specific to the agenda should have been submitted to the Democratic Services Team by 5pm on 15<sup>th</sup> June.

**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 regarding reports on the agenda are received by the Democratic Services Team by 5pm on 23<sup>rd</sup> June.**

Members of the public can ask ONE question, and should indicate if the question is for ORAL response at the meeting or for WRITTEN response.

**6 ORAL QUESTIONS TO THE PORTFOLIO HOLDERS FROM THE PUBLIC**

**7 ORAL QUESTIONS TO THE PORTFOLIO HOLDERS FROM MEMBERS**

**8 WRITTEN QUESTIONS TO THE PORTFOLIO HOLDERS**

**HOLDING THE PORTFOLIO HOLDERS TO ACCOUNT**

**9 MATTERS ARISING AND WORK PROGRAMME (Pages 37 - 44)**

**10 UPDATE FROM THE PORTFOLIO HOLDER FOR TRANSPORT, HIGHWAYS AND ROAD SAFETY**

**11 UPDATE FROM THE PORTFOLIO HOLDER FOR SUSTAINABILITY, GREEN SERVICES AND OPEN SPACES**

**12 ECS PERFORMANCE OVERVIEW (Pages 45 - 48)**

**13 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT AND COMMUNITY SERVICES PORTFOLIO HOLDERS**

Portfolio Holder decisions for pre-decision scrutiny.

**a APPOINTMENTS TO THE COUNTRYSIDE CONSULTATIVE PANEL AND THE LEISURE GARDENS AND ALLOTMENTS PANEL 2034/24 (Pages 49 - 52)**

**b PROVISIONAL OUTTURN 2022/23 (Pages 53 - 64)**

**c COMPREHENSIVE REVIEW OF ROAD SAFETY IN THE LONDON BOROUGH OF BROMLEY (Pages 65 - 96)**

**d CONTRACT EXTENSION FOR BROMLEY MARKET STALL ASSEMBLY (Pages 97 - 104)**

**14 PRE DECISION SCRUTINY OF REPORTS GOING TO THE EXECUTIVE FOR DECISION**

- a **VARIATIONS TO THE CONTRACT FOR PARKS MANAGEMENT AND GROUNDS MAINTENANCE** (Pages 105 - 116)
- b **DELIVERY OF ARBORICULTURAL SERVICES--PART 1** (Pages 117 - 124)
- c **WATERBODY MANAGEMENT: KELSEY PARK LAKES** (Pages 125 - 138)

**15 POLICY DEVELOPMENT AND OTHER ITEMS**

**16 PLATINUM JUBILEE PARKS FUND:UPDATE** (Pages 139 - 154)

**17 AMENDMENT TO THE PUBLIC SPACES PROTECTION ORDER (PSPO), DOG CONTROL & FOULING ENFORCEMENT POWERS** (Pages 155 - 224)

**18 PLANNED MAINTENANCE OF PRINCIPAL ROADS** (Pages 225 - 228)

**19 ECS RISK REGISTER** (Pages 229 - 236)

**20 ECS CONTRACTS REGISTER** (Pages 237 - 246)

**PART 2 AGENDA**

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

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

**Items of Business**

**Schedule 12A Description**

**22 PART 2 REPORTS GOING TO THE EXECUTIVE FOR DECISION**

a **DELIVERY OF ARBORICULTURAL SERVICES--PART 2** (Pages 247 - 258)

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

**23 PART 2 REPORTS**

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

**a PART TWO CONTRACTS DATABASE  
UPDATE (Pages 259 - 260)**

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

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# Agenda Item 3

Report No.  
CSD23093

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 29<sup>th</sup> June 2023

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

**Title:** APPOINTMENT OF CO-OPTED MEMBERS

**Contact Officer:** Steve Wood, Democratic Services Officer  
Tel: 020 8 313 4316 E-mail: stephen.wood@bromley.gov.uk

**Chief Officer:** Director of Corporate Services and Governance

**Ward:** All Wards

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1. Reason for report

- 1.1 Members are asked to confirm the appointment of a non-voting Co-opted Member representing Bromley Youth Council to the Environment and Community Services PDS Committee for the 2023/24 municipal year.

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2. **RECOMMENDATION:**

- 2.1 That Dragos Puiu be appointed as a non-voting Co-opted Member of the Environment and Community Services PDS Committee for the 2023/24 municipal year, for the consideration of Part 1 (Public) reports only.

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#### Impact on Vulnerable Adults and Children

1. Summary of Impact: Co-opted Members representing Bromley Youth Council bring the perspective of young people to matters under consideration by the Committee, including those impacting vulnerable adults and children.
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#### Transformation Policy

1. Policy Status: Not Applicable:
  2. Making Bromley Even Better Priority: 4: For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
- 

#### Financial

1. Cost of proposal: Not Applicable: No cost.
  2. Ongoing costs: Not Applicable: There is a marginal cost attached to printing agendas and posting to Co-opted Members if requested.
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £366k
  5. Source of funding: Revenue Budget
- 

#### Personnel

1. Number of staff (current and additional): 6 FTE
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

#### Legal

1. Legal Requirement: Statutory Requirement: None.
  2. Call-in: Not Applicable: This report does not involve an executive decision.
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#### Procurement

1. Summary of Procurement Implications: N/A
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#### Property

1. Summary of Property Implications: N/A
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#### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A
- 

#### Impact on the Local Economy

1. Summary of Local Economy Implications: N/A
- 

#### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: N/A
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#### Customer Impact

1. Estimated number of users or customers (current and projected): N/A
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### 3. COMMENTARY

#### Co-opted Membership for 2023/24

- 3.1 PDS Committees may appoint non-voting Co-opted Members to assist their work and to allow representation from key groups in the community. Co-opted Members bring their own area of interest and expertise to the work of a PDS Committee and broaden the spectrum of involvement in the scrutiny process.
- 3.2 The Environment and Community Services PDS Committee has historically appointed representatives of Bromley Youth Council each year to support representation by young people on the Committee. In line with the annual nomination made from the Bromley Youth Council, it is proposed that Dragos Puiu be appointed as a non-voting representative of the Bromley Youth Council to the Environment and Community Services PDS Committee for the 2023/24 municipal year for the consideration of Part 1 (Public) reports only.

Background Documents:	Not Applicable
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## **ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 16 March 2023

### **Present:**

Councillor Will Rowlands (Chairman)  
Councillor Simon Fawthrop (Vice-Chairman)  
Councillors Kathy Bance MBE, Kim Botting FRSA,  
Mike Botting, Adam Jude Grant, Alisa Igoe, Julie Ireland,  
Alison Stammers and Harry Stranger

### **Also Present:**

Councillor Michael Tickner, Councillor Chloe-Jane Ross,  
Councillor Thomas Turrell, Councillor Nicholas Bennett  
J.P. and Councillor Aisha Cuthbert

Councillor Angela Page

Amelia Nicholas-Head of Client Partnerships-Society  
Works.

### **19 MINUTES OF THE MEETING HELD ON 25th JANUARY 2023**

The minutes of the meeting held on 25<sup>th</sup> January 2023 were agreed and signed as a correct record.

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

There were no apologies for absence.

### **21 DECLARATIONS OF INTEREST**

Councillor Alison Stammers declared an interest as the Secretary of The Friends of Chislehurst Recreation Ground.

### **22 QUESTIONS FROM COUNCILLORS OR MEMBERS OF THE PUBLIC TO THE CHAIRMAN**

One oral question had been received from a member of the public to the Chairman. This was in connection with item 13b: Beckenham: Southend Road, Park Road, Foxgrove Road Safety Scheme. As there had been many questions regarding this item, the Portfolio Holder had prepared an answer that had covered most of the questions that had been asked regarding this item. The Chairman's response was covered by the answer that had been prepared by the Portfolio Holder.

**23 ORAL QUESTIONS FROM THE PUBLIC TO THE PORTFOLIO HOLDERS**

There were five questions to the Portfolio Holder for Transport, Highways and Road Safety from members of the public. These were all related to item 13b on the agenda, which was the Southend Road, Park Road and Foxgrove Road Safety Scheme. The questions and responses will be appended to the minutes.

**24 ORAL QUESTIONS FROM COUNCILLORS TO THE PORTFOLIO HOLDERS**

Two questions were received from Councillor Alisa Igoe. The questions and responses are appended in the minutes.

**25 WRITTEN QUESTIONS**

Nineteen written questions had been received from the public. The questions and responses were tabled at the meeting and had been disseminated to the questioners. They are also appended to the minutes.

**26 MATTERS ARISING AND WORK PROGRAMME**

**CSD23047**

It was agreed that the date of the June meeting would be changed from June 21<sup>st</sup> to June 29<sup>th</sup>.

A Member noted that an answer was due concerning the two hour emergency response time from Riney. The Director said that he was confident that this was very close to a 100% response rate, but he would check this to make sure. A Member said that she had not yet received a response to her request at the committee meeting on 25th January, for details of the total Low Service Damages paid by JB Riney to Bromley Council. This was requested again, on 16th March and the Director said that he would provide a response.

**RESOLVED that the Matters Arising and Work Programme report be noted and that the date of the June meeting would move from the 21st of June to June the 29th.**

**27 UPDATE FROM THE PORTFOLIO HOLDER FOR SUSTAINABILITY, GREEN SERVICES AND OPEN SPACES**

An update was provided by Councillor Aisha Cuthbert, Portfolio Holder for Sustainability, Green Services and Open Spaces.

A Member expressed concern that the watering of trees was not scheduled to take place until mid-May, she said that the water bags were now empty and the ground was dry.

The Portfolio Holder responded that her priority was to get new trees planted. She said that she had every confidence in the proposed schedule of watering. Residents would be encouraged to help but not in hot weather.

A discussion took place concerning Kelsey Park Bridge and rats in Kelsey Park. The Portfolio Holder said that she would speak to Friends Groups concerning the rats, but she had not received any emails concerning this matter recently. Cllr Igoe commented that the Idverde Annual Performance Tetra Tech report of Sept 2022 (which came to Environment PDS 22 November) did in fact state residents were complaining of rats in Kelsey Park. An update regarding the bridge had been posted on the Council website.

The Portfolio Holder briefed the Committee concerning the new Veolia and Street Friends launch of an anti-littering campaign and said that the Jubilee Parks Grant would be open for new applications from 1 April.

**RESOLVED that the update from the Portfolio Holder for Sustainability, Green Services and Open Spaces be noted.**

## **28 UPDATE FROM THE PORTFOLIO HOLDER FOR TRANSPORT, HIGHWAYS AND ROAD SAFETY**

An update was provided by the Portfolio Holder for Transport, Highways and Road Safety.

Councillor Igoe referenced Westminster Council because they used the RingGo app but, also used **RingGo Retail**, where people could pay for parking in retail outlets and Westminster Council also provided **pre-paid scratch cards**.

She asked if this was something that Bromley could consider. The Portfolio Holder responded and said this had been considered, but there were too many complications and it was too expensive. Feedback from most local authorities regarding the use of cards had been negative.

A Member referenced Sainsbury's car park and said that there had been a queue there to use the cash machines and that members of the public were not aware that the machines were being replaced. She stated that it was currently still the case that 25% of transactions involved the use of cash. She suggested that as there was £180k underspend in the budget, that in certain locations machines that used credit cards could be used at a cost of £8000 each with £600 a year maintenance.

Members were informed that in addition to different sources of publicity, staff would be going out into high streets to engage with the public to help them

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use the new machines. Councillor Stammers asked to be given prior notice of drop in sessions.

A Member raised the matter of collisions in Holmesdale Road and asked for a meeting to discuss this. The Portfolio Holder stated that he was aware of the issues associated with this road and that the Council had a programme of planned road safety improvements across the borough; this road had not been forgotten. The successful implementation of projects relied upon TfL funding and also on TfL Sign off. Suggestions for improvements could be emailed to the Portfolio Holder and the Assistant Director for Traffic and Parking.

Members discussed the issue of pot holes not being repaired to an adequate standard and that Riney should be encouraged to clear sites properly when they had finished their work. The matter of members of the public claiming compensation for damage to their vehicles because of potholes was also discussed. It was noted that in the case where potholes were reported and not repaired in time by Riney, then the liability would move to them. It was also noted that funding for the maintenance of main roads came from TfL and that this was a national problem.

**RESOLVED that the update from the Portfolio Holder for Transport, Highways and Road Safety be noted.**

## **29 UPDATE FROM COUNCILLOR TURRELL REGARDING SNOW FRIENDS**

Councillor Turrell provided data regarding the current number of Snow Friends and co-ordinators that had been re-registered under the new registration process. The Chairman asked Councillor Turrell to disseminate the data to the committee.

The re-registration process was required for insurance purposes. The Portfolio Holder for Sustainability, Green Services and Open Spaces had offered to assist Greenwich Council if they wished to implement a Snow Friends scheme in their borough.

There was a general consensus that the re-registration process was too bureaucratic and that it was putting people off becoming Snow Friends. The Chairman requested that Cllr Turrell try and make the process simpler and less bureaucratic.

**RESOLVED that the update from Councillor Turrell regarding snow friends be noted.**

## **30 ECS PERFORMANCE OVERVIEW**

A discussion took place regarding KSI targets, data and classifications and what was being done to encourage school travel plans and active travel. A Member requested that data be separated so that it would distinguish between those who were injured, seriously injured and those who had died. She expressed the view that more clarity was required and that LBB should provide this data---she said that TfL were already doing this.

The Portfolio Holder commented that every death was one too many. Each KSI incident was looked at in great detail. The LBB Road Safety Manager said that herself or another officer would meet with police before an inquest to ascertain what could be learned from the incident before the matter was considered at the Coroners Court.

A Member stated that she felt uncomfortable in considering targets. She felt that the focus should be on minimising accidents. She agreed with the principle that the term 'accident' should be replaced by 'collision' and expressed the view that the trend was upwards. The Portfolio Holder commented that the baseline had reduced and that the trend was downwards.

**RESOLVED that the ECS Performance Overview be noted.**

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

**a ECS BUDGET MONITORING 2022/23**

**ES20271**

Members discussed the overspend regarding arboricultural management and it was noted that this was because extra works had been instructed to the contractor as a result of cyclical inspections of trees in the borough. It was asked if the overspend regarding pest control was to do with rats. The Director for Environment and Public Protection answered and said that he believed this was probably the case.

**RESOLVED that the ECS Portfolio Holders endorse the 2022/23 revenue budget monitoring for the Environment and Community Services Portfolio.**

**32 BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME**

A Member expressed concern that the proposed scheme failed to conform to the London Cycling Design Standards. She said that she had spoken to Active Travel England who had offered to provide a free formal design review. She offered this service to officers and to the Portfolio Holder and moved that the recommendations be deferred. The Chairman pointed out that the scheme had already been subject to a stage one road safety audit.

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Ward Councillor Michael Tickner spoke in respect of the application and said that he had long campaigned for road safety to be improved at this junction. The area had become increasingly popular with the upgrade to Beckenham Place Park that had been undertaken by the London Borough of Lewisham with Lottery funding. He said that a pedestrian crossing was needed on the main Southend Road. There had been a history of accidents caused by motor vehicles exiting Park Road with limited visibility. He said that it was essential that something should be done. He proposed that the scheme should go ahead but that if accidents continued, then the option should still be available either to close Park Road or to at least to close it for vehicles emerging from it.

Councillor Chloe Jane-Ross said that she supported the proposal because it was a dangerous junction with a blind corner and it was urgent that action be taken to slow down speeds and to reduce the number of accidents at the junction. It was clear that a crossing was needed for children in the area going to school. She felt that the proposals would improve road safety and recommended that the proposal be approved. She recommended that any future substantive changes that may be required should come back to the committee but at this stage doing nothing was in her view not an option.

A Member stated that the Portfolio Holder was not an expert in these matters and therefore she would like the engineers to confirm to the Committee that the proposal was indeed compliant with national safety standards. She pointed out that this scheme would cost in the region of £125k and so there should be no doubt from the offset that this scheme would be successful and would meet safety standards, not requiring changing later. She felt that the proposal should be deferred so that the committee could have a proper consultation with engineers with respect to road safety. Councillors would not wish to support anything that jeopardised the safety of their constituents. She pointed out that no one from Park Road had shared in a consultation because they did not have the opportunity.

In response the Principal Transport Projects Manager addressed the committee and said there was nothing unusual with the design. Indeed such schemes had been implemented across the UK and one had recently been implemented at Scotts Lane in Bromley. Therefore as the Council had implemented such schemes for many years he did not understand the level of concern that had been generated. He informed the committee that the Council had used Watermans who were independent, experienced and competent design consultants. Judgement and experience were also required. Watermans would not have signed off the project if they felt it was dangerous, as they would not wish to incur reputational damage.

The Principal Transport Projects Manager explained that the design would go through a road safety audit process using independent road safety engineers who were experienced in design. They would make a determination concerning the safety of the scheme. It was explained that there would be another three stage process after this. Stage three would check to ensure the

scheme had been implemented in accordance with the actual design and that no issues had arisen. In stage four, 12 months of collision data would be collected to ensure that the design was safe. All these stages would be undertaken by independent parties. The Council would be obligated to address any issues that arose in these stages.

The Portfolio Holder for Transport, Highways and Road Safety urged the committee not to defer the scheme but to accept it. He explained that £125k included the cost of two pedestrian crossings; each pedestrian crossing costed about £25k. He pointed out that Bromley already had four arm and five arm roundabouts in various locations.

Councillor Igoe moved for a deferral and this was supported by Cllr Bance. The Chairman moved for acceptance of the scheme and this was seconded by Cllr Fawthrop. A vote was taken and eight members voted to accept the scheme as per the recommendations in the report.

**RESOLVED:**

**1) That the Portfolio Holder be recommended to approve the proposal to improve the safety of the Southend Road/Park Road/Foxgrove Road junction, including the provision of new pedestrian crossing and cycle facilities.**

**2) That the Portfolio Holder be recommended to delegate any minor changes to the design at the detailed design stage to the Director of Environment and Public Protection after discussion with the Portfolio Holder.**

**a PROPOSALS FOR SUSTAINABLE PLANTING**

**ES20265**

An explanation was provided by the Assistant Director for Carbon Management and Green Space as to how the Grass Verges Project and the Sustainable Planting Projects would synch together. It was noted that there would be separate consultations but they would be similar in content and style.

**RESOLVED**

**1) That the Portfolio Holder for Sustainability, Green Services and Open Spaces be recommended to approve the proposal to trial sustainable planting at the ten sites identified in the report.**

**2) That the Portfolio Holder be recommended to approve the allocation of £75k from the Invest to Save Earmarked Reserve for the upfront costs associated with establishing regenerated planting, to realise an annual**

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**saving of £29k from a variation to the management regime applied to the ten sites under the contract with Idverde for park management and grounds maintenance.**

**3) That the Portfolio Holder be recommended to approve the variation of the Idverde contract of £75k as a one off cost to cover the purchase, preparation and installation of the regenerated planting schemes at the ten trial sites.**

## **b ECS DRAFT PORTFOLIO PLAN**

### **ES20257**

A Member queried when the residential electric vehicle charging infrastructure project report would be presented to the committee as there was no mention of it in the work programme. It was clarified that the report would be presented to the committee no later than March 2024. A Member commented that she was disappointed that there was no mention of air quality and PM 2.5 in the Draft Portfolio Plan. Members were reminded that a report on air quality was scheduled for the September 2023 meeting. A discussion took place regarding green garden waste recycling sites and the Director stated that there were other green garden recycling sites apart from Waldo Rd and that details regarding these would be forwarded the day after the meeting.

*(Post meeting note: This information was sent to Cllr Ireland (who raised the issue) on 22<sup>nd</sup> March by the Head of Environmental Strategy, Tech Support & Commissioning.)*

A Member expressed frustration regarding utility companies and the fact that often they did not make sufficiently adequate repairs to roads in the borough after digging them up. She said that they were tearing up the borough's roads. The Assistant Director for Highways responded and said the Council had no direct control over utility companies and that a change in the law was required. The Chairman said that he was hoping to secure a meeting with Thames Water by the end of April.

*(Post Meeting Note: The meeting with Thames Water was subsequently confirmed for 25<sup>th</sup> April at 6pm)*

The committee discussed the issue of the collection and disposal of nitrous oxide containers. It was explained that the small bullet like containers could be placed in a normal recycling box. The larger containers were sometimes picked up in the course of fly tipping collections. These were taken by Veolia to Waldo Road and stored in a cage because of issues with compressed gas. The Council were in discussions with Veolia as to how to dispose of these containers. An update would be provided at the next meeting. The committee was informed that the local MP Bob Stewart had written to the Government concerning this matter, seeking a review and possible tightening up of licencing laws concerning the selling of nitrous oxide. The Vice-Chairman



suggested that it may be prudent if the Portfolio Holder also drafted a similar letter.

**RESOLVED:**

**1) That the residential electric vehicle charging infrastructure project report would be presented to the Committee no later than March 2024.**

**2) That an update would be provided at the next meeting concerning the collection and disposal of nitrous oxide containers.**

**3) That the Environment and Community Services Portfolio Holders be recommended to endorse the outcomes, aims and performance measures set out in the draft 2023/2024 Environment and Community Services Draft Portfolio Plan.**

**c ARBORICULTURE - TREE MANAGEMENT STRATEGY REVISION**

**ES20244**

It was noted that in the incidence of any notable tree removals or if it was proposed to remove a number of trees, councillors would be informed. The Vice Chairman raised the possibility of residents paying to select a particular tree in their ward for planting. The Arboricultural Manager responded and said that LBB was looking to move away from monoculture and was planting a diverse range of trees to promote resilience in the tree population.

It was asked if developers could be prosecuted for the unauthorised removal of trees. The Arboricultural Manager said that this responsibility sat with the Planning Team.

**RESOLVED that the Portfolio Holder for Sustainability, Green Services and Open Spaces be recommended to endorse and to adopt the revised Tree Management Strategy and associated policies.**

**d FIXMYSTREET PRO & WASTEWORX REPORTING SYSTEM REVIEW**

**ES20270**

The LBB Technical Support and Market Manager (Technical Support Team) attended to update the committee and answer questions. He was supported by Amelia Nicholas-Head of Client Partnerships-Society Works.

The Head of Client Partnerships informed the committee that Society Works had 11 million users globally across a variety of platforms and that their aim was to facilitate and increase citizen engagement. They aimed to provide a swift response to interactions and so get people democratically engaged.

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They sought to improve processes for local authorities and to make things easier and reduce costs. They were continually evolving and were aware of the digital transformation that was rapidly taking place in local authorities. They analysed points of failure to see where improvements could be made.

The LBB Technical Support and Marketing Manager ran through some key points and assorted items of data. He said that the Council received approximately 3000 reports on a weekly basis and 93% of them came via Fix My Street. Eighty seven percent of the reports were closed with no follow up comments. Various reporting platforms existed to check on comments and progress. The Wasteworks system was also popular with members of the public with a high level of engagement.

The Head of Client Partnerships said that Society Works were aiming to use data more effectively and also for pre-emptive communications to avoid complaints. They also wanted to look at the administration of the system and see how officers were physically using it to see if any improvements in this area could be made.

There was a general consensus that terminology and categories should be simplified. It was anticipated that in the future the software would be upgraded so that individuals could use the system in a more human and fluid manner.

A Member asked if the word 'accident' could be replaced with 'collision' and it was agreed that this would be instigated. The matter of incidents closed off prematurely was also discussed.

**RESOLVED that the ECS Portfolio Holders be recommended to approve the direction of travel and Roadmap of FixMyStreet Pro as outlined in the report.**

**e REDUCTION AND RECYCLING PLAN 2023-**

**ES20269**

The Portfolio Holder for Transport, Highways and Road Safety declared an interest as a member of ReLondon.

**RESOLVED that the Portfolio Holder be recommended to approve Bromley's Reduction and Recycling Plan as set out in the report.**

**33 POLICY DEVELOPMENT AND OTHER ITEMS**

**34 ECS CONTRACTS REGISTER**

**ES20261**

**RESOLVED that the ECS Contracts Register be noted.**

**35 ECS RISK REGISTER**

**RESOLVED** that the ECS Risk Register be noted.

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

**37 ECS PDS PART 2 CONTRACTS REGISTER**

**RESOLVED** that the ECS Part 2 Contracts Register be noted.

**Oral Questions from Members  
Oral Questions from the Public  
Written Questions from the Public**

The meeting ended at 9.55pm

Chairman

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**Oral Questions to the Portfolio Holders from Members**

1) Question from Cllr Alisa Igoe:

Reference: the Portfolio Holder's reply to question 17 at Environment PDS Committee on 22 November 2022

Your answer to public question 17 at Environment PDS Committee on 22 November stated that “School Streets have overall seen even more pupils ‘park and stride’ to school, the closure of roads has led to the visibility of more cycling and scooting amongst the primary age group”. How many School Streets are operating today, 16 March, in Bromley borough?

Response to Question 1

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

Three.

.

2) Question from Cllr Alisa Igoe

Smart Movers scheme rewards primary school children with badges, for travelling to school by all forms of active transport. Bromley website currently states 26 schools taking part. All primary schools are eligible as long as they have a valid travel plan. With the number of schools with a valid plan showing as 82 on the ECS Portfolio Performance Monitoring report on 25 January, having dropped below the Council target of 90+, what communications plan is active to reach out to schools?.

Response to Question 2:

**Response from the Portfolio Holder for Transport, Highways and Road Safety:**

All primary schools are contacted by our Road Safety Team, but ultimately the decision to participate in one of more of our schemes is in the hands of the schools themselves. Unfortunately, a disproportionate amount of time has had to spent on issues surrounding a very small number of school streets.



**Oral Questions from the Public**

1) Question from Dr Jan Davison

Agenda Item 13b - BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME (Report No: ES20241)

**To the Portfolio Holder for Transport, Highways and Road Safety.**

The UK design manual for roundabouts states a 4-arm mini-roundabout should not be used where the peak traffic flows at the junction exceed 500 vehicles an hour. The Southend/Foxgrove/Park Road junction has more than three times this flow.

How can the Council bring forward a scheme that breaches this guidance?

Response to Question 1:

**Response from the Portfolio Holder for Transport, Highways and Road Safety:**

The junction of Southend Road with Park Road, Foxgrove Road and Beckenham Place Park has been the location of a high number of injury collisions for many years. Not only did the high number of casualties trigger an investigation by Bromley, but a cost-effective solution has also been identified.

During the design of this proposed solution, all national guidance was taken into consideration. There are many locations across the UK where four-arm mini-roundabouts have been successfully used where traffic flow is not balanced. If we were to introduce a three-arm mini-roundabout there is more chance of displacing traffic to other routes and thereby inadvertently causing what is known as "collision migration". A five-arm mini-roundabout was considered, but was not a recommended approach due to the limited benefits and because the existing geometry and restricted space would not enable a safe layout to be achieved.

Residents and visitors will be able to enter and exit Beckenham Place Park in a similar fashion to now, but in a safer and controlled way than is currently possible. The introduction of the roundabout will reduce speeds and present more opportunities for side road traffic, including from Beckenham Place Park, to enter the main junction.

In regard to the previous consultation in early 2022, that was based on the premise that Park Road would be closed to allow the possibility of a three-arm mini-roundabout to be installed, which could have had a major impact on traffic flows in this area. That consultation led to a significant number of concerns being raised with the Council, which were difficult to disregard. Due process was therefore followed. Although the current proposal may have a small impact on the routes drivers choose to take, it would not have the same potential impact on residents as the closure of Park Road might have done.

The recommended design represents good value in terms of collisions prevented per pound spent and is thought to be far more effective as a casualty reduction scheme than would be a 20 mph speed limit. The siting of speed cameras is not a matter for the Council but for the Police and TfL. Fundamentally the Council cannot ignore the serious problem at this junction and the fact that a solution has been identified. If there was not a high probability of further, preventable casualties at the junction we would not be proposing these changes.

Over the years, Bromley Council has developed an effective policy of implementing junction safety improvements. This has resulted in serious and fatal road casualties falling by 54% from the 2005-2009 baseline. Our team of highly trained officers identify locations where a safety intervention is required based on data collected over a substantial period, in many cases collected over several years and this has subsequently led to Bromley's road network being one of the safest in London.

Supplementary Question from Dr Jan Davidson:

How do you substantiate the claim that the current proposal would have a small impact on the routes that drivers wish to take when there is no evidence to support this assertion? Should not the amenity value of Park Road be considered?

Response to Supplementary Question:

The closing of Park Road would result in the transfer of traffic onto Brackley Road and Copers Cope Road. So it would result in an increased pressure on other roads. We would not wish just to simply transfer the problem somewhere else.

2) Question from Steven Ramm

Agenda Item: 13b

Title: BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME

**To the Portfolio Holder for Transport, Highways and Road Safety:**

**RE: 3.2**

The 'consultation' figures which led to scrapping the trial closure of Park Road, are misleading. Park Road residents, many in favour of the scheme, were led to understand formal consultation would take place **after** 12 months, they did not see the need to submit comments beforehand.

Since this promised consultation has been revoked, how can Cllr Bennett assure the committee due process was followed?

Response to Question 2:

I refer to the answer I gave a few moments ago to Dr Davison.

Supplementary Question from Steven Ramm:

It is incredible arrogance on behalf of the Portfolio Holder that he should dismiss national guidelines. How can the committee sanction this?

Response to Supplementary Question:

The engineering officers of the Council have followed all national guidelines.



### 3) Question from Anandha Ponnampalam

Agenda Item: 13b

Title: BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME

#### **To the Portfolio Holder for Transport, Highways and Road Safety**

The proposed scheme is not fit for purpose. With very high traffic flows, pedestrians and cyclists, a three-arm mini-roundabout is the only safe option at this junction. This requires closure of Park Road, mistakenly scrapped for ideological reasons over residents safety.

Should the committee not be presented with both schemes, with relevant data, in order to make a properly informed decision?

#### Response to Question 3

[I refer you to the answer I gave some moments ago to Dr Davison.](#)

#### Supplementary Question:

I can't see how this solves the problem.

#### Response to Supplementary Question:

[From Beckenham Place Park Road, traffic can go into Foxgrove Road and then into the roundabout. The roundabout will be a four arm roundabout not five.](#)

### 4) Question from Dr Jan Davison

Agenda Item 13b - BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME (Report No: ES20241)

#### **To the Portfolio Holder for Transport, Highways and Road Safety.**

RE: 3.4

The data is misleading – it lumps together statistics for *all* mini-roundabouts. The mean accident rate at four arm mini-roundabouts (22.8) is almost **double that** of three arms (12.5) (Transport Research Laboratory). These rates are for roundabouts operating at the correct capacity - not three times that. The projected reductions in collisions are therefore erroneous. Can you explain why the report glosses over the facts?

#### Response to Question 4:

[I refer you to the answer I gave you a few moments ago](#)

#### Supplementary Question from Dr Jan Davidson:

As Park Road is an important road for many commuters in Beckenham and Penge to get to Beckenham Park Place should not the view of Park Road residents and its amenity value be taken into account?

#### Response to Supplementary Question:

My job as Portfolio Holder is to look at the whole situation in terms of how all roads in the area may be affected. Transferring traffic issues to other people's roads would be very unfair on them.

5) Question from Steven Ramm

Agenda Item: 13b

Title: BECKENHAM: SOUTHEND ROAD, PARK ROAD, FOXGROVE ROAD SAFETY SCHEME

**To the Chair of the ECS PDS Committee**

Government highways experts state four-arm mini-roundabouts should not be used where traffic exceeds 500 vehicles/hour. At this junction, traffic exceeds 1500 vehicles/hour, plus pedestrians and cyclists. The council has a preferred option which they are pushing through ignoring expert advice and risking lives.

Is the committee happy to approve a flawed scheme that knowingly disregards national safety standards used by every council in the UK?

Response to Question 5

I refer you to the answer I gave to Dr Davison some moments ago

Supplementary Question from Steven Ramm:

The residents of Park Road are still under the idea that there is going to be a road closure. They were not informed before the scheme was scrapped. Therefore no genuine consultation with the people in Park Road has been undertaken and due process has not been followed. Why is this scheme being scrapped on the quiet and my question is has due process been followed?

Response to the Supplementary Question

Yes, due process has been followed. The original proposal was dropped. The information regarding the new scheme will be public information if it is approved by the committee and myself.

**Written Questions from the Public (30)**

1) Question from Sue Sulis

**BROMLEY'S ROLE AS THE LEAD LOCAL FLOOD AUTHORITY.**

Bromley, as LLFA, is required to prepare and maintain a strategy for local flood risk management in their areas, coordinating views and activities with other local bodies and local communities through public consultation, scrutiny and delivery planning.

Please detail documents and dates when Bromley has carried out these public consultation requirements.

Response to Question 1:

**Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

Public consultation was undertaken when the Local Flood Risk Strategy was prepared in 2015.

The Council cooperates with other bodies including Thames Water, Environment Agency and Thames 21.

2) Question from Sue Sulis

Q.2 The Council has stated that three significant flooding incidents on 10/06/19, 20/07/21 and 21/11/21, in which properties were affected, were reported to the Borough Resilience Forum and the Environment Agency.

Please give the details and dates when each of these reports were published, and where they can be found

Response to Question 2:

**Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

The Borough Resilience Forum was made aware of these incidents, along with the Environment Agency, no formal reports prepared or published.

3) Question from Dermot McKibbon

What is the Council's plan to tackle air pollution outside schools and for older people in the borough? Why is it taking so long to publish the Council's air pollution plan?

Response to Question 3:

**Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

The plan is now live on the website after it was amended to meet new accessibility guidelines.

4) Question from Dermot McKibbon

Has the Portfolio Holder read the report by the Environmental Research Group at Imperial College London "[London Health Burden of Current Air Pollution and Future Health Benefits of Mayoral Air Quality Policies](#)"? What plans does the Council have to reduce deaths in Bromley due to toxic air?

Response to Question 4

**Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

Yes, I am aware of the report and in fact, we met the writers of the report with the Director of Public Health to understand their methodology. The report concludes that anyone in Bromley who has died of any respiratory or cardiovascular causes, died from air pollution. As there are a number of reasons/ causes for these types of deaths, the report cannot conclude these same people died of poor air quality.

The authors failed to adjust their results to consider the age profile of each London borough.

In LB Bromley the age profile has significantly greater representation from older age groups, this caused the results and the conclusions of the report to be exaggerated for Bromley, as the numbers of death per head of population is, quite naturally, generally higher than for other boroughs. In comparison LB Lambeth, who have greater representation from younger age groups saw their results significantly minimised. To have considered the boroughs to be homogenous in terms of age profile is unfortunate and has led to results that do not reflect reality with regards to the conclusions regarding number of early deaths due to poor air quality.

It must be noted that air quality in the LB Bromley has met all UK air quality standards for the last 2 years, has arguably the best air quality of all London Boroughs and it continues to improve.

The Council's approved Air Quality Action Plan outlines the many commitments the Authority has made and is actioning to continue to improve air quality for all residents in the borough. A hard copy of the Plan is available by emailing [ehs-customer@bromley.gov.com](mailto:ehs-customer@bromley.gov.com)

#### 5) Question from Eileen Welsh

I am shocked by the amount of unsightly litter and decaying leaf debris left along the streets and kerbsides of the residential roads in Beckenham, creating slippery pavements and blocked drains. Does the Council have a schedule for street and kerbside cleaning in residential areas, or do they totally rely on residents to report build-up of litter and blocked drains?

#### Response to Question 5:

#### **Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

The Council does have a full, published schedule for street cleansing across the full 56 square miles and 3,000 plus roads in the borough as well as a client monitoring team that oversees the service provider's outputs. Operating across such a large area has its challenges admittedly, but there is no reliance on residents or volunteers. That said however, the work those residents or volunteers do is highly valued and supported through our Street Friends scheme. Beckenham is a broad area and comes with challenges of its own including heavily parked-up sections and tree-lined streets. If there are specific locations that we can look at with a view to improving the amenity we would be very happy to receive those and would work hard to improve standards.

#### 6) Question from Laura Holdgate

Park Road/Southend Road Junction:

Why has the decision been made to go ahead with a different road design without gathering any clear evidence as to its impact, in particular given the limited effectiveness of four arm roundabouts, as noted in paragraph 3.3 of the public report? This seems contrary to the original plan to have a 12 month trial period of the initial solution, which clearly has merit in understanding traffic flows and displacement.

Response to Question 6:

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

During the design of this proposed solution to the ongoing collision problem at this location, all guidance was taken into consideration. There are many locations across the UK where four-arm mini-roundabouts have been successfully used and do result in a reduced number of casualties and their severity.

If we were to introduce a three-arm mini roundabout there is more chance of displacing traffic to other routes and thereby inadvertently causing what is known as “collision migration”.

7) Question from Laura Holdgate

Park Road/Southend Road Junction:

Why has there been no consultation on the new solution? Given that 108 people responded to the last proposal it is clearly an issue of interest, surely this revised solution should be given the same opportunity to receive support or objection?

Response to Question 7:

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

The previous consultation was based on the premise that Park Road would be closed, which would have had a possible major impact on traffic flows in this area. Although the current proposal may have a small impact on the routes drivers choose to take, it would not have the same potential impact on residents as the closure of Park Road might have done.

8) Question from Jennifer Geary

Proposal for roundabout at Foxgrove Road Junction:

How will BPP residents access the roundabout (via Foxgrove Road or Southend?) and how will sufficient priority be given to BPP residents at times of high traffic?

Response to Question 8:

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

Residents and visitors will still be able to enter and exit Beckenham Place Park (BPP) but in a more safe and controlled way than is currently possible. The introduction of the roundabout will reduce speeds and present more opportunities for side road traffic, including BPP, to enter the main junction

9) Question from Jennifer Geary

Proposal for roundabout at Foxgrove Road Junction:

Was a 5-arm roundabout, incorporating access from BPP, considered?

Response to Question 9:

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

A five-arm mini-roundabout was considered but was not a recommended approach due to the limited benefits and because the existing geometry and restricted space would not enable a safe layout to be achieved.

10) Question from Martin Beasley

Mini roundabout at junction of Southern Road, Parke Road and Foxgrove:

Agenda Item Para 3.2 is misleading. Council Letter Feb 2022 stated:

*".....invited to take part in a **formal consultation after the experimental closure has been in place for a minimum of 12 months** to provide their views....."*

Residents misled to believe no comments needed immediately, hence comments which were received are distorted, giving people in favour less likely to comment.

**Why has the Council changed and embarked on £1.3m scheme based on incomplete and biased comments?**

Response to Question 10

**Response from the Portfolio Holder for Transport, Highways and Road Safety:**

The cost of this scheme is estimated at £125k, not £1.3M. The previous consultation was based on the premise that Park Road would be closed, which would have had a possible major impact on traffic flows in this area. Although the current proposal may have a small impact on the routes drivers choose to take, it would not have the same potential impact on residents as the closure of Park Road might have done.\*

11) Question from Martin Beasley

Mini roundabout at junction of Southern Road, Parke Road and Foxgrove

Southend Road daytime traffic exceeds +1100 vehicles/hour (Council survey 2021), over double National recommended volume for 4 arm mini-roundabout.

If include Park, Foxgrove, Covid etc, likely volume is 3X National limit (recent resident survey +1500 vehicles/hour).

Report makes superfluous safety claim as not based on the proposed junction.

**Why have the Council ignored National recommendations on maximum traffic volume and based safety gains on data not related to the 4 arm/high volume roundabout in question?**

Response to Question 11:

**Response from the Portfolio Holder for Transport, Highways and Road Safety:**

During the design of this proposed solution to the ongoing collision problem at this location, all guidance was taken into consideration. There are many locations across the UK where four-arm mini-roundabouts have been successfully used where traffic flow is not balanced. If there was not a serious problem at this junction we would not be proposing these changes.

12) Question from Marc Briggs

Reference to agenda item 13b

When the junction of Southend Road and Park Road suffers from a very poor injury crash record (item 3.1), and 3-arm roundabouts are more effective than 4-arm roundabouts at reducing collisions (item 3.3). What evidence do the council members have that the installation of a 4-arm roundabout will reduce the risk to pedestrians, cyclists, and drivers sufficiently, when a 3-arm roundabout is achievable?

Response to Question 12

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

During the design of this proposed solution to the ongoing collision problem at this location appropriate design guidance was taken into consideration. There are many locations across the UK where four-arm mini-roundabouts have been successfully used.

If we were to introduce a three-arm mini roundabout there is more chance of displacing traffic to other routes and thereby inadvertently causing what is known as "collision migration".



13) Question from Marc Briggs

Reference to agenda item 13b

If the closure of Park Road, and the installation of a 3-arm roundabout offers the safest option (item 3.3) for all road users (item 8.1), and the council is rejecting this solution based on the feedback from 79 emails (item 3.2). Can the council explain why the revised 4-arm solution is not given the same opportunity for public consultation?

Response to Question 13

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

The previous consultation was based on the premise that Park Road would be closed, which would have had a possible major impact on traffic flows in this area. Although the current proposal may have a small impact on the routes drivers choose to take, it would not have the same potential impact on residents as the closure of Park Road might have done.

14) Question from Gareth Anderson

Proposed roundabout at Foxgrove Road/South End Road Junction.

What allowances are in place to prevent this congestion, for example will vehicles continue to be able to enter and exit BPP from or onto Southend Road via the cobbles as they do now?

Response to Question 14

**Response from the Portfolio Holder for Transport, Highways and Road Safety**

Residents and visitors will still be able to enter and exit BPP but in a more safe and controlled way than is currently possible. Drivers will still be able to cross the cobbles where this will help. The introduction of the roundabout will reduce speeds and present more opportunities for side road traffic, including BPP, to enter the main junction.

15) Question from Gareth Anderson

Proposed roundabout at Foxgrove Road/South End Road Junction.

Given the very high cost of the roundabout and the fact it could increase rather than decrease congestion and safety concerns, could alternative measures be imposed such as a 20mph speed limit and potentially adding speed cameras for this section of Southend Road?

## Response to Question 15

### **Response from the Portfolio Holder for Transport, Highways and Road Safety**

The recommended design represents good value in terms of collisions prevented per pound spent and is thought to be far more effective as a casualty reduction scheme than would be a 20mph speed limit. The siting of speed cameras is not a matter for the Council but for the Police and TfL.

## 16) Question from Silvano and Gillian Deblasi

Proposal for roundabout at Junction of Foxgrove Road, Park Road, Southend Road, Beckenham Place Park.\*

It is currently nearly an impossibility to access Southend Road from the Park, as we normally end up blocking the access into Foxgrove Road on trying to join Foxgrove Road to exit, with a roundabout there we would have to do a virtual U-turn to turn right into Southend Road, we may even have to turn left into Foxgrove Road, do a U-turn at some point, then join the traffic queue to access Southend Road. How will priority be given to vehicles exiting Beckenham Place Park?

## Response to Question 16

### **Response from the Portfolio Holder for Transport, Highways and Road Safety**

Residents and visitors will still be able to enter and exit BPP but more safely and controlled than is currently possible. The introduction of the roundabout will reduce speeds and present more opportunities for side road traffic, including BPP, to enter the main junction.

## 17) Question from Silvano and Gillian Deblasi

We believe that a 4-arm roundabout is untenable, a 5-arm roundabout would be a better option as this would include Beckenham Place Park; is this an option you are prepared to consider?

## Response to Question 17:

### **Response from the Portfolio Holder for Transport, Highways and Road Safety**

This was considered and not recommended because of the limited benefits and because the existing geometry and restricted space would not enable a safe layout to be achieved.

## 18) Question from Richard Gibbons

Re. Item 12. ECS Performance Overview and 13d. Draft Portfolio Plan. Notably absent is any reference to the epidemic of casual littering, and specifically the discarding of nitrous oxide cylinders and disposable vapes,

both of which are misused by and injurious to young people. How do you plan to tackle these issues?

### Response to Question 18

#### **Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

Any variety of fly-tipped, dumped or illegitimately discarded waste, including that which has been specifically mentioned, that is on the public highway, will be proactively removed via baseline cleansing frequencies or via targeted reactive resources such as upon receipt of a report from a member of the client team or public.

We are teaming up with Veolia to launch a new anti-littering campaign and we hope residents will help us to encourage everyone to look after our environment.

### 19) Question from Richard Gibbons

Re. Item 13e. Tree Management Strategy 2023-2027 and Indicator 7, (a) how many Tree Friends are currently registered, (b) what are your targets/dates for recruiting more Tree Friends, (c) when will the Tree Database website go public, and (d) when will the updated Tree Friends Toolkit be published?

### Response to Question 19

#### **Response from the Portfolio Holder for Sustainability, Green Services and Open Spaces.**

- a) Only coordinators are currently registered. There are 90 coordinators.
- b) Targets will be defined after the re-launch and existing tree friends have re-registered.
- c) Seeking clarification

We are working toward a release date of the 30/04/23 in time for the tree watering season.



Report No.  
CSD23092

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 29<sup>th</sup> June 2023

**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:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** (All Wards);

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1. Reason for report

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

- Developing the Forward Work Programme; and
- Updating Members on any matters that arose from previous meetings.

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2. **RECOMMENDATION(S)**

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

- (1) Updates on any matters arising/outstanding (Appendix 1).**
- (2) Forward Work Programme for 2023/2024 (Appendix 2).**
- (3) Suggests any new items for the Work Programme going forward for the next cycle of meetings**

### 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: £366k
  5. Source of funding: Revenue Budget
- 

### Personnel

1. Number of staff (current and additional): 6
  2. If from existing staff resources, number of staff hours: Variable.
- 

### Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Not Applicable: The report does not require an Executive Decision
- 

### 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

#### Matters Arising or Outstanding:

- 3.1 **Appendix 1** provides a progress update on matters that have arisen 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.
- 3.2 **Appendix 2** sets out the Environment and Community Services Portfolio's Forward Work Programme for 2023/2024 including: the provisional report title; the lead report author and the role of the Committee or the Portfolio Holder. Committee members and officers are invited to comment on the proposed schedule and suggest any changes that are considered appropriate and notify the Committee Clerk of such.
- 3.3 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 the work programme is fluid.

### 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 2.
- 5.2 The activities in this report reflect the Council's priorities and aims as set out in:
- Environment Portfolio Plan

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Previous Work Programme, Matters Arising and Minutes Environment Portfolio Plan.

## APPENDIX 1

### ENVIRONMENT PDS COMMITTEE PROGRESS ON MATTERS ARISING/OUTSTANDING

Meeting Date	Committee Request/Matters Arising	Progress
16/03/23	A Member said that she had not received a response to her request at the committee on 25th January for details of the total Low Service Damages paid by JB Riney to Bromley Council. This was requested again on 16th March and the Director said that he would provide a response.	An update will be provided at the meeting.
16/03/23	The Committee discussed the issue of the collection and disposal of nitrous oxide containers. It was explained that the small bullet like containers could be placed in a normal recycling box. The larger containers were sometimes picked up in the course of fly tipping collections. These were taken by Veolia to Waldo Road and stored in a cage because of issues with compressed gas. The Council were in discussions with Veolia as to how to dispose of these containers. An update would be provided at the next meeting	The channel of reporting such items found on the public highway is through the Council's online 'FixMyStreet' website and Veolia's street cleaning teams will remove the items for safe disposal through their specialist disposal outlet as they are treated as hazardous waste. Residents are not encouraged to handle or take the items to the Household Reuse & Recycling Centres.
16/03/23	A discussion took place concerning Kelsey Park Bridge and rats in Kelsey Park. The Portfolio Holder said that she would speak to Friends Groups concerning the rats, but she had not received any emails concerning this matter recently.	Kelsey Park is part of a planned programme of pest control and benefits from 12 visits per annum, with bait boxes used to manage the rat population.



**FORWARD WORK PROGRAMME**

**Appendix 2**

<b>Meeting Date: June 29th 2023</b>		
Matters Arising and Work Programme	Steve Wood	PDS Committee
Updates from the Portfolio Holders	Portfolio Holders	PDS Committee
ECS Performance Overview	Lucy West	PDS Committee
Provisional Outturn 2022/23	Murad Khan	Portfolio Holders
Appointments to the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel 2034/24	Steve Wood	Portfolio Holder
Review Of Road Safety in the London Borough of Bromley	Angus Culverwell	Portfolio Holder
Contract Extension for Bromley Market Stall Assembly	Jonathan Richards	Portfolio Holder
Variations to the Contract for Parks Management and Grounds Maintenance	Hannah Jackson	Executive
Delivery of Arboricultural Services--Part 1	Hannah Jackson	Executive
Waterbody Management: Kelsey Park Lakes	Hannah Jackson	Executive
Platinum Jubilee Parks Fund: Update	Jane Askew and David Braybrook	PDS Committee
Amendment to the Public Spaces Protection Order (PSPO), Dog Control & Fouling Enforcement Powers	Dean Laws	PDS Committee
Planned Maintenance Of Principal Roads	Gary Warner	PDS Committee
Risk Register	Lucy West	PDS Committee
Contracts Register-Part 1	Lucy West	PDS Committee
Delivery Of Arboricultural Services--Part 2	Hannah Jackson	Executive
Contracts Register: Part 2	Lucy West	PDS Committee
<b>Meeting Date: September 7<sup>th</sup> 2023</b>		
Matters Arising and Work Programme	Steve Wood	PDS Committee
Updates from the Portfolio Holders	Portfolio Holders	PDS Committee

Budget Monitoring	Murad Khan	Portfolio Holder
Capital Programme Monitoring (TBC)	Sean Cosgrove	Portfolio Holder
Veolia Annual Contract Performance Report	Peter McCready	PDS Committee
Glendale Contract – Annual Performance Report 2022/23	Hannah Jackson/Hugh Chapman	PDS Committee
Treemendous Update Report (TBC)	Hugh Chapman	PDS Committee
Road Safety Scheme for Chinese Roundabout	Sobanjo Bukola	Portfolio Holder
ECS Performance Overview	Lucy West	PDS Committee
Risk Register	Lucy West	PDS Committee
Contracts Register	Lucy West	PDS Committee
AQAP Update Report	Charlotte Hennessy	PDS Committee
<b>Meeting Date: November 16<sup>th</sup> 2023</b>		
Matters Arising and Work Programme	Steve Wood	PDS Committee
Updates from the Portfolio Holders	Portfolio Holders	PDS Committee
Budget Monitoring	Murad Khan	Portfolio Holder
Capital Programme Monitoring	Sean Cosgrove	Portfolio Holder
Idverde Annual Contract Performance report – 2022/23	Hannah Jackson and James Hilsden	PDS Committee
ECS Performance Overview	Lucy West	PDS Committee
Fly Tipping Action Plan	Dean Laws	PDS Committee
TfL LIP Funded Programme for 2024/25 (TBC)	Angus Culverwell	Portfolio Holder
Risk Register	Lucy West	PDS Committee
Contracts Register	Lucy West	PDS Committee
Carbon Net Zero Action Plan: 2022/23	Karin Grey	Portfolio Holder
Depot Infrastructure Capital Works Project—Stage 4 Update Report.	Peter McCready	Portfolio Holder
<b>Meeting Date: January 23<sup>rd</sup> 2024</b>		
Matters Arising and Work Programme	Steve Wood	PDS Committee
Updates from the Portfolio Holders	Portfolio Holders	PDS Committee
Draft Budget	Murad Khan	Portfolio Holder

Capital Programme Monitoring	Sean Cosgrove	Portfolio Holder
ECS Performance Overview	Lucy West	PDS Committee
Apcoa Contract Monitoring Report	Chloe Wenbourne	PDS Committee
Riney Contract Performance Report	Gary Warner	PDS Committee
Risk Register	Lucy West	PDS Committee
Contracts Register	Lucy West	PDS Committee
<b>Meeting Date: March 13th 2024</b>		
Matters Arising and Work Programme	Steve Wood	PDS Committee
Updates from the Portfolio Holders	Portfolio Holders	PDS Committee
Budget Monitoring	Murad Khan	Portfolio Holder
Environmental Services Contract Renewal – Waste Disposal, Waste Collection & Street Environment	Peter McCready	Executive
Capital Programme Monitoring	Sean Cosgrove	Portfolio Holder
ECS Performance Overview	Lucy West	PDS Committee
Risk Register	Lucy West	PDS Committee
Contracts Register	Lucy West	PDS Committee

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Report No: ES20277		ECS PORTFOLIO PERFORMANCE MONITORING (2022/23)																								
Outcome	No.	DESCRIPTION	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	2021-22 TARGET	2021-22 ACTUAL	GOOD PERF.	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	2022-23 ACTUAL	2022-23 TARGET	2022-23 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)	
1: Improving the Street Scene	1A	Collection of Purple Sacks to volunteer for community led clean-ups (1500 sacks per annum)	N/A	N/A	New Indicator 2021/22	1,500	2,240	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	2,809	2,809	1,500	GREEN	(April to Sept) Total of 1200 for this six month period: R: <199 monthly G: >200 monthly  (Oct - March) Total of 300 for this six month period: R: <49 monthly G: >50 monthly	
	1B	Public Satisfaction with Cleanliness (% Streets / Neighbourhoods / Town Centres)	73% 87% 89%	>76% >82% >90%	79% 89% 85%	>76% >82% >90%	77% 84% 87%	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	81% 84% 86%	Annual	Annual	Annual	Annual	Annual	81% 84% 86%	>76% >82% >90%	GREEN	Streets: R: <67%, A: 68% to 72%, G: >73% Neighbourhoods: R: <79%, A: 80% to 84%, G: >85% Town Centres: R: <80%, A: 81% to 85%, G: >86%	
	1C	Streets Meeting Acceptable Cleanliness (%)	96%	>92%	98%	>92%	98%	HIGH	95%	97%	96%	92%	97%	95%	98%	99%	99%	99%	99%	99%	99%	97%	>92%	GREEN	R: < 86% A: 87% to 91% G: > 92%	
2: Minimising Waste and Increasing Recycling	2A	Total Waste Arising (refuse and recycling) (tonnes)	145,748	146,000	150,413	145,000	151,515	LOW	12,101	12,536	12,893	11,072	11,113	11,911	11,099	12,034	10,129	12,594	9,464	11,179	138,124	150,000	GREEN	R: >152,000 A: 150,001 to 151,999 G: < 150,000		
	2B	Residual Household Waste per Household (kg)	469	440.0	464	450	498	LOW	36	37	37	38	34	35	33	32	26	33	25	29	395	450	GREEN	R: >470 A: 460 to 469 G: < 460		
	2C	Household Waste Recycled or Composted (%)	45.3%	50.50%	47.00%	51.00%	48.04%	HIGH	51%	51%	54%	49%	49%	50%	50%	56%	63%	54%	48%	47%	52%	51%	51%	GREEN	R: < 48% A: 48% to 50% G: >50%	
	2D	Local Authority Collected Waste Recycling Rate (%)	45.35%	50.50%	47.00%	N/A	N/A	HIGH	44%	45%	47%	42%	42%	44%	43%	48%	54%	47%	41%	40%	45%	44%	44%	GREEN	R: < 40% A: 40% to 45% G: >45%	
	2E	Local Authority Collected Waste Disposed of in Landfill (%)	5.36%	2.00%	0.26%	2.00%	0.32%	LOW	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	2%	GREEN	R: > 5% A: 2.5% - 5% G: <2.5%	
	2F	Waste & Recycling collections - homes missed (per 100,000)	166	120	120	120	100	LOW	107	108	119	161	126	134	147	141	175	198	148	121	140	120	120	AMBER	R: >141 A: 131 to 140 G: < 130	Missed bins have returned to an acceptable level in March following the drop-in service over December and January as previously reported. There has been a 39% improvement in missed bins since January, with the month end being 121 missed bins per 100K collection.
	2G	Number of Green Garden Waste customers (No.)	31,147	30,000	38,499	40,000	40,897	HIGH	42,517	41,909	41,625	42,059	44,391	41,721	42,102	42,074	42,088	42,164	42,350	42,320	42,320	46,000	46,000	GREEN	Year-end target is >15% increase from previous year end total Monthly target >1.25% increase from previous month end total	
	2H	Monthly target >10% of overall Green Garden Waste monthly renewals is by Direct Debit	N/A	N/A	N/A	N/A	N/A	HIGH	21%	15%	18%	29%	31%	33%	32%	27%	46%	28%	27%	31%	34%	>10%	>10%	GREEN	R: 0% to 2.5% A: 2.6% to 7.5% G: > 7.5%	
2I	Reduction in Waste Service Provider's emissions (%) (note that these are scope 3 LBB emissions)	N/A	N/A	-0.077	Waste managed in 2022 target of 0.12 CO2eq per tonne	Awaiting Data	LOW	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Waste managed in 2022 target of 0.12 CO2eq per tonne	Waste managed in 2022 target of 0.12 CO2eq per tonne		R: > 0 A: -0.15 - 0 G: <-0.15		
Page 45	3A	Highways verges and amenity grass cutting/trimming, within contractual service standards and timescales (%)	97%	75%	91%	75%	94%	HIGH	99%	82%	88%	92%	100%	93%	91%	94%	99%	96%	93%	97%	94%	75%	75%	GREEN	R: < 64% A: 65% - 74% G: >75%	
	3B	Number of events in parks (>250)	New Indicator	New Indicator	New Indicator 2021/22	250	193	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	123	123	250	RED	R: < 150 A: 151 to 200 G: > 201	iverde are incentivised to attract events in parks as part of the contractual arrangements around event generated income. The lower than targeted number of events in parks is likely to be connected to the industry recovering following Covid, especially as the peak season for organised events was the summer months which was not long after restrictions were lifted. There is currently a good level of interest from event organisers in the Council's parks, with the events policy ensuring that only events that are complementary to greenspaces are permitted in consultation with key stakeholders.
	3C	Number of attendees for environmental education sessions at BEECHE	383	4500	1,727	1,800	3,904	OUTCOME	187	703	1,072	755	174	295	222	359	137	47	198	473	4,622	1,800	1,800	GREEN	R: < 1,500 A: 1,501 to 1,700 G: > 1,701	

Outcome	No.	DESCRIPTION	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	2021-22 TARGET	2021-22 ACTUAL	GOOD PERF.	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	2022-23 ACTUAL	2022-23 TARGET	2022-23 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)	
3: Enhancing Bromley's Parks and Green Space	3D	External Funding (£000)	85	N/A	226	N/A	165	OUTCOME	Quarterly	Quarterly	26	Quarterly	Quarterly	44	Quarterly	Quarterly	63	Quarterly	Quarterly	12	145	N/A	OUTCOME			
	3E	Partnership Funding* (£000)	Awaiting Data	N/A	25	N/A	61	OUTCOME	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	N/A	N/A	OUTCOME		
	3F	Public Satisfaction with Parks and Grounds Maintenance (%)	80%	75%	80%	75%	80%	HIGH	Annual	Annual	Annual	Annual	77%	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	77%	75%	GREEN	R: < 67% A: 68% to 72% G: >73%	
	3G	Ensure no net loss of trees (Net positive no. of trees)	Felled:372 Planted: 417 Net gain: 45	Net gain in street trees	Felled:663 Planted: 1225 Net gain: 562	Net gain in street trees	Felled:316 Planted:1462 Net gain:1146	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Felled:316 Planted:1590 (340 and 1250 Tremendous) Net gain:1274	Felled:316 Planted:1590 (340 and 1250 Tremendous) Net gain:1274	Net gain in street trees	GREEN	R: < 0 A: 0 G: > 0	
	3H	Total monthly tasks completed on time by Arboricultural Services contractor (% of all jobs)	N/A	75.00%	77%	75.00%	77.44%	HIGH	55.56% (370 out of 666)	61.98% (840 out of 1436)	53.33% (512 out of 960)	74.56% (513 out of 688)	68.97% (1129 out of 1637)	72.84% (1081 out of 1484)	42% (415 out of 988)	47.49% (398 out of 838)	36.79% (174 out of 473)	34.50% (266 out of 771)	24.25% (105 out of 433)	37.21% (275 out of 739)	50.79%	75.00%	RED	R: < 64% A: 65% to 69% G: > 70%	The Service Provider remains in a Corrective Action Plan for this indicator. Regular reviews are taking place between the Contract Manager and Service Provider over and above the normal contract management and monitoring routines. A weekly tracker is provided by the Service Provider which is reviewed to monitor the backlog, with projections revisited and assessed in light of progress monthly. Performance is reviewed each month at the Service Operations Board through the Performance Management Framework.  At the end of the Corrective Action Plan period if performance has not been recovered, the Council may apply the cumulative amount of the Performance Adjusted Value as a deduction. Officers are also considering alternative courses of action under the contract to best manage the risk arising from poor performance by the Service Provider.	
	3I	Planting 1250 trees annually (No.)	N/A	N/A	N/A	N/A	New Indicator 2022/23	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	1250	Awaiting Data	1250	GREEN	R: > 20% A: 20 to 10% G: < 10%	
	3J	Tree safety inspections completed on time Annual target 20200 (No.)	N/A	N/A	N/A	N/A	New Indicator 2022/23	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	29,097	Awaiting Data	20200	GREEN	R: > 20% A: 20 to 10% G: < 10%		
4: Managing our Transport Infrastructure & Public Realm	4A	Condition of principal (A) roads (% considered for maintenance)	Awaiting Data	<6%	Awaiting Data	<6%	<6%	LOW	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	<6%	<6%		R: > 20% A: 20 to 10% G: < 10%	
	4B	Condition of non-principal classified (B & C) roads (% considered for maintenance)	Awaiting Data	<8%	Awaiting Data	<8%	<8%	LOW	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	<8%	<8%		R: > 20% A: 20 to 10% G: < 10%	
	4C	Condition of unclassified roads (% considered for maintenance)	N/A	N/A	Awaiting Data	15%	15%	LOW	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	15%	15%		R: > 20% A: 20 to 10% G: < 10%	
	4D	10 day highway maintenance tasks completed within required timescale (%)	83.8%	90%	83.0%	90%	90.00%	HIGH	87%	86%	86%	56%	55.32%	72.68%	81.28%	88.11%	40.00%	26.97%	37.75%	Awaiting data	Awaiting data	65%	90%	RED	R: < 80% A: 80% to 90% G: > 90%	The service have an ongoing backlog of pothole repairs from the winter. Riney have been asked to provide increased resources and another contractor has been engaged to support this work.
	4E	35 day highway maintenance tasks completed within required timescale (%)	86.0%	90%	88.0%	90%	90.00%	HIGH	79%	83%	62%	16%	68%	92.80%	93.84%	45.61%	34.75%	49.75%	Awaiting Data	Awaiting Data	62%	90%	RED	R: < 80% A: 80% to 90% G: > 90%		
	4F	Routine street lighting maintenance tasks completed within four working days (%)	96.5%	95%	97.0%	95%	96.51%	HIGH	93%	97%	95%	95%	95%	96%	97%	95%	89%	88%	93%	93%	94%	95%	95%	AMBER	R: < 80% A: 80% to 95% G: > 95%	The Service Provider is below the target of 95% due to delays in material deliveries.
	4G	Routine street lighting maintenance tasks completed within eight working days (monthly) (%)	97%	100%	98.0%	100%	97.60%	HIGH	95%	97%	96%	95%	95%	96%	97%	98%	91%	90%	94%	95%	95%	100%	100%	GREEN	R: < 80% A: 80% to 95% G: > 95%	
	4H	Number of FPNs Issued (to utilities in relation to permits)	89	N/A	233	N/A	478	OUTCOME	89	31	32	16	17	22	52	41	23	31	33	21	N/A	N/A	OUTCOME			
	4I	Number of Defect Notices (to utilities in relation to reinstatement)	N/A	N/A	860	N/A	904	OUTCOME	64	62	58	56	51	78	61	79	82	52	61	72	N/A	N/A	OUTCOME			
	5A	Daily Trips Originating in the Borough made by Bicycle (%)	0.9%	1.7%	Awaiting 20/21 data	1.8%	Annual	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	2.0%	2.0%		Amber = 1.7%; Red = 1.0%
5B	Daily Trips Originating in the Borough made by Foot (%)	24.3%	29.0%	Awaiting 20/21 data	29.5%	Annual	HIGH	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	30.0%	30.0%		Amber = 27%; Red = 25%	
5C	Average Vehicle Delay (mins per km - principal roads)	0.63	<0.7	Awaiting 20/21 data	<0.7	Annual	LOW	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	<0.7	<0.7		Amber = 0.8; Red = 1.0	
5D	Maintain Bus Excess Wait Time (EWT) Annually at less than or equal to 1.0 minutes (time mins)	0.85	<1.0	0.55	<1.0	Annual	LOW	Quarterly	Quarterly	0.7	Quarterly	Quarterly	Quarterly	0.8	Quarterly	Quarterly	1.1	Quarterly	Quarterly	Quarterly	0.9	<1.0	GREEN	Amber = 1.1; Red = 1.5		
5E	People Killed or Seriously Injured in Road Traffic Collisions (No.)	106 (calendar year 2019)	<92 (2020 calendar year)	77	<86 (2021 calendar year)	109	LOW	Jan to April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	March	101	<79 (2022 calendar year)	RED	Amber = 86; Red = 99	Although the number of KSIs in 2022 was higher than would be hoped, the overall trend in KSIs is still downward. A review of road safety practice in Bromley will be presented to the ECS PDS in June 2023.	
		Children Killed or Seriously Injured						Jan to April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	March						

Outcome	No.	DESCRIPTION	2019-20 ACTUAL	2020-21 TARGET	2020-21 ACTUAL	2021-22 TARGET	2021-22 ACTUAL	GOOD PERF.	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	2022-23 ACTUAL	2022-23 TARGET	2022-23 RAG STATUS	RAG Threshold	COMMENTARY (BY EXCEPTION)		
5: Improve Travel, Transport & Parking	SF	Injured in Road Traffic Collisions (No.)	16	<8	3	<7	5	LOW	2	2	0	1	0	0	1	0	Awaiting Data	Awaiting Data	Awaiting Data	Awaiting Data	7	<7	GREEN	Amber = 8; Red = 10			
	5G	Total Road Accident Injuries and Deaths (No.)	883	<904	647	<873	740	LOW	Jan to April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	743	<842	GREEN	Amber = 884; Red = 968			
	5H	Children travelling to school by foot, cycle or push-scooters (%) (From School Survey)	46%	46%	51%	48%	49%	HIGH	49%	49%	49%	49%	49%	Annual - due Sept 2023	Annual	Annual	Annual	Annual	Annual	Annual	Annual	49%	50%	GREEN	Amber = 46% ; Red = 40%		
	5I	Cycle training activities (No.) (Level 3 and Adult sessions, does not include child Level 1 or 2, or Family training)	N/A	N/A	New Indicator 2021/22	120	201	HIGH	17	21	10	29	19	10	33	24	7	0	35	30		235	120	GREEN	Amber = 100-115 ; Red = <100		
	5J	School Travel Plans (No.) (Aim to keep at least 90 schools engaged, having active travel plans)	N/A	N/A	New Indicator 2021/22	>90	94	HIGH	94	94	94	94	94	83	82	82	82	82	82	82	82	82	82	>90	AMBER	Amber = <85 ; Red = <75	Although the number of accredited schools has decreased, Bromley has recorded the highest number of GOLD schools ever. This demonstrates that the schools that are engaged in the programme are fully involved and committed to increasing active travel. Currently there are 11 BRONZE, 12 SILVER and 59 GOLD accredited schools.
	5K	Total no. of electric vehicle charging points installed	N/A	N/A	N/A	N/A	New Indicator 2022/23	OUTCOME	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	Annual	5	5	N/A	OUTCOME	N/A		
	5L	Anti-idling Warnings issued (No.) (This includes verbal warnings)	N/A	N/A	New Indicator 2021/22	N/A	326	OUTCOME	2	10	7	9	0	0	0	10	0	11	2	7		58	N/A	OUTCOME	N/A		
	5M	Schools engaged in anti-idling campaign (No.)	N/A	N/A	New Indicator 2021/22	>14	21	HIGH	21	21	21	21	21	28	28	34	34	34	34	34	34	34	>14	GREEN	Amber = 13; Red = 10		
	5N	Pay and Display Machine Maintenance (Percentage of machine non-operational time during full period)	1.8%	1.00%	1.7%	2.00%	2.7%	LOW	3.09%	4.53%	1.4%	1.6%	1.6%	2.0%	1.0%	4.2%	3.3%	4.6%	2.3%	1.5%		2.6%	2%	AMBER	Amber = 2.25% ; Red = 3%	All pay and display machines were removed by the end of April.	
	5O	Cashless parking usage in on and off street locations (Percentage of users paying for on and off street parking by RingGo)	41.7%	>40%	50.3%	45.00%	62.1%	HIGH	66.3%	68.5%	66.6%	67.2%	65.6%	68.3%	71.3%	73.5%	75.0%	75.8%	75.1%	81.2%		71.2%	65%	GREEN	Amber = 55% ; Red = 40%		
	5P	Number of incidents in Car Parks of graffiti, rubbish, fly tipping etc. not cleared proactively as part of routine maintenance (No.)	16	70.00	0	12	0	LOW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	GREEN	Amber = 15 ; Red = 25		
	5Q	% of cases closed as Civil Enforcement Officers (CEO) errors within the month (<2%)	N/A	N/A	N/A	N/A	New Indicator 2022/23	LOW	5059 PCNs issues by CEO and 57 CEO errors (1.1%)	4997 PCNs issues by CEO and 104 CEO errors (2%)	5355 PCNs issues by CEO and 40 CEO errors (1%)	5929 PCNs issues by CEO and 75 CEO errors (1%)	5629 PCNs issues by CEO and 35 CEO errors (1%)	6293 PCNs issues by CEO and 57 CEO errors (1%)	6308 PCNs issues by CEO and 45 CEO errors (1%)	6173 PCNs issues by CEO and 46 CEO errors (1%)	5520 PCNs issues by CEO and 53 CEO errors (1%)	6154 PCNs issues by CEO and 37 CEO errors (1%)	5640 PCNs issues by CEO and 103 CEO errors (1%)	6290 PCNs issues by CEO and 84 CEO errors (1%)		<2%	<2%	GREEN	Amber = 2.25% ; Red = 3%		

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Report No.  
CSD 22140

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 29<sup>th</sup> June 2023

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

**Title:** APPOINTMENTS TO THE COUNTRYSIDE CONSULTATIVE  
PANEL AND THE LEISURE GARDENS AND ALLOTMENTS  
PANEL 2023/24

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

**Chief Officer:** Tasnim Shawkat: Director of Corporate Services and Governance

**Ward:** (All Wards);

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1. Reason for decision/report and options

1.1 There are two Consultative Panels, both within the remit of the Environment Portfolio, namely the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel. Administration for the Panel is undertaken by Idverde, the Council's contractor for Parks, Countryside and Greenspace Management.

1.2 It is necessary to confirm the appointment of Members to these Panels for 2023/24.

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2. **RECOMMENDATION(S)**

**The Portfolio Holder is asked to confirm the 2023/24 Membership of the Countryside Consultative Panel and the Leisure Gardens and Allotments Panel.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The health and wellbeing of vulnerable adults and children would likely be positively affected by the environment experienced when being in the countryside, a garden or an allotment.
- 

### Transformation Policy

1. Policy Status: New Policy:
  2. Making Bromley Even Better Priority: For residents to live responsibly and prosper in a safe, clean and green environment great for today and for a sustainable future.
- 

### 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: £366k
  5. Source of funding: Revenue Budget
- 

### Personnel

1. Number of staff (current and additional): 6
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable: The report does not require an Executive Decision.
- 

### Procurement

1. Summary of Procurement Implications: N/A
- 

### Property

1. Summary of Property Implications: N/A
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
    - 1.1 The protection of the countryside and leisure gardens will help to reduce LBB's Carbon Footprint.
- 

### Customer Impact

1. Estimated number of users or customers (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

3.1 The following nominations for the Countryside Consultative Panel have been received:

Councillors Andrew Lee, Alexa Michael, Jonathan Andrews, Thomas Turrell, Chris Price.

3.2 The following nominations for the Leisure Gardens and Allotments Panel have been received:

Councillors Will Rowlands, Harry Stranger, Alexa Michael, Diane Smith, Josh King

<b>Non-Applicable Headings:</b>	
Background Documents: (Access via Contact Officer)	Previous Consultative appointments reports.

Report No.  
FSD23040

## London Borough of Bromley

### PART ONE - PUBLIC

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

**Date:** Thursday 29th June 2023

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

**Title:** PROVISIONAL OUTTURN 2022/23

**Contact Officer:** Murad Khan, Head of Finance (Environment and Community Services)  
E-mail: murad.khan@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

This report provides the provisional outturn position for 2022/23 for the Environment & Community Services Portfolio.

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2. **RECOMMENDATION(S)**

The Portfolio Holders are requested to:

2.1 Endorse the 2022/23 outturn position for the Environment & Community Services Portfolio.

## Impact on Vulnerable Adults and Children

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

## Transformation Policy

1. Policy Status: Existing Policy: Further Details
  2. Making Bromley Even Better Priority:  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Recurring Cost
  3. Budget head/performance centre: All Environment & Community Services Portfolio Budgets
  4. Total current budget for this head: £39.9m
  5. Source of funding: Controllable revenue budgets 2022/23
- 

## Personnel

1. Number of staff (current and additional): 145.6 FTE
  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
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
- 

## Customer Impact

1. Estimated number of users or customers (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 provides the provisional outturn position for the Environment and Community Services Portfolio for 2022/23, which is broken-down in detail in Appendix 1, along with explanatory notes. The final outturn report will be considered by the Executive at its meeting on 5<sup>th</sup> of July.
- 3.2 The final outturn for the “controllable” element of the Environment and Community Services budget in 2022/23 is a net underspend of £200k compared to the last reported figure of a net underspend of £416k which was based on activity at the end of December 2022.

### **Carry Forward Requests**

- 3.3 On the 5th of July, the Executive will be requested to approve several carry forward requests relating to either unspent grant income, or delays in expenditure where cost pressures will follow through into 2023/24.
- 3.4 Appendix 2 provides a detailed breakdown of all the carry forward requests for the Environment and Community Services Portfolio. Future reports to the Portfolio Holder will be required to approve their release from the 2023/24 Central Contingency.

## **4. CHIEF OFFICER COMMENTS**

- 4.1 Over the year we have seen the vast majority of services return to what we would describe as pre Covid levels with perhaps exceptions in areas such as Parking, where the volume of parking continues to be a challenge and in areas such as street trading. It may well be the case that these service areas off the back of Covid are now affected by the wider economic challenges affecting the UK and therefore recovery in these areas will be slower than originally anticipated.
- 4.2 The weather over the last year impacted heavily on service delivery with the hottest summer on record impacting on a range of front-line operations and then, albeit a short but very cold winter spell that again disrupted front line operations.
- Although Parking enforcement activity had largely returned to pre-Covid levels, staffing issues had an adverse impact on income from PCN's in December and January. Furthermore, the income target from the introduction this year of Moving Traffic Contraventions was not achieved. Car volumes are increasing though and the expectation is that income from parking fees and charges will start to pick up as we move into the first quarter of the new year.
  - Income from other fees and charges is also affected across all services to some degree with marked reductions in income from street traders' licences as market trading numbers struggle to return to pre Covid levels.
  - The trend in the reduction in waste volumes has continued with waste officers confirming that waste volumes have continued to hold at pre-Covid levels. This along with the over achievement of income through recycled material income have meant that there has been a reduction in waste costs over the year. Caution is though required as financial rates for recycled material varies and whilst high at the moment, this position cannot be guaranteed going forward. New outlets for wastepaper and measures taken at the Central Depot to reduce water ingress have resulted in no paper loads being rejected because of high moisture content which in turn contributed to the higher income.

- 4.3 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.
- 4.4 There is still some uncertainty with regard to TFL funding. Limited short-term grant was allocated during 2021/22 which resulted in some unfunded staffing costs as well as impacting on projects that could be delivered. Whilst some limited funding has been provided for 2023/24, the longer-term funding of either staff costs or projects remains challenging.

**5. POLICY IMPLICATIONS**

- 5.1 To meet the ambitions for residents, the Council must use available resources deploy its workforce wisely. This is reflected in the “Making Bromley Even Better” ambition of Service Efficiency - ‘To manage our resources well, providing value for money, and efficient and effective services for Bromley’s residents.’
- 5.2 The “2022/23 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.

**6. 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, there was an underspend of £200k in the 2022/23 financial year.
- 6.3 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1A. Budget holders have full responsibility for those budgets classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control. “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service.

<b>Non-Applicable Sections:</b>	Legal, Personnel & Procurement Implications
Background Documents: (Access via Contact Officer)	2021/22 budget monitoring files within E&CS Finance section



## Environment &amp; Community Portfolio Budget Monitoring Summary

2021/22 Actuals £'000	Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>ENVIRONMENT &amp; COMMUNITY PORTFOLIO</b>							
	<b>Street Scene &amp; Green Spaces</b>							
1,082	Arboriculture Management	757	772	1,151	379	1	185	0
-164	Business Support and Markets	-64	-5	92	97	2	148	0
200	Senior Management	1,134	1,250	1,189	-61	3	0	0
1,417	Performance Management and Business Support	439	209	211	2		0	0
6,039	Parks and Green Spaces	6,073	6,350	6,439	89	4	85	0
0	Carbon Management	0	107	79	-28	5	0	0
18,582	Waste Services	19,654	19,195	18,503	-692	6	-1,080	0
5,789	Neighbourhood	6,223	6,572	6,491	-81	7	0	0
<b>32,945</b>		<b>34,216</b>	<b>34,450</b>	<b>34,155</b>	<b>-295</b>		<b>-662</b>	<b>0</b>
	<b>Transport Operations and Depot</b>							
504	Transport Operations and Depot Management	594	654	552	-102	8	0	0
<b>504</b>		<b>594</b>	<b>654</b>	<b>552</b>	<b>-102</b>		<b>0</b>	<b>0</b>
	<b>Traffic, Parking and Highways</b>							
248	Traffic & Road Safety	133	145	-140	-285	9	-179	0
-6,967	Parking	-9,462	-8,950	-8,209	741	10	488	0
6,072	Highways (including London Permit Scheme)	8,813	9,238	8,979	-259	11	-196	0
<b>-647</b>		<b>-516</b>	<b>433</b>	<b>630</b>	<b>197</b>		<b>113</b>	<b>0</b>
<b>32,802</b>	<b>TOTAL CONTROLLABLE</b>	<b>34,294</b>	<b>35,537</b>	<b>35,337</b>	<b>-200</b>		<b>-549</b>	<b>0</b>
2,630	<b>TOTAL NON-CONTROLLABLE</b>	6,689	2,173	2,173	0		0	0
2,449	<b>TOTAL EXCLUDED RECHARGES</b>	2,336	2,284	2,284	0		0	0
<b>37,881</b>	<b>PORTFOLIO TOTAL</b>	<b>43,319</b>	<b>39,994</b>	<b>39,794</b>	<b>-200</b>		<b>-549</b>	<b>0</b>

<b>Reconciliation of Latest Approved Budget</b>		<b>£'000</b>
<b>Original Budget 2022/23</b>		<b>43,319</b>
<b>Carry Forward Requests approved from 2021/22</b>		
<b>Central Contingency Adjustments</b>		
Electricity budget adjustments		
Parks	168	
Business Support and Markets	17	
Highways	425	
Transport Op and Depot Management	60	
Parking	9	
Merit Awards		
Performance Management and Business Support	2	
Business Support and Markets	1	
Traffic and Road Safety (12 traffic, 3 Parking)	15	
Waste	3	
Reductions		
Reduction of Waste budgets	-1,000	
Contract Inflation		
Waste Collection & Disposal	810	
Neighbourhood	107	
Parks Management & Grounds Maintenance	153	
Arboricultural Services	14	784
Parking income		500
Restructure Street Scene and Green Spaces		
Arboriculture		1
Markets		41
Performance Management and Business Support		-232
Parks		-44
Neighbourhoods Restructure		242
Waste Restructure		-272
Carbon Management		147
Senior Management		117
<b>Other</b>		
Provision for agency workers contract savings		-23
Adj to NI budget following reversal of 2022-23 increase in November		-17
<b>Non-Controllable</b>		
Support Services		-53
Premises related		15
Insurance		548
Capital Charges		-5,192
Rent & commercial income		34
Parks and Green Spaces restructure		80
<b>Latest Approved Budget for 2022/23</b>		<b>39,994</b>

## **REASONS FOR VARIATIONS**

### **1. Arboriculture Management £379k**

This overspend has arisen as a result of tree maintenance works, which following a cyclical inspection of trees in the borough showed the need for additional works to manage risk in relation to health and safety and potential future insurance claims. Historically, there have been in-year overspends of between £200 – £300k. A total of £522k was drawn down from reserves for the Tree planting project.

### **2. Business Support & Markets Dr £97k**

Street trading income remains affected by the continuation, under the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021, of pavement licences. This was a temporary measure, originally introduced during the Covid pandemic but now extended into 2023 with a view to being made permanent, which allows businesses to apply for a pavement licence for a £100 administration fee with no ongoing charges.

This is a significant reduction compared to the permanent street trading licence scheme where the fees charged are significantly higher and are subject to periodic renewal the net impact on the Council this year remains a net loss of £97k.

### **3. Senior Management Cr £61k**

The service incurred an underspend of £61k on the employee related expenses. This is due to existing vacancies that could not be filled throughout the financial year.

### **4. Parks and Green Spaces, Dr 89k**

A total of £38k has been spent on countryside stewardship, with this due to be reimbursed by the Rural Payments Agency.

£24k was incurred as a result of the safety measures taken following the urgent removal of floodlights in Crystal Palace Park by the Greater London Authority; this is due to be reimbursed.

An overspend of £10k has been incurred for pest control in parks. This was previously delivered as a benefit of a concessionary arrangement with a provider which was decommissioned in 2022.

An overspend of £13k relates to ecological oversight required for improvements at Scadbury Park. Park income generated across the service underachieved by £89k.

### **5. Carbon Management Cr £28k**

The service incurred an underspend of £28k on the employee related expenses. This is due to existing vacancies that could not be filled throughout the financial year.

### **6. Waste Services Cr £692k**

In setting the budget for 2022/23, account was taken of the significant increase in waste volumes collected from residential properties that had occurred since 2020.

This was explained mainly as more people working from home following Covid restrictions, as well as an increase in the amount of waste generated from more home deliveries. As 2021 progressed, it appeared that this would be a long term and permanent change in domestic habits with a corresponding long-term increase in recycling processing and waste handling costs, and the 2022/23 budget therefore was increased by £800k.

However, as previously reported, it became apparent in the final quarter of 2021/22 and into the first quarter of 2022/23 that waste volumes had moderated and even declined and the increased budget provision of £800k was not required. This trend has been sustained into the second quarter of this financial year with waste officers confirming that waste volumes have continue to be at pre-Covid levels.

The bulk of the underspends in Waste comes from the Contract Incentive Payment related to the recycles pricing adjustment that Veolia granted the Council for a total of £625k. Other underspends in the service are recorded on the ICT Software and Maintenance and Membership and Subscriptions lines, a total of £67k.

#### **7. Neighbourhood Services Cr £81k**

The service underspent £47k on employee related expenses, as staff vacancies could not be filled during the year. The income generated from the Environmental Penalty Charge Notices overachieved the budget by £34k.

#### **8. Transport Operations and Depot Management Cr £102k**

The service incurred underspends on employee related costs due to vacancies that could not be filled during the year (£65k) and £42k underspends on premises related expenditure (cleaning services, security of premises, tenant maintenance costs).

#### **9. Traffic & Road Safety Cr £285k**

The Assistant Director for Traffic and Parking anticipates that all staffing costs this year can be fully funded and managed within the service's budget and from the LIP grant funding and no variation in this respect is being projected.

Total income overachieved by the service in 2022-2023 is £214k. Advertising income from JD Decaux overachieved the budget by £62k. Similarly for Road Closure Charges (Temporary Traffic Orders), the income levels were maintained as in the previous two financial years, the budget overachieved by £138k with Other Fees and Charges overachieving by £14k. Other budgets that incurred underspends are on the employee related costs.

## 10. Parking Dr £741k

<b>Summary of Key Variations</b>	<b>Total £'000</b>
Car Parks	162
On Street	-240
RingGo fees	-231
Enforcement PCNs issued by CEOs	-97
Moving Traffic Contraventions (MTCs)	1,652
Bus Lanes	312
School Keep Clear Markings	-77
Parking Shared Services	-288
Traffic committee	-46
Central Contingency	-500
Other Variations	94
<b>Total variations</b>	<b>£741</b>

### 10a. Car Parks (off street and multistorey car parks) Dr £162k

In recent years there has been a marked change in the use of vehicles for trips to town centres and for commuting. This has had an impact on the use of off-street car parking spaces, resulting in a lower income to the Council. There is an improvement from Q3 by £153k.

### 10b. On Street Car Parks Cr £240k

On street parking income has overachieved the budget by £240k, an improvement of £230k from Q3.

### 10c. Ringo Fees, Cr £231k

The amount that the Council receives from RingGo fees continued to be buoyant into the fourth quarter of the financial year, as the increased use of this payment method to pay for parking fees appears to be sustained and an overachievement of £231k

### 10d. Car Parking Enforcement by CEOs Cr £97k

Based on activity levels in the year to date, particularly in the third quarter to December, there is an income overachievement of £97k from PCN's issued by enforcement officers. This is an unfavourable variation of £227k from the Q3 projections because... EXPLANATION NEEDED

### 10e. Moving Traffic Contraventions (MTCs), Dr £1652k

Since the introduction of enforcement of moving traffic contraventions in October 2021, the actual number of tickets issued has been significantly lower than anticipated. Officers believe that this has been the result of changes in traffic patterns post Covid-19 pandemic, alongside the Borough's fair approach to enforcement. The final shortfall for the year is £1,652k.

#### **10f. Bus Lanes, Dr £312k**

As has been reported previously, compliance of Bus Lanes continues to improve and therefore this income budget underachieved by £312k this year, this is a worsening of the position from last year.

#### **10g. School Keep Clear Markings, Cr £77**

There is an overachievement of £77k from this budget due to a new camera at a bus stop that had a known enforcement problem and was causing problems to the bus network.

#### **10h. Parking Shared Service Cr £288k**

The final position is an underspend of £288k for the Parking Shared Service mainly due to underspends on staffing as a result of vacancies across both boroughs as well as a reduction in the number of agency staff employed. Officers plan to recruit to some of these posts in 2023/24.

#### **10i. Traffic Committee for London fees Cr £46k**

There is an underspend of £46k on this budget in 2022/23, a similar figure to the 2021-2022 financial year.

#### **10j. Central Contingency Cr £500k**

As previously reported, in setting the budget for 2022/23, the Executive took into account the risk of possible continuing losses and set aside a further provision of £500k in the Central Contingency budget. As agreed by the Executive in October, this amount has now been drawn down to the Parking income budget.

### **11. Highways, including London Permit Scheme Cr £259k**

The Highways service is underspending by £259k, an improvement from Q3 by £174k. The underspends include a carry forward of £245k that will be utilised in 2023-2024 for Highways Maintenance.

Highways are overachieving on income in the areas of Defect Notices, Section 74 Notices, Fixed Penalty Notices by £255k. The service is also underspending on employee expenses.

A carry forward request of this underspend has been made for approval at executive, this will create an earmarked reserve to conduct essential repairs and maintenance works on our highways.

#### **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 Subcommittee bi-annually. Since the last report to the Executive, no waivers over £50k have been actioned.

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

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

**ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO C/F REQUESTS**

**Other Carry Forward Requests**

**1. Highways income £245,000**

The amount will be carried forward into 23-24 to be used for Highways maintenance and repairs. In 22-23 the supplier, JB Riney had difficulties in completing the work due to staff shortages.



Report No.  
ES20295

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Portfolio Holder for Transport, Highways & Road Safety

**FOR PRE-DECISION SCRUTINY BY THE ENVIRONMENT AND  
COMMUNITY SERVICES POLICY DEVELOPMENT AND  
SCRUTINY COMMITTEE ON:**

**Date:** 29 June 2023

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

**Title:** **COMPREHENSIVE REVIEW OF ROAD SAFETY IN L. B.  
BROMLEY**

**Contact Officer:** Angus Culverwell, Assistant Director Traffic and Parking  
Tel: 020 8313 4959 E-mail: angus.culverwell@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

This report sets out the Council's approach to road safety and casualty reduction in the Borough, identifies future challenges and recommends priorities for action.

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2. **RECOMMENDATION(S)**

2.1 **Members of the Committee are asked to note the Council's approach to road safety and casualty reduction as set out in Section 3.**

2.2 **The Portfolio Holder is recommended to confirm the Borough's approach to road safety and casualty reduction as set out in Section 3.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Transport improvements take account of the needs of vulnerable road users.
- 

## Transformation Policy

1. Policy Status: Existing Policy: The recommendations in this report are in line with the Borough's current Transport Plan – "Bromley's Third Local Implementation Plan – Bromley's transport for the future" published in 2019.
2. Making Bromley Even Better Priority:
  - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
  - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
  - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

Further Details: Transport has a key role to play in delivering these MBEB objectives, for example, projects to enhance walking and cycling infrastructure will be used to improve the public realm of town and local centres providing a quality environment and creating places that people want to spend time in thereby supporting vibrant, thriving town centres. By providing attractive walking and cycling infrastructure, residents will be able to undertake exercise as part of their everyday routine, improving their health and reducing the chance of illness. Infrastructure such as benches and improved walking routes help to ensure that older residents can remain active, thereby supporting independence and also promoting a healthy Bromley. Above all, the safety of road users on our streets needs to be enhanced as far as is possible.

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## Financial

1. Cost of proposal: All schemes rely on the Council identifying a suitable budget to take them forward.
  2. Ongoing costs: n/a
  3. Budget head/performance centre: Traffic and Road Safety (not just road safety schemes)
  4. Total current budget for this head: £1,650,000 (TfL) plus £388,580 (LBB)
  5. Source of funding: TfL LIP funding and Bromley Core Funding
- 

## Personnel

1. Number of staff (current and additional): 25 FTE
  2. If from existing staff resources, number of staff hours: n/a
- 

## Legal

1. Legal Requirement: The 1988 Road Traffic Act, Section 39, puts a "statutory duty" on the local authority to undertake studies into road traffic collisions, and to take steps both to reduce and prevent them.
  2. Call-in: Applicable
- 

## Procurement

1. Summary of Procurement Implications: n/a

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Property

1. Summary of Property Implications: n/a
- 

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Projects to support sustainable transport are a priority
- 

Customer Impact

1. Estimated number of users or customers (current and projected): All road users
- 

Ward Councillor Views

1. Have Ward Councillors been asked for comments? n/a
2. Summary of Ward Councillors comments: n/a

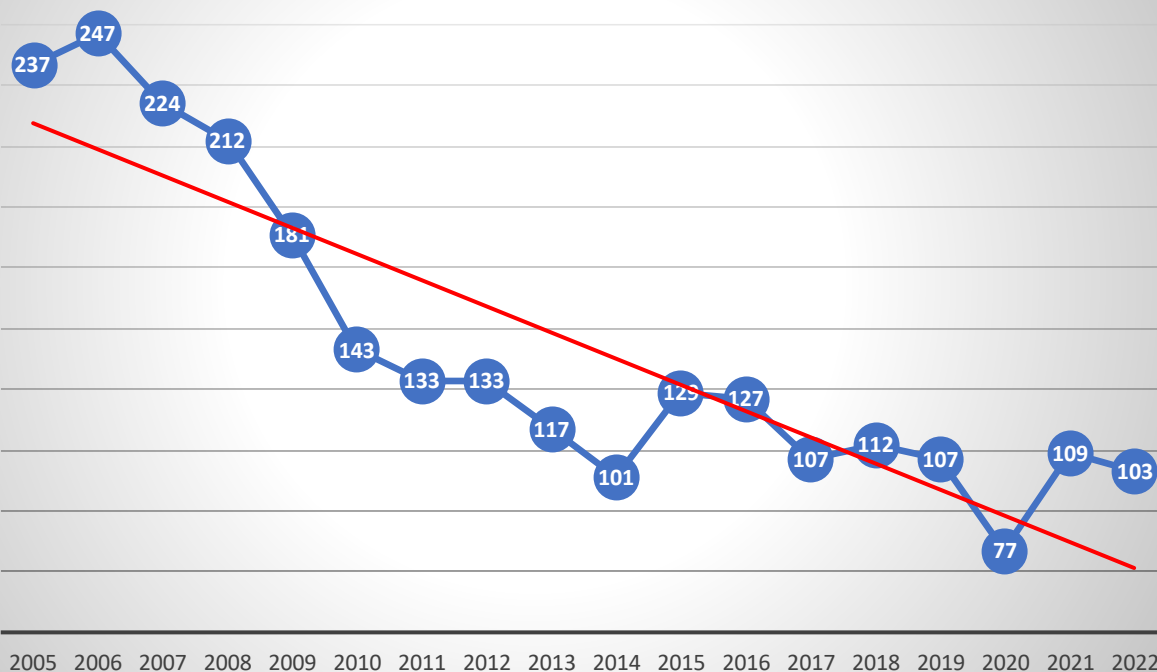
### 3. COMMENTARY

- 3.1 Traffic congestion, road safety and parking problems are a significant challenge for the Borough. Due to the potential for considerable growth in the local population, changing travel patterns and a desire to support active travel, we must have sound policies for managing the traffic and parking demands that will arise in the future. There is a dilemma at times in this work area, as we encourage people to consider “active travel” – walking and cycling – when we know that they will be more vulnerable as road users if they are not in a car.
- 3.2 Many of Bromley’s transport policies are set out in the Council’s transport plan, LIP3, published in 2019. However, this report offers an opportunity for Members to specifically reflect on the current approach to road safety and to offer comments in respect to policy development in this work area.
- 3.3 There are finite resources to improve and adapt the Borough’s streets to support the travel needs of our road users and to reduce the number of road casualties. Therefore, it is important that the resources are directed to where they will achieve best value.
- 3.4 The traditional approach to road safety at both a local and national level has been to use what is known as the three Es: **Engineering, Education and Enforcement**. In a London borough the Council has much of the responsibility for engineering and education, with the majority of road safety related enforcement being the remit of the Metropolitan Police.
- 3.5 Bromley has always made road safety a priority, with the Road Safety team undertaking a focused programme of road safety education and training, and the Traffic team prioritising much of its work to implement road improvement schemes targeted at “treatable” cluster sites.

#### Progress in recent years

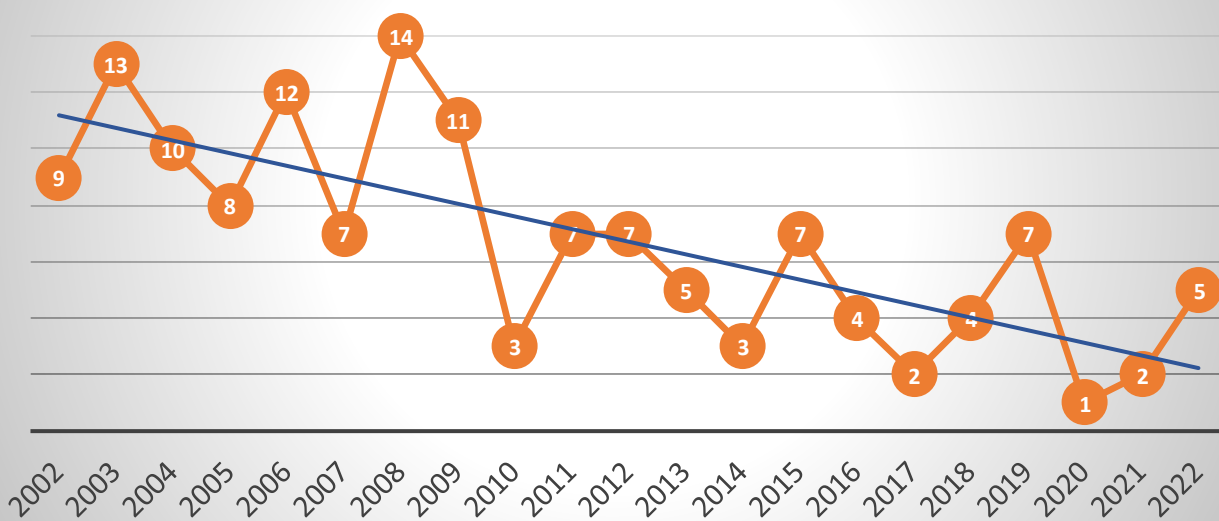
- 3.6 The Borough’s transport plan, *LIP3: Bromley’s transport for the future*, sets out the Borough’s aspiration to focus on reducing the number of deaths and serious injuries, with targets being set for various time points to 2041. There are a range of variables that affect the number of road casualties, many of which are not under the influence of a local highway authority. These include the economy, the number of people using the streets (lower during the pandemic for example), the weather, the level of Police enforcement, etc. which is why year on year data is not always the best to use to monitor progress. But over a period of years, progress can be tracked and comparisons with other LAs can be made.
- 3.7 Bromley’s approach to road safety and casualty reduction has evidently been effective as, coupled with national road safety improvements, it has resulted in serious and fatal road casualties falling by nearly 50% from the 2005-2009 baseline to 2022 (provisional number of those killed or seriously injured, KSI, of 103). Bromley has not reached its very ambitious KSI reduction figure for 2022 of 65% (as set out in LIP3) but 50% is still commendable. Looking at comparative data for the 2018-2022 average for all London Boroughs, compared to baseline data, Bromley saw the largest decrease in KSIs.
- 3.8 Another way to compare performance between local highway authorities is to look at the number of casualties per miles travelled on borough roads, i.e. the casualty rate, as some boroughs have considerably more road length and road use than others. Bromley had the 9th lowest rate of KSIs per mile across the 33 London authorities in 2021 (comparative data for 2022 is not available at the time of publication of this report).
- 3.9 The chart below shows the progress made in reducing the number of KSIs since the baseline year of 2005.

### KSI Road Casualties in L.B.Bromley (2022 data is provisional)



3.10 Members have expressed an interest in looking separately at the number of fatalities occurring. Although the numbers are thankfully fairly low and the decrease over the years is not statistically significant, there are on average fewer deaths on the roads of the Borough over the last decade than ever before. The average number of annual road collision deaths in the last decade is about half of what it was in the previous decade.

### Road Fatalities L.B.Bromley



More information about fatal road collisions in the Borough is given later in this report.

#### How collision data is acquired

- 3.11 The data used to investigate and help us know what and where on our streets collisions are occurring is that derived from the “STATS19” database, which is a collection of all road traffic collisions that resulted in a personal injury and were reported to the police within 30 days of the collision. The data is collected by the police at the roadside or when the collision is reported to them by a member of the public in a police station. It is a legal requirement to report all injury collisions on the highway to the Police.
- 3.12 Although research has shown that there is a degree of under-reporting of injury collisions, which varies in degree by mode of travel, there is agreement that the STATS19 data is the most reliable way of comparing: collision hotspots/cluster sites, risk of injury by mode of travel, time of day, age, cause of collision etc. Historic collisions are accepted as being the best way to predict future collisions, although a degree of discernment is needed before leaping to conclusions (more on this later). The use of other data to compare risk of future collisions has been investigated, e.g. residents reporting a junction or road seeming dangerous to road users, or reports of non-injury collisions. However, it is not possible to compare such reports as there is no consistent and reliable way to record the data. Such anecdotal reports can be useful to a highway authority but cannot be used to justify and prioritise an intervention on the grounds of casualty-reduction.
- 3.13 Once a location has been identified for a possible remedial scheme, all available information is then used to help the investigating engineer to be able to paint a picture of what is causing the collisions, so anecdotal reports or non-injury collisions and near misses can then be very helpful in developing a design solution.

### **Who is getting injured**

- 3.14 Looking more deeply at the data it can be seen that some modes of travel make the road user more vulnerable to serious injury than other modes do. Although cycling makes up about 1% of journeys travelled in Bromley, roughly 25% of those seriously injured are cyclists. Motorcycle journeys make up about 5% of all journeys but the proportion of motorcyclist KSIs in Bromley is over 20% of all KSIs; the majority of these involved small capacity motorcycles.
- 3.15 Younger children are less likely to be killed or seriously injured in Bromley, with very few primary aged children being seriously hurt (none in the last three years). Children of this age travel with parents, but as children get more freedom when they enter secondary school, the number of KSIs go up markedly, particularly as pedestrians and motorcyclists.
- 3.16 The table below shows KSI casualty numbers in the three years to November 2022 by mode of travel:

Age	Total KSI	Car	Pedestrian	Cyclist	Motorcyclist	Other
0-10	1	1				
11-20	40	7	14	5	11	2
21-30	52	9	10	15	18	
31-40	44	6	9	14	13	2
41-50	55	7	9	23	13	3
51-60	45	17	13	8	4	3
61-70	25	7	6	10		2
71-80	14	5	8		1	
81-90	10	5	4			1
91-100	0					

- 3.17 Of these 289 serious or fatal casualties, 206 were male.

## **Where are people being injured in Bromley**

- 3.18 Perhaps unsurprisingly the majority of collisions happen on the busier roads, with most collisions being at junctions. We must be careful not to jump to the conclusion that busier roads are more dangerous as the rate of collisions there may in fact be lower than on some more minor, less busy roads. As the resources available to make roads and drivers safer will never be sufficient to prevent all injury collisions, the skill of a road safety engineer is to detect locations where an abnormal number of collisions are regularly happening, and then to work out if there is an aspect of the road layout that might be improved.
- 3.19 According to Police data, the majority of injury collisions are caused by driver error and not by the road environment. That does not mean that where there is a pattern of collisions the road layout cannot be adapted to reduce the likelihood of crashes.

## **Process of selecting sites for possible Local Safety Schemes**

- 3.20 Bromley is careful not to respond to pressure to react in a knee-jerk manner to individual collisions that occur, however tragic the outcome. Often the cause of a collision is a random mistake made by a road user, where no changes to the road layout and no education campaign would prevent a reoccurrence of the collision. However, where patterns of collisions occur it is possible that the highway authority can intervene in a meaningful way to prevent either further collisions at that specific location or collisions with the same cause. A pattern can mean similar injury collisions at one location (e.g. pedestrians crossing the western arm of the junction), or a theme developing in the causation of collisions across the Borough (e.g. young motorcyclists).
- 3.21 With finite resources, even for an absolute priority such as improving road safety and reducing the numbers of those killed and seriously injured (KSI) on the Borough's roads, remedial action needs to be prioritised. Prioritisation of remedial schemes takes place approximately biennial to deliver the greatest benefit and quickest reductions of KSIs. The Council continues to investigate road collisions and maintain a rolling programme to identify, prioritise and implement casualty reduction schemes and to prioritise collision hotspots for remedial action as part of its annual LIP programme, especially those where KSIs have occurred.
- 3.22 To prioritise investment, Bromley examined a list of locations where there have been 5 or more personal injury collisions within a 50-metre radius, using the latest 3 years of available data. The collisions at these locations were analysed to identify if there were any common patterns between the collisions and if so whether there were any measures which could be implemented to prevent similar collisions occurring in the future. As there are limited funds available to carry out interventions, schemes must be prioritised using a cost-benefit analysis, with a higher weighting given to collisions that led to serious or fatal injuries.
- 3.23 Bromley will usually undertake a Borough-wide review of all injury collisions every two years. This involves a thorough study of all collisions to identify cluster sites and to then study the details of the collisions at those locations. As part of Bromley's last biennial cluster site analysis, 101 cluster sites were identified in the 36-month period up until the end of April 2020 (the data became available about 8 months after that date). Bromley is working through the sites identified for action at that time, as funding permits. (A study was not undertaken in 2022 as the funding for road safety schemes had been suspended for the last two years due to TfL funding cuts to boroughs, but has been reinstated since April this year, although at a lower level. If a location has a sudden spate of collisions in the short term, this cannot be identified using the STATS19 data as the information doesn't come to the highway authority until about six months after the event.)
- 3.24 As stated, each review of cluster sites flags up about 100 locations where the number of casualties occurring might suggest a pattern to those collisions – i.e. a cause that might be

treated. This long list of ~100 locations is analysed against the following criteria to produce a short list of sites for more detailed investigation:

- Locations are excluded if they occurred on the Transport for London Road Network (TLRN) – i.e. the A21, A20 and part of the A232.
- Locations where the number of collisions showed a significant decline over the 36-month period are excluded with a note to monitor annually.
- Locations where recent changes to the road layout had occurred were excluded while awaiting the 3 years of data post completion to re-analyse, however the location would continue to be monitored yearly to identify any spikes which may trigger immediate investigation (and may be subject to a Stage 4 Road Safety Audit).
- Locations were excluded where collisions appeared to occur randomly with no obvious patterns which could result in remedial actions (i.e. there was no apparent solution).
- Consideration was given to excluding locations where the number of collisions at that location were at or below what may be expected for similar locations, however consideration was given to any low-cost improvements which could be made (such as refreshing the road markings or adding a new sign).
- Measures taken to address collision cluster sites vary on a case-by-case basis and are determined on the basis of careful analysis of previous collision patterns. Interventions may vary from low-cost measures such as revised road markings to completely redesigned junctions. Where major interventions are undertaken to address cluster sites, designs were developed to also improve conditions for walking and cycling, to unlock the potential for active travel.
- Further to the initial analysis locations identified were short-listed for more detailed analysis. Further analysis on these locations involved producing stick diagrams to identify whether there were any patterns in the collisions that could potentially be reduced by implementing remedial measures. Any potential schemes were selected based on a good First Year Rate of Return (FYRR), local priorities and added environmental value.

3.25 Example costs to install traffic engineering measures are set out here:

- a) Zebra crossing - £25k to £50k, depending on location, necessity for anti-skid road surface, kerb realignments, presence of statutory services etc.
- b) Signal controlled crossing - approximately £75k to £100k, depending on location
- c) Mini roundabout - £10k to £100k, depending upon location, need for deflection, existing road surface etc.
- d) Full size roundabout - £120k+ according to size and location
- e) Speed table - £20k to £100k, depending on junction, need to raise or change footways etc.
- f) Traffic island or pedestrian refuge - £7k to £15k, depending on size
- g) Bike lane - these can vary hugely in cost depending on if they are set out simply with signs and road markings or are segregated from traffic, requiring changes to the infrastructure and possible relocation of utilities.
- h) Flashing warning sign - £3k to £10k depending upon size, vehicle-activated or timed etc.



i) Road marking – can be just in the £100s

The presence of utility providers equipment, usually under the footway or carriageway, can greatly affect the cost of a scheme and may render it unviable. For example, relocating one telecommunications chamber can easily cost well over £100k.

High-cost schemes are sometimes justified if any discernible collision savings are to be delivered. However, the cost/benefit of the investment needs to be calculated, to help determine the priority of the location.

- 3.26 One example of a relatively recent casualty reduction scheme is the installation of a double mini-roundabout and road realignment at the junction of Warren Road and Court Road in Chelsfield. From June 2005 to August 2016, a total of 15 collisions had occurred at this junction, including one fatal collision and three serious collisions. In view of their number and pattern, as well as safety concerns raised by Ward Members, the construction of a roundabout was proposed at the junction to improve road safety. After this scheme was scrutinised by Members of this committee a design was developed in more detail and the final double-mini-roundabout scheme was completed in mid-2021, since when there have been no injury collisions recorded at this location.
- 3.27 A more recent scheme to be approved for remedial action is the junction of Southend Road/Park Road/Foxgrove Road, which was supported at the last PDS in March. This location suffers from a very poor injury crash record and is one of the Authority's highest priorities for remedial action. In the latest 3 year period (up to 30<sup>th</sup> September 2022) there have been a total of 13 injury collisions, 11 of which were slight and 2 were serious; 6 involved pedal cycles and 1 a pedestrian, the remainder car occupants. Detailed design is now being finalised and road safety audits undertaken, before works are commissioned to install a casualty reduction scheme.
- 3.28 The junction with the highest number of casualties in the Borough at the time of the last review is the junction of Hayes Lane with Stone Park Avenue, South Eden Park Road, Wickham Road and Wickham Way (often known as Chinese Roundabout). Officers are developing a design which, if it can achieve a high enough First Year Rate of Return, will be presented to this committee later this year.

### **Area-wide Safety Schemes**

- 3.29 The Council often receive requests to reduce the speed limit on roads in the borough. Speeding and dangerous driving are offences punishable by law and enforced by the Police. However, the Council will investigate whether low-cost measures such as posters, vehicle-activated signs and road markings may be beneficial in discouraging speeding. It is known that if a collision occurs at a lower speed, injuries will be less serious for those involved, and this is especially the case for vulnerable road users in collision with motor vehicles. However, it is not easy to get all drivers to travel at speeds suitable for the local environment. There is evidence to show that vertical deflection will reduce speeds in locations where speeding is prevalent and has contributed to collisions. However, the police, fire brigade, ambulance service and London Transport have objected to the proliferation of road humps and raised tables because of the increase in attendance times for emergency calls and discomfort and possible injury to their passengers. Road humps and raised tables can also lead to complaints from residents about increased noise and vibration from traffic.
- 3.30 Installing signed-only 20mph limits has not been shown to reduce speeds sufficiently to have an impact on casualty rates. As a general rule, the Council will not install any new 20mph limit or zones. Since the Council is unable to enforce these speed limits, it is an ineffective use of limited resources. The Council will install part-time 20mph limits at the beginning and end of the

school day with flashing lights outside schools, decided on merit. In exceptional cases, full-time 20mph limits may be appropriate in certain locations such as High Streets.

### **Road Safety Education**

- 3.31 Road safety education programmes and campaigns can be harder to quantify in terms of cost/benefit, as savings are harder to predict. However, data can still be used to prioritise these road safety campaigns. As seen above, some age groups and modes of travel are more vulnerable to serious injuries than others.
- 3.32 Bromley has achieved success over the years, with the work of the road safety team being recognised in achieving awards. More importantly, a follow-up study conducted some 20 years back where young drivers who undertook a pre-driver training course in schools with Bromley's road safety officers showed that they were subsequently less involved in injury collisions. Although the data to conduct another long-term follow up study is not available now, the Council still believes that targeted and hard-hitting road safety education programmes are effective.
- 3.33 The priority for road safety education campaigns is to target secondary age pedestrians, cyclists, motorcyclists and drivers. More information about road safety education interventions carried out in Bromley are set out in Appendix A.

### **Fatal Road Collisions**

- 3.34 Obviously, the road collisions we all wish to see stopped more than any other are the fatalities. The causation of these is random and cannot be used to predict future collisions, as the number of fatal collisions is, thankfully, very small. This is why a wider data set of injury collisions is used to help us understand collision patterns and causation.
- 3.35 However, looking at the causes of the fatal collisions over the years in Bromley is of interest, as it tells the story of human tragedy more than the other collisions – in part because so much more information about fatal collisions is gathered, forensically, by the Police.
- 3.36 Since 2002, 141 people have died whilst travelling on the roads of Bromley Borough. More information about these fatalities is set out in Appendix B.
- 3.37 Although road collisions are often the result of a number of factors, a primary cause or causes can sometimes be suggested. Summarising the causes of the 141 fatalities on roads within the Borough since 2002, from information gleaned at the inquests, the following factors have been attributed as main causes (although there were often multiple causes):
- Pedestrian stepped out into the path of traffic x19
  - Rider/driver inexperience x12
  - Dangerous driving/riding x24
  - Excess speed x33
  - No seatbelt x10
  - Poor eyesight x2
  - Alcohol x9
  - Cyclist rode into the path of traffic x1
  - Rider/driver not paying attention x9
  - Vehicle involved was stolen x7
  - Driver or rider lost control x19
  - Driver/rider jumped a red light x2
  - No license x2
  - Poor condition of vehicle x1
  - Rider/driver error x2
  - Car door opened into their path x2.

- Careless, driving/riding x3
- No helmet or helmet came off x3
- Overcrowded/unsafe load x2

*These are not ranked as this is not a scientific study but does provide some insight into main factors leading to the fatal collisions. Note: murders, medical incidents and suicides are not counted in this data.*

3.38 What is certain is that without the efforts of local highway authorities, the Police, national government as they change laws and set out design standards, and other professionals, there would have been many more deaths, all of which are ultimately avoidable. Bromley must carry on trying to make sure it invests finite resources as effectively as it possibly can.

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

Consideration is given when designing all schemes to the needs of all road user groups, including of those with disabilities.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

The recommendations in this report are in line with the Borough's current Transport Plan – "Bromley's Third Local Implementation Plan – Bromley's transport for the future" published in 2019.

Making Bromley Even Better Priority:

(1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.

(2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.

(4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

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

6.1 This report seeks Members of the Committee to note the Council's approach to road safety and casualty reduction as set out in Section 3.

6.2 There are no direct financial implications from this report, however funding must be in place for any road improvement or education scheme that is to be taken forward.

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

The 1988 Road Traffic Act, Section 39, puts a "statutory duty" on the local authority to undertake studies into road traffic collisions, and to take steps both to reduce and prevent them.

The pertinent wording from the Act is:

*Each local authority must prepare and carry out a programme of measures designed to promote road safety and may make contributions towards the cost of measures for promoting road safety taken by other authorities or bodies.*

*Each local authority:*

- *Must carry out studies into accidents arising out of the use of vehicles on roads or parts of roads, other than trunk roads, within their area*

- *Must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of roads, the giving of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of roads for which they are the highway authority and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on roads*

## 8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

All schemes proposed and education programmes run will be in line with the Council's agenda to promote active travel, support sustainable transport and reduce carbon emissions.

<b>Non-Applicable Headings:</b>	PERSONNEL IMPLICATIONS PROCUREMENT IMPLICATIONS CUSTOMER IMPACT WARD COUNCILLOR VIEWS
Background Documents:	LIP3: Bromley's transport for the future - <a href="http://bromley.gov.uk/local-implementation-plan-lip3/">local-implementation-plan-lip3-</a> (bromley.gov.uk)

## Appendix A – Road Safety Education in Bromley

### The Road Safety Unit

The role of the Road Safety Unit is to encourage and enable more active travel, reduce the number of car journeys made in the borough while also reducing the numbers of people killed and injured in road collisions.

The Road Safety Unit is made up of three work areas:

- Road Safety Education
- Cycle Training and Promotion
- Travel Planning

The team deliver a number of schemes and projects some of which are outlined below.



### The Road Safety Education Team

Every **16** minutes someone is killed or seriously injured on UK roads  
(source DFT).

The majority of road collisions and injuries are caused by **human error**. People simply make choices because they feel they can cope with taking a risk(s) which in hindsight they might regret. Things like:

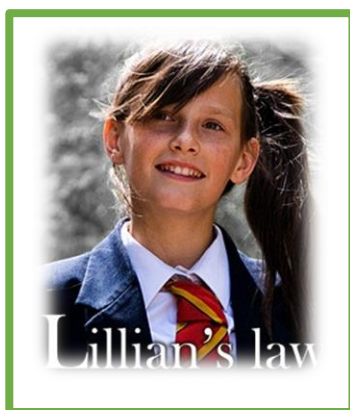
- Stepping out/ running out into the path of traffic
- Taking a call, or sending a text when driving, riding, or walking
- Not wearing a seatbelt or a cycle helmet
- Not using lights
- Going “a bit too fast”
- Driving/riding or walking after taking drugs or drinking excess alcohol

### Common Factors in Collisions

#### Drug Driving

Around **1 in 5** drivers killed in road crashes have traces of illegal drugs in their blood.

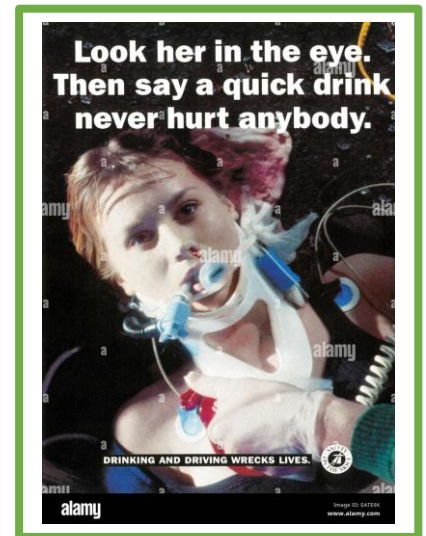
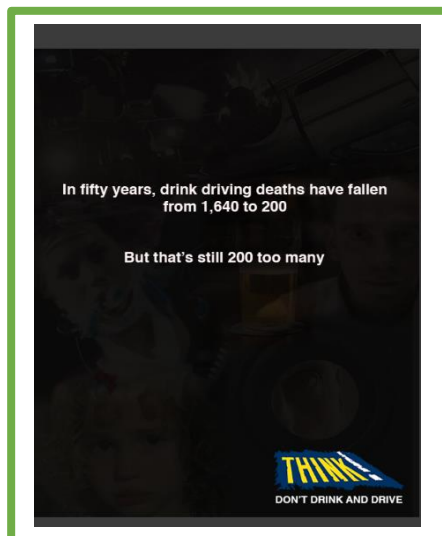
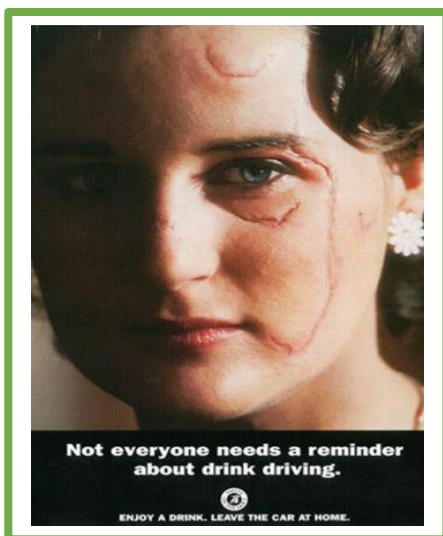
On 26th June 2010, a former Charles Darwin student, 14-year-old **Lillian Groves** was hit by a speeding car outside her home. The driver of the car admitted causing death by careless driving, travelling at 43mph on impact, in a 30mph zone. He later admitted he had smoked cannabis that day.



Lillian's family has campaigned tirelessly for changes in the law. Lillian's Law passed in March 2015, means that police no longer need to prove a drug has caused impairment, with cannabis being the most common. Lillian's Law introduced a **zero-tolerance policy** for many illegal drugs and prescription drugs (if abused). Lillian's family encourage and support the Bromley Road Safety Unit to tell her story and often attend their Driven by Consequences (D by C) events to interact with young drivers face to face.

*"The fact that we have made this happen, in Lillian's name, is an amazing feeling. I know she would be proud."* **Natasha Groves, Lillian's Mum.**

## Drink Driving



There are strict penalties if you are convicted of drink driving including:

- a minimum 12 month driving ban
- a criminal record
- an unlimited fine
- up to 6 months in prison
- an endorsement on your licence for 11 years

## Mobile Phones

You are 4 times more likely to be in a crash if you use your phone.



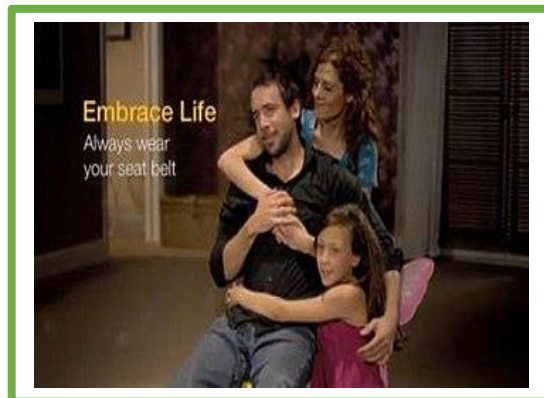
## Seatbelts

If you're not wearing a seat belt, you are 30 times more likely to be thrown from a vehicle during a collision. Seat belts reduce the risk of death by 45% and risk of serious injury by 50%.

Members of the Road Safety team try to sit in at every Coroners Court Inquest following fatal crashes to see what can be learned. One year in Bromley they found that every person who died in a car was not wearing a seatbelt. On two occasions, while those in the car who weren't wearing a seatbelt died, those who were wearing a seatbelt survived with fairly minor injuries.

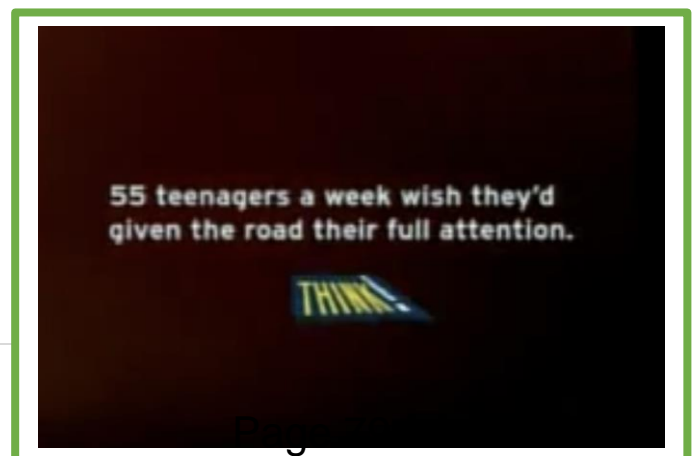
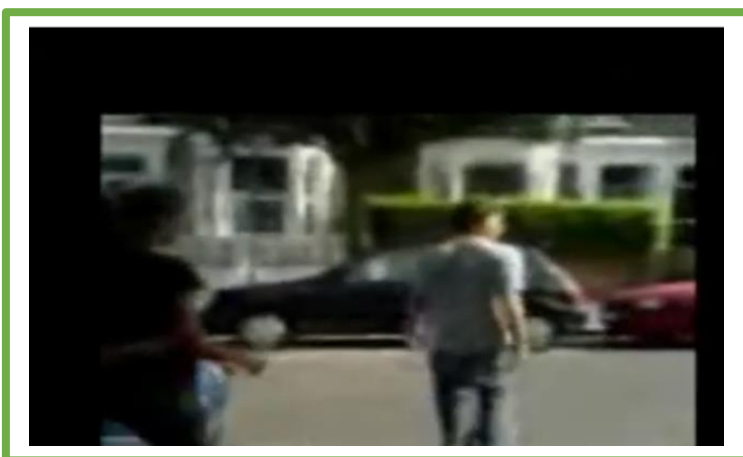


If you don't wear a seatbelt for yourself wear it for the people who love you!



## Stepping Off the Kerb into The Path of Traffic

The images below are taken from a thought-provoking pedestrian teenager road safety video. It is deliberately grainy as it shows a group of teenagers hanging around chatting and filming each other on their mobile phones when one steps off the kerb and is hit by a car. The strapline is **55 teenagers a week wish they had given the road their full attention.**



## Speeding



The advert says

“If you Hit me at 40 there is an 80% chance I will die”  
“If you Hit me at 30 there is an 80% chance I will live.””

The Road Safety Team tells drivers and riders that “if they don’t hit her at all, she won’t have any injuries!”

## Not Safely Dealing with Hazards.

Many collisions happen due to lack of experience and an inability to deal with the road conditions and hazards. People say things like “**Suddenly** this child ran out in front of me, so I **had** to hit him!” Obviously, a thinking driver/rider wouldn’t say that because they would be scanning the road, looking for hazards, expecting things to happen, therefore they would be able to cope with what happens “suddenly”. A thinking driver would be saying, “What can I see? What can’t I see? What can I reasonably expect to happen, so what am I going to do about it?”

The images below are taken from a motorcycling Road Safety video known as “Perfect Day.” It suggests that riding/driving would be so much safer if there were signs everywhere warning you about what might happen. The video demonstrates the clues **are** already there if you look. For example, if you are driving past a stationary bus, it is possible that a pedestrian will “suddenly” step out in front of it or from behind it. This situation has featured a few times in our fatal collision reports. In the country when you see horse poo but no horse, it is possible to find a horse around the next bend, so you can take action just in case. Big tyre marks on the verge might mean it’s used by busses or large vehicles so again; you can take action just in case.





## The Road Safety Education Programme

Road Safety Officers use a whole host of ways to educate the borough's road users and are able to adapt their message to relate to each audience or to include local and national incidents or headlines. Where possible they attend the Coroners Court Inquest for each person killed in Bromley to understand why a fatality occurred and to try to help others avoid the same thing happening to them. Some of their work is delivered through schools and other work is delivered to the public as a whole.

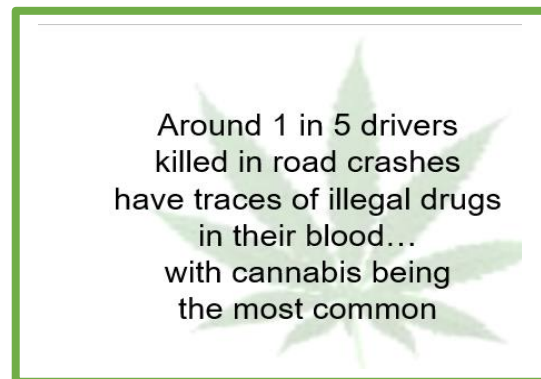
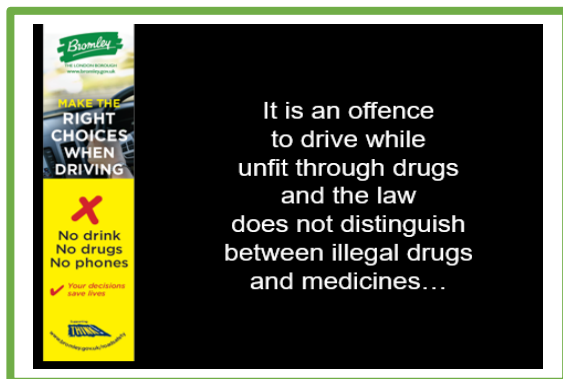
### School Work

Road Safety Officers deliver a targeted school programme within a finite resource, prioritising those who are most likely to be hurt or hurt others. This is done by face to face delivery and training, campaigns and promotions and events, plus school newsletters and parent mail. Some of the programmes they deliver are outlined below.

### Traffic Education Young Driver Programme

Young drivers not only hurt themselves and their friends they also hurt and put at risk other road users, especially the vulnerable and this is mainly due to inexperience. Traffic Education is a great way of delivering information to a large number of road users and valuable opportunity to try to encourage more positive behaviour to what is often a captive audience.

Road Safety Officers have delivered a programme of Young Driver (Traffic Ed) education to Yr 12 and Yr 13 pre and new drivers for over 30 years. The programme is tailor made for each school, based on the time they could offer up and the size of the group they can provide. The main factors in collisions as mentioned previously are highlighted and as well as learning lessons when things have gone wrong. Students are also educated on how not to crash and encouraged to consider vulnerable road users.



### Driven by Consequences (D by C).

In 2008 the Traffic Ed programme evolved with strong support from other partners and the Road Safety Team developed a new event called Driven by Consequences (D by C). D by C is a one-day event held at the school where all of Yr 12 students (usually in the region of 240 students) are taken off timetable and split into around

six groups which rotate around a series of workshops that demonstrate the consequences of dangerous driving, making safe choices and teaching the students how not to crash. The event features presentations by the Road Safety Officers and they are supported by speakers including the Metropolitan Police, London Fire Brigade, London Ambulance Service, London Air Ambulance Service, Victims' families, Phoenix Motorcycling, Kwik Fit tyres, and the British Horse Society. Students attend a mock Coroners Court inquest and a workshop on making suitable travel choices so journeys are not always by car, to encourage active travel. Speakers give compelling accounts of the devastation that can be caused by irresponsible driving and give helpful advice on how to drive safely and avoid other people's mistakes.



Driven by Consequences has received the London Transport Award for Most Effective Road Safety Project and the Highways Agency Excellence Award. It has also been recognised by the National Transport Awards (nominee), Prince Michael International Road Safety Awards (highly commended) and the London Road Safety Council's Laurie Bunn Road Safety Award for Outstanding Achievement (runner up).



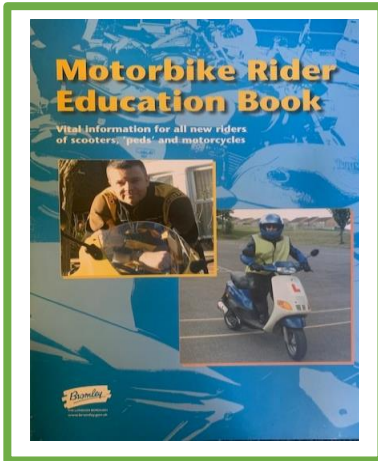
### Powered Two-Wheeler (P2W) Education

Our road safety officers visit schools to educate students on driving mopeds and scooters. Their presentation covers essential topics such as:

- Speeding
- Taking risks
- Poor overtaking
- Riding with friends

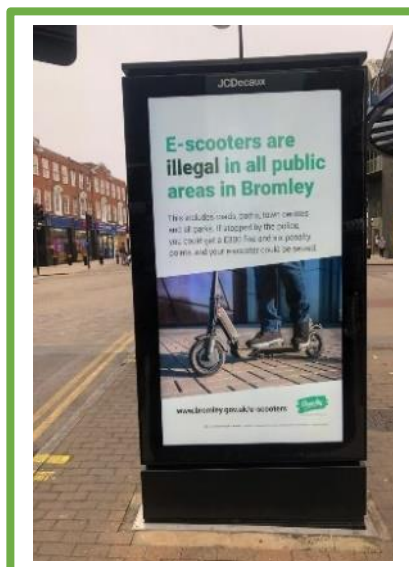
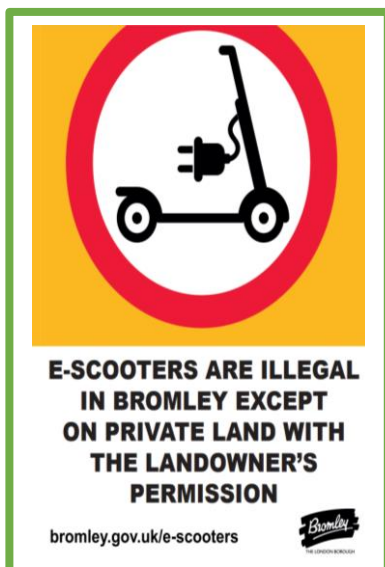
- Protective clothing
- Taking additional on-road training.

Students are shown photos and film clips of collisions and hear an account of a crash by a young rider who was sadly killed. These images and videos are powerful tools and have a very sobering effect. This course does not aim to deter young people from riding mopeds and scooters, but it is important that all road users are aware of the consequences of the choices they make, as well as their responsibilities, not only to themselves, but to other road users, too. At the end of the session students who ride mopeds are encouraged to attend a BikeSafe London rider skills day.



### E-Scooter Awareness

The use of privately owned e-scooters is illegal in the UK, except with consent of the landowner on private land, or as part of an official hire scheme in a borough which is participating in a trial scheme. Bromley is not part of this trial hire scheme so any e-scooter you see used in our borough is being used illegally.



When e-scooters came onto the market and popularity grew, the Road Safety Team put together a range of measures to inform people about the legalities of e-scooters in Bromley.

In-school Talks -The Road Safety team mention e-scooters in every Road Safety Education presentation they carry out and have a bespoke presentation which they deliver to year 11 students as at this age they are able to ride mopeds. *'I thought it was great, lots of information, videos, etc'* - teacher feedback.

Marketing - They produced flyers which have been sent to all schools, carried out school competitions and they have asked the schools to mention e-scooters in their school communications. Information has been shared on social media. There is ad-shell artwork which is displayed around Bromley as well as posters for JCDecaux frames on-streets around Bromley.

### Non School Work

Road Safety Officers also deliver a targeted programme of education and publicity to the non-school community. They are adaptable and able to create new programmes and events, but below are two of their main non-school based schemes.

#### Road Safety Police Stops

The Team work in partnership to educate drivers and riders through roadside stops.

As stated previously in a crash the choice of a car occupant to wear or not wear a seatbelt could be the difference of life and death. Road Safety Officers work alongside Police Officers and educate car occupants about the use of seatbelts showing photographs and sometimes videos at the side of the road to try and change that crucial behaviour. It would be far safer for everyone if people put on a seatbelt EVERY time they got in a car rather than just putting it on quickly everytime they see a Police Car. The team are able to educate on other issues too.



#### Temporary Road Safety Poster Project

The Road Safety Unit has been erecting temporary road safety posters to lamp columns across the borough for several years. These posters have been useful as a short-term intervention, and we believe that they have a positive effect on driver and rider behaviour. After around four months the posters are moved to a new location.

Topics include mobile phones, speeding, E-Scooters, and giving cyclists more room.



## The Cycle Training Team

The Cycle Training Team encourage and enable more people to ride bicycles safely and confidently through training and publicity events including:

- Bikeability training (the old Cycling Proficiency)
- Bike Marking,
- Cycle Maintenance Courses,
- Dr Bike,
- Exchanging Places
- Operation Close Pass Stay Wider of the Rider.
- Supporting at Events such as the Tour De Penge

### Adult and Child Bikeability

Bikeability is the government's national cycle training programme, formally known as Cycling Proficiency. It helps both children and adults learn practical skills and understand how to cycle on today's roads.

The Bromley Cycle Team deliver Bikeability in schools across the borough all year. They deliver Level 1&2 training to children in their final year of primary school (Year 6), which starts on the playground and leads on to quiet roads and junctions. They deliver Level 1&2 training in secondary schools but also more advanced Level 3 training which includes the use of busier, faster roads and junctions with more challenging layouts such as roundabouts and traffic lights.



The team also train adults in all levels of cycling. Many adults ask if we can teach them to ride a bike as they never had the opportunity when they were younger. Many who participate in our Learn to Ride sessions go on to ride successfully. One of our instructors always describes the moment an adult finally manages to ride on their

own for the first time. He says, “As soon as it clicks, you see a big grin appear and for that one moment it’s as if that person is a five-year-old again!”

*Please send my heartfelt thanks to Jo for teaching me how to cycle. Her instructions were clear, she was incredibly patient and inspiring. There were a few tears though:) Apologies.*

### Example of feedback from a Learn to Ride Session

*Dear Cycling Team,*

*Please can you convey my thanks to our outstanding instructors Lindsay and Paul for the Adult Urban Skills Session. I feel empowered and more in control on my bike with the traffic, having completed this course. **Thank you so very much.***

### Example of feedback from an Adult Training Session

Others are not confident using a bike on the road as a means of transport. Participating in our Adult Urban course, where the instructors take the cyclists out on the road and give them advice and encouragement often leads to the cyclists feeling much more confident in their ability to cycle as a means of transport.



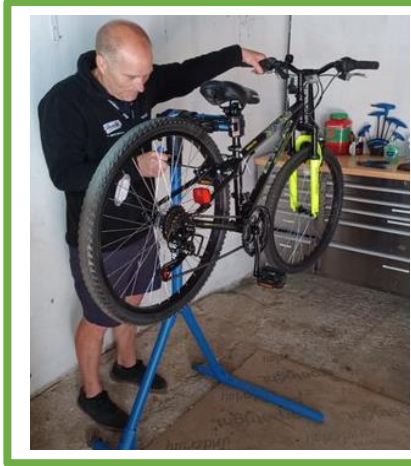
## Bike Marking

The Cycle Team works alongside the Metropolitan Police and the Police Cadets to offer a bike marking service.



## Cycle Maintenance Coursers

The Cycle Maintenance course is a practical course which members of the public can book onto. The aim of the course ensures that cyclists leave at the end of the day with the confidence to fix common problems on their bike. The course has proven popular with many of those taking part feeling much more confident when using their bikes as a means of transport.



*I attended the Bike Maintenance course on the 16th of July. I was out on a ride on Sunday and some silly person had thrown a load of drawing pins in one of the lanes near Biggin Hill. That was a negative! The positive was that I was able to quickly and confidently fix the puncture and get back on the move.*

*I wouldn't have been able to do it without the course, so a massive thank you!*

### **Feedback from Cycle Maintenance**

### **Dr Bike**

Dr Bike sessions are delivered by our qualified mechanics and run throughout the year. Often, they are delivered at Norman Park, but pop-up sessions are run around the borough some before school Bikeability Courses and as part of the team's other promotional events. Recently they have been delivered at Hoblingwell Park to support those using the new pump track.

These events encourage residents to get their bikes inspected. The Dr Bike team can fix minor faults such as brakes, chain, cables, gears, and tyre pressure to keep cyclists on the road.

*Good morning, thank you for running this event local to me. I took along both my daughter's bikes. The services and advice provide by the 3 members of bike Bromley was friendly and professional. I left with my bikes in a good condition to get through the winter.*

*Whilst I was waiting it was nice to talk to other local people using the services and those curious to know what was going on. Nice event for the community*

### **Feedback from Dr Bike Hoblingwell Park**



### **Exchanging Places**

The exchanging places project gives cyclist the opportunity to experience what it is like to be an HGV driver and allows drivers to learn about the challenges that face

cyclist on the road and see the blind spots that often hide cyclists. The Cycle Team have worked with the Metropolitan Police to deliver these sessions in Bromley.



### **Operation Close Pass**

Operation Close Pass / Space for Cyclists is a road danger reduction initiative led by the Roads and Transport Policing Command's Cycle Safety Team and supported by the Cycle team in Bromley.

The initiative works as follows:

A plain clothes police cyclist rides in an area where close passes have been reported. When a driver carelessly overtakes the plain clothes police cyclist, that driver is pulled over by uniformed officers. The careless driver is offered the choice of either receiving a ticket for their careless manoeuvre or receiving a short educational presentation on how to overtake a cyclist safely. During the educational input, the driver and vehicle are checked for other offences.



### **Stay Wider of the Rider**

The Stay Wider of the Rider posters were created by the Cycle Team to remind drivers to give cyclists space when overtaking. These posters are located in areas of the borough where close pass incidents have been reported. The posters are rotated around the borough when necessary.



The team have also worked with the Council's waste contractor Veolia and visited the Green Street Green Bus Garage to educate their operatives about driving large vehicles around vulnerable cyclists.

The Metropolitan Police encourage people to report possible driving offences, including Close Pass incidents using the link below.

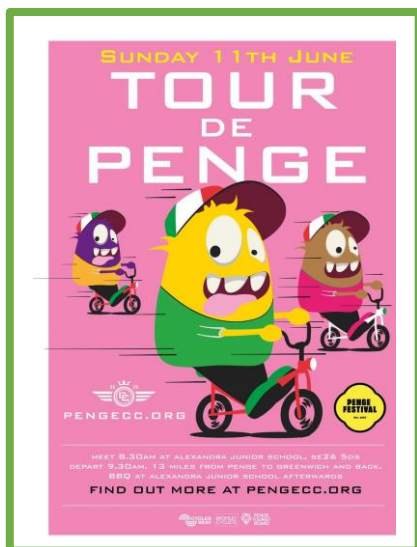
[www.met.police.uk/report/report-a-road-traffic-incident/](http://www.met.police.uk/report/report-a-road-traffic-incident/)



### Supporting Events such as the Tour De Penge

The Cycle team will once again be supporting Tour De Penge this year by providing a Dr Bike service. Around 250 riders signed up to take part in the 2023 Tour de Penge in early June, so the team are likely to were kept very busy.

This event has taken place since 2007 and is a community cycle ride from Penge to Greenwich and back. Using Route 21 the round trip is approximately 13 miles the majority of which is off road. This event attracts cyclists of all ages and abilities.



### Partners

We have great support from the local London Cycling Campaign Group: Bromley Cyclists **and Bromley Council's Road Safety Unit**, along with the support of many of our neighbouring cycle clubs, including regular partners, Bigfoot CC from Bromley. Local police will also be on hand to get us off to a good start and help us on the route.

**The text above is taken from the Penge Cyclists website**

### Travel Planning

The Travel Planning Team mainly deal with School Travel Plans but time permitting are able to use the same principals to support business. They run a host of projects and publicity events including:

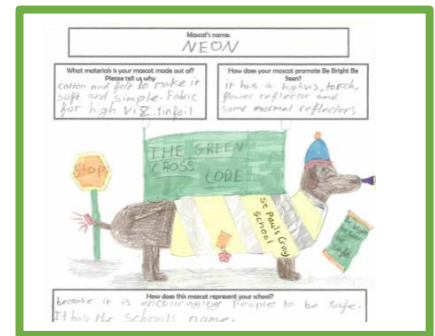
- Junior Travel Ambassador
- Scootsure
- Smart Movers
- Stars

### Junior Travel Ambassador

Junior Travel Ambassadors are appointed from Bromley primary schools to promote road safety and active travel in school. Pupils are asked to carry out various activities throughout the year are supported by the Roads Safety Team in Bromley. These activities include assemblies, displays and competitions. Recently, JTAs promoted the Step Into Spring competition which asking children to design footwear for travelling to school. Two borough winners were picked, one from each key stage.

**Feedback received from one of prize winners as follows: Ruby was very, very pleased with her voucher – THANK YOU.”**

JTAs are invited to two events per year which is great motivator for them to share ideas and meet pupils from other schools.



## Scoutsure

Scoutsure is a playground activity for Year 2 pupils intended to improve awareness for riders and pedestrians, making scooting to school a safe and active way to travel.

The session covers: safety checks, starting, stopping, and turning, looking over shoulders, sharing pavement space, footway hazards and crossing roads and driveways.



## Smart Movers

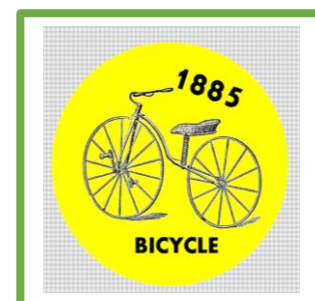
Smart Movers is a reward-based initiative, rewarding pupils for using Sustainable and active travel methods. Pupils are rewarded each month with a badge, the design of which changes every month. Pupils have to meet the criteria of 10 'Smart Movers' (i.e. 10 active and green journeys) in the month to receive the badge. Badges are being sought that are made from recycled materials and are recyclable. This year Smart Movers is 10 years old, with a celebratory 10-year badge commissioned this year.

Feedback from schools about Smart Movers has been very positive:

*“Our children love collecting the badges and love to have them awarded them in assembly. They display them proudly on their school bags.”*

*“It helps to keep active travel on everyone’s agenda.”*

*“I have to say our infant children love the badges. They badger me every day to complete our survey! They like that they are collectible and enjoy each month getting a new one.”*



## **The Stars Project**

STARS is an accreditation scheme for schools across London to develop a School Travel Plan. Working in partnership with schools across the borough, the Travel Planners assist schools with addressing any barriers to safe and active travel to school, document their achievements and monitor their travel behaviour.

Schools can achieve a bronze, silver or gold award for their School Travel Plan based on their level of participation and impact on car use on the school run.

Top School Award 2023

They recently nominated a few schools into seven separate categories for the TfL STARS (Sustainable Travel: Active, Responsible and Safe) Top Schools awards 2023 and were notified that three of their schools have won as follows:

**Clare House Primary School is the regional winner of the TfL STARS Biggest Impact Award for South London**

**Darrick Wood School is the regional winner of the TfL STARS Sustainable Travel Award for South London.**

**Christine Clements at Wickham Common Primary School is the regional winner of the TfL STARS Top Champion Award for South London.**

They are delighted for these schools as they work closely with them and see how hard they work. Pupils and staff are dedicated to promoting road safety to the community and are focused on improving air quality around their schools. They have demonstrated that active travel is at the forefront of their school ethos and shown they are keen to decrease the number of car journeys to their schools. As a Team they have recognised this determination throughout the school year, and they were rewarded at a regional event in London.

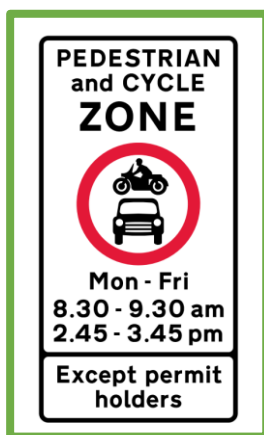
Bromley has one of the strongest STARS Travel Plan Programmes in London. Bromley has achieved the best score for the schools STARS behaviour change

programme among the 33 London local authorities again with the highest number of GOLD accredited schools in London in 2021-22.



### Supporting School Streets-

The Travel Planners continue to support any schools who wish to set up and run a School Street and monitor the existing schemes.



### Supporting School Crossing Patrols-

The Road Safety team support schools who wish to have a School Crossing Patrol Officer. They start with the initial site evaluation and continue to monitor the site once it is operational. Bromley currently has 24 School Crossing Patrol Officers.



## Appendix B - Fatal Road Collision Casualties 2002-2022

Below is the full list of fatal road casualties over the last 20 or so years, with details of where, when and who was killed. Wherever possible, Council Officers attend the site of the fatal collision soon after it occurs, often alongside the Police, to learn as much as they can about the cause. Council Officers also attend many of the inquests to glean further insight. This seldom leads to anything obvious and urgent needing addressing in regard to the road layout; more often this research helps guide the Road Safety Education team as they go into schools and run public education campaigns.

	Year	Location	Date	Speed Limit	Age	Sex	Deceased	Highway	Vehicles
1	2002	High Street, Penge	19/01/2002	30	70	Male	Pedestrian	LBB	Ped V Bus
2	2002	Village Way (Beckenham)	07/03/2002	30	56	Female	Pedestrian	LBB	Ped V Bus
3	2002	Main Road near the Apperfield Inn	26/03/2002	30	18	Female	Car Passenger	LBB	Car V Car
4	2002	Tudor Way	02/04/2002	30	90	Male	Powered Two Wheeler rider	LBB	P2W
5	2002	Bromley Road JW Albermarle Road	02/06/2002	30	18	Male	Car Passenger	LBB	Car
6	2002	Perry Street	09/07/2002	30	26	Male	Powered Two Wheeler rider	LBB	P2W
7	2002	Sidcup by Pass	05/08/2002	50	14	Male	Pedestrian	TLRN	Ped V Car
8	2002	Addington Road (between Glebe Way and Corkscrew Hill)	05/11/2002	30	27	Male	Car Driver	LBB	Car V Car
9	2002	Addington Road (365m west of Corkscrew Hill)	12/11/2002	30	39	Male	Powered Two Wheeler rider	LBB	P2W V Car
1	2003	Crofton Road (Near Pound Court Drive)	19/01/2003	30	81	Male	Pedestrian	LBB	Ped V Bus
2	2003	Crofton Road (Near Poplar Avenue)	13/03/2003	30	33	Male	Cyclist	LBB	Cyc V Car
3	2003	Bourne Way (Near Kemsing Close)	29/03/2003	30	13	Male	Cyclist	LBB	Cyc V Car
4	2003	Corkscrew Hill	24/04/2003	30	72	Female	Pedestrian	LBB	Ped V P2W
5	2003	Midfield Way (Near Chipperfield Road)	10/06/2003	30	62	Male	Car Driver	LBB	Car V Car
6	2003	Oldfield Road (Near Roasemount Drive)	28/06/2003	30	36	Male	Powered Two Wheeler rider	LBB	P2W V Car
7	2003	Perry Street (Near Beaverwood Road)	02/07/2003	30	18	Male	Powered Two Wheeler rider	LBB	P2W
8	2003	Farnborough Common (Near Hilda Vale Road)	09/09/2003	30	40	Male	Powered Two Wheeler rider	TLRN	P2W V Car
9	2003	Anerley Road (Near Hamlet Road)	10/11/2003	30	29	Male	Powered Two Wheeler rider	LBB	P2W V Car
10	2003	Barnfield Wood Road (Near Barnfield Wood Close)	12/11/2003	30	16	Male	Powered Two Wheeler rider	LBB	P2W V Car
11	2003	Martins Road, Shortlands	13/11/2003	30	33	Male	Pedestrian	LBB	Ped V HGV
12	2003	Southborough Road JW Woodside Road	21/11/2003	30	70	Female	Car Passenger	LBB	Car V Car
13	2003	White Horse Hill, Chislehurst	08/12/2003	30	42	Male	Pedestrian	LBB	Ped V Car
1	2004	Sevenoaks Way JW Main Road	08/01/2004	30	80	Male	Car Driver	LBB	Car
2	2004	Court Road (Near Ramsden Road)	09/01/2004	40	84	Female	Pedestrian	LBB	Ped V Car
3	2004	Magpie Hall Lane (Near Manor Way)	07/03/2004	20	21	Male	Car Driver	LBB	Car
4	2004	Shortlands Road JW Bromley Road/Beckenham Lane	10/03/2004	30	40	Male	Cyclist	LBB	Cyc V Car
5	2004	Baston Manor Road (Near Croydon Road)	25/06/2004	30	58	Male	Car Driver	LBB	Car C Car
6	2004	Elmstead Lane	26/08/2004	30	23	Male	Powered Two Wheeler rider	LBB	P2W
7	2004	Crofton Road	29/09/2004	30	31	Female	Car Driver	LBB	Car
8	2004	Anerley Road (Near Croydon Road)	29/10/2004	30	42	Male	Pedestrian	LBB	Ped V Bus
9	2004	Crofton Road	17/12/2004	30	32	Male	Bus Passenger	LBB	Bus Passenger
10	2004	Barnfield Wood Road (Near Barnfield Wood Close)	30/12/2004	30	58	Male	Car Driver	LBB	Car
1	2005	Kentish Way	11/02/2005	30	59	Female	Pedestrian	TLRN	P2W V Ped
2	2005	Southborough Lane, Bromley	23/03/2005	30	86	Female	Pedestrian	LBB	Ped V Car
3	2005	Oakwood Avenue	09/05/2005	30	31	Male	Car Driver	LBB	Car v Car
4	2005	Oakfield Road (near Meaford Way).	10/07/2005	30	20	Male	Car Driver	LBB	Car
5	2005	Yester Road (near Beechcroft Road)	16/07/2005	30	34	Male	Powered Two Wheeler rider	LBB	P2W v Car
6	2005	Junct Hastings Road, Bromley Common, Oakley Road.	20/08/2005	30	26	Male	Powered Two Wheeler rider	TLRN	P2W V Car
7	2005	Rye Crescent, Ramsden.	14/10/2005	30	17	Male	Powered Two Wheeler rider	LBB	P2W
8	2005	Salt Box Hill, Biggin Hill.	26/11/2005	30	58	Male	Powered Two Wheeler rider	LBB	P2W v Car
1	2006	Anerley Road	13/01/2006	30	18	Male	Car Driver	LBB	Car V Bus V Train
2	2006	Court Road (Near Warren Road)	15/01/2006	40	69	Female	Car Driver	LBB	Car V Car
3	2006	Bickley Park Road	17/01/2006	30	20	Male	Car Driver	LBB	Car
4	2006	Sevenoaks Road (near Stonehouse Lane)	24/01/2006	40	30	Male	Powered Two Wheeler rider	TLRN	P2W
5	2006	Bromley Common, (near Southlands Road)	16/02/2006	30	70	Female	Pedestrian	TLRN	Ped V Car
6	2006	Burnt Ash Lane, (near Chatsworth Avenue)	17/02/2006	30	86	Male	Pedestrian	LBB	ped V Car
7	2006	Bromley Road (between Centre Common Rd & Watts Ln)	23/06/2006	30	19	Male	Powered Two Wheeler rider	LBB	P2W

8	2006	Main Road, Biggin Hill	01/07/2006	30	44	Male	Powered Two Wheeler rider	LBB	Trike
9	2006	Anerley Hill, (near Crystal Palace Parade.)	26/07/2006	30	50	Male	Pedestrian	LBB	Ped V Bus
10	2006	Monks Orchard Road, Beckenham	26/11/2006	30	25	Female	Car Driver	LBB	Car
11	2006	Sevenoaks Way	20/12/2006	30	16	Male	Van Driver	TLRN	Van
12	2006	A20 (near Sevenoaks Way)	20/12/2006	50	33	Male	Powered Two Wheeler rider	TLRN	P2W v Car
1	<b>2007</b>	Bromley Rd, Beckenham (near The Gardens)	09/01/2007	30	34	Male	Powered Two Wheeler rider	LBB	P2W
2	2007	A20 Sidcup Bypass Swanley	30/01/2007	50	46	Female	Pedestrian	TLRN	Van V Ped
3	2007	Bromley Common Hayes	07/04/2007	30	20	Female	Car Passenger	LBB	Car
4	2007	Elmstead Lane (near Walden Road)	22/09/2007	30	16	Male	Pedestrian	LBB	Ped V Car
5	2007	Tweedy Road	28/10/2007	30	73	Male	Pedestrian	TLRN	Ped v Car
6	2007	Chislehurst Road (near Sherbourne Road)	01/12/2007	30	52	Male	Car Driver	LBB	Car V Car
7	2007	Kelsey Park Road JW Beckenam High Street	22/12/2007	30	80	Male	Pedestrian	LBB	Ped V Car
1	<b>2008</b>	Repton Road, Orpington (near Haileybury Road)	04/01/2008	30	72	Female	Car Driver	LBB	Car V Car
2	2008	Beckenham High Street (near Kelsey Park Road)	25/01/2008	30	25	Female	Pedestrian	LBB	Ped V Car
3	2008	Elmstead Lane (near Offenham Road)	31/01/2008	30	11	Male	Pedestrian	LBB	Ped V Car
4	2008	Southborough Lane (near Oxhathw Crescent)	10/02/2008	30	21	Male	Car Driver	LBB	Car
5	2008	Towncourt Road	27/03/2008	30	50	Male	Pedestrian	LBB	Ped V Car
6	2008	Southend Road (near Brackley Road)	31/05/2008	30	80	Female	Pedestrian	LBB	Ped V Car
7	2008	Baston Manor Road	17/06/2008	40	17	Male	Car Driver	LBB	Car
8	2008	Homesdale Road (near Gundulph Road)	23/08/2008	30	61	Female	Pedestrian	LBB	Ped v Car
9	2008	Leesons Hill (near Highfield Road)	18/09/2008	30	51	Male	Cyclist	LBB	Car V Cyc
10	2008	Wickham Court Road	13/10/2008	30	61	Male	Pedestrian	LBB	Ped v Bus
11	2008	Corkscrew Hill	25/10/2008	30	23	Male	Car Driver	LBB	Car v Bus
12	2008	Corkscrew Hill	25/10/2008	30	21	Female	Car Passenger	LBB	Car v Bus
13	2008	A20 (near the McDonalds)	07/11/2008	50	22	Male	Car Driver	TLRN	Car v Car
14	2008	Elmers End Road	10/11/2008	30	75	Female	Pedestrian	LBB	Ped V Car
1	<b>2009</b>	Masons Hill	21/01/2009	30	29	Male	Powered Two Wheeler rider	TLRN	P2W v Car
2	2009	St Pauls Cray Road	25/01/2009	30	18	Male	Car Driver	LBB	Car V Cyc
3	2009	St Pauls Cray Road	25/01/2009	30	17	Male	Car Passenger	LBB	Car V Cyc
4	2009	The Avenue, Beckenham (near Southend Road and	12/02/2009	30	21	Male	Car Driver	LBB	Car V Cyc
5	2009	Shire Lane	11/04/2009	40	20	Male	Car Driver	LBB	Car V Van
6	2009	Shire Lane	11/04/2009	40	18	Female	Car Passenger	LBB	Car V Van
7	2009	Centre Common Road (near Bromley Road and Royal	13/04/2009	30	28	Male	Car Driver	LBB	Car V Van
8	2009	Westerham Road (near Fishponds Road)	29/05/2009	40	25	Male	Powered Two Wheeler rider	LBB	P2W
9	2009	Lawrie Park Road	16/06/2009	30		Male	Powered Two Wheeler rider	LBB	P2W
10	2009	Anerley Road	26/09/2009	30	43	Male	Powered Two Wheeler rider	LBB	P2W V Car
11	2009	Leaves Green Road	27/10/2009	30	17	Male	Powered Two Wheeler rider	LBB	P2W
1	<b>2010</b>	Long Lane JW Croydon Road	20/02/2010	30	?	Male	Car Driver	LBB	Car V Bus
2	2010	Hayes Lane (near Vincent Close)	28/02/2010	30	?	Male	Car Driver	LBB	Car
3	2010	Hayes Lane (near Ravensbourne School)	26/08/2010	30	?	Male	Car Passenger	LBB	Car
1	<b>2011</b>	Shire Lane	29/05/2011	40	38	Male	Car Driver	LBB	Car V Car
2	2011	Layhams Road	31/05/2011	40	62	Male	Cyclist	LBB	Cyc V Car
3	2011	Widmore Road (near Cedar Road)	07/08/2011	30	60	Male	Pedestrian	LBB	Ped V Bus
4	2011	Centre Common Road	18/11/2011	30	17	Male	Car Passenger	LBB	Car
5	2011	Centre Common Road	18/11/2011	30	17	Male	Car Passenger	LBB	Car
6	2011	Hastings Road	17/12/2011	30	87	Male	Pedestrian	TLRN	Ped V Car
7	2011	Westerham Road (near Rectory Road)	17/12/2011	30	83	Female	Car Passenger	LBB	Car
1	<b>2012</b>	Upper Elmers End Road (near Asprey Mews)	07/01/2012	30	44	Male	Cyclist	LBB	Cyc V Car
2	2012	Lennard Road, Penge	13/01/2012	30	20	Male	Car Driver	LBB	Car
3	2012	Warner Road	18/01/2012	30	49	Male	Pedestrian	LBB	Ped V Car
4	2012	Bournewood Road	30/04/2012	30	17	Male	Powered Two Wheeler	LBB	P2W
5	2012	Crystal Palace Park Road JW Thicket Road	10/07/2012	30	31	Male	Powered Two Wheeler rider	LBB	P2W
6	2012	Wickham Court Road	06/09/2012	30	19	Male	Powered Two Wheeler rider	LBB	P2W

7	2012	Dunkery Road	11/09/2012	20	?	Female	Pedestrian	LBB	Ped V Car
1	2013	Warren Avenue	10/03/2013	30	?	Male	Powered Two Wheeler rider	LBB	P2W
2	2013	Homesdale Road/ Masons Hill	31/08/2013	30	45	Male	Car Driver	LBB	Car
3	2013	Chelsfield Road JW Edmund Road	31/08/2013	30	80	Male	Pedestrian	LBB	Ped V Cyc
4	2013	Westerham Road	24/10/2013	40	29	Male	Car Driver	LBB	Car
5	2013	White Horse Hill	14/12/2013	30	84	Male	Pedestrian	LBB	Ped V Car
1	2014	Crofton Road (near Burlington Close)	21/01/2014	30	90	Female	Pedestrian	LBB	Ped V Car
2	2014	Shire Lane	04/08/2014	40	54	Male	Car Driver	LBB	Car
3	2014	Skeet Hill Lane (near Skibbs Lane)	06/11/2014	40	88	Female	Pedestrian	LBB	Ped V Car
1	2015	Five Elms Road near JW Croydon Road	10/02/2015	40	25	Male	Car Driver	LBB	Car
2	2015	Copers Cope Road JW Bridge Road	13/05/2015	30	26	Male	Powered Two Wheeler rider	LBB	P2W V Car
3	2015	Chislehurst War Memorial	05/06/2015	30	?	Male	Car Driver	LBB	Car v Car
4	2015	Burnt Ash Lane	07/06/2015	30	19	Male	Car Passenger	LBB	Car
5	2015	Mottingham Lane	24/08/2015	30	18	Male	Powered Two Wheeler	LBB	P2W
6	2015	Downe Road	30/09/2015	30	24	Male	Powered Two Wheeler rider	LBB	P2W
7	2015	Croydon Road JW Thornsett Road	21/11/2015	30	56	Male	Powered Two Wheeler rider	LBB	P2W V Van
1	2016	Queensway	11/08/2016	30	67	Female	Pedestrian	LBB	Ped V Car
2	2016	Lennard Road, Penge	31/08/2016	30	10	Male	Pedestrian	LBB	Ped V Car
3	2016	Lennard Road, Penge	31/08/2016	30	34	Female	Pedestrian	LBB	Ped V Car
4	2016	Baston Road JW Five Elms Road	05/12/2016	30	18	Male	Powered Two Wheeler rider	LBB	P2W V Car
1	2017	MAIN ROAD Biggin Hill J/W ST WINIFRED'S ROAD	11/10/2017	30	75	Female	Car Passenger	LBB	Car v Car
2	2017	VILLAGE WAY J/W UPLANDS	10/11/2017	30	30	Male	Powered Two Wheeler	LBB	P2W V Car
1	2018	PARISH LANE SE20 J/W GREEN LANE SE20	18/03/2018	30	25	Male	Car Passenger	LBB	Car v Car
2	2018	St Paul's Cray Road	01/04/2018	30	?	Male	Car Driver	LBB	Car v Bus
3	2018	SAINT JOHN'S ROAD 160M W OF J/W CROFTON LANE	14/08/2018	30	78	Female	Pedestrian	LBB	HGV v Ped
4	2018	HIGH STREET J/W MAPLE ROAD PENGE	14/08/2018	30	84	Male	Pedestrian	LBB	HGV v Ped
1	2019	Croydon Road, near j/w Tremain Road.	13/01/2019	30	0	Male	Pedestrian	LBB	Car v ped in pram
2	2019	On Croydon Road, near j/w Tremain Road.	13/01/2019	30	23	Female	Pedestrian	LBB	Car v ped
3	2019	Court Road J/W Goddington lane.	13/04/2019	40	10	Male	Pedestrian	LBB	car v ped
4	2019	Beaconsfield Road, nearj/w Kimmerage Road .	24/04/2019	30	75	Male	Pedestrian	LBB	Ped
5	2019	Homesdale Road approx 50M NE Fielding Rd	15/05/2019	30	28	Male	Powered Two Wheeler	LBB	P2W
6	2019	Farnborough Common near j/w Ninhams Wood	01/08/2019	30	57	female	Pedestrian	TLRN	ped v Police Car
7	2019	Sevenoaks Road, nearj/w PARK AVENUE.	31/10/2019	30	60	Male	Bus Driver	LBB	car v bus
1	2020	Sevenoaks Road near j/w London Rd	25/09/2020	50	60	Male	Car Passenger	TLRN	Car V HGV
1	2021	Masons Hill	17/12/2021	30	28	Male	Powered Two Wheeler	TLRN	P2W
2	2021	Southborough Lane	18/07/2021	30	16	Male	E Scooter	LBB	E Scooter v Car
1	2022	Sevenoaks Road near j/w London Rd	05/02/2022	50	77	Female	Car Driver	TLRN	Car V Car
2	2022	Sevenoaks Road near j/w London Rd	05/02/2022	50	81	Male	Car Passenger	TLRN	Car V Car
3	2022	Court Road near j/w Charterhouse	30/04/2022	40	18	Male	Powered Two Wheeler	LBB	P2W V Car
4	2022	Corkscrew Hill	10/06/2022	30	88	Male	Car Driver	LBB	Car
5	2022	The Grove j/w High Street	20/09/2022	30	89	Male	Pedestrian	LBB	Ped V HGV

Note: P2W stands for Powered 2-Wheeler - i.e. a moped, motor-scooter or motorcycle; Ped is an abbreviation for Pedestrian

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Report No.  
ES20288

## London Borough of Bromley

### PART 1 - PUBLIC

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**Decision Maker:** **PORTFOLIO HOLDER FOR SUSTAINABILITY, GREEN SERVICES & OPEN SPACES**

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

**Date:** 29 June 2023

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

**Title:** **CONTRACT EXTENSION FOR BROMLEY MARKET STALL ASSEMBLY**

**Contact Officer:** Jonathan Richards, Business Support & Market Manager  
020 8313 4317    E-mail: jonathan.richards@bromley.gov.uk

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

**Ward:** Bromley Town

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## 1. REASON FOR REPORT

- 1.1 In December 2021, the Portfolio Holder approved award of contract for the provision of Market Stall Assembly to MarketForce Services Limited. The contract was for a two year term, with the option to extend for a further two years, at an estimated annual value of £109k (estimated whole life value of £436k). The initial term is due to end in December 2023. This report seeks Approval to apply the two-year extension option.
- 

## 2. RECOMMENDATION(S)

- 2.1 Members of the Environment & Community Services PDS Committee are asked to note and provide comment on the proposal for the award of the two year extension of the Market Stall Assembly Contract, to the Portfolio Holder for consideration.
- 2.2 That the Portfolio Holder approves the two-year extension option for the Bromley Market Stall Assembly Contract. The extension will be for the period January 2024 to December 2025 at an estimated value of £218k (based on estimated annual value of £109k).

## Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

## Corporate Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority: (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## Financial

1. Cost of proposal: Estimated Cost: up to £218k over two years
  2. Ongoing costs: Recurring Cost £109k
  3. Budget head/performance centre: Bromley Charter Market R65901
  4. Total current budget for this head: £112k
  5. Source of funding: Existing revenue budget 2023/24
- 

## Personnel

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

## Legal

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

## Procurement

1. Summary of Procurement Implications: Extension of existing contract
- 

## Property

1. Summary of Property Implications: Not Applicable
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Any Bromley Market user
-

### Ward Councillor Views

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

### **3. COMMENTARY**

- 3.1 The Bromley Charter Market is a weekly market held in Bromley Town Centre. The market stalls and associated infrastructure are provided by Bromley Council as part of the offering to Traders. The stalls are set-up on every Thursday morning and taken down every Saturday evening by a contractor.
- 3.2 The current service provider acting on behalf of the Council is an SME; MarketForce Services Ltd. They have delivered this service for a number of years. Their current contract comes to an end on 31st December 2023. There is a two-year extension option on that contract.
- 3.3 The contract was previously put out to tender in 2021 but received a poor response with only two alternative tenders received, neither of which were assessed to be suitable.
- 3.4 Bromley are now seeking to engage the two-year extension option within the current contract to extend the contract to 31<sup>st</sup> December 2025.

#### **Summary of Business Case**

- 3.5 The current provider is MarketForce Services Ltd; they have delivered this service for a number of years and have a strong knowledge of the market, the infrastructure and service requirements.
- 3.6 The service has been subject to a significant period of adjustment in the past 48 months due to Highway Works on the High Street, the Covid-19 pandemic and current cost of living challenges. The current provider has and continues to work with LBB to adapt and adjust to those challenges.
- 3.7 With the changes to market location since 2018 and in the interest of ensuring value for money, the Market Stall Assembly contract was put out to tender in 2021 to engage with the open market and understand the future options available.
- 3.8 The tendered contract was divided into two Lots; Lot 1 for the stall assembly and take down and additional attendance; Lot 2 for light maintenance and cleansing of the stalls.
- 3.9 Given the specific nature and anti-social hours of the required work a large response was not expected but the response to the tender was poor. Only two bids were submitted: The first bid was priced significantly higher than there is budget for and the provider had limited relevant experience. The second bid was submitted by a newly formed company who was not able to demonstrate suitable relevant experience.
- 3.10 The current provider did not submit a bid in 2021 having missed the deadline and a poor IT literacy to engage with the Procurement Portal. However, the incumbent was interested in continuing to provide the service under LOT 1 and a direct award was made. IT literacy has no bearing on the ability of the service provider to deliver the required service.
- 3.11 There have been no issues with the current provider and the market has always been set-up, taken down and given additional attendance at all and any required times. The service provider has also demonstrated a commitment to the delivery of the service providing additional support to the market and traders while Bromley is in the process of recruiting to the vacated Market Supervisor Post.

## **Service Profile / Data Analysis**

- 3.12 The market is held weekly all year round. The stalls are set-up early on a Thursday morning ready for 6am and are taken-down on a Saturday evening from 6pm.
- 3.13 There are a maximum of 46 stall pitch locations in the High Street, however there are only 38 pitches which can be used operationally on a regular basis. Numbers each week depend on the trader bookings, typically 35 stall locations are utilised weekly. The varying numbers of bookings is not a function of the market stall assembly service provider, it is however managed by the Council's Business Support & Market Manager.
- 3.14 Stalls are not erected if they cannot be filled that week with paying traders. The weekly cost with the Service Provider is based on the number of stalls erected.
- 3.15 New traders are first accommodated within existing spaces and any future growth of the market in terms of additional stall sites would only be where trader demand ensures a site could be filled, which would provide the additional income to meet that additional set-up requirement.
- 3.16 Set-up also entails the provision of supporting infrastructure such as tables and electricity connection to the stalls – dependent on the trader requirements.

## **Options Appraisal**

- 3.17 Do not extend the contract and return to the open-market - it is not expected that returning to the open market would generate a different response to that in 2021.
- 3.18 Bring in house - not a viable option as it would require a restructuring of the service.
- 3.19 Approve the contract extension – this would ensure continuity of ongoing service, with a service provider with known experience of the required tasks and no historic performance issues.

## **Preferred Option**

- 3.20 Approve the contract extension.
- 3.21 This option will allow the service to continue uninterrupted. The open-market has been tested fairly recently and found to have no current suitable alternative providers. The service provider has a strong previous performance with no issues, and have demonstrated they have the relevant experience to deliver the service to the required standard consistently, week in and week out.
- 3.22 The extension is for two-years allowing for an opportunity to test the open-market again and ensure continued value for money from the contract as part of the re-tendering activity required for a new contract for 01<sup>st</sup> January 2026 onwards.

## **4. MARKET CONSIDERATIONS**

- 4.1 The market was tested as part of the tender process in 2021 and shown there is little interest on the open-market.
- 4.2 The contract extension is for two-years. This would give the opportunity to return to and test the market again in the near future while ensuring the current continuity of service.

## 5. SOCIAL VALUE AND LOCAL / NATIONAL PRIORITIES

- 5.1 The current provider is an SME based within Bromley meeting the desire to engage with local small and medium enterprises.

## 6. STAKEHOLDER ENGAGEMENT

- 6.1 Given that the contract extension does not contain any fundamental changes to the service, formal stakeholder engagement is not necessary. The key stakeholders, the LBB Market Team and the Market Traders, have a priority that the stalls and market equipment continue to be set and up and ready for them to commence trading upon arrival.

## 7. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS

- 7.1 **Estimated Value of Proposed Action:** £436k (£218k contract term + £218k extension term)

- 7.2 **Other Associated Costs:** N/A

- 7.3 **Proposed Contract Period:** Two years (01<sup>st</sup> January 2022 to 31<sup>st</sup> December 2023) with a two year extension option (01<sup>st</sup> January 2024 to 31<sup>st</sup> December 2025), totalling a maximum of 4 years

- 7.4 A two-year term with a two-year extension option would give an estimated whole life value of £436k (£218k + £218k). The contract costs are based on both the LOT1 and LOT2 components and potential full stall capacity each week. However as the service provider engages in the LOT2 component on an ad hoc basis, and payment for LOT 1 is based on actual stalls set-up not all stalls which could be set up, contract spend against that possible whole life total will not be met, however it is outlined here for full awareness.

- 7.5 The prices for the third and fourth years of the contract will be subject to a percentage increase based on the Non-Seasonally Adjusted Weekly Wage Index – Public Sector Excluding Bonus and Financial Services (KA5P) indices for the preceding December.

- 7.6 There is a current annual budget for the LOT 1 component is £93.3k held against cost code R65901~64331~000000.

- 7.7 There is a current annual budget for the LOT 2 component is £19.6k held against cost code R65901~64117~000000.

## 8. IMPACT ASSESSMENTS

- 8.1 As part of the market engagement in 2021, it was the intention to encourage local SMEs in participating in the tendering process. The requirement to set-up the stalls is business-critical for the Markets Service where delay or failure to undertake the works have an immediate impact on the market traders, local businesses and cause reputational damage to LBB.

- 8.2 To that end, it would be the preferred position of the service that the contract be held by a local SME where not only is there a 'local stake' in the service and the delivery of the service but that

being an SME the contract is a significant component to their business thus one which they are keen to deliver to their utmost, rather than a larger organisation for whom this contract is relatively small in terms of the other business and as a result may not prioritise or provide the level of service desired.

## **9. POLICY CONSIDERATIONS**

- 9.1 As a key aspect of Bromley High Street and part of the town's vibrant local community hub, it will be the continued policy and ambition to continue the historic market as one which complements the local business and serves as a destination for residents and shoppers alike. As such there is a reputational aspect to the service to ensure it is delivered in a timely and professional manner.

## **10. IT AND GDPR CONSIDERATIONS**

- 10.1 There are no IT or GDPR considerations in relation to this contract.

## **11. STRATEGIC PROPERTY**

- 11.1 There are no Strategic Property considerations in relation to this contract.

## **12. PROCUREMENT RULES**

- 12.1 This report seeks permission to use the formal extension (2 years), built into the contract for the Bromley Market Stall Contract Lots 1 and Lots 2 with MarketForce Services Ltd, the value of the proposed extension being an estimated £218,000
- 12.2 The Contract is for a duration of 2 years with an option to extend for a further 2 years period(2+2) at a total value of £436,000 ( £281,000 + £218,000 )
- 12.3 Following Approval, the extension must be applied via a suitable Change Control Notice, or similar as specified in the Contract.
- 12.4 The Councils specific requirement for seeking permissions to use a formal extension are covered in 23.6 of the Contract Procedure Rules with the need to obtain the formal agreement of Assistant Director Governance & Contracts, the Director or Corporate Services, the Directors of Finance and the Approval of the Portfolio Holder.
- 12.5 The actions identified in this report are provided for within the Councils Contact Procedure Rules, and the proposed actions can be completed in compliance with their content 2.1

## **13. FINANCIAL CONSIDERATIONS**

- 13.1 The proposed option is to approve the contract extension with the current provider, MarketForce Services Ltd for two years with the option to extend for two additional years.
- 13.2 The estimated whole contract value for four years is £436k (£218k + £218k). The estimated annual costs is £109k. The costs will be met from the revenue budgets in the Bromley Charter Market Cost Centre R65901.

13.3 The existing controllable budgets in 2023-2024 are £120k (£99k+21k).

#### 14. PERSONNEL CONSIDERATIONS

14.1 There are no personal, TUPE or Pension considerations in relation to this contract.

14.2 The Gov.uk questionnaire has been completed to confirm that Off-payroll working rules (IR35) do not apply to this contract.

#### 15. LEGAL CONSIDERATIONS

15.1 This award report demonstrates a procurement procedure that complies with relevant law (the Public Contracts Regulations 2015) and the Council's Contract Procedure Rules in relation to this proposed extension.

15.2 This Report seeks approval for a two Year extension option of the Bromley Market Stall Assembly Contract. The Proposed Contract is for a duration of two years, commencing from 01.01.22 to 31.12.23, with a two year extension option (i.e. from 01.01.24 to 31.12.25) totalling a maximum of four years. The current Contract is to extend to 31.12.25 and currently ends on 31.12.23. The estimated annual value of the Contract is £109k. The estimated whole life value amounts to £436k, with an extension term of £218k.

15.3 This Report also asks Members of the Environment & Community Services PDS Committee to note and provide comment on the proposal for the award of the two year extension of the Market Stall Assembly Contract, to the Portfolio Holder for consideration. The Portfolio Holder is asked to approve the two-year extension option in the Bromley Market Stall Assembly Contract

15.4 This report also indicates that the Council has an existing contractual right to extend this contract in the manner described.

15.5 Furthermore, Under the Council's Contract Procedure Rules (CPR), the Councils requirement for authorisation of a formal extension to a Contract, is in accordance to CPR 23.6 and 13.1 and where applicable the Public Procurement Regulations 2015 (the Regulations).

15.6 Generally-speaking, (after relevant internal approvals), Officers must comply with any and all formal requirements in the contract regarding the exercise of these extension rights. They may wish to consult with colleagues in Legal Services if they have questions or otherwise require help on this issue or if they require any assistance with the formalities to exercise this right to extend (e.g. change of control notice requirements etc) but this should not be difficult.

15.7 The Contract can be awarded in accordance with the Council's Contract Procedure Rules and the Public Procurement Regulations 2015.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]



Report No.  
ES20287

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**For Pre-Decision Scrutiny by the Environment and Community Services Policy Development and Scrutiny Committee on Thursday 29 June 2023**

**Date:** 5<sup>th</sup> July 2023

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

**Title:** **VARIATIONS TO THE CONTRACT FOR PARKS MANAGEMENT AND GROUNDS MAINTENANCE**

**Contact Officer:** Hannah Jackson, Assistant Director Environment (Carbon Management & Greenspace)  
Tel: 0208 461 7690 E-mail: Hannah.Jackson@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

- 1.1 This report sets out a number of recommendations to make variations (modifications) to the contract for parks management and grounds maintenance services with idverde at a total combined value of £2.463m (£4.597m if the contract extension option is taken).
- 1.2 This report also seeks delegated authority for the Director of Environment & Public Protection and the Portfolio Holder for Sustainability, Green Services and Open Spaces to agree variations (modifications) to the contract under a scheme of delegation set out in paragraph 3.21.

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2. **RECOMMENDATION(S)**

- 2.1 The Environment & Community Services Policy Development & Scrutiny Committee is asked to review this report and provide its comments to the Executive.
- 2.2 The Executive is asked to approve variations (modifications) to the contract for parks management and grounds maintenance with idverde of:
  - (i) Up to £880k for the delivery of projects funded by the Platinum Jubilee Parks Fund, as set out in paragraphs 3.6 – 3.8

- (ii) Up to £235k per annum for the remaining contract term (£940k cumulatively for the initial term or £2.82m if extended) for park infrastructure repairs, as set out in paragraphs 3.9 – 3.11
  - (iii) £69k per annum for the remaining contract term (cumulatively £276k for the initial term of £828k if extended) for additional weekend cleansing, as set out in paragraphs 3.12 – 3.14.
  - (iv) Up to £71k per annum for the remaining contract term (cumulatively £284k for the initial term or £852k if extended) for PROW infrastructure works, as set out in paragraphs 3.15 – 3.16
  - (v) £83k for the initial term (£97k if extended) for the payment of the Countryside Stewardship Grants as set out in paragraphs 3.17 – 3.18.
- 2.3 Agree to delegate authority to the Assistant Director Environment (Carbon Management & Greenspace) to undertake variations as required and through the appropriate contractual process for recommendations 2.2 (i), (ii) and (iv) within the values authorised.
- 2.4 Approve the scheme of delegation for authorisations in relation to future variations (modifications) to the contract for parks management and grounds maintenance as set out in paragraph 3.21.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The services delivered under the parks management and grounds maintenance contract affects all residents including vulnerable adults and children with some services having a specific impact on their customer groups. Projects to be delivered under the proposals set out in this report will have due regard to impacts on vulnerable adults and children.
- 

### Transformation Policy

1. Policy Status: Existing Policy:
  2. Making Bromley Even Better Priority (*delete as appropriate*):  
  
(4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

### Financial

1. Cost of proposal: £2.463m (£4.597m if extended)
  2. Ongoing costs: Recurring Cost Non-Recurring Cost:
  3. Budget head/performance centre: Parks and Street Environment cost centres, Platinum Jubilee Parks Fund, Countryside Stewardship Grants
  4. Total current budget for this head: £5m (Parks), £71k (Street Environment), £880k (PJPF), £83k (grants)
  5. Source of funding: Revenue budgets, grants, earmarked reserves
- 

### Personnel

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

### Legal

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

### Procurement

1. Summary of Procurement Implications: The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.
- 

### Property

1. Summary of Property Implications: N/A
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: The contract includes obligations that support the Council's obligations in relation to Social Value which apply in relation to the proposed variations.
- 

### Impact on the Local Economy

1. Summary of Local Economy Implications: N/A

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### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Services under this contract support health and wellbeing objectives under the *Open Space Strategy 2021 – 2031*.
- 

### Customer Impact

1. Estimated number of users or customers (*current and projected*): The variations will improve parks and open spaces for residents in the borough. The number of visits to parks and open spaces is unknown.
- 

### Ward Councillor Views

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

### 3. COMMENTARY

#### Background

- 3.1 On 20<sup>th</sup> November 2018, the Executive agreed to award a contact for the provision of parks management and grounds maintenance services to idverde Ltd for a term of 8 years commencing on 1<sup>st</sup> April 2019, with the option to extend for a further 8 years, for an estimated contract value of £38.4m for the initial term. (**ES18082**)
- 3.2 The purpose of the contract is to provide a fully managed service for the management and maintenance of parks, countryside, and green spaces in the borough.
- 3.3 Under the Council's Contract Procedure Rules, there are two methods for making variations to the contract: change controls and modifications. Under CPR 23.7.5, when variations which are modifications (because they were not provided for within the terms of the contract or anticipated at the outset of the tender) cumulatively exceed £1m, all further variation (modification) decisions must be taken by the Executive.
- 3.4 Modifications have been made to the contract which have a cumulative value of circa £1m and consequently, any further modifications will require approval from the Executive. Due to the nature of this contract, further variations are likely as a result of grants or changes in priority during the term.

#### Variations

- 3.5 There are several new initiatives or recommended changes in scope that require Executive approval to implement because of the cumulative value of modifications.

#### *Platinum Jubilee Parks Fund*

- 3.6 As part of the budget setting process for 2022/23, £1m was set aside in a Platinum Jubilee Parks Fund. Funded from underspends (**CSD22023**), the Fund is intended to support the objectives of the Open Space Strategy. The approach to allocating spend was agreed by the Portfolio Holder for Sustainability, Green Services and Open Spaces in June 2022 which allowed local stakeholders groups to submit applications for community led projects, directing investment in parks and open spaces (**ES20189**). This set an allocation of £40k for each of the 22 wards (£880k in total).
- 3.7 Through this process, it has become clear that in most cases, the most efficient and least risky way to deliver the projects developed under the fund is through the existing supply chain established by idverde. There are a small number of applications where the applicant may hold and spend the grant monies directly, or where works may need to be separately tendered but, in most instances, the works can be delivered through idverde's supply chain and demonstrate value for money.
- 3.8 It is therefore recommended that the Executive approve a variation to idverde's contract of up to a value of £880k to enable delivery of projects under this Fund, with delegated authority to the Assistant Director of Environment (Carbon Management & Greenspace) to agree the project specific variations as they arise.

#### *Infrastructure repairs*

- 3.9 idverde's contract was varied to allow for park infrastructure repairs (excluding buildings) in parks and open spaces (**ES20225**), funded from the Operational Maintenance budgets in 2022/23 and 2023/24 to a value of £320k per annum (**HPR2022/007**).

3.10 Facilities and infrastructure in parks and green spaces is the area of delivery that park users are least satisfied with; according to the Park User Satisfaction Survey 2022, only 21% of respondents were satisfied with facilities in parks. The funding agreed from the Operational Maintenance budgets were therefore much needed and have enabled delivery of a number of works, summarised as:

- Pothole repairs
- Fencing repairs or replacement
- Infrastructure measures to support reduction of anti-social behaviour
- Works to repair collapsed or at-risk water body banks
- Drainage repairs
- Memorial repairs

3.11 The annual revenue budget for parks and greenspace was increased by £400k for 2023/24 onwards (**FSD23012**). Consequently, and to enable infrastructure repairs on ongoing basis it is recommended that the contract is varied by up to £235k per annum. The cumulative value of this proposed variation is therefore up to £940k for the remaining initial term. It is recommended that authority is delegated to the Assistant Director Environment (Carbon Management & Greenspace) to action a variation annually for a planned programme of repairs, and reactive repair-specific variations as they arise.

#### *Additional cleansing*

3.12 The annual Park User Satisfaction Survey consistently identifies cleanliness as a key concern in the borough's parks and open spaces, with 37% of respondents reporting that they were dissatisfied with cleanliness levels in 2022.

3.13 Whilst the frequency of litter collections has been reviewed with collections increasing in 2022/23 in locations where problems have been prevalent, more could be achieved with the implementation of additional weekend cleaning at parks where there is heavy footfall. By doubling the weekend cleansing team, parks with areas of high intensity could be visited twice daily, with reactive deployment of cleansing teams to other locations where problems arise.

3.14 The cost of this service enhancement is £69k per annum. It is therefore recommended that the contract for parks management & grounds maintenance is varied to reflect this, resulting in a cumulative variation of £276k for the remaining initial term.

#### *Public Rights of Way (PROW)*

3.15 Currently, idverde provide certain grounds maintenance services to maintain public rights of way so that they are accessible. However, their contract does not extend to undertaking infrastructure related improvements; the Council holds a budget for these types of works of £71k per annum and determines where best to spend this based on risk and impact.

3.16 It is recommended that the Executive approve a variation to the contract for parks management and grounds maintenance services of up to £284k for the remaining initial term to enable instruction of PROW infrastructure works and delegate authority to the Assistant Director, Environment (Carbon Management & Greenspace) to approve individual variations within that budget envelope for works required as they arise.

## Countryside Stewardship Grants

- 3.17 The Council receives Countryside Stewardship Grants from the Rural Payments Agency to protect and improve environmentally important sites including commons and woodlands.
- 3.18 idverde undertake the work funded by the Countryside Stewardship Grant on the Council's behalf. To enable this work to continue, it is recommended that the Executive agree to a variation to the contract of £83k for the remaining initial term.

## Summary

- 3.19 The cumulative value of these variations is £2.463m (£4.597m if extended), and these therefore require Executive approval.

Table 1: Proposed Variations (Modifications)

<b>Variation (Modification)</b>	Initial term	Extended term
	<b>£,000</b>	<b>£,000</b>
Platinum Jubilee Parks Fund	880	0
Infrastructure repairs	940	2,820
Additional cleansing	276	828
PROW infrastructure works	284	852
Countryside Stewardship Grant	83	97
<b>TOTAL</b>	<b>2,463</b>	<b>4,597</b>

## Delegated authority to make further variations (modifications)

- 3.20 The total amount by which the contract has been varied is only a small percentage of the total contract value and therefore permissible under the Public Contract Regulations 2015. However, because CPR 23.7.5 applies based on the cumulative value of variations, it is now the case that any variation must be approved by the Executive. Whilst this is designed to protect against legal and procurement risks, on contracts with large values such as this, this can be impractical and prevent timely responses to emerging issues.
- 3.21 The nature of the contract for parks management and grounds maintenance means that further modifications are likely, for example because of receipt of grants or changes in priority during the life of the contract. It is therefore recommended that the Executive delegate authority to the Chief Officer (Director of Environment & Public Protection) and/or the Portfolio Holder for Sustainability, Green Services & Open Spaces to agree variations for the remaining contract term in accordance with the thresholds set out in the table below:

Chief Officer  In consultation with the Portfolio Holder for Sustainability, Green Services & Open Spaces	Any single variation with an annual value of up to £500k
Portfolio Holder for Sustainability, Green Services & Open Spaces  With pre-decision scrutiny by the Environment & Community Services PDS Committee	Any single variation with an annual value of over £500k

3.22 Any future variations made under the recommended scheme of delegation would continue to be subject to the agreement of the Assistant Director Governance & Contracts, Director of Corporate Services and Director of Finance.

3.23 It should be noted the budget to fund any further variations (modifications) would need to have been formally approved in accordance with the Financial Regulations before action is taken in respect of the contract.

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

4.1 The parks management and maintenance contract affects all residents including vulnerable adults and children. idverde are the Council's agent, managing health and safety in parks and greenspaces and advise on equality impacts in relation to service delivery. idverde also manage services that have direct contact with children and vulnerable adults including environmental education, and through their role supporting Park Friends and other community stakeholder's and their initiatives.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

5.1 The parks management and grounds maintenance contract and the variations proposed in this report supports the delivery of the ambitions within the Corporate Strategy: Making Bromley Even Better, with the most direct impact on ambitions:

(4) For residents to live responsibly and prosper in a safe, clean, and green environment great for today and sustainable for the future

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley residents.

5.2 The parks management and grounds maintenance contract is also key to the delivery of the Council's Open Space Strategy 2021-2031, with the variations proposed under this contract also delivering against the objectives set out therein.

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

6.1 This report seeks authorisation to make several variations to the contract for parks management and grounds maintenance with idverde, which had an estimated total value of £38.4m at contract award. The cumulative value of these variations is £2.463m for the remaining term (£4.597m if extended).

6.2 Recommendation 2.2(i) seeks authority to vary the contract by up to £880k to deliver projects applied for under the Platinum Jubilee Parks Fund. These variations will be funded from the reserve set up for this purpose.

6.3 Recommendation 2.2(ii) seeks authority to vary the contract by up to £235k per annum to deliver infrastructure repairs in parks and open spaces. Recommendation 2.2(iii) seeks authority to vary the contract by £69k per annum for enhanced cleansing. These will be funded by the Parks Infrastructure Fund revenue budget increase of £400k per annum agreed from 2023/24.

6.4 The variation set out in recommendation 2.2(iv) will be funded from the existing £71k revenue Street Environment budget for PROW works. This report seeks authority to spend up to the amount in the revenue budget through the contract with idverde.

6.5 The variation covered by recommendation 2.2(v) will be funded by the Countryside Stewardship Grants received by the Council from the Rural Payments Agency.



6.6 As set out in paragraph 3.23, the budget for any variations made under the scheme of delegation recommended at 2.3 should be formally approved in accordance with the Financial Regulations before any action is taken on any subsequent variations.

## **7. LEGAL IMPLICATIONS**

7.1 This report asks Members to agree several recommendations to make variations to the idverde contract for parks management and grounds maintenance services at a total combined value of £2.463m (or £4.597m if the contract extension option is exercised). It further requests Members to delegate authority for the future variations to the Chief Officer and/or Portfolio Holder.

7.2 While there may be no statutory requirement to provide some of the works and services under the proposed contract variations, under Section 1 of the Localism Act 2011, a local authority has a general power of competence to do anything that individuals generally may do. These works and services also clearly fall within the Making Bromley Even Better policy framework.

7.3 Contract Procedure Rule 23.7 sets out the internal governance procedures the Council must follow for these variations over £500k which has been followed as detailed in this report. Any variation must also comply with the law as stated in the Public Contract Regulations 2015. Under Regulation 72 (1)(b)(ii) a public contract may be varied without a new procurement procedure where a change of contractor would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.

7.4 Officers wish to delegate future variations to the Chief Officer and/or Portfolio Holder which is open to the Executive to do. Any such future variations will be considered by Procurement and Legal Services to ensure they are made both soundly and within the law.

7.5 Should these variations be approved by the Executive then the appropriate contractual change control mechanism must be followed to record them.

## **8. PROCUREMENT IMPLICATIONS**

8.1 This report seeks to authorise a number of variations to the Council's contract with idverde and also seeks delegated authority for future variations that may be required in a contract of this size and type.

8.2 The idverde contract was originally procured as an above-threshold contract following a competitive tendering process. The variations stated above can be completed in compliance with Regulation 72 of the Public Contracts Regulations 2015.

8.3 The Council's requirements for authorising variations are covered in CPR 23.7 and 13.1. The following thresholds must normally be adhered to for a variation (modification):

- £5k - £99,999: Approved by Chief Officer
- £100k - £999,999: Approved by Portfolio Holder
- £1m and above: Approved by Executive Committee

8.4 Cumulative value will apply, which means that the total value of all extensions and variations applied to a contract to date must be considered when determining the correct approval route.

8.5 Following Approval, the variations must be applied via a suitable Change Control Notice, or similar, agreed with the Provider. The service must contact the Procurement Team when variations are made so that the appropriate transparency notices can be published. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

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

**9. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

9.1 Social value considerations were built into the evaluation of the tenders for the parks management and greenspace contract at tender, and there are specific contractual obligations regarding supporting the Council to meet its obligations under the Public Services (Social Value) Act 2012.

**10. IMPACT ON HEALTH AND WELLBEING**

10.1 The contract for parks management and greenspace and the variations proposed in this report are all geared towards supporting achieving the objectives of the *Open Space Strategy 2021 – 2031*, including Strategic Objective 3 which refers to health, wellbeing and the community.

10.2 Investment in infrastructure is prioritised according to risk with health and safety concerns be forefront to those recommendations.

**11. CUSTOMER IMPACT**

11.1 As referenced in this report, a Park User Satisfaction Survey is completed annually. The variations proposed in this report are responding to the feedback provided by customers who have completed this survey, recognising that satisfaction levels for infrastructure and cleansing are at 21% and 63% respectively.

11.2 All variations seek to improve parks and greenspaces for the benefit of those who live, work or visit in the borough.

<b>Non-Applicable Headings:</b>	Property Implications, Personnel Implications, Impact on the Local Economy, Ward Councillor Views
Background Documents: (Access via Contact Officer)	<p><b>ES18082</b> Award of Contracts for Waste Disposal, Waste Collection, Street Environment, and Parks Management &amp; Grounds Maintenance (Part 1 and Part 2)</p> <p><b>ES20189</b> One Million Pound Platinum Jubilee Parks Fund <b>ES20276</b> Platinum Jubilee Parks Fund Update</p> <p><b>ES20225</b> idverde Annual Contract Performance Report 2021/22 <b>HPR2022/007</b> Operational Building Maintenance Budgets and Planned Programme 2022/23</p> <p><b>FSD23012</b> 2023/24 Council Tax</p> <p>Open Space Strategy 2021 - 2031</p>



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Report No.  
ES20282

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by the Environment and Community Services Policy Development and Scrutiny Committee on Thursday 29 June 2023

5<sup>th</sup> July 2023

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

**Title:** DELIVERY OF ARBORICULTURE SERVICES (PART 1)

**Contact Officer:** Hannah Jackson, Assistant Director Environment (Carbon Management & Greenspace)

Tel: 0208 461 7690 E-mail: Hannah.Jackson@bromley.gov.uk

Hugh Chapman, Arboricultural Services Manager

Tel: 0208 313 3229 E-mail: Hugh.Chapman@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

1.1 This report is accompanied by a Part 2 report of the same title. For the reasons set out in that report, this report recommends that additional suppliers are procured to supplement the current arrangements for the delivery of the Council's arboricultural service

1.3 This report also recommends that additional funding is drawn down from the Healthy Bromley earmarked reserve to finish delivery of the Treemendous tree planting project.

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2. RECOMMENDATION(S)

2.1 The Environment & Community Services PDS are asked to review the report and provide their comments to the Executive for consideration.

The Executive are asked to:

2.2 Agree to the procurement of additional suppliers to supplement the current arrangements for the delivery of arboricultural services, subject to the specific recommendations in Part 2.

**2.3 Approve draw down of an additional £566k from the Healthy Bromley earmarked reserve to enable the delivery of the Tremendous project.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The health benefits provided by trees are particularly important for adults and young children suffering from mental illness or respiratory disease.
- 

### Transformation Policy

1. Policy Status: Existing Policy: Tree Management Strategy
2. Making Bromley Even Better Priority:

(4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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### Financial

1. Cost of proposal: The additional cost to complete the Treemendous tree planting programme is £566k
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £N/A
  5. Source of funding: Healthy Bromley Earmarked Reserve
- 

### Personnel

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

### Legal

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

### Procurement

1. Summary of Procurement Implications: The actions proposed in this report are compliant with Council's CPRs and PCR 2015
- 

### Property

1. Summary of Property Implications: N/A
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: The Treemendous project will increase carbon sequestration rates.
- 

### Impact on the Local Economy

1. Summary of Local Economy Implications: The economic benefits of trees are set out in the Tree Management Strategy 2023-2027.
- 

### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Trees provide many benefits to health and wellbeing, with this being the primary reason for the Treemendous project being to improve the health of residents.
- 

Customer Impact

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

Ward Councillor Views

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



### 3. COMMENTARY

- 3.1 On 20<sup>th</sup> November 2018, the Executive awarded a contract for arboricultural services to Glendale Ltd from 1<sup>st</sup> April 2019 for a period of 8 years, with the option to extend for 4+4 years (**ES18077**). The purpose of the contract was to provide services to maintain the Council's tree stock, with works identified and instructed by the Council's tree officers through a triennial programme of inspections and in accordance with the adopted Tree Management Strategy. Jobs are also raised through the emergency call out process.
- 3.2 For the reasons set out in the Part 2 report, officers recommend that additional suppliers are procured to supplement the arrangements provided through the contract with Glendale Ltd. It is recommended that this is achieved through:
- i. using a Neutral Vendor Framework to procure suppliers to deliver four packages of planned works on a fixed price basis, as further detailed in the Part 2 report.
  - ii. procuring an additional four suppliers to supplement the arrangements with Glendale Ltd on a regular and ongoing basis in accordance with the strategy that is detailed further in the Part 2 report.
- 3.3 This action is recommended as necessary to ensure that all works identified through the inspection programme and call out process are completed in a reasonable timeframe as part of the service's risk management approach.

#### Treemendous Tree Planting Programme

- 3.4 On 15<sup>th</sup> July 2021, the Executive agreed to allocate funds of £1.35m from the Healthy Bromley Earmarked Reserve to deliver a four-year programme of planting new street trees and providing tree aftercare. The project would plant 5000 additional street trees to improve the health of residents (**CSD21085**).
- 3.5 On 17<sup>th</sup> November 2021, the Environment & Community Services PDS reviewed the proposed programme of work which included setting out a three-year maintenance programme for newly planted trees, with the project being delivered between 2021 and 2027. It was noted that the risk around costs of future maintenance would be minimised by choosing resilient species for planting and locating these in lower risk locations (**ES20130**).
- 3.6 Authority was given to proceed to procurement for a service provider to undertake planting and maintenance requirements separately to the contract for arboricultural services held by Glendale Ltd who declined this additional work. The first year of planting and maintenance was undertaken by Lloyds Trees Services, and a tender exercise was undertaken in 2022 to appoint a contractor for the remaining term of the programme.
- 3.7 The tender for the provision of planting and aftercare services has been completed, with tender priced much higher than anticipated. The cost to deliver the project planting a total of 5000 trees in accordance with the rates of the winning bidder is £1.92m, leaving a budget gap of £566k from the original approved budget.
- 3.8 Initially, the Council allowed for a structured three-year aftercare programme. However, considering tendered prices officers are recommending that this aftercare programme is reduced to one year which is an acceptable baseline of maintenance within the industry. To mitigate any climate based risk, officers will increase engagement with the community to encourage additional sign up to the Tree Friends to increase community led tree watering. This change to the aftercare programme is reflected in the budget gap identified at paragraph 3.7.

- 3.9 The increase in price over and above the original budget is likely to be due to market factors including inflation, the rising cost of materials and energy, and shortages of trained and accredited arboricultural staff reported in the industry. The tender exercise was competitive; therefore, it is unlikely that re-tendering would result in lower rates.
- 3.10 Officers are recommending that an additional £566k is drawn down from the Healthy Bromley earmarked reserve to meet the commitment to plant 5000 additional street trees to benefit the health of those who live, work, or visit the borough.
- 3.12 If the budget increase is not approved, no further project planting will be undertaken with a total of 2,500 additional street trees planted. The Council will continue to plant replacement trees for those felled in accordance with policy 4 of the Tree Management Strategy 2023-2027.

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

- 4.1 There are several health benefits associated with trees as referred to in section 13, and which are of particular importance to those adults and young people suffering with poor mental health and respiratory illness. Research indicates that spending time around trees reduces depression and anxiety, especially when combined with exercise.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The arboricultural services contracted by the Council support the delivery of the ambitions within the Corporate Strategy: Making Bromley Even Better, with the most direct impact on ambition 4 - for residents to live responsibly and prosper in a safe, clean, and green environment great for today and sustainable for the future. These services also deliver works in accordance with the Tree Management Strategy 2023 – 2027.
- 5.2 The Treemendous tree planting programme also delivers against these strategies, and additionally delivers against commitments in the Air Quality Action Plan, Bromley Net Zero Carbon Action Plan, and the Bromley Biodiversity Action Plan.

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

- 6.1 The financial implications associated with the course of action summarised at paragraph 3.2 are set out in the accompanying Part 2 report.
- 6.2 This report recommends that an additional £566k is drawn down from the Healthy Bromley earmarked reserve to enable the planting of all 5000 trees under the Treemendous tree planting programme. This is in addition to the £1.35m already allocated from the reserve (**CSD21085**).
- 6.3 Drawing down additional funding from this reserve will mean that there is less funding available in the reserve for other health related initiatives and may reduce the income received from the interest on sums in reserves.
- 6.4 Any future maintenance costs associated with the additional street trees will need to be met from the existing revenue budget, with risks being mitigated through species selection and planting locations.

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

- 7.1 This report requests members agree to the procurement of additional suppliers to supplement the current arrangements for the delivery of arboricultural services, as detailed in Part 2 and to approve the drawdown of an additional £566k from the Healthy Bromley earmarked reserve to enable the delivery of the Treemendous project

- 7.2 The Council is responsible for and therefore has a duty of care under the law for all trees growing on its land including street trees, trees on public open spaces and in woodlands. This duty arises from a number of circumstances including obligations created under the Occupiers Liability Acts 1957/1984 and the Highways Acts 1980. To discharge this duty the council must manage the trees to a safe standard. By procuring these services under the proposed contracts, the Council will be fulfilling its duty to do all that is reasonably practical to minimise the risk of people being harmed or property being damaged because of an incident associated with trees on Council property.
- 7.3 Under the Public Contract Regulations 2015 (Regulations), the procurement of these services is a public services contract. As the value exceeds the relevant threshold under the Regulations the Council is required to carry out a fully compliant Procurement exercise. The Regulations would however accept compliance where the Council were to call-off from a compliant framework. Officers have identified a neutral vendor Framework Agreement to call off suppliers in order to service the backlog of jobs. The other services will be procured in accordance with the Regulations and the Council's Contract Procedure Rules, as described elsewhere in this report.

## **8. PROCUREMENT IMPLICATIONS**

- 8.1 The actions outlined in this report and the accompanying Part 2 report are compliant with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015.

## **9. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 9.1 In relation to the Treemendous tree planting programme, planting additional street trees will support further carbon sequestration in the borough and improve green infrastructure which has associated health benefits – these were set out in the original business case (**CSD21085**).
- 9.2 The full carbon reduction/social value implications of the proposal to procure additional suppliers are set out in the accompanying Part 2 report, however it is worth noting that the proposed procurement strategy will encourage tenders from SMEs.

## **10. IMPACT ON THE LOCAL ECONOMY**

- 10.1 The economic benefits that well managed trees provide are set out in the Council's Tree Management Strategy.
- 10.2 The procurement strategy referred to in paragraph 3.2(ii) will encourage tenders from local businesses, with this further set out in the Part 2 report.

## **11. IMPACT ON HEALTH AND WELLBEING**

- 11.1 The primary aim of the Treemendous tree planting programme was to improve the health of residents recognising that trees have demonstrable benefits for physical and mental health, including reductions in disease.
- 11.2 Maintenance decisions in relation to the council's tree stock are taken to comply with the policies set out in the Tree Management Strategy. These policies are set in the context of the benefits that trees provide to residents' health and wellbeing and prioritise public safety.

<b>Non-Applicable Headings:</b>	Personnel Implications, Property Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	<b>ES18077</b> Award of Contract for Arboricultural Services <a href="#">Tree Management Strategy 2023 - 2027</a> <b>CSD21085</b> Arboriculture – Programme of Tree Establishment <b>ES20130</b> Arboriculture – Programme of Tree Establishment Update

Report No.  
ES20281

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**For Pre-Decision Scrutiny by the Environment and Community Services Policy Development and Scrutiny Committee on Thursday 29 June 2023**

**Date:** 5 July 2023

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

**Title:** WATERBODY MANAGEMENT: KELSEY PARK LAKES

**Contact Officer:** Hannah Jackson, Assistant Director Environment (Carbon Management & Greenspace)

Tel: 0208 461 7690 E-mail: Hannah.Jackson@bromley.gov.uk

David Braybrook, Strategic Commissioning Officer

Tel: 0208 313 4440 E-mail: David.Braybrook@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** Kelsey and Eden Park

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1. Reason for decision/report and options

1.1 It is recommended that the Council remove silt from Kelsey Lakes to ensure that it meets its responsibilities as a riparian owner and to protect biodiversity. This report sets out the recommended procurement strategy for delivering these works and seeks to draw down funding allocated in the capital programme to undertake surveys, prepare the tender for the works and to create a Project Manager post to manage the delivery of this project.

1.2 This report also identifies desilting projects being undertaken at Croydon Canal and Glassmill Pond.

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2. **RECOMMENDATION(S)**

2.1 The Environment & Community Services Policy Development & Scrutiny Committee is asked to scrutinise the report and provide their comments on the report and the recommendations to the Executive.

2.2 That the Executive:

- **Agree to a variation to idverde's contract at a one-off value of £63k to undertake the survey work identified at paragraph 3.10 and prepare the technical specifications for the tender of a works contractor.**
- **Agree to proceed to procurement for a works contractor to deliver the project in accordance with the procurement strategy set out in paragraphs 3.21 – 3.24.**
- **Agree to delegate authority to the Director of Environment & Public Protection, in consultation with the Portfolio Holder for Sustainability, Green Services and Open Spaces, to award the works contract to the successful tenderer up to the value remaining in the capital programme for the Kelsey Lakes.**
- **Agree to create a 15-month fixed term Project Manager post to deliver the project using the capital programme funding for Kelsey Lakes at an estimated cost of £80k as set out in paragraph 3.27.**
- **To approve a one-off variation to idverde's contract of £17.5k for 2023/24 to fund the desilting project at Croydon Canal identified at paragraph 3.29.**

#### Impact on Vulnerable Adults and Children

1. Summary of Impact: No specific impact on vulnerable adults and children.
- 

#### Transformation Policy

1. Policy Status: Not Applicable Existing Policy New Policy: Further Details
2. Making Bromley Even Better Priority (*delete as appropriate*):

(4) For residents to live responsibly and prosper in a safe, clean, and green environment great for today and a sustainable future.

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#### Financial

1. Cost of proposal: Estimated Cost: £2m
  2. Ongoing costs: Non-Recurring Cost:
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding: Capital Programme
- 

#### Personnel

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

#### Legal

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

#### Procurement

1. Summary of Procurement Implications: The actions proposed in this report are compliant with the Contract Procedure Rules and the Public Contract Regulations 2015.
- 

#### Property

1. Summary of Property Implications: N/A
- 

#### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Social value considerations will be evaluated as part of the tender process.
- 

#### Impact on the Local Economy

1. Summary of Local Economy Implications: N/A
- 

#### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: An improved natural environment is shown to have positive impacts on mental and physical health.
- 

#### Customer Impact

1. Estimated number of users or customers (*current and projected*): Unknown.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments:

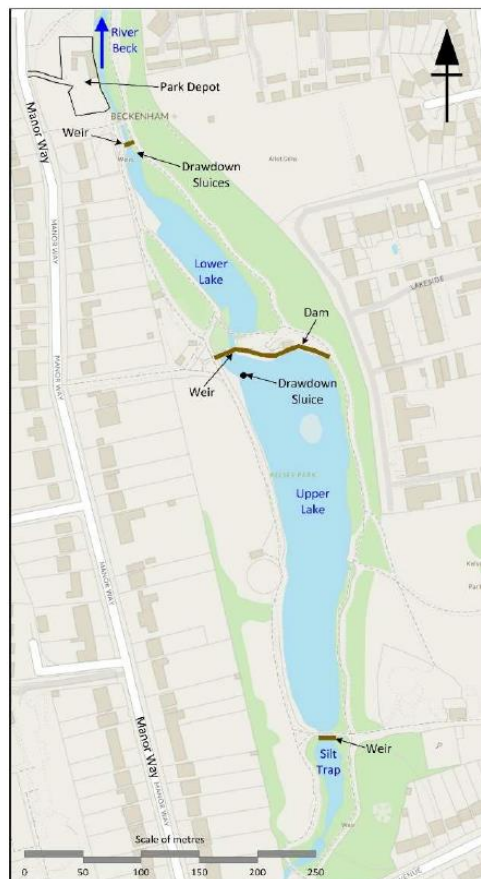


### 3. COMMENTARY

- 3.1 The Council is the riparian owner of numerous water courses that run on Council owned land which includes those in parks and open spaces. Riparian owners are the landowners on each side of the watercourse itself and the flow within it. Riparian owners have the responsibility to let water flow naturally through the water courses on their land in its natural quantity and quality. There are some additional and specific responsibilities that riparian owners have under statute and common law which broadly relate to flood risk management, protecting wildlife and the environment, and the prevention of pollution.
- 3.2 idverde, the Council's contractor for parks management and grounds maintenance, have responsibilities for managing water courses in parks and open spaces which support the Council to discharge their responsibilities as a riparian owner. This includes:
- Ensuring they are kept clear of debris, litter, and surplus weeds
  - Inspecting islands and removing rubbish or excessive undergrowth
  - Monitoring water levels to ensure the survival of wildlife
  - Maintaining pumps and aerators
  - Monitoring potential flood risks and reporting issues of sustained erosion or defects to naturally occurring infrastructure and managing any emergencies arising.
- 3.3 However, a cyclical programme of dredging and de-silting is not included within the scope of the contract. There are no formal records about when water bodies were last dredged and consequently silt levels in some of the waterbodies in the parks and open space portfolio are high. This was particularly noticeable during the hotter weather in the summer of 2022 when water levels were low.
- 3.4 The Portfolio Holder for Sustainability, Green Services and Open Spaces has committed to scoping works that may be required to support the health of water bodies in parks and open spaces in recognition of the Council's responsibilities as the riparian owner, and in recognition of the benefits that this can provide to local ecosystems and biodiversity. Desilting water bodies will also improve the attractiveness of the open space and reduce health and safety risks.
- 3.5 Officers and idverde have therefore created a priority list for waterbody management, with priority assigned based on risk in relation to the waterbody condition, health and safety, biodiversity, and flooding.
- 3.6 Kelsey Park Lakes were deemed to be the highest priority waterbody. This is because:
- Silt levels are thought to be very high in the Lakes and are already causing operational issues and health and safety concerns.
  - Heavy siltation in waterbodies reduces flood capacity and where the Kelsey Lakes are in line (part of a river course), water that cannot be held will be sent downstream and in high flow events may contribute towards flooding.
  - De-silting will restore flow control and allow the lake to act as a storm balancing asset.
  - Kelsey Park is a Site of Importance for Nature Conservation, and there is concern about the general impact higher siltation levels have on wildlife.

## Kelsey Lakes: Early Contractor Involvement Report

- 3.7 In summer 2022, Land and Water Services were commissioned to produce an Early Contractor Involvement report to scope and provide indicative costs for potential de-silting works required at Kelsey Lakes.
- 3.8 There are two lakes at Kelsey Park which were formed by damming the river Beck: the Lower Lake and the Upper Lake. Before the flow from the Beck passes into the Upper Lake, it passes through a Silt Trap intended to minimise the siltation of the two lakes.



- 3.9 Unfortunately, it appears that the Silt Trap has not fulfilled its purpose for some years and consequently the Upper and Lower Lakes now contain large volumes of silt, estimated in the region of 15,800m<sup>3</sup> based on initial survey work. As part of the preparation of their report, Land and Water Services have undertaken some limited silt sampling, the results of which showed that the silt does not contain any hazardous properties meaning that it can be managed as non-hazardous waste. As there is no available space on site at Kelsey Park for the disposal of the silt, it will need to be removed and taken to an appropriate offsite disposal or reuse site.
- 3.10 The report identifies that there is some significant preparatory work that needs to be undertaken before works to desilt the Lakes and silt trap can proceed, which includes:
- Ecological assessments, including a phase 1 survey, eDNA survey for Great Crested Newts and a Preliminary Ground Level Roost Assessment survey on trees.
  - Silt surveys (sampling and testing), with additional sampling focused on the southern part of Kelsey Upper Lake and the silt trap, covering approx. 2,850m<sup>2</sup> of area where the greatest amount of sedimentation appears to be present.
  - Fish population survey including application for a FR2 permit

- Condition and operational assessment of existing water control sluices to determine current operational capability.
- Onsite utility mapping using desk top searches and GPR (ground penetrating radar) technology to locate utilities on site affecting the ability to undertake works.
- Topographical and bathymetric surveys of the southern most part of Kelsey Upper Lake and the silt trap.
- Submission of Flood Risk Activity Permit (FRAP), noting that a bespoke permit is required.
- Ground investigation works to support the potential island revetment permanent works design, which could include installing a retaining cell around the island to allow for onsite use of some material.

3.11 It should be noted that if the desilting works go ahead, there would likely be a requirement for enabling works, and that the methodology for removing silt will be intrusive by necessity, impacting on use of the park. Enabling works may include:

- Installation of a compound to include site welfare facilities, a site office, lockable stores, operative and plant parking etc.
- Works to temporarily widen a set of gates for access and to remove obstruction to enable vehicular access
- Laying of trackway to provide a suitable surface for larger delivery vehicles to navigate the park
- Phased partial closures of areas of the park to enable works.
- Vegetation clearance and/or arboricultural works to enable access into the Lakes for dredging machinery.
- Temporary stone banks to protect the integrity of the natural banks while works are undertaken.

3.12 The report suggests that if works were to proceed, there should be a phased approach to the dredging, starting with the Silt Trap, then Kelsey Park Upper Lake and finally Kelsey Park Lower Lake, with some works undertaken concurrently where possible.

3.13 Removing this quantity of silt will require use of several different pieces of machinery, including excavators (amphibious and long-reach), tracked dumpers and sealed bulk wagons.

3.14 The report estimates that the cost of preparatory (pre-commencement) activity, enabling works and the desilting works is £1.92m with a project duration of approximately 1.5 years.

### **Kelsey Lakes: Next Steps**

3.15 There are three main options in terms of next steps following the findings of the Early Contractor Involvement report which are set out below:

#### Option 1: Do nothing

Advantages: No cost

No immediate disruption to park users caused by the desilting works

Disadvantages:

Retained flood risk

Increased risk to biodiversity and specifically wildlife

Increasing health and safety risk caused by high silt levels and low water levels

Unattractive park environment which will only worsen over time

### Option 2: Undertake the full extent of the de-silting works identified in the report

Advantages:

Responsibilities as riparian owner discharged – flood risk reduced

Long term benefits to biodiversity and habitat

Reduced health and safety risks

Will return lakes into a manageable state with the potential for the introduction cyclical programme of dredging/de-silting within existing revenue budgets.

Improves attractiveness of park environment

Disadvantages:

Significant investment required with no direct financial return

Dredging will be disruptive to park users and will limit access to parts of the parks while delivered.

### Option 3: Undertake works de-silt the worst affected parts of the Lakes

Advantages:

Some reduction in the level of cost, although note that it is recommended that de-silting works are undertaken to the Silt Trap and the Lower Lake to address the worst areas of siltation, and these are the areas where the highest costs exist.

Will reduce risk of flooding and improve biodiversity, but not the extent achieved under option 2.

Reduces health and safety concerns by addressing the worst affected parts of the lakes.

Improvement to the attractiveness of the park environment.

Disadvantages:

Significant level of investment required, and loss of economies of scale as enabling works required irrespective of the scale of the de-silting.

Some retained flooding, biodiversity and health and safety risk

Loose ability to introduce an affordable cyclical programme of dredging/de-silting.

Almost as disruptive to park users as Option 2 but without all the associated benefits.

3.16 Option 2 is recommended on the basis that it most fully addresses the risks and achieves better value for money than de-silting only the worst affected areas (which saves a comparatively small amount of money with additional disadvantages).

3.17 In January 2023, a sum of £2m was identified for the purpose of undertaking dredging works to Kelsey Lakes as part of setting the Capital Strategy 2023/24 – 2026/27 (**FSD23001** paragraph 3.13.9).

3.18 This report recommends drawing down the allocated funding to deliver this project. It is recommended that this project is taken forward in stages, with an indicative programme applied below:

Stage 1:	Undertake preparatory works identified at paragraph 3.10	July – December 2023
	Prepare tender documents	July – December 2023
Stage 2	Tender works contract	January – June 2024
	Apply for relevant permissions	January – June 2024
Stage 3	Deliver de-silting works, including mobilisation	July 2024 – December 2024 (estimate, subject to tender and ecological assessments)

#### Stage 1 - Delivery

3.19 Officers recommend that delivery of stage 1 is achieved through a one-off variation to idverde's contract for £63k to undertake the preparatory works identified at paragraph 3.10 and to prepare the technical specifications and contract documents for tender. idverde have the local knowledge to be able to oversee these works, and access to the relevant technical expertise through their supply chain. Additionally, delivering these works in advance to tendering the works package will support de-risking the dredging methodology and provide greater certainty about the extent of the required works to complete the desilting exercise.

3.20 The cost of £63k is within the estimated budget for this the preparatory works submitted as part of the Early Contractor Involvement report.

## Stage 2 - Procurement Strategy

3.21 The estimated contract value for the dredging works at the Kelsey Lakes is £1.857m, which can be separated out as:

<b>Kelsey Lakes: works estimates</b>	
	<b>£</b>
Pre-commencement works	15,550
Site works	181,000
Enabling works	171,423
Desilting of Silt Trap	105,450
Desilting of Upper Lake	1,010,786
Desilting of Lower Lake	199,901
Contingency	172,890
	<hr/>
	1,857,000

3.22 The other associated costs for this procurement are the £63k for preparatory works identified at paragraph 3.10 and the preparation of tender documents for this contract.

3.23 The proposed contract period will be dependent on the programme submitted by the winning tenderer, but the Early Contractor Involvement report suggested that works are likely to have a duration of 3 – 4 months onsite.

3.24 An open tender will be advertised with a Contracts Finder Notice published or a suitable framework will be used, and the process will be delivered in accordance with the Council's Contract Procedure Rules. Tenders will be evaluated based on a 60:40 split of price and quality respectively and evaluated based on the Most Economically Advantageous Tender (MEAT). Officers intend to use a suitable model form contract for works, as amended for the benefit of the Council.

3.25 It is recommended that authority to award this contract is delegated to the Director of Environment & Public Protection in consultation with the Portfolio Holder for Sustainability, Green Services and Open Spaces to avoid delay to the delivery of these works, noting that this decision would be subject to call-in.

### **Project Governance and Delivery**

3.26 An additional Project Manager post is required to manage this project through to completion, recognising that the resources in the Carbon Management & Greenspace division are already fully committed. This project will require close supervision and a proactive approach to stakeholder and public communications given the level of disruption delivery is likely to cause.

3.27 It is therefore recommended that a budget of £80k is allocated from the capital programme to fund a 15-month fixed term Project Manager post (grade BR13) to oversee the procurement and delivery of the desilting of Kelsey Lakes.

3.28 A project board will be established to oversee delivery of the project, including representatives from Carbon Management & Greenspace, Procurement, Legal, Finance and Communications. The board will consider options for ensuring these works do not disrupt the delivery of the replacement footbridge in Kelsey Park (**ES20224**) and where possible align programmes, although it should be noted that it is anticipated that the bridge will be installed prior to the dredging works commencing on site.

## Other waterbodies: Next Steps

- 3.29 A desilting project is planned for the section of the Croydon Canal that runs through Betts Park (Crystal Palace & Anerley) to remove the silt from this waterbody; this will include pumping the water out of this section of the canal, removing an estimated volume of 350-400m<sup>3</sup> of silt, leaf debris and any other waste from the Canal and transporting it to a small compound area at Betts Park where it can be deposited for reuse. This work is due to be undertaken over a period of 3-4 weeks in the summer (with the exact dates dependent on ground conditions) at a cost of £17.5k. This work is being funded from the increased revenue budget (Parks Infrastructure Fund) agreed for parks and greenspace in the 2023/24 budget (**FSD23003**)
- 3.30 Officers are also working with environmental charity Thames 21 on a grant funded project to desilt Glassmill Pond (Shortlands & Park Langley). The estimated value of the project is £209k and is being grant funded by the Environment Agency's Water Environment Improvement Fund (WEIF). In addition to desilting the pond, the project also aims to restore the River Ravensbourne's natural processes for sediment transport to improve fish passage and create new wildlife habitat for riverine species.

## 4. TRANSFORMATION/POLICY IMPLICATIONS

- 4.1 The desilting projects at Kelsey Lakes, Croydon Canal and Glassmill Pond supports the Council's Corporate Strategy: Making Bromley Even Better, specifically in relation to Ambition 4: For residents to live responsibly and prosper in a safe, clean, and green environment great for today and a sustainable future. It supports our objectives for a clean and green environment.
- 4.2 An improvement plan for Kelsey Park is an Action Point under Strategic Objective 2 within the Council's *Open Space Strategy 2021-2031*, through which it aims to develop proposals for the park to reflect its uniqueness, history, and horticulture.
- 4.3 The delivery of a project to improve Glassmill Pond meets a specific action under Strategic Objective 2 of the *Open Space Strategy 2021 – 2031* to develop an improvement scheme for the Glassmill Lane Reservoir.

## 5. FINANCIAL IMPLICATIONS

- 5.1 The total cost of this contract is estimated at £1.857m. This will be funded from the capital programme – the addition of this project was approved by the Executive as part of Q3 monitoring at its January 2023 meeting.
- 5.2 The total approved budget in the capital programme is £2.000m. There is therefore sufficient budget within the capital programme to meet the cost of this contract and any contingency required, and so there should be no impact to the revenue budget from this contract award.

## 6. LEGAL IMPLICATIONS

- 6.1 This report seeks the Executive to increase the contract value of Idverde's contract in so far as:
- members are asked to agree to a variation to idverde's contract at a one-off value of £63k to undertake the survey work identified at paragraph 3.10 and prepare the technical specifications for the tender of a works contractor and;
  - to approve a one-off variation to idverde's contract of £17.5k for 2023/24 to fund the desilting project identified at paragraph 3.29.

- 6.2 Regulation 72 of the PCR 2015 provides for “Modifications of contracts during their term...where all the following conditions are fulfilled:
- i. the need for the modifications has been brought about by circumstances which a diligent contracting authority could not have foreseen.
  - ii. the modification does not alter the overall nature of the contract.
  - iii. any increase in price does not exceed 50% of the value of the original contract or framework agreement.
- 6.3 This report also seeks Executive Approval to spend approximately £1,857,000 on works in and around the Kelsey Lakes. Where the legislation applies, contracting authorities must, in general, meet their contractual obligations for goods, works and services by means of an advertised competitive contract award by means of an advertised competitive process based on objective, relevant and proportionate criteria.
- 6.4 The Council has both an implied and a specific legal power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.
- 6.5 Under the Public Contract Regulations 2015 (Regulations) the procurement of these services is a public contract within the meaning of the Regulations. As the estimated value exceeds the relevant threshold under the Regulations the Council is required to carry out a fully compliant Procurement exercise. A standstill period following awards will need to be carried out under the Regulations
- 6.6 Under the Council’s Contract Procedure Rules (CPR 16.7) the award of contracts which exceed in total £1M must be agreed by the Chief Officer, the Assistant Director Governance & Contracts, Director of Finance, Director of Corporate Services, the Portfolio Holder and approved by the Executive using this report.
- 6.7 A Riparian Owner describes anyone who owns a property where there is a watercourse within or adjacent to the boundaries of their property and they benefit from certain common law rights in respect of watercourses dependant on whether the watercourse is natural or artificial, whether that be surface water or underground water, or it flows through a defined channel.
- 6.8 Where there is a natural watercourse that flows through a defined channel, the “riparian owner’s rights include the right to receive the water in the watercourse, without sensible alteration in its quality or quantity (*Young v Banker Distillery Co [1893] AC 691*).
- 6.9 This means a discharge by an upstream riparian owner that pollutes water and significantly changes its quality may be a breach of the rights of the downstream riparian owners who may be able to bring an action in the form of a claim for nuisance, negligence, trespass, or under the principles of *Rylands v Fletcher [1868] UKHL 1*. However, this is a very complex area of law, and it is by no means certain any claim would be successful.
- 6.10 There is no statutory duty to Dredge or Desilt. Officers have been and will be taking advice from experts in their field.
- 6.11 Environmental Permitting Regulations 2010 (regulate Dredging and the removal of silt). They identify a number of flood risk activities that require a permit, and such activities are unlawful if they are carried out without a permit.
- 6.12 However, there are four exemptions that may not require a permit, providing they are registered.



- If it falls within para 21-24 of Part 4 of Sch 3 of the Regulations
- If it meets qualifying conditions relating to location, design and operation set out in para 1 of Part 4 of Sch 3 of the Regulations
- That is, registered with the Environment Agency by the operator (that is, the person responsible for the works)
- The specific conditions of the exemptions are met

6.13 LBB and idverde will need to work with the Environment Agency in consideration of the proposals in this document.

## **7. PROCUREMENT IMPLICATIONS**

7.1 This report seeks to vary the Council's contract with idverde:

- at a one-off value of £63k to undertake the survey work and prepare technical specifications for survey work specifications.
- At further one-off value of £17.5k for the de-silting project at paragraph 3.29.

7.2 This was originally procured as an above-threshold contract following a competitive tendering process. The variations stated above can be completed in compliance with Regulation 72 of the Public Contracts Regulations 2015.

7.3 The Council's requirements for authorising a variation are covered in CPR 23.7 and 13.1. Variations of this value would normally fall under the Approval of the Chief Officer, however the cumulative value of variations to date require these to be Approved by the Executive with the Agreement of the Assistant Director Governance & Contracts, the Director of Corporate Services, and the Director of Finance.

7.4 Following Approval, the variations must be applied via a suitable Change Control Notice, or similar, agreed with the Provider.

7.5 Further, this report seeks to proceed to procurement for a works contractor to deliver the project at a total value of £1.857m.

7.6 The Council's specific requirements for authorising proceeding to procurement are covered in 1.3 of the Contract Procedure Rules with the need to obtain the formal Approval of the Executive Committee following the Agreement of the Portfolio Holder, the Chief Officer, Assistant Director Governance & Contracts, the Director of Corporate Services, and the Director of Finance for a procurement of this value.

7.7 Delegated authority is requested to award the contract. The Council's requirements for authorising an award of contract are covered in CPR 16. Normally, awarding a contract of this value would require the Approval of the Executive following Agreement by the Portfolio Holder, the Chief Officer, the Assistant Director Governance & Contracts, the Director of Corporate Services, and the Director of Finance.

7.8 In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

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

## 8. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

- 8.1 Kelsey Park is a formal public park within Beckenham that historically formed part of the Kelsey Manor Estate. It is a Site of Importance for Nature Conservation (SINC) along with being located within both a Locally Designated Site ('River Beck') and adjacent to the Manor Way Conservation Area. The methodology of any works will be expected to give due weight to the Park's value for biodiversity and ensure that any birds or bats are not disturbed during the nesting/breeding season or any on site activity.
- 8.2 Any onsite work will also be expected to ensure that it does not cause any detrimental effects downstream of the lakes including to wildlife and to flooding risk.

## 9 IMPACT ON HEALTH AND WELLBEING

- 9.1 The proactive management of the Kelsey Park Lake and Croydon Canal as outlined by this paper is envisaged to improve lake water quality and health by decreasing the amount of stagnation. This in turn will produce other associated benefits for biodiversity including fish, plant, and birdlife.
- 9.2 An improved natural environment as brought about by the proposals will have associated mental and physical health benefits for the users of the relevant greenspaces.

<b>Non-Applicable Headings:</b>	Impact on Vulnerable Children and Adults, Customer Impact, Impact on the Local Economy, Property Implications; Ward Councillor Views.
Background Documents: (Access via Contact Officer)	<a href="#">FSD23001 CAPITAL STRATEGY 2023/24 TO 2026/27 &amp; Q3 CAPITAL PROGRAMME MONITORING</a>  <a href="#">FSD23003 Draft 2023/24 Budget and Update on Council's Financial Strategy 2024/25 – 2026/27.</a>  <a href="#">ES20224 Kelsey Park Replacement Bridges Options Appraisal.</a>

Report No.  
ES20276

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Environment & Community Services Policy Development & Scrutiny Committee

**Date:** Thursday 29 June 2023

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

**Title:** **PLATINUM JUBILEE PARKS FUND UPDATE**

**Contact Officer:** Jane Askew, Platinum Jubilee Parks Fund Project Officer  
Tel: 0208 461 7717    E-mail: [Jane.Askew@bromley.gov.uk](mailto:Jane.Askew@bromley.gov.uk)

David Braybrook, Strategic Commissioning Officer  
Tel: 0208 313 4440    E-mail: [David.Braybrook@bromley.gov.uk](mailto:David.Braybrook@bromley.gov.uk)

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

- 1.1 This report provides an update on the delivery of the £1m Platinum Jubilee Parks Fund following its launch in July 2022.
  - 1.2 This report also confirms that the Portfolio Holder for Sustainability, Green Services & Open Spaces is responsible for deciding applications made to the Fund from April 2023.
- 

2. **RECOMMENDATION(S)**

- 2.1 The Environment & Community Services PDS Committee are asked to note the progress made on the delivery of the Platinum Jubilee Parks Fund during the first year of implementation, including the change in decision-maker.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The application criteria for the Fund includes project alignment with the objectives of the Council's *Open Space Strategy 2021 – 2031* which includes promoting inclusion. Projects approved in the first year includes those that will directly benefit children, such as playground improvements.
- 

### Transformation Policy

1. Policy Status: Existing Policy
2. Making Bromley Even Better Priority

(4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.

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### Financial

1. Cost of proposal: £1m
  2. Ongoing costs: Non-Recurring Cost,
  3. Budget head/performance centre: Parks and Green Spaces
  4. Total current budget for this head: £5.5m
  5. Source of funding: Earmarked reserve funded from underspends
- 

### Personnel

1. Number of staff (*current and additional*): 1 (0.6 FTE)
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: The process to disseminate the Jubilee Parks Fund sits outside of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.
- 

### Property

1. Summary of Property Implications: The property division is to be consulted on any proposed projects where there is to be any impact on Council owned built assets.
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Applications to the Platinum Jubilee Parks Fund need to adhere to the *Open Space Strategy 2021-2031* which supports the ambitions of the *Council's Net Zero Carbon Action Plan*.
- 

### Impact on the Local Economy

1. Summary of Local Economy Implications: Applications received from this fund have contributed towards Strategic Objective 4 (Local Economy) of the Council's *Open Space Strategy 2021-2031* by enhancing the amenity, leisure and recreation provision of the Open Space portfolio through the participation of the local community.

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### Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: A number of applications have contributed towards Strategic Objective 3 (Health, Wellbeing and community) of the Council's *Open Space Strategy 2021-2031* through initiatives to improve both the physical and mental health of local communities.
- 

### Customer Impact

1. Estimated number of users or customers (*current and projected*): Currently applications have been received from most wards across the borough, indicating that the improvement brought about by the fund will impact upon most users of the borough's open spaces. It is projected that the remaining areas will also impact upon users of the green spaces in those areas, as they will be targeted and encouraged to apply to the fund to bring about change to their open spaces.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: It should be noted that ward members have supported applications to the Fund, and their views are requested on specific applications for reasons including where their express support is not submitted as part of the application process or where a ward may be oversubscribed.

### 3. COMMENTARY

#### Background

- 3.1 In February 2022, Full Council approved the budget which included setting aside £1m in a Platinum Jubilee Parks Fund, funded from underspends (**CSD22023**). The funding was intended to accelerate achievement of the objectives in the *Open Space Strategy 2021-2031* whilst also contributing towards the renewal of assets in parks and open spaces, including (but not limited to):
- The improvement of areas of play and recreation including playgrounds, hard court play areas, green gyms and surfacing.
  - The installation or improvement to parks infrastructure such as footways, embankments, waterbodies and signage.
  - The conservation and enhancement of natural beauty and biodiversity within the portfolio's approved habitats.
  - The restoration of assets to support local community and grass root sports groups.
- 3.2 In June 2022, the Portfolio Holder for Sustainability, Green Services and Open Spaces approved the approach to be taken to allocating spend from this fund (**ES20189**), agreeing rules of engagement that allow local stakeholder groups (such as Park Friends, Resident Association and Allotment Associations) to submit applications for community led projects. This approach allows communities to apply for and direct investment in parks and open spaces in the projects that most matter to them.
- 3.3 At their meeting in March 2023, the Environment & Community Services PDS requested an update on the delivery of this fund.

#### Update

- 3.4 To provide resource to administer and project manage the delivery of this fund, the Portfolio Holder for Resources, Commissioning & Contract Management agreed, with support from the Portfolio Holder for Sustainability, Green Services & Open Spaces, to the creation of the Platinum Jubilee Parks Fund Project Officer post at 0.6FTE for a fixed term of 2 years.
- 3.5 The Platinum Jubilee Parks Fund was made open to applications on 18<sup>th</sup> July 2022, with biannual deadlines for applications over £3k in October and April whilst applications under £3k can be submitted at any time. Owing to the death of the late Queen Elizabeth II, the deadline for the October 2022 round was extended by one month.
- 3.6 Following two rounds of applications (November 2022 and April 2023), 40 applications have been received; 29 were received in the November application round, and 11 were received in April. 29 of these applications have been approved at a cumulative value of 409k and are in the delivery phase or have been given an estimated delivery date. It is anticipated that 17 of these projects will be fully delivered by December 2023. Four applications have been rejected (because they don't comply with the rules for the Fund, the applicant already has an active application, or the ward is oversubscribed), and a further three applications are being developed with the applicant before being put forward for a decision. At the time of writing this report, a further four applications have been submitted to the Portfolio Holder for a decision.

- 3.7 **Appendix 1** sets out the applications that have been received and their status, including the value of the applications. There have been a good range of project type applied for under both application rounds, which have included:
- Playground improvements at Petts Wood Recreation Ground, Kings Meadow, Betts Park, Whitehall Recreation Ground, Chislehurst Recreation Ground, Penge Recreation Ground, Cudham Recreation Ground and Queensmead Recreation Ground.
  - Establishment of community orchards at Richmal Crompton Fields and Jubilee Country Park, and a community garden at Kelsey Park.
  - Pond improvement/restoration works at Scadbury Park and Priory Gardens, and wetland creation at Riverside Gardens.
  - Enhancements or improvements to sports facilities at Willet Recreation Ground and Coney Hall Recreation Ground, and a dog agility course at Cator Park.
  - Infrastructure or landscape improvements at Alexandra Recreation Ground, South Hill Woods, Beckenham Green and Kingswood Glen.
- 3.8 There has been good interest in the fund from most wards. It is worth noting that funds have been fully allocated in Darwin, Hayes & Coney Hall, Kelsey & Eden Park, Penge & Cator, Petts Wood & Knoll and Shortlands & Park Langley, and mostly allocated in Chislehurst. Although not yet decided at the time of drafting this report, the funding for St Paul's Cray is also oversubscribed. There have not yet been any applications from Biggin Hill, Bromley Town, Chelsfield or Mottingham wards, therefore officers and idverde community managers are carrying out engagement works to encourage and support groups with applications for these wards. Further information on funding by ward is set out in **Appendix 2**.
- 3.9 It should be noted that following submission of an application, officers work with idverde, and where necessary other divisions within the Council, to fully scope proposals to determine and plan for their deliverability, and this can take some time depending on the responsiveness of the applicant or the complexity of the proposal. Officers aim to inform applicants whether their application can be recommended, requires further scoping, or is not suitable within a month of the deadline for submissions, but scoping can take longer depending on the level of additional work needed to ensure deliverability.

### Rules of Engagement

- 3.10 The rules of engagement remain primarily the same, with guidance documents and an application checklist available online at [www.bromley.gov.uk/jubileeparksfund](http://www.bromley.gov.uk/jubileeparksfund). idverde community managers and the Platinum Jubilee Parks Fund Project Officer are also available to provide guidance to applicants.
- 3.11 The expectation is that, in most instances, the Council will hold and spend grant monies to deliver the applied for projects in close liaison with the applicant (as the stakeholder representatives). The grant agreement sets out how this will work in practice. There are a small number of instances where monies are transferred to and held by the applicant; this is determined depending on the circumstances of the individual application.
- 3.12 The key change to the rules of engagement is that, through appropriate internal processes, the delegated authority to decide applications has been transferred from the Portfolio Holder for Resources, Commissioning and Contract Management to the Portfolio Holder for Sustainability, Green Services and Open Spaces as of April 2023. Approval of this change was recorded by Democratic Services.

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

- 4.1 The *Open Space Strategy 2021 – 2031* aims to ensure that those who were not traditional users of Open Space were represented to ensure social cohesion and equality of opportunity.
- 4.2 This aim has been reflected in the criteria for applications including whether the proposal would have an impact on community mental and physical health (e.g. helping to combat social isolation) or help to cater for a wide range of needs (e.g. a diversification of playground equipment to be inclusive of those with physical disabilities and learning difficulties).
- 4.3 Applicants have been encouraged to bring forward projects that will help to tackle loneliness and meet the objective of the Council's *Tackling Loneliness Strategy 2022 - 2026*.
- 4.4 A wide range of applications were received which incorporated playground improvements to benefit young children, and adults through using the open space and socialising with other parents/carers. Many applicants have also considered the needs of disadvantaged groups e.g. those with disabilities and learning difficulties through the use of inclusive play equipment within their proposals. Applications were also received for various trails and community garden projects, focussing on getting individuals outside and involved in activities which will benefit their physical and mental health.

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

- 5.1 The Fund supports the aims of the Council's Corporate Strategy: Making Bromley Even Better, contributing specifically to ambition 4: For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future. As is set out in section 4 of this report, the projects being funded will also support ambition 1: For children and young people to grow up, thrive and have the best life chances un families who flourish and are happy to call Bromley home, and ambition 2: For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
- 5.2 The Fund is also aligned to the delivery of the Council's *Open Space Strategy 2021- 2031*, as set out in paragraph 4.2.

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

- 6.1 Projects agreed under the Platinum Jubilee Parks Fund are funded from the £1m earmarked reserve agreed by the Council on 22<sup>nd</sup> February 2022.
- 6.2 The table below shows that the total amount of funding applied for is £556k, but that the amount awarded is currently £409k.

	<b>£,000</b>
Total amount applied for to date	550
Total amount awarded to date	409
Total amount rejected to date	37
Total amount awaiting decision	104

- 6.3 The Fund has also been used to create the Platinum Jubilee Parks Fund Project Officer post at 0.6FTE for a fixed term of 2 years at an estimated cost of £60k.



- 6.4 As this is a non-recurring budget, an important element of the approval process is the identification of ongoing maintenance liabilities and ensuring these are funded. Projects awarded funds from the scheme have been scrutinized at the application and approval stages to ensure they include any ongoing maintenance costs or that the costs can be covered by another source.
- 6.5 Following scoping and quoting, projects exceeding their original estimated budget are asked to scale back their proposals to ensure that the project can be delivered to the allocated budget. On some occasions projects are able to be value engineered in-house to ensure that the project can be delivered to the approved grant value.

## **7. LEGAL IMPLICATIONS**

- 7.1 This report requests the Environment & Community Services PDS Committee to note the progress made on the delivery of the Platinum Jubilee Parks Fund during the first year of implementation, including the change in decision-maker.
- 7.2 The Council's Constitution, at Part 4 – Rules of Procedure, provides the terms of reference for the Environment & Community Services PDS Committee as it relates to that Portfolio. Under these terms of reference, this Committee is responsible for receiving reports and making recommendations on performance monitoring of services and activities falling within the remit of this portfolio.
- 7.3 Legal Services were instructed to provide template grant agreements and can assist further where officers feel this is required.

## **8. PROCUREMENT IMPLICATIONS**

- 8.1 This report refers to a grants application process set up to disseminate the Platinum Jubilee Parks Fund. This process sits outside of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules. In accordance with CPR 2.1.2, Officers must take all necessary professional advice.

## **9. PROPERTY IMPLICATIONS**

- 9.1 Open spaces in the borough are managed and maintained by the Environment directorate, with buildings in parks managed and maintained by the property division within the Housing, Planning and Regeneration directorate. Management and maintenance of park infrastructure is split between these two directorates.
- 9.2 The property division are consulted on any proposed projects that have a direct impact on built assets or infrastructure so that advice can be given on any potential consequences impacting the council's ownership interest, and to identify any impact on or resulting maintenance liabilities.
- 9.3 Any new or additional maintenance liabilities arising as a result of a project are identified in advance, and any additional funding required for these liabilities are considered as part of the funding application. This is because the current maintenance budgets cannot absorb any new or additional maintenance liabilities created by these projects.

## **10. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 10.1 *The Open Space Strategy 2021 – 2031* incorporated a number of sustainability features, which are considered when assessing applications and determining whether it will contribute towards protecting or enhancing the borough’s diverse natural habitats, through processes such as nature friendly regime management or the natural regeneration of open space, thus supporting the ambitions of the *Council’s Net Zero Carbon Action Plan*. A recent project that has been approved and has addressed these points is the creation of a sensory garden and an orchard to commemorate the late HM Queen Elizabeth II at Richmal Crompton Fields in Bromley Common & Holwood. The proposal will encourage biodiversity by allowing wildlife to feed on the fruit, pollen and deadwood of the orchard. The sensory garden will also contain selective and scented planting to encourage various pollinators. It is intended that fruit from the site will be donated to the community to promote healthy eating habits.
- 10.2 A number of applications were received which will benefit the borough’s diverse habitats. Community orchards, community gardens, meadows, stumpy gardens and restoring pond and wetland habitat have all featured in applications thus far.
- 10.3 *The Open Space Strategy 2021 – 2031* also wishes to improve educational provision within the Portfolio, so due weight is given to proposals that diversify learning opportunities such as to those with Special Educational Needs and Disabilities. For example, the recreation of a wetland habitat in Riverside Gardens, St Mary Cray offers the opportunity to engage the local community and local schools in volunteer days through activities such as data collection.

## 11. IMPACT ON THE LOCAL ECONOMY

- 11.1 Applications received from this fund have contributed towards Strategic Objective 4 (Local Economy) of the Council’s *Open Space Strategy 2021-2031* such as those to improve playground and/or sporting facilities will help to enhance the amenity, leisure and recreation provision of the Open Space portfolio through the participation of the local community.
- 11.2 Through these interventions the Council’s Open Spaces better support the needs of the local communities and in turn provide a boost to the local economy as people spend more time and money in their local areas.

## 11. IMPACT ON HEALTH AND WELLBEING

- 12.1 A number of applications have contributed towards Strategic Objective 3 (Health, Wellbeing and Community) of the *Open Space Strategy 2021-2031* either through encouraging physical activity in a way that is accessible and open to those who may not wish to take part in organised sports (such as trim trails), or through initiatives to facilitate social networking through creation of groups with a shared purposes or interest such as a community gardening club.

<b>Non-Applicable Headings:</b>	Personnel Implications, Ward Councillor Views
Background Documents: (Access via Contact Officer)	<b>ES20189</b> One Million Pounds Platinum Jubilee Parks Fund

**Report No ES20276 Platinum Jubilee Parks Fund Update Appendices**

**Appendix 1 – Jubilee Project Status’ (as of 15/06/2023)**

<b>Location</b>	<b>Funding Round</b>	<b>Ward</b>	<b>Proposal</b>	<b>Amount Awarded</b>	<b>Status</b>
Hayes Common	Nov 22	Hayes & Coney Hall	Acquisition of specialist hand tools for heathland management	£1,000	<b>Approved.</b> The Friends have purchased one lot of tools and have selected what additional tools they would like to purchase.
Willett Recreation Ground	Nov 22	Petts Wood & Knoll	Improvement and extension to area beside Bowling Clubhouse	£20,000	<b>Approved.</b> Officers liaising with legal on how to manage funds as the work being contracted by the applicant. Delivery is estimated to take place in October 2023.
Chislehurst & St Paul’s Cray Common	Nov 22	Chislehurst	Replacement Bins	£2,961	<b>Approved.</b> Bins were delivered in May 2023 and are to be installed by the Trustees.
Petts Wood Recreation Ground	Nov 22	Petts Wood & Knoll	Installation of new playground equipment and replacement of benches with picnic tables	£20,000	<b>Approved.</b> Order has been placed for the playground equipment and benches.
Scadbury Park	Nov 22	Chislehurst	Restoration of 2 ponds	£3,000	<b>Approved.</b> Ponds were restored in May 2023 and are now awaiting filling by rainwater. Friends to use the remainder of funds to create leaflets promoting all the Scadbury Ponds.
Kings Meadow	Nov 22	Plaistow	Installation of Wheelchair Accessible Roundabout and picnic tables to playground	£20,000	<b>Approved.</b> Idverde agreeing the final layout of the proposed design with the Friends before moving to delivery.
Betts Park	Nov 22	Crystal Palace & Anerley	Playground improvement project and restoration of historic plinth.	£20,000	<b>Approved.</b> Order has been placed for the playground equipment. Further scoping being carried out on the plinth .
Richmal Crompton Fields	Nov 22	Bromley Common & Holwood	A Jubilee Orchard and Sensory Garden	£2,191.95	<b>Approved.</b> Order placed for the new gardening tools. Remainder of proposal to be delivered in Autumn 2023, to coincide with the planting season.
Coney Hall Recreation Ground	Nov 22	Hayes & Coney Hall	MUGA Enlargement and resurfacing of Tennis Courts	£20,000	<b>Approved.</b> Proposal being delivered as part of Idverde fundraising plan. Applicant has raised a total of around £50k of the estimated £103k required has been raised and is being supported with additional

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					fundraising. Designs have been produced and now with the Council's Planning department to advise on any requirements.
Jubilee Country Park	Nov 22	Bickley & Sundridge	Community Orchard	£2,994.37	<b>Approved.</b> Proposal to be delivered in Autumn 2023 to coincide with the planting season.
Chislehurst Cemetery	Nov 22	Chislehurst	Baby Memorial Garden	£15,000	<b>Approved.</b> Proposal being delivered as part of fundraising plan. Applicant has raised £20.5k of the estimated £44k required and are being supported with additional fundraising including a crowdfunding and publicity campaign.
Whitehall Recreation Ground	Nov 22	Bromley Common & Holwood	Lark in the Park: Installation of new items of play equipment	£20,000	<b>Approved.</b> Idverde agreeing with applicant the exact equipment to be purchased before moving to delivery.
Chislehurst Recreation Ground	Nov 22	Chislehurst	Playground improvement project	£16,550	<b>Approved.</b> Order has been placed for the playground equipment and resurfacing.
Alexandra Recreation Ground & Cator Park	Nov 22	Penge & Cator	<b>Alexandra Rec:</b> Reusing paddling pool site as a family space <b>Cator Park:</b> Dog agility course	£20,000	<b>Approved.</b> Order placed for delivery across both sites.
Penge Recreation Ground	Nov 22	Penge & Cator	Playground improvement project	£18,823	<b>Approved.</b> Idverde agreeing with applicant the exact equipment to be purchased before moving to delivery.
Cudham Recreation Ground	Nov 22	Darwin	Phase 1 of playground improvements	£20,000	<b>Approved.</b> Proposal being delivered as part of Idverde's fundraising plan. Applicant has raised a total of around £27k of the estimated £89k required, and is being supported to undertake both a large number of fundraising campaigns (including a Live Music Event) and applications to other grant funders.
Blake Recreation Ground	Nov 22	West Wickham	<b>Blake's Bugs:</b> Minibeast themed play and picnic area	£0	<b>Submitted</b> – awaiting decision from the Portfolio Holder for Environment.
South Hill Wood	Nov 22	Shortlands & Park Langley	Renovation of Coronation Gates and installation of improved woodland vegetation	£12,000	<b>Approved.</b> Idverde to now work with applicant to agree final scope of proposal before moving to delivery.

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Blake Recreation Ground	Nov 22	West Wickham	Improvement to Parks Signage	£0	<b>Rejected.</b> The Council is not proceeding with the proposal at the present time, owing to the applicant's preference for the 'Blakes Bugs' proposal. After this has been delivered permission will be sought to proceed with a 2nd proposal as per the fund rules, but regard will also be given to other potential applicants in West Wickham ward.
Beckenham Green	Nov 22	Beckenham Town & Copers Cope	Improvements to the Green through a series of components including planting and a green gym	£20,000	<b>Approved.</b> Idverde liaising with applicant to finalise plans for delivery.
Kingswood Glen	Nov 22	Shortlands & Park Langley	Improvements to South Hill Road entrance.	£8,000	<b>Approved.</b> Idverde to now work with applicant to agree final scope of proposal before moving to delivery.
Hoblingwell Wood Recreation Ground	Nov 22	St Paul's Cray	Renovation of pavilion to enable start-up of community activities	£0	<b>Submitted</b> – awaiting decision from the Portfolio Holder of Environment. All St Paul's Cray have been submitted at the same time owing to the ward being oversubscribed.
Kelsey Park	Nov 22	Kelsey & Eden Park	Establishment of a Community Garden in Ex-Holwoods Yard	£20,000	<b>Approved.</b> A concept design of the proposed garden has been produced. Idverde are now working on a plan for delivery.
Queensmead Recreation Ground	Nov 22	Shortlands & Park Langley	Playground improvement project	£20,000	<b>Approved.</b> Proposal being delivered as part of Idverde's fundraising plan. Applicant has raised a total of around £45.7k of the estimated £89k required and is being supported in continuing to fundraise through community events and further grant applicants.
Croydon Road Recreation Ground	Nov 22	Kelsey & Eden Park	New Park Signage to complement the Bandstand	£20,000	<b>Approved:</b> idverde working with applicant to agree on final design and costings of the sign. with the applicant to agree final costings.
Hoblingwell Wood Recreation Ground	Nov 22	St Paul's Cray	Playground improvement project	£0	<b>Submitted</b> – awaiting decision from the Portfolio Holder of Environment. All St Paul's Cray have been submitted at the same time owing to the ward being oversubscribed.

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St Paul's Cray Recreation Ground	Nov 22	St Paul's Cray	Playground improvement project	£0	<b>Submitted</b> – awaiting decision from the Portfolio Holder of Environment. All St Paul's Cray have been submitted at the same time owing to the ward being oversubscribed.
Priory Gardens	Nov 22	Orpington	Enhancement of Sensory Garden and improvement works to ponds	£20,000	<b>Approved.</b> Idverde is working with the applicant to produce final costings of the agreed design before moving to delivery.
Riverside Gardens	Nov 22	St Mary Cray	Wetland creation on The River Cray	£20,000	<b>Approved.</b> The Council and Idverde are working in partnership with the South East Rivers Trust and the Friends of Riverside Gardens and Kent Ponds on this proposal. A concept design of the Wetland has been produced, and work is underway to finalise it, obtain any necessary consent and secure the additional grant funding required to deliver the scheme from funders such as the EA. It is hoped subject to all the consents being in place, that this will be delivered in Winter 2023 – if not in the following Winter 2024.
Farnborough New Inn Fields	Apr 23	Farnborough & Crofton	A series of improvements to the green	£0	<b>Not ready for submission.</b> Further scoping work is needed at this stage.
Dorset Road Allotments	Apr 23	Clock House	Refurbishment of Allotment Clubhouse	£3,000	<b>Approved.</b> Applicant has raised all of the estimated £26k required for the proposal and is now obtaining all the relevant permissions for the proposal. Funds are to be awarded directly once these have been granted.
Pratts Bottom Open Space	Apr 23	Darwin	Playground improvement project	£20,000	<b>Approved.</b> Order has been placed for the playground equipment.
Ravensbourne Open Space	Apr 23	Hayes & Coney Hall	Playground improvement project	£19,500	<b>Approved.</b> Idverde agreeing with applicant the exact equipment to be purchased before moving to delivery.
Crofton & Sparrow Wood	Apr 23	Farnborough & Crofton	Interpretation boards	£0	<b>Not ready for submission.</b> Further scoping work is needed at this stage.

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Southlands Road Allotments (Cleaner & Greener Bromley)	Apr 23	Bickley & Sundridge	Community Allotment project	£0	<b>Not ready for submission.</b> Further scoping work is needed at this stage.
All Saints Parochial Church	Apr 23	Orpington	Lych Gate improvement works	£0	<b>Rejected.</b>
Sparrows Den	Apr 23	West Wickham	Rugby Pitch improvement works	£3,000	<b>Approved.</b> Funds to be awarded directly to the applicant to carry out the works who is mobilising and aiming to complete works ahead of Rugby Season 2023-2024.
Cricket Lane Allotments	Apr 23	Penge & Cator	Borehole installation	£0	<b>Rejected.</b> The Council is not proceeding with the proposal at the present time, owing to the ward being oversubscribed.
Scadbury Park	Apr 23	Chislehurst	Car park signage	£0	<b>Rejected.</b> The Council is not proceeding with the proposal at the present time, owing to the applicant already having an active proposal. After this has been delivered, permission will be sought to proceed with a 2nd proposal as per the fund rules, but regard will also be given to other potential applicants in Chislehurst ward.
Winsford Gardens	Apr 23	Penge & Cator	Stumpery Garden Project	£1,177	<b>Approved.</b> Funds to be awarded directly to the applicant to carry out the works.

**Summary:**

London Borough of Bromley  
 Report ES20276 One Million Pounds Platinum Jubilee Parks Fund: Year 1 Update

<b>Status</b>	<b>Number of applications</b>	<b>Description</b>
Approved	29	<i>The proposal has been approved by the Portfolio Holder and:            - The applicant is to be awarded the money directly, OR            - Idverde are quoting to provide items, OR            - Awaiting the return of a signed grant agreement before Idverde can start to quote, OR            - The proposal is a longer strategic project for development by Idverde's fundraising team, of which the Jubilee fund forms only part of.</i>
Recommended	4	<i>The proposal has been recommended to the Portfolio Holder for either approval or rejection and is awaiting a decision.</i>
Scoping	3	<i>The proposal is still being scoped by Idverde and the Council.</i>
Rejected	4	<i>The Council is not proceeding with the proposal at the present time.</i>
<b>Total</b>	<b>40</b>	



**Appendix 2: Platinum Jubilee Parks Fund – amount awarded by Ward**

<b>Ward</b>	<b>Total Available</b>	<b>Total Awarded</b>	<b>Total – decision pending</b>	<b>Total remaining</b>
Beckenham Town & Copers Cope	£40,000	£20,000	£0	£20,000
Bickley & Sundridge	£40,000	£2,894.37	£2,974	£34,131.63
Biggin Hill	£40,000	£0	£0	£40,000
Bromley Common & Holwood	£40,000	£22,192	£0	£17,808
Bromley Town	£40,000	£0	£0	£40,000
Chelsfield	£40,000	£0	£0	£40,000
Chislehurst	£40,000	£37,511	£0	£2,489
Clock House	£40,000	£3,000	£0	£37,000
Crystal Palace & Anerley	£40,000	£20,000	£0	£20,000
Darwin	£40,000	£40,000	£0	£0
Farnborough & Crofton	£40,000	£0	£23,000	£17,000
Hayes & Coney Hall	£40,000	£40,000	£0	£0
Kelsey & Eden Park	£40,000	£40,000	£0	£0
Mottingham	£40,000	£0	£0	£40,000
Orpington	£40,000	£20,000	£0	£20,000
Penge & Cator	£40,000	£40,000	£0	£0
Petts Wood & Knoll	£40,000	£40,000	£0	£0
Plaistow	£40,000	£20,000	£0	£20,000
Shortlands & Park Langley	£40,000	£40,000	£0	£0
St Mary Cray	£40,000	£20,000	£0	£20,000
St Paul's Cray	£40,000	£0	£40,000*	£0
West Wickham	£40,000	£3,000	£20,000	£17,000
<b>Total</b>	<b>£880,000</b>	<b>£408,597</b>	<b>£85,974</b>	<b>£374,460</b>

\*the three undecided applications in St Paul's Cray total £58k, exceeding the £40k allocation so it is expected that only two of those projects will be awarded.

Please note that these amounts are subject to change and are only indicative of the moment that they were recorded. Members are invited to contact [jubileeparksfund@bromley.gov.uk](mailto:jubileeparksfund@bromley.gov.uk) for an up-to-date version of this table and/or further information about their ward's proposals at any time.

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Report No. ES20296

### London Borough of Bromley

#### PART ONE - PUBLIC

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**Decision Maker:** PORTFOLIO HOLDER FOR PUBLIC PROTECTION AND ENFORCEMENT

For Pre-Decision Scrutiny by the  
Public Protection & Enforcement PDS &  
Environment and Community Services PDS on:

**Date:** Wednesday 28<sup>th</sup> June 2023 &  
Thursday 29<sup>th</sup> June 2023

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

**Title:** AMENDMENT TO THE PUBLIC SPACES PROTECTION ORDER (PSPO), DOG CONTROL & FOULING ENFORCEMENT POWERS

**Contact Officer:** Dean Laws, Environmental Investigation Manager

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

**Ward:** All

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#### 1. REASON FOR REPORT

- 1.1 This report sets out the proposed changes to powers of the Council relating to those in charge of dogs through the implementation of a Public Spaces Protection Order (PSPO) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014.
- 

#### 2. RECOMMENDATION(S)

**The Public Protection & Enforcement Performance Development & Scrutiny Committee and the Environment & Community Services Performance Development & Scrutiny Committee to:**

- 2.1 Note and provide comment to the Portfolio Holder for Public Protection & Environment

**The Portfolio Holder for Public Protection & Enforcement to:**

- 2.2 Approve the renewal of the Public Space Protection Order (Dog Controls) 2023-26.

- 2.3 Approve the amendment to the current Public Spaces Protection Order (PSPO) under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014, that a person can be in charge of no more than three (3) dogs at any one time in a public place unless they have a licence issued by Bromley Council.
- 2.4 Approve the reduction in number of dogs permitted to be walked under licence to four (4) dogs.
- 2.5 Approve the extension of Dogs on Lead designated areas to include all Cemeteries, Allotments and park café seating areas within the administrative area of Bromley.

## **Impact on Vulnerable Adults and Children**

1. Regulating the activities of dogs and those in charge of a dog affect 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. Making Bromley Even Better Priority: For residents to live and prosper in a safe, clean and green environment great for today and a sustainable future
- 

## **Financial**

1. Cost of proposal: £3000 will cover the initial costs for introduction of new signage in parks and public spaces highlighting the changes to the PSPO
  2. Ongoing costs: The enforcement of the PSPO is contained within the existing Parks Security contract. The administration of the licencing will be covered by the income generated.
  3. Revenue generated from Dog Licensing for the past three years totals £22,144.15
  4. Budget head/performance centre: Not applicable
  5. Total current budget for this head: Not applicable
  6. Source of funding: From the Parks Support Service budget R06300 000000 FF0098
- 

## **Personnel**

1. Number of staff (current and additional): Provided under Lot 3 contracted works held with Veolia and provided by Ward Security
  2. If from existing staff resources, number of staff hours:
- 

## **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: Not Applicable
- 

## **Procurement**

1. Summary of Procurement Implications: N/A
- 

## **Customer Impact**

1. Estimated number of users/beneficiaries (current and projected): The proposed Public Space Protection Order is Borough wide and will impact on all dog owners, non-dog owners, residents, children, families and visitors to the borough's Open Spaces.
-

## **Ward Councillor Views**

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

### 3. COMMENTARY

- 3.1 Bromley Council promotes Responsible Dog Ownership, and recognise dogs are important members of the family, and help to keep everyone fit and healthy. Most dog owners are responsible people. They look after their dogs properly, so they remain under control and do not cause nuisance or disturbance. It is also recognized that there is a minority of owners who do not act responsibly and as such there is a requirement to hold powers so that Authorised Officers can effectively challenge this behaviour.
- 3.2 Anti-social behaviour linked to dogs was previously enforceable via The Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006. This legislation allowed Local Authorities to enforce issues such as Dog Fouling, Dogs on Leads, Dog Exclusion Areas and number of Dogs allowed onto Land. However, in 2014 The introduction of Public Spaces Protection Orders, contained within The Anti-Social Behaviour Crime and Policing Act 2014, replaced The Dog Control Orders (Prescribed Offences and Penalties, etc) Regulations 2006.
- 3.3 The Anti-Social Behaviour, Crime and Policing Act 2014 provides local authorities with powers to create, renew or amend 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.
- 3.4 A report was presented to the Environmental Services Portfolio Holder on 17th March 2020 which detailed the introduction of a Dog Walker Licensing scheme, this was approved on 9th April 2020 and implemented on 20th April 2020, extending the previous Public Spaces Protection Order by a further three years.
- 3.5 Section 60 of the Anti-Social Behaviour Crime & Policing Act 2014 details a Public Space Protection Order may have effect for no more than three years but can be renewed to prevent occurrence of activities detailed in the Order.
- 3.6 Failure to renew the Dog Control Public Space Protection Order will leave Bromley without adequate legislation to enforce against dog related Anti-Social Behaviour.
- 3.7 Review of Dog Fouling reports received by Bromley Council shows a steady increase of reports during the previous PSPO Dog Control Order:
  - 2020 – 338
  - 2021 – 353
  - 2022 - 405
- 3.8 These figures coincide with an increase in Dog Ownership nationally from 9.9 million in 2020 to 11 million in 2023. The renewal of the PSPO recognises the importance of Responsible Dog Ownership and with increasing numbers there is need for clear guidance from the Council towards the requirements for managing dogs in public spaces, and for the health and welfare of dogs as

pets.

- 3.9 The majority of dog-related complaints received by the Council refer to dog fouling, dogs off the lead in areas designated for exclusion, and include the number of dogs a person may oversee at any one time. In determining the extent of the new PSPO, consideration has been given to balancing the interests of those in charge of dogs against the interests of those affected by the activities of dogs. In doing so, it is recognised that the public, and specifically children, should have access to dog-free areas and areas where dogs are kept under strict control. In addition, those in charge of dogs require access to areas where they can exercise their dogs without undue restrictions. A failure to give due consideration to these factors could make a PSPO vulnerable to legal challenge.
- 3.10 The Council operates a separate scheme which licenses businesses which provide day care services for dogs, i.e., where the dog is looked after at the home of the operator during the day and providers of dog overnight boarding services.
- 3.11 Stray dogs and dogs dangerously out of control can be effectively dealt with by other existing legislation. This report and proposed PSPO Order do not cover these concerns.

#### **4. CONSULTATION**

- 4.1 Section 72 of the Anti-Social Behaviour Crime and Policing Act 2014 introduces measures whereby as part of the consultation the Council are required to seek feedback from prominent stakeholders. To ensure that necessary consultation had been undertaken contact was made with the Metropolitan Police Service, Dogs Trust, The Kennel Club, The RSPCA, RNIB, Friends of Parks groups, and Street Friends.
- 4.2 A period of public consultation was undertaken between Friday 28th April 2023 to Wednesday 31st May 2023. Details of the questionnaire were displayed on the Council's website with a link to the online survey.
- 4.3 Details of the public consultation was also posted on the Council's Corporate Twitter page and the public website.
- 4.4 As part of the consultation the Council published a draft copy of the proposed Order on the '*Have your say on dog controls in Bromley*' web landing page. A copy of the Proposed Order is detailed in Appendix A of this report.

#### **Existing PSPO Dog Controls**

- 4.5 Existing offences under the current PSPO (section 59 of the Antisocial



Behaviour, Crime and Policing Act 2014) within Bromley are as follows:

- Failing to remove dog faeces
- Not putting, and keeping, a dog on a lead when directed to do so by an authorised officer
- Not keeping a dog on a lead
- Being in charge of a Dog who enters a designated exclusion zone
- Walking more than four dogs without licence issued by Bromley Council

### **Draft Dog Control Order amendments**

4.6 It is proposed to amend the existing PSPO, as follows:

- (a) Limit the number of dogs a person can oversee to three (3) dogs per person;
- (b) Reduce the number of dogs which can be walked under licence to four (4) dogs;
- (c) Extend the Dogs on Lead designated areas to include all Cemeteries, Allotments, and park café seating areas within Bromley Council's administrative area.

4.7 By the end of the consultation period the Council received 3141 responses, and a petition with approximately 2000 respondents. The key issues arising from the responses were considered in finalising the elements contained within the PSPO Order. The petitioners were opposed to the maximum of two dogs off lead, believing it is too harsh a change. A full breakdown of responses received from the consultation is illustrated by graphs attached to this report as Appendix B. The graphs also represent a more detailed analysis of the responses provided by dog owners and non-dog owners, and commercial dog walkers.

## **5. ANALYSIS OF CONSULTATION RESPONSES**

5.1 A review of responses received provided an insight into four themes with regards the proposed PSPO Dog Control Order:

- a) Change in the number of dogs walked by one person restricted to 3, or 4 with licence;
- b) Introduction of a restriction of 2 dogs off lead at any one time;
- c) Introduction of dogs on lead/excluded from waterbodies;
- d) Opposing views of support between dog owners and non-dog owners.

5.2 The previous PSPO Dog Control Order allowed a person to walk four (4) dogs at a time, increased to six (6) via permit issued from Bromley Council. The

decision to reduce the number of dogs walked by one person to three (3) dogs, increased to four (4) was proposed after review of guidance issued by the UK's leading Dog Welfare Associations. A guidance paper written by the Pet Industry Federation, supported by both the RSPCA and The Dogs Trust provides clear guidance that Professional Dog Walkers should walk a maximum of four (4) dogs at a time. Whilst a response from the Dogs Trust provided statistics that 95% of Dog Owners in the United Kingdom own three (3) dogs or less. A copy of the Professional Dog Walkers Guide is attached to this report as Appendix C. The amendment to the draft proposed PSPO to reduce the number of dogs walked by one person is summarised in paragraph 6.1 omitting the restriction permitting the number of dogs off the lead at any one time.

- 5.3 In drafting of this PSPO, consideration was given towards meeting the strategic objectives of the Council's Open Space Strategy (OSS) and balancing the needs of the many user groups visiting the Boroughs parks and greenspaces and their increasing numbers. The OSS sets out to support and encourage the physical and mental health benefits the Boroughs open space portfolio offers, whilst also protecting Bromley's diverse natural habitats and biodiversity. Many of the sites listed in the PSPO relate to a range of activities and habitats where the Council as a custodian has responsibility for ensuring the landscape is well managed, and therefore contributes towards meeting these objectives.
- 5.4 Research was undertaken to evaluate the Dog Control measures used by other local authorities. Table 1 shows current benchmarking in relation to numbers of dogs allowed to be walked by one (1) person.

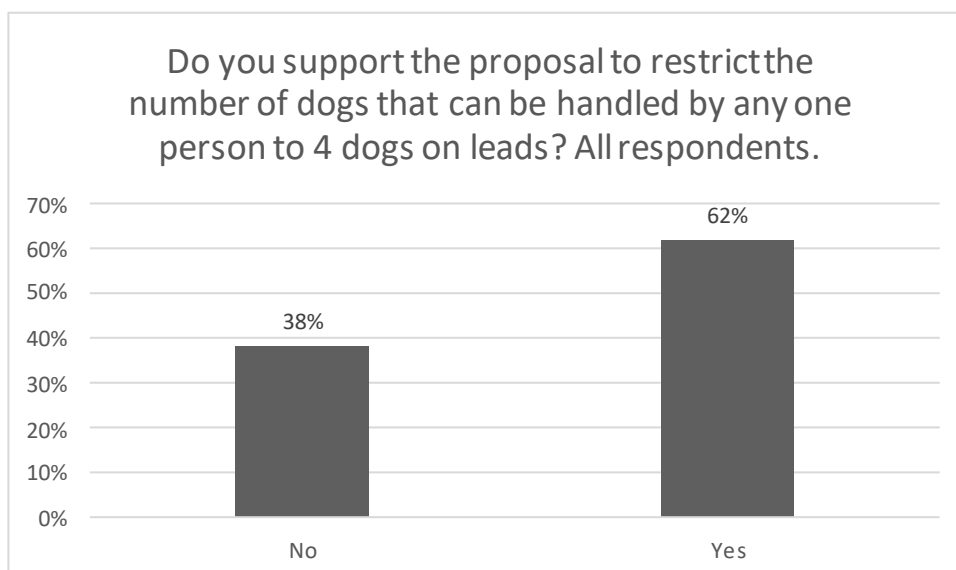
**Table 1**

<b>Local Authority</b>	<b>Maximum Number of Dogs</b>
Barking and Dagenham London Borough Council	4 or 6 dogs
Barnet London Borough Council	No specific information available on Council's website
Bexley London Borough Council	No specific information available on Council's website
Brent London Borough Council	4 dogs
Bromley London Borough Council	5 or 6 dogs
Camden London Borough Council	4 dogs
City of London	4 or 6 dogs
Croydon London Borough Council	No specific information available on Council's website
Ealing London Borough Council	6 dogs per walker
Enfield London Borough Council	No specific information available on Council's website
Greenwich London Borough Council	4 dogs
Hackney London Borough Council	4 dogs

Hammersmith & Fulham London Borough Council	4 dogs
Haringey London Borough Council	6 dogs
Harrow London Borough Council	No specific information available on Council's website
Havering London Borough Council	No specific information available on Council's website
Hillingdon London Borough Council	4 or 6 dogs
Hounslow London Borough Council	4 dogs
Islington London Borough Council	No specific information available on Council's website
Kensington and Chelsea London Borough Council	Up to 6 dogs
Kingston upon Thames London Borough Council	No specific information available on Council's website
Lambeth London Borough Council	4 or 6 dogs
Lewisham London Borough Council	No specific information available on Council's website
Merton London Borough Council	4 dogs
Newham London Borough Council	No specific information available on Council's website
Redbridge London Borough Council	No specific information available on Council's website
Richmond upon Thames London Borough Council	Max of 6 dogs
Southwark London Borough Council	6 dogs, max of 3 offlead
Sutton London Borough Council	No specific information available on Council's website
Tower Hamlets London Borough Council	No specific information available on Council's website
Waltham Forest London Borough Council	Max of 6 dogs
Wandsworth London Borough Council	4 dogs
Kent County Council	No specific information available on Council's website
Sevenoaks District Council	No specific information available on Council's website
Dartford District Council	No specific information available on Council's website
Tunbridge Wells District Council	No specific information available on Council's website
Surrey County Council	No specific information available on Council's website
Tandridge District Council	6 dogs

5.5 The Consultation results showed strong support to introduce a maximum of four (4) dogs being walked by one (1) person as shown in table 2.

**Table 2**

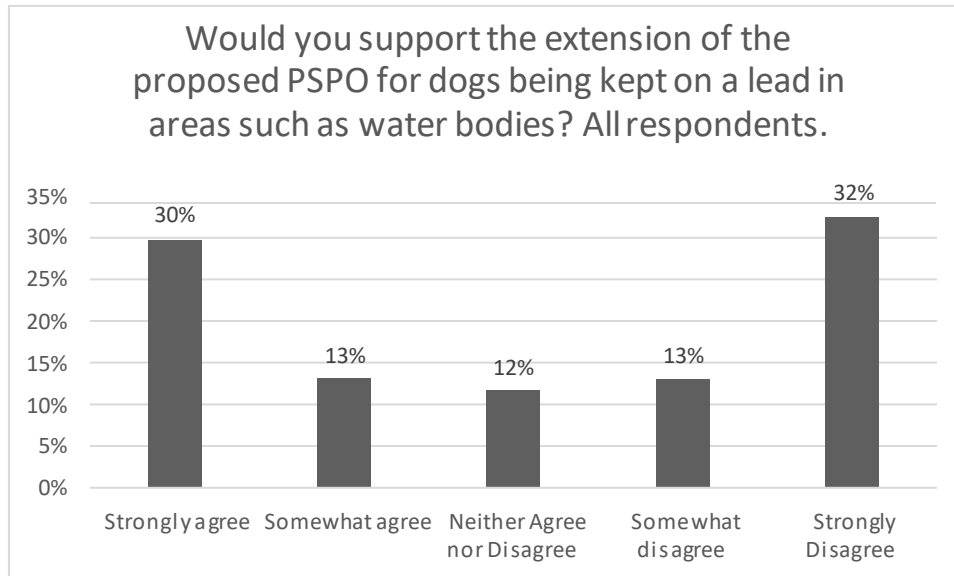


5.4 Although not covered by the questionnaire, the Council received 88 e-mails raising concern over the proposed PSPO Dog Control Order. Analysis of these e-mails demonstrated a strong public feeling that the introduction of a restriction allowing only 2 dogs to be off lead at any one time could lead to a negative effect on a dogs welfare. 64 (73%) of the e-mails received raised concern over the restriction included within Article 5 of the Proposed Dog Control Order. Further study of the response received provided details of the following studies and findings linked to dog behaviour whilst on lead:

- When exposed to a stressful situation in day to day life, dogs go into a fight or flight state (Carston 2019).
- Fight responses are more likely to occur when the dog's escape route is blocked (Farricelli 2013).
- Lead reactivity occurs when a dog feels restricted and frustrated whilst being on lead, whereas will be sociable and calm off lead (Battersea, 2023).
- It is also important to note that this behaviour is often triggered by off lead dogs approaching on lead dogs (Battersea, 2023).

5.5 The Consultation asked for views on a proposal to introduce Dogs On a Lead for Waterbodies which received a marginal favour not to support the restriction as shown in table 3. It is recognized that a contributing factor to this response may be linked to the presentation of the proposal contained within the draft PSPO Dog Control Order which listed Waterbodies as a Dog Exclusion area and also asked a question to gauge support for dogs to be kept on leads within 30 feet of a waterbody. The amendment to the draft PSPO to exclude dogs from waterbodies is summarised in paragraph 6.1 omitting the proposal to introduce Dogs on a Lead near waterbodies.

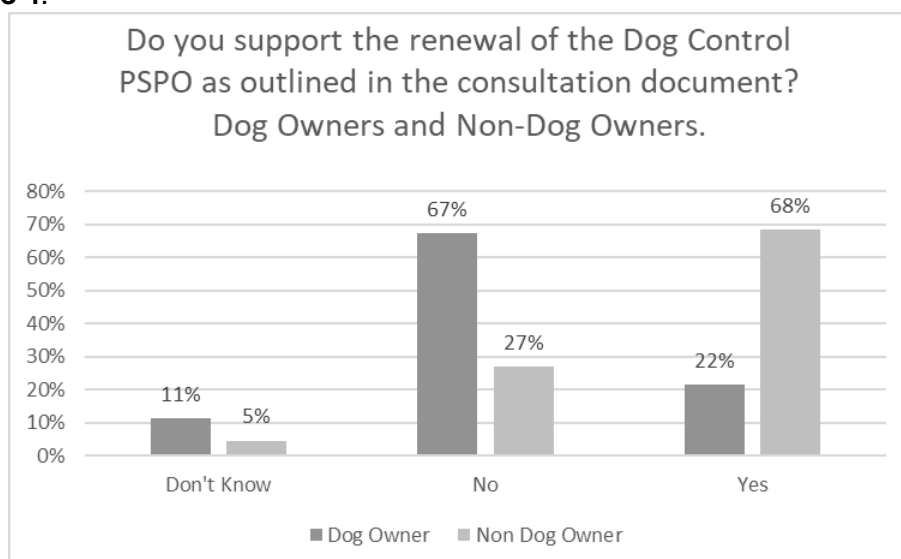
**Table 3**



5.6 The proposed PSPO Dog Control Order sought to align existing legal powers contained with Bromley Parks ByeLaws with a new modern Public Space Protection Order. Powers contained within the ByeLaws made it an offence for a dog to disturb wildlife and waterbirds, and from entering certain waterbodies.

5.7 Upon more detailed analysis of the results, the consultation highlighted opposing views between dog owners and non-dog owners when asked questions involving the behaviour of dogs (e.g. poorly controlled), which resulted in feelings of being threatened or their enjoyment of the area was impacted. The majority of dog owners did not witness or agree with this statement, whereas the majority of non-dog owners were of the view that this did occur and had an impact. The support for the renewal of the PSPO was also split in the same equal opposing manner, with the majority of dog owners in opposition and the majority of non-dog owners in favour illustrated in Table 4.

**Table 4.**



5.8 As part of the communications process the Council's website will include a page relating to the relevant information concerning the implementation of the PSPO and will include a set of frequently asked questions and answers to provide clarity. A copy of the FAQ sheet is attached to this report as Appendix E. The date of implementation of the Order will be confirmed following the consideration by the Portfolio Holder and feedback from the PDS Committee Members. The Order will be valid for three years from this date

## **6. AMENDMENTS TO DRAFT PSPO ORDER**

6.1 Full consideration has been applied to the feedback received as part of the consultation, with the following changes made to a final PSPO Dog Control Order:

- Schedule 1 Article 5 Dog Handlers – Maximum 4 Dogs. The final Order has removed the restriction permitting only two (2) dogs to be off lead at any one time. Dogs are permitted off the lead in parks and greenspaces, with the exception of certain exclusion areas listed in the Order (e.g. playgrounds). Any owner/handler of Dogs to be found acting in a manner so as to cause nuisance will be directed to place Dogs on Lead as per Schedule 1 Article 2 – Dogs on Lead by Direction contained within the Final Order
- Schedule 2 Article 3 Dog Exclusion Areas detailed Waterbodies. The Proposed Order detailed an exclusion zone of where a dog is to be kept on a lead up to 30 feet of a Waterbody. The detail of thirty feet as an exclusion area has been removed from the Order, leaving just the actual body of water as the area dogs are excluded from entering.
- Schedule 2 Article 3 Dog Exclusion Areas – Sports facilities enclosure sites. For identification purposes the list of locations also include the description of the sport played within the enclosed site (e.g. tennis court).

6.2 The final Order details Areas of Land to which PSPOs can be applied. The Public Space Protection Order is separated into six Articles:

1. Dog Fouling
2. Dog on Lead by Direction
3. Dog Exclusion area
4. Dog on Lead area
5. Dog Handlers
6. Dogs to be kept under proper control

6.3 Each of these Articles link to prescribed areas detailed in Schedules 1, 2 and 3 of the Order:

- Schedule 1 – Administrative area of Bromley, covers Articles 1,2 & 5

- Schedule 2 – Details specific locations covered by Article 3 including equipped playgrounds, unequipped playgrounds, sports facility enclosure sites, paddling pools, boating ponds, waterbodies and recreation grounds
- Schedule 3 – Details specific locations covered by Article 6 including public highways, café outdoor seating areas, cemeteries, allotments and nature reserves.

6.4 The full list of locations and the Final Order, which include amendments following the consultation period is detailed within Appendix D (London Borough of Bromley Public Spaces Protection Order 2023 Dog Controls) of this report.

## **7. EXCEPTIONS AND EXEMPTIONS TO THE PSPO**

7.1 The following are exemptions applicable to all six Articles contained within the Public Space Protection Order:

- Nothing in this Order shall apply to a dog being used by the police, contractors or agencies permitted by the Council for official purposes, or a person who
- Is registered as a blind person on a register compiled under Section 29 of the National Assistance Act 1948; or
- Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance; or
- Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any prescribed charity registered in the UK with a purpose of training assistance dogs and upon which they rely for assistance.
- Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

## **8. NOTIFICATION OF PROPOSED CHANGES**

8.1 There is a requirement to place signs on land to which a new order applies, informing the public that land is subject to an Order. For example, if the proposal is approved to make an Order restricting the number of dogs to three (3) a person can walk, permanent signs will be placed at the entrances, gates and barriers to parks across the borough. Permanent signs will be erected informing where a PSPO applies to a large area of land. The Order will also be displayed on the Council's Responsible Dog Ownership webpage.

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

9.1 Regulating the activities of dogs and those in charge of a dog affect 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 or visiting the borough.

## **10. POLICY IMPLICATIONS**

- 10.1 Increased enforcement action is a key aim in “Making Bromley Even Better” in improving a safe and quality environment for the public.

## **11. FINANCIAL IMPLICATIONS**

- 11.1 The inclusion of the PSPO will have some financial implications for the production and administration of the fixed penalty notices, advisory leaflets and publicity of the order in local newspapers and on signage. These costs are likely to be in the region of £3000.
- 11.2 The current cost for a Dog Walking Licence is £200; there are no plans to change the subscription cost as part of this Public Space Protection Order, however fees will be subject to annual inflationary increases.
- 11.3 Under the current DEFRA guidelines for fixed penalty notices, all generated income must be ring-fenced for enforcement initiatives and in the first instance it is proposed that any sums recovered would be used to off-set the set-up and contractual costs. Costs will therefore be contained within existing revenue budgets.

## **12. PERSONNEL IMPLICATIONS**

- 12.1 The enforcement of the legislation designated on the highway would be carried out by enforcement officers within Environment and Public Protection and the Council’s Parks Security service provider.
- 12.2 The powers to control dogs within designated areas, including parks and greenspaces, would be carried out by the current Park’s Security service provider as part of the existing Environmental Services contract. Contract administration staff within the Environmental Services contract will be responsible for recording the issue and any amendment or cancellation of fixed penalty notices.
- 12.3 Training will be provided to Officers working for the Council’s Park Security provider, Ward Security, so that they are imparted with the working knowledge of the PSPO Dog Control Order. For the first three months of the Order there will be a project focused on engagement with members of the public, this will be followed by high profile enforcement patrols, targeting any areas where compliance is a concern.

## **13. LEGAL IMPLICATIONS**



13.1 As set out in the body of this report.

#### 14. PROCUREMENT IMPLICATIONS

14.1 There are no implications.

-

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	<ol style="list-style-type: none"><li>1. Clean Neighbourhoods and Environment Act 2005 (S55 and S56) <a href="http://www.legislation.gov.uk/ukpga/2005/16/contents">http://www.legislation.gov.uk/ukpga/2005/16/contents</a></li><li>2. SI 2006 No 798 – The Dog Control Orders (procedures) Regulations 2006. <a href="http://www.legislation.gov.uk/uksi/2006/798/contents/made">http://www.legislation.gov.uk/uksi/2006/798/contents/made</a></li><li>3. The Anti-social Behaviour, Crime and Policing Act 2014 <a href="http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted">http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted</a></li></ol>

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## LONDON BOROUGH OF BROMLEY

### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

#### LONDON BOROUGH OF BROMLEY PUBLIC SPACES PROTECTION ORDER 2023 (DOG CONTROL)

The Council of the London Borough of Bromley (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

The Order may be cited as the “London Borough of Bromley Public Spaces Protection Order 2023 (Dog Control)”.

This Order is made on xx xxxx 2023 and shall have effect for a period of 3 years thereafter, unless extended, varied or discharged by further order(s) under the Council’s statutory powers. This Order can be extended pursuant to Section 60 of the Act.

In this Order the following definitions apply:

**“Person in Charge”** means the person who has the dog in their possession, care or company at the time the offence is committed or, if none, the owner or person who habitually has the dog in their possession.

**“Proper Control”** means a dog being on a lead or muzzled if the dog requires it, or otherwise being at heel/close enough to the person in charge that it can be restrained if necessary or responding immediately to voice commands.

**“Public Place”** means any place in the administrative area of the Council to which the public or any section of the public has access on payment or otherwise, as of right or by virtue of express or implied permission. The administrative area of the Council is the land edged red in Schedule 1.

**“Restricted Area”** means the land described and/or shown in the map in Schedule 1 to this order. “Authorised Person” means a police officer, PCSO, Council officer, and persons authorised by the Council to enforce this Order.

**“Assistance Dog”** means a dog that is trained to aid or assist a disabled person.

#### Article 1 – Dog Fouling

1. If within the Restricted area (defined in Map 1, Schedule 1), a dog defecates, in any Public Place, at any time, the person who is in charge of the dog at the time must remove the faeces forthwith, unless –

- a. They have a reasonable excuse for failing to do so; or
- b. The owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to their failing to do so.

2. For the purposes of this Article –

a. Placing the faeces in a receptacle in the restricted area which is provided for the purpose, or for the disposal of litter or waste, shall be a sufficient removal from the Public Place;

b. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for, or other suitable means of, removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

3. This part of the Order applies to all Public Places in the administrative area of the Council (as detailed in Schedule 1).

## **2 Article 2 – Dogs on leads by direction**

1. A person in charge of a dog, at any time, within the Restricted area (defined in Map 1, Schedule 1), must comply with a direction given to them by an Authorised Person to put and keep the dog on a lead for such period and/or in such circumstances as directed by that person, unless they can show that:

a. They have a reasonable excuse for failing to do so; or

b. The owner, occupier or other person or authority having control of the Public Place in question has consented (generally or specifically) to their failing to do so.

2. For these purposes, a 'lead' means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.

3. This part of the Order applies to all Public Places in the administrative area of the Council (as detailed in Schedule 1).

4. An Authorised Person may only give a direction under this Article if such restraint is considered by that person to be reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or other animal.

## **Article 3 – Dog exclusion areas**

1. A person in charge of a dog must not, at any time, take that dog onto, or permit a dog to enter or to remain on, any Public Place detailed in Schedule 2 unless:

a. They have a reasonable excuse for doing so; or

b. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

## **Article 4 – Dogs on lead areas**

1. A person in charge of a dog in any Public Place detailed in Schedule 3 must keep that dog on a lead, unless they can show that:

a. They have a reasonable excuse for doing so; or

b. The owner, occupier or other person or authority having control of the land has

consented (generally or specifically) to their failing to do so.

2. For these purposes, a 'lead' means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.

3. This part of the Order applies to the areas listed in Schedule 3.

#### **Article 5 – Dog handlers – Maximum 4 dogs, 2 off lead**

1. A person in charge of more than three dog shall be guilty of an offence if at any time, they take onto any Public Place in respect of which this Article applies, more than three dogs, unless they can show that:

- a. They have a reasonable excuse for doing so; or
- b. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so; or
- c. They have a licence issued by the Council permitting them to be in charge of no more than four dogs.

For the purposes of this article, a person who has a dog in their possession shall be taken to be in charge of the dog(s).

2. This part of the Order applies to all Public Places in the administrative area of the Council (Schedule 1).

#### **Article 6 – Dogs to be kept under proper control – Dogs on a lead**

1. A person in charge of a dog in the restricted area shall be guilty of an offence if their dog is not kept under Proper Control.

\*

#### **Exemptions**

Nothing in this Order shall apply to a dog being used by the police, contractors or agencies permitted by the Council for official purposes, or a person who:

- a) Is registered as a blind person on a register compiled under Section 29 of the National Assistance Act 1948; or
- b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance; or
- c) Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any prescribed charity registered in the UK with a purpose of training assistance dogs and upon which they rely for assistance.
- d) Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable

opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

### **Offence and Penalty**

It is an offence under Section 67 of the Act for a person without reasonable excuse, (i) to do anything that they are prohibited from doing under the Order or (ii) to fail to comply with a requirement which they are subject to under the Order. A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale. In the alternative, that person may be issued with a fixed penalty notice in the sum of £100. If the fixed penalty notice is paid within 10 days, a discounted sum will be payable of £80.

### **Appeals**

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds, (1) that the Council does not have the power to make the Order or to include particular prohibitions or requirements; or (ii) that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

The **COMMON SEAL** of the

**LONDON BOROUGH OF BROMLEY**

was hereunto affixed in the presence of:

Authorised Signatory

Date: xx xxxxx 2023

## **Schedule 1**

**Article 1 – Dog Fouling**

**Article 2 – Dogs on leads by direction**

**Article 5 – Dog handlers – maximum 4 dogs**

This part of the order applies to all Public Places in the administrative area of the Council, as illustrated by the map below.

Map 1. London Borough of Bromley:



## **Schedule 2**

**Article 3 – Dog exclusion areas**

**Land designated by description:**

### **Equipped playgrounds**

Alexandra Recreation Ground, Alexandra Road, Penge SE20  
Betts Park, Croydon Road, Penge SE20  
Biggin Hill Recreation Ground, Church Road, Biggin Hill  
Blake Recreation Ground, Pine Avenue, West Wickham  
Burham Close Play Area, Burham Close, Penge SE20  
Cator Park, Aldersmead Road, Beckenham  
Charterhouse Green, Charterhouse Road, Orpington  
Chelsfield Open Space, Skibbs Lane, Chelsfield  
Chislehurst Recreation Ground, Empress Drive, Chislehurst  
Church House Gardens Recreation Ground, Church Road, Bromley  
Churchfields Recreation Ground, Playground Close, Elmers End  
Coney Hall Recreation Ground, Addington Road, West Wickham  
Crease Park, Village Way, Beckenham  
Croydon Road Recreation Ground, Croydon Road, Beckenham  
Crystal Palace Park, Thicket Road, Penge SE20  
Cudham Lane North Recreation Ground, Cudham Lane North, Green Street Green  
Cudham Lane South Recreation Ground, Cudham Lane South, Cudham  
Downe Recreation Ground, High Elms Road, Downe  
Edgebury Open Space, Imperial Way, Chislehurst  
Eldred Drive Playground, Eldred Drive, St Mary Cray  
Elmers End Recreation Ground, Shirley Crescent, Elmers End  
Farnborough Hill Open Space, High Street, Farnborough  
Farnborough Recreation Ground, Starts Hill, Locksbottom  
Glentrammon Recreation Ground, Windsor Drive, Chelsfield  
Goddington Park Lower, Berrylands, Orpington  
Goddington Park Upper, Goddington Lane (East), Chelsfield  
Grassmead Recreation Ground, Dyke Drive, St Mary Cray  
Harvington Estate, Eden Park Road, West Wickham  
Hoblingwell Wood, Leasons Way, St Pauls Cray  
Hollydale Recreation Ground, Lakeside Drive, Keston  
Husseywell Open Space, Pickhurst Lane, Hayes  
Kelsey Park, Wickham Road, Beckenham  
Kings Meadow Open Space, Burnt Ash Lane, Plaistow  
Kings Road Park, Kings Road, Biggin Hill  
Leamington Avenue Open Space, Southfleet Road, Orpington  
Martins Hill, Recreation Road, Shortlands  
McAndrews Recreation Ground, Corkscrew Hill, West Wickham  
Mottingham Sports Ground, Grove Park Road, Mottingham SE9  
Newbury Road Play Area, Bromley  
Norman Park, Hayes Lane, Bromley  
Oaklands School Play Area, Norheads Lane, Biggin Hill  
Old Hill, Green Street Green, Cudham Lane Nrth, Green St Green  
Palace Square, Pleydell Avenue, Anerley SE19  
Parkfield Recreation Ground, Whitebeam Avenue, Southborough  
Penge Recreation Ground, High Street, Penge, SE20



Petts Wood Recreation Ground, Eynsford Close, Petts Wood  
Pickhurst Recreation Ground, Pickhurst Lane, Hayes  
Poverest Park, Footbury Hill Rd, Orpington  
Pratts Bottom Open Space, Rushmore Hill, Pratts Bottom  
Pratts Bottom Recreation Ground, Broke Farm Drive, Pratts Bottom  
Priory Gardens, High Street, Orpington  
Ramsden Play Area, Whichling Close, Orpington  
Ravensbourne Open Space, Lakes Road, Keston  
Richmal Crompton Park, Lower Gravel Road, Bromley  
Sandway Park, Sandway, St Mary Cray  
Shaftesbury Park, Valeswood Road, Downham  
Southborough Open Space, Oxhawth Crescent, Bromley  
St Mary Cray Recreation Ground, Park Road, St Mary Cray  
St Pauls Cray Recreation Ground, Main Road, St Pauls Cray  
Tillingbourne Green, Orpington  
Tubbenden Lane Open Space, Tubbenden Lane, Orpington  
Turpington Lane Open Space, Rayfield Close, Bromley  
Wharton Road Play Area, Bromley  
Whitehall Recreation Ground, Blenheim Road, Bromley  
Widmore Recreation Ground, Widmore Road, Bromley  
Willett Recreation Ground, Crossway, Petts Wood

### **Unequipped playgrounds**

Beckenham Green, St Georges Road, Beckenham  
Jubilee Park, Thornet Wood, Petts Wood  
Riverside Gardens, High Street, St Mary Cray

### **Sports facilities enclosure sites**

Alexandra Recreation Ground, Alexandra Road, Penge SE20  
Arundel Drive Open Space, Arundel Drive, Chelsfield  
Betts Park, Croydon Road, Penge SE20  
Biggin Hill Recreation Ground, Church road, Biggin Hill  
Blake Recreation Ground, Pine Avenue, West Wickham  
Chislehurst Recreation Ground, Empress Drive, Chislehurst  
Church House Gardens, Church Road, Bromley  
Churchfields Recreation Ground, Playground Close, Elmers End  
Coney Hall Recreation Ground, Addington Road, West Wickham  
Croydon Road Recreation Ground, Croydon Road, Beckenham  
Cudham Lane South Recreation Ground, Cudham Lane South, Cudham  
Farnborough Recreation Ground, Stats Hill, Locksbottom  
Glentrammon Recreation Ground, Windsor Drive, Chelsfield  
Goddington Park, Goddington Lane (East), Orpington  
Hoblingwell Wood, Leasons Way, St Pauls Cray  
Mottingham Sports Ground, Grove Park Road, Mottingham  
Norman Park, Hayes Lane, Bromley  
Penge Recreation Ground, High Street, Penge, SE20  
Poverest Park, Footbury Hill Road, Orpington  
Sandway Park, Sandway Road, St. Mary Cray  
Sparrows Den, Corkscrew Hill, West Wickham  
St Mary Cray Recreation Ground, Park Road, St Mary Cray  
Stanhope Recreation Ground, Stanhope Grove, Penge  
Walsingham Linear Park, Chipperfield Road, St Pauls Cray

Widmore Recreation Ground, Widmore Road, Bromley  
Willett Recreation Ground, Crossway, Petts Wood

### **Paddling pools**

Alexandra Recreation Ground, Alexandra Road, Penge, SE20  
Church House Gardens, Church Road, Bromley  
Croydon Road Recreation Ground, Croydon Road, Beckenham  
Riverside Gardens, High Street, St Mary Cray

### **Boating pond**

Church House Gardens Recreation Ground, Church Road, Bromley  
Riverside Gardens, Kent Road, St Mary Cray

### **Recreation grounds (complete area)**

Queens Gardens, Kentish Way, Bromley

### **Recreation grounds (restricted areas)**

Alexandra Recreation Ground, Alexandra Road, Penge SE20  
Church House Gardens Recreation Ground, Church Road, Bromley  
Jubilee Park, Thornet Wood, Petts Wood  
Kelsey Park Recreation Ground, Stone Park Avenue, Beckenham  
Kings Meadow Open Space, Burnt Ash Lane, Plaistow  
Penge Recreation Ground, High Street, Penge, SE20  
Priory Gardens, High Street, Orpington  
Whitehall Recreation Ground, Blenheim Road, Bromley  
Widmore Recreation Ground, Widmore Road, Bromley

### **Waterbodies (Incl. natural lakes and built ponds)**

Betts Park Canal  
Bromley Palace Gardens  
Church House Gardens  
Crystal Palace Park  
Glassmill Pond  
Hollydale Recreation Ground  
Husseywell Park  
Kelsey Park  
Keston Ponds  
Kingswood Glen  
Priory Gardens  
Scadbury Nature Reserve  
Shaftsbury Park  
The Knoll  
Watermeadows

Note: Further location details of the Boroughs Parks can be found on the Council's website at:  
[www.bromley.gov.uk/directory/26/parks-in-bromley](http://www.bromley.gov.uk/directory/26/parks-in-bromley)

### **Schedule 3**

#### **Article 6 – Dogs to be kept under proper control – Dogs on a lead**

##### **Land designated by description:**

##### **Public Highways**

All carriageways including gutters, adjoining footpaths and verges in the London Borough of Bromley.

All pedestrian areas.

All car parks and public vehicle parking areas maintained by the London Borough of Bromley.

All alleys, public walks, passageways, bridleways and rights of way that are not in private ownership within the London Borough of Bromley

##### **Café and outdoor seating**

Croydon Road Recreation Ground

Crystal Palace Park

Kelsey Park

High Elms Estate (BEECHE Visitor Centre and Café)

##### **Cemeteries**

Biggin Hill Cemetery, Kingsmead Road, Biggin Hill, TN16

Bromley Hill Cemetery, Bromley Hill, Bromley, BR1

London Road Cemetery, Warner Road, Bromley, BR1

Plaistow Cemetery, Burnt Ash Lane, Bromley, BR1

Chislehurst Cemetery, Beaverwood Road, Chislehurst, BR7

St Lukes Cemetery, Magpie Hall Lane, Bromley, BR2

St Mary Cray Cemetery, Star Lane, St Mark Cray, BR5

##### **Allotments**

Abbots Way, Beckenham

Adams Road, Kingsworth Close, Beckenham

Aldersmead Avenue, Beckenham

Aylesford Avenue, Beckenham

Barnmead Road, Beckenham

Beck Lane, Arrol Road, Beckenham

Beckenham Lane, Beckenham

Belmont Lane, Chislehurst

Bourne Vale, Bromley

Bucks Cross Road, Chelsfield

Bull Lane, Chislehurst

Cricket Lane

Dorset Road, Beckenham

Elmstead Lane, Chislehurst

Eynsford Close, Chislehurst

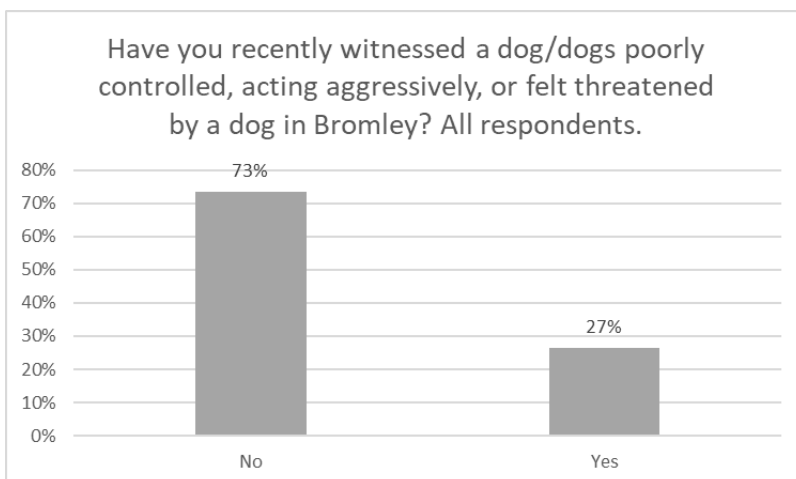
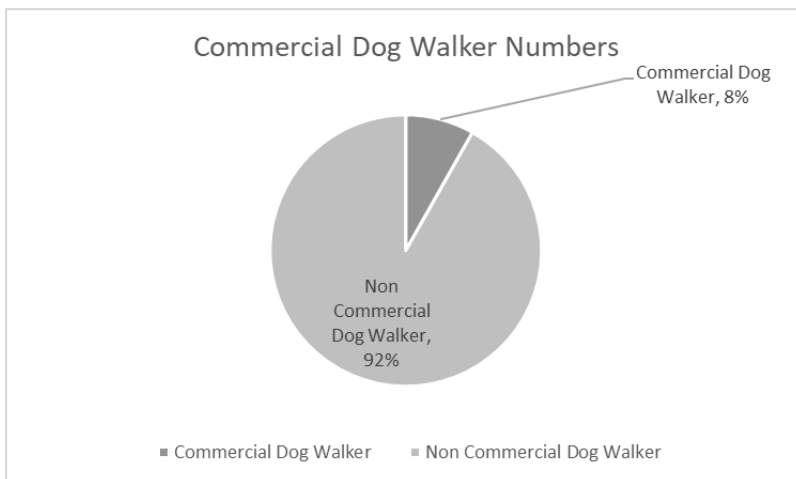
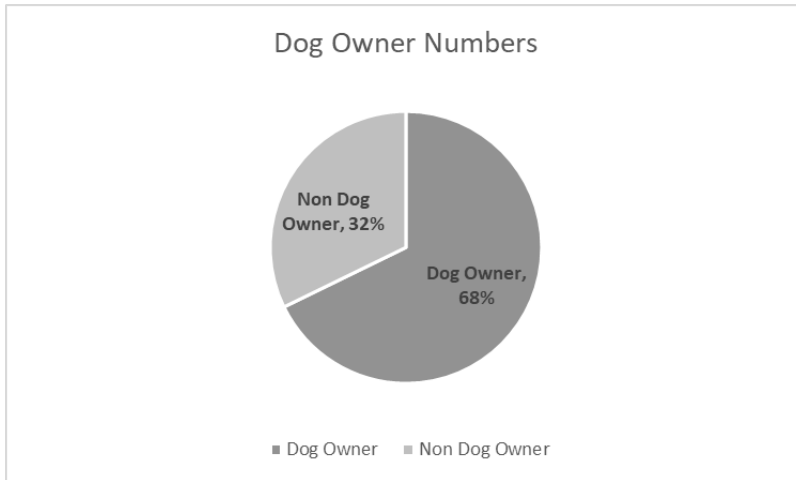
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Forster Road, Clock House Road  
Foxbury Road, Bromley Hall Farm,  
Milk Street Bromley  
Harvington, South Eden Park Road, Beckenham  
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Holy Trinity, Bromley Common, Bromley  
Homesdale Road, Orpington  
Hook Farm Road, Bromley  
Horsell Road, Orpington  
Kent House Road, Beckenham  
Lennard Road, Beckenham  
Lower Chesham, Chesham Road, Beckenham Lower  
Road, St Mary's Cray  
Maberley Road, Penge  
Mead Road, Chislehurst  
Millwood Road, St Pauls Cray Old  
Tye Avenue, Biggin Hill  
Pickhurst Green, Heath Rise, Hayes Pine  
Walk, Orchard Road, Bromley Poverest,  
Footbury Hill, Orpington Ravensbourne  
Road, Bromley Rosemount, Watts Lane,  
Chislehurst Roslin Way, Bromley Sandford  
Road, Bromley Sandringham,  
Bromley  
Shortlands, Hillside Road, Shortlands  
Southlands Road, Bromley  
Tugmutton, Lovibonds Road, Orpington  
Turpington Lane, Bromley  
Upper Chesham, Chesham Road, Penge West  
Wickham, Hawes Lane, West Wickham Wickham  
Road, Hillside Road, Shortlands Widecombe  
Lane, Mottingham  
Willow Grove, Chislehurst

### **Nature Reserves**

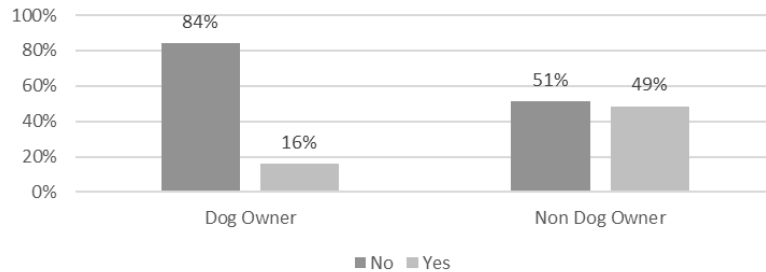
Scadbury Park Nature Reserve, Perry Street, Chislehurst

Note: Further location details of the Boroughs Parks can be found on the Council's website at: [www.bromley.gov.uk/directory/26/parks-in-bromley](http://www.bromley.gov.uk/directory/26/parks-in-bromley)

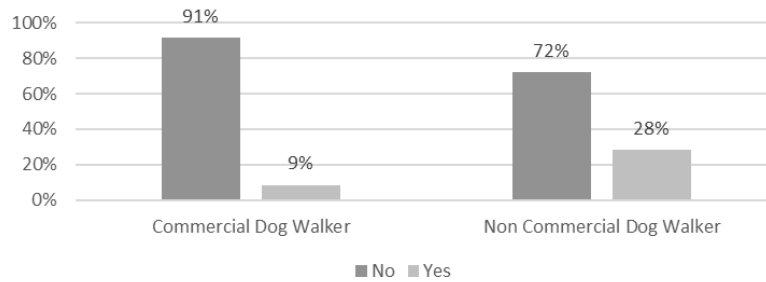
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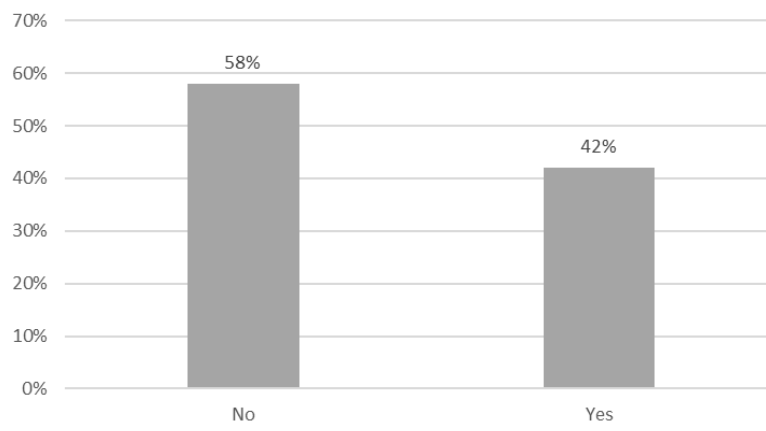
Have you recently witnessed a dog/dogs poorly controlled, acting aggressively, or felt threatened by a dog in Bromley? Dog Owners and Non-Dog Owners.

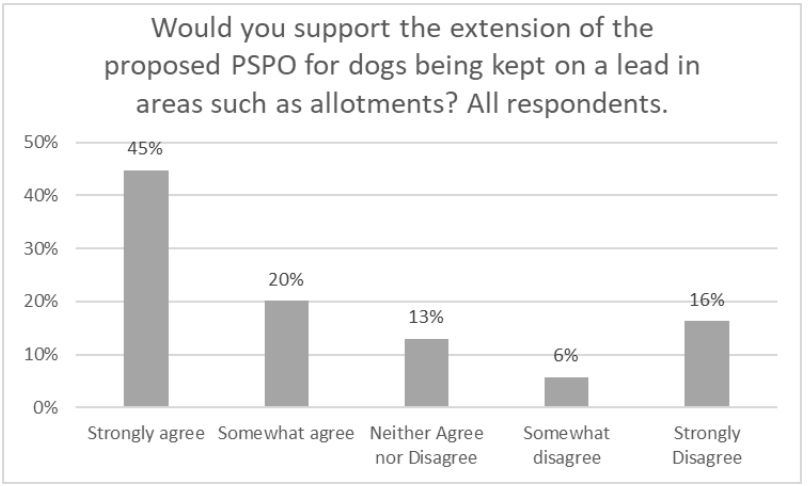
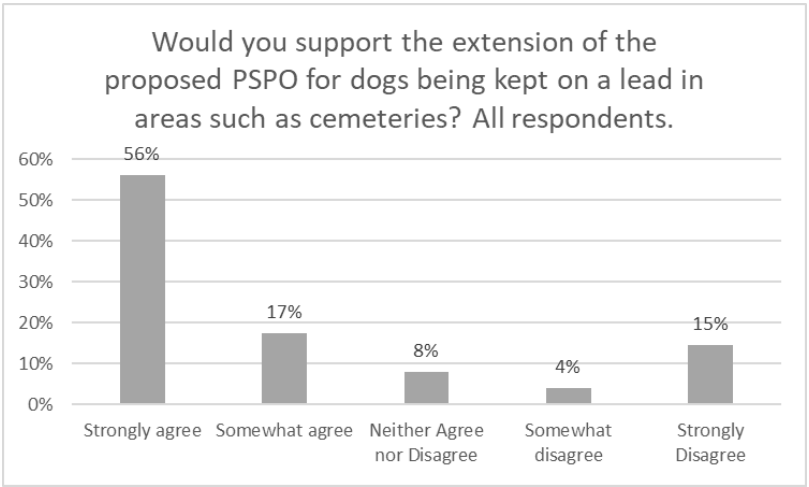
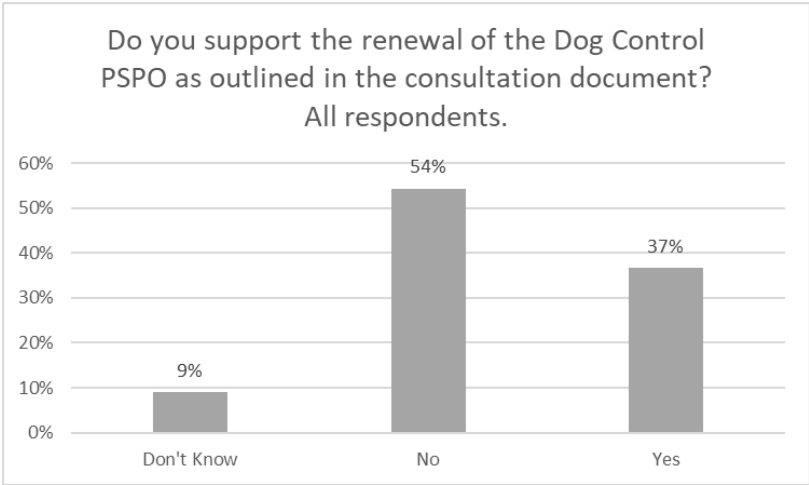


Have you recently witnessed a dog/dogs poorly controlled, acting aggressively, or felt threatened by a dog in Bromley? Commercial Dog Walkers and Non Commercial Dog Walkers.

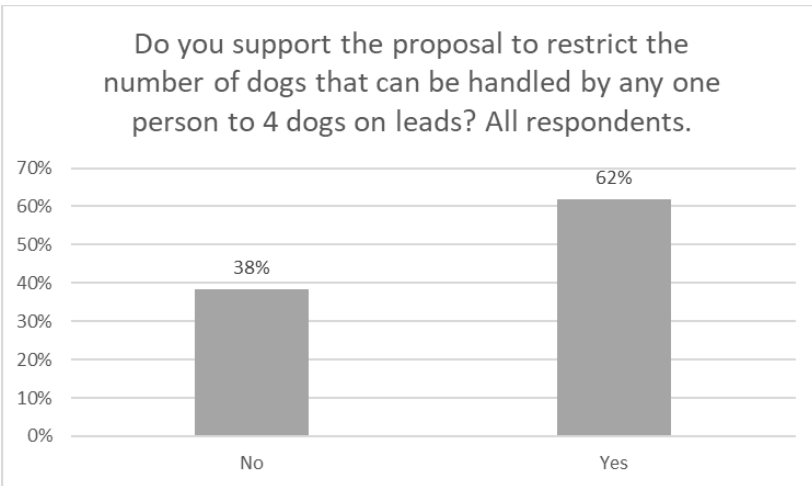
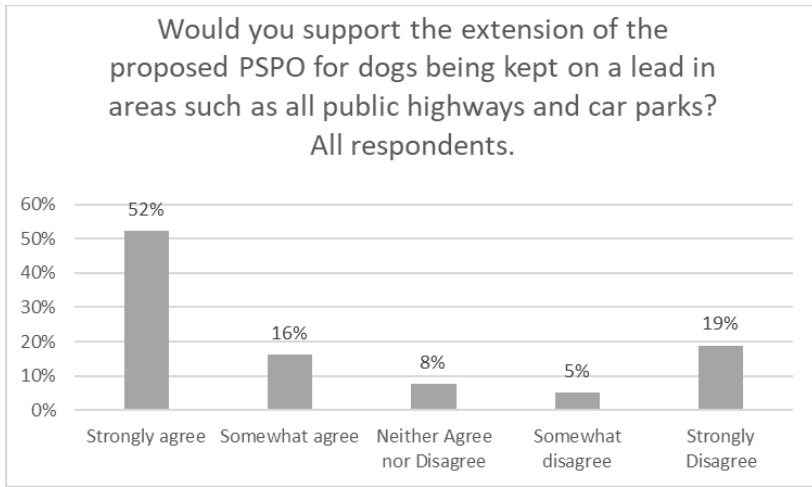
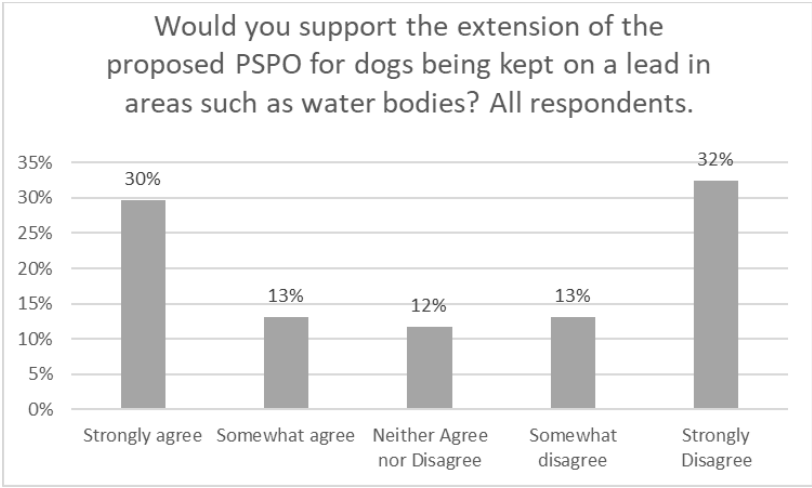


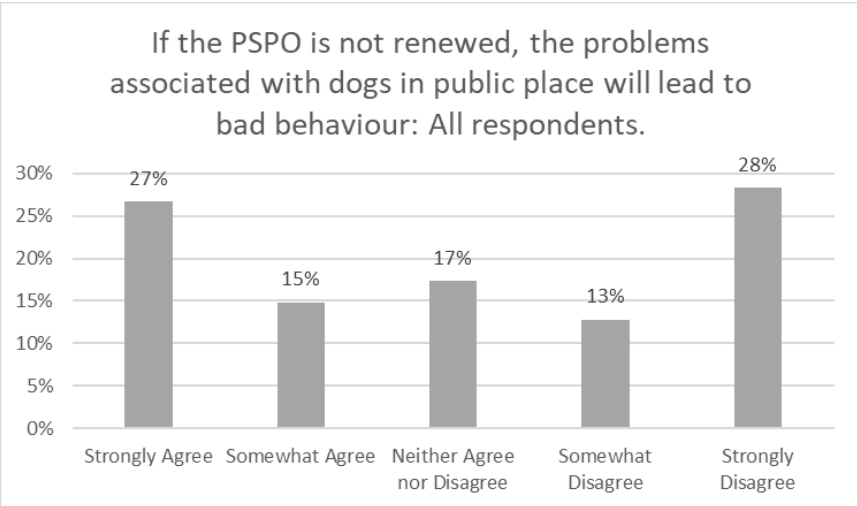
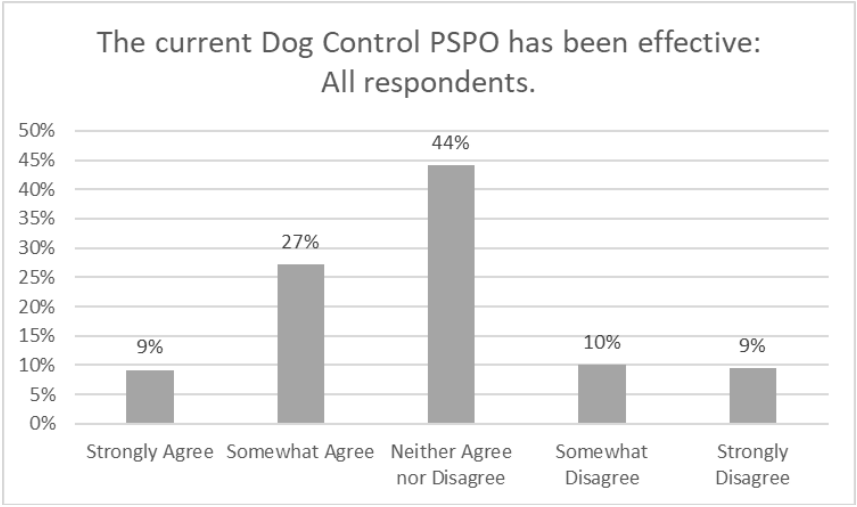
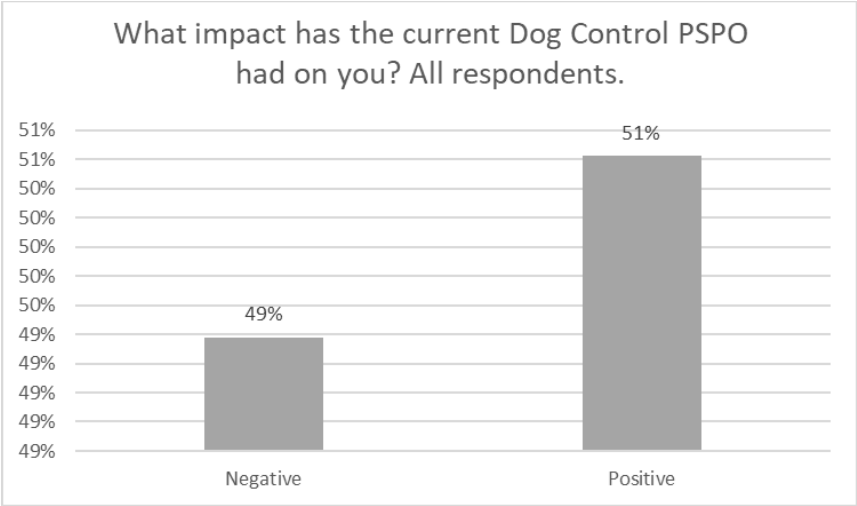
Would, or has, this type of behaviour impacted your enjoyment of the public space? All respondents.



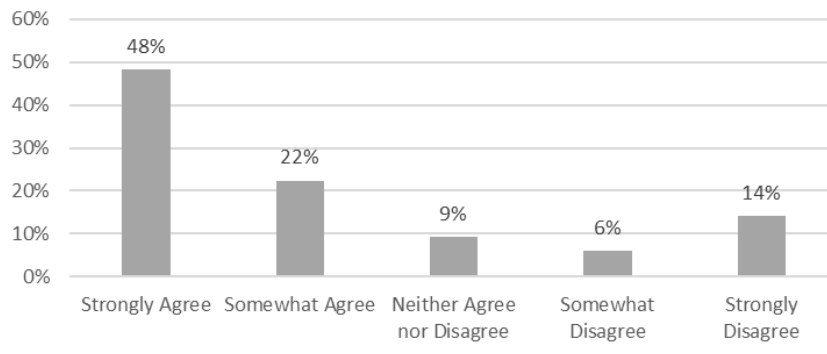




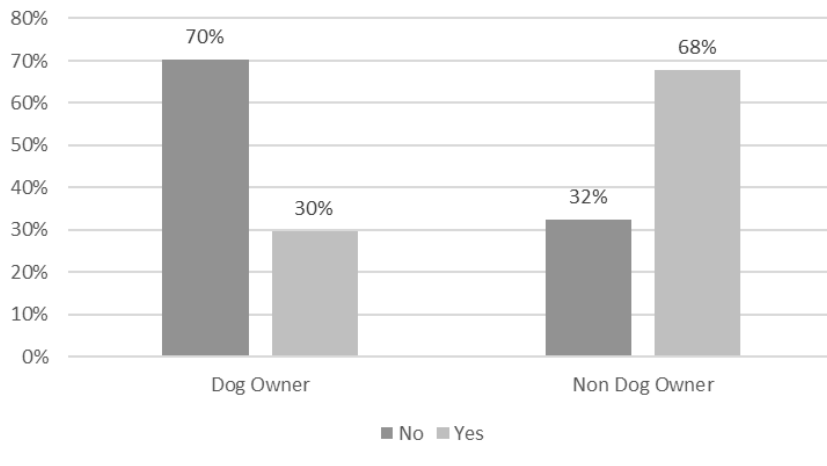




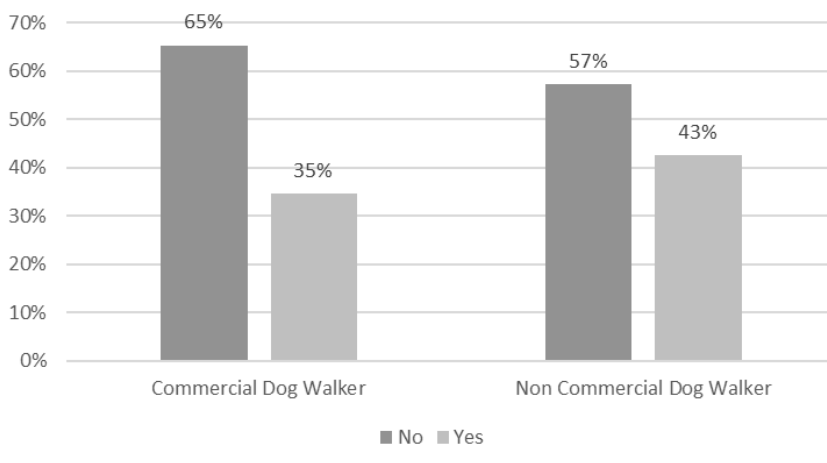
It is important to control the way in which people look after their dogs in shared public spaces: All respondents.

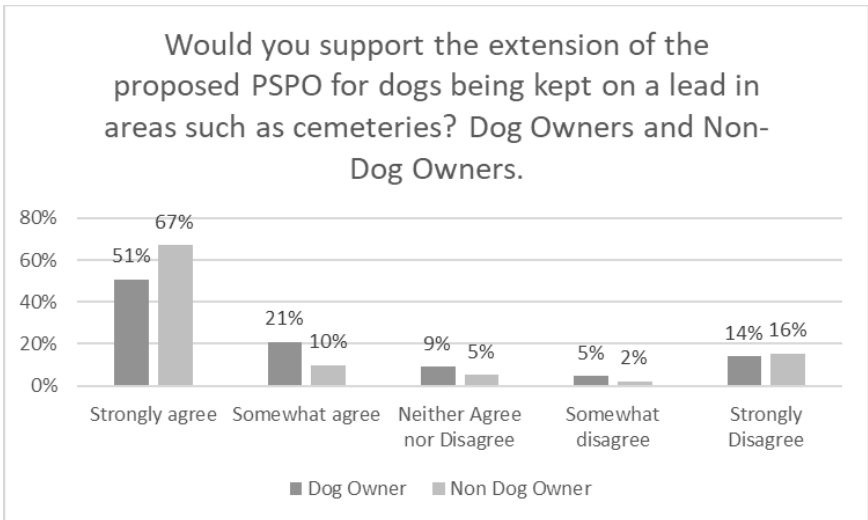
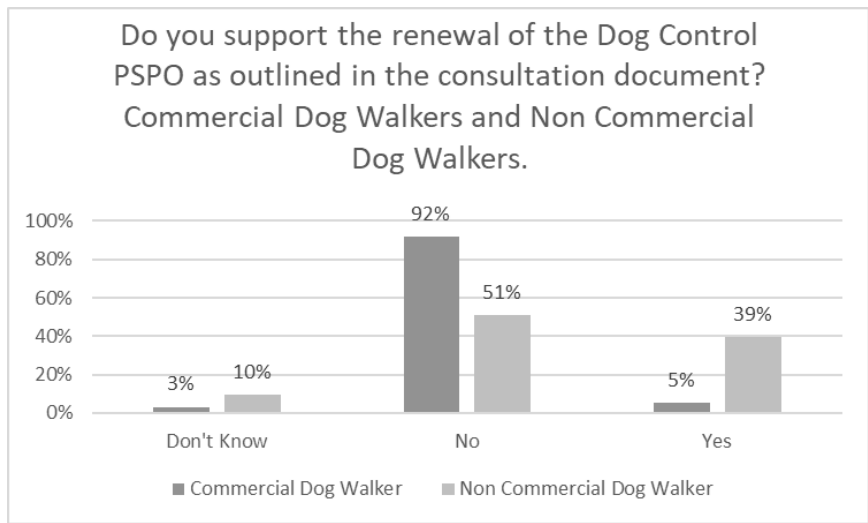
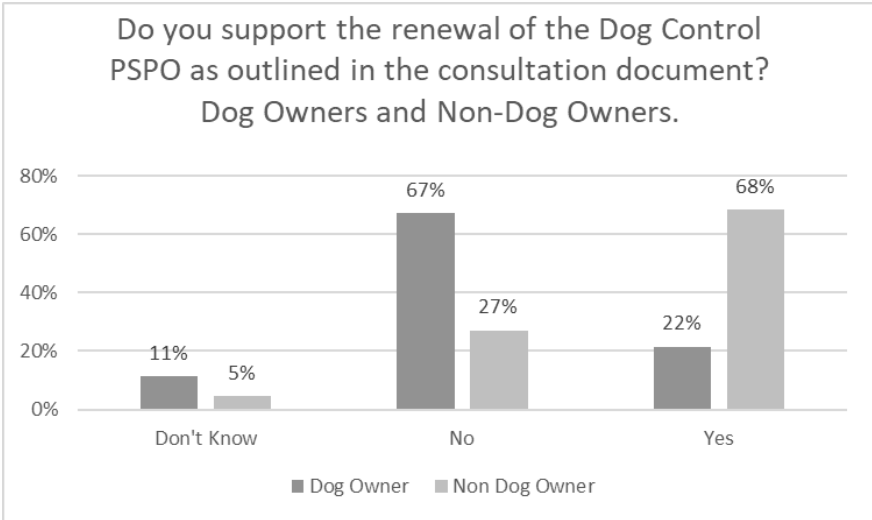


Would, or has, this type of behaviour impacted your enjoyment of the public space? Dog Owners and Non-Dog Owners.

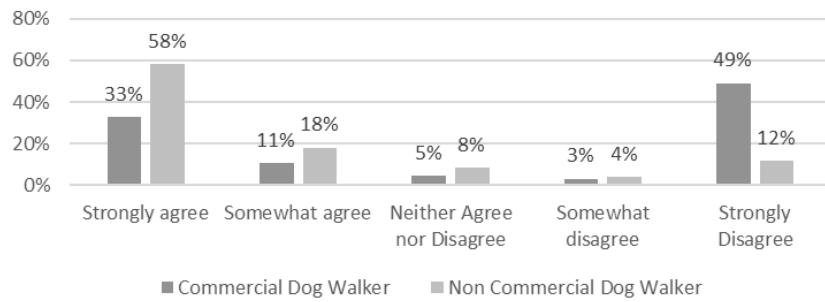


Would, or has, this type of behaviour impacted your enjoyment of the public space? Commercial Dog Walkers and Non Commercial Dog Walkers.

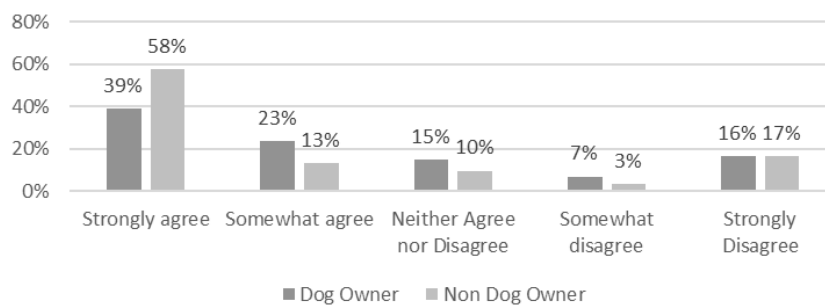




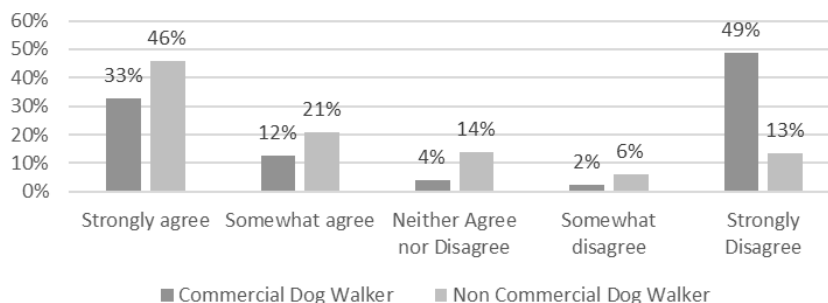
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as cemeteries? Commercial Dog Walkers and Non Commercial Dog Walkers.



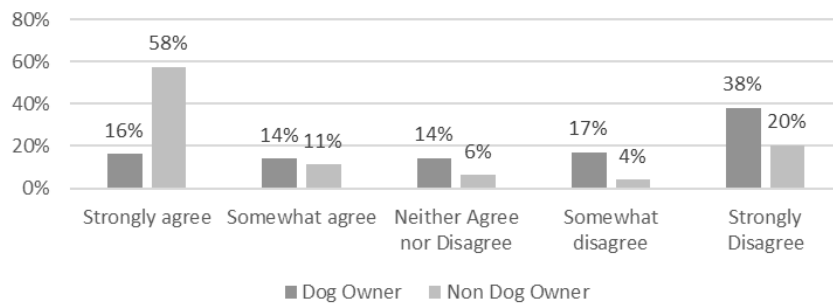
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as allotments? Dog Owners and Non-Dog Owners.



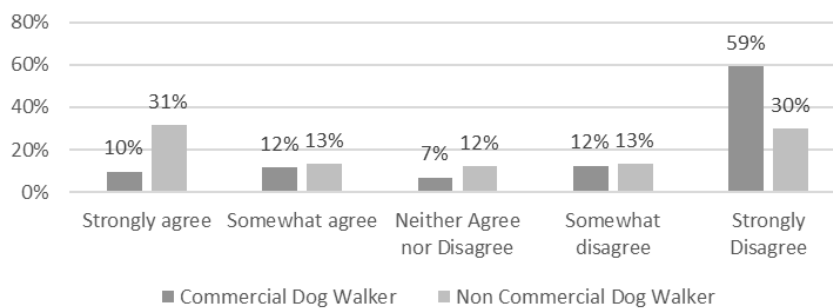
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as allotments? Commercial Dog Walkers and Non Commercial Dog Walkers.



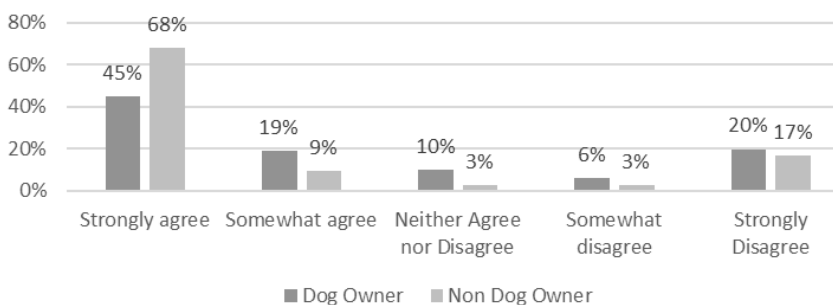
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as water bodies? Dog Owners and Non-Dog Owners.



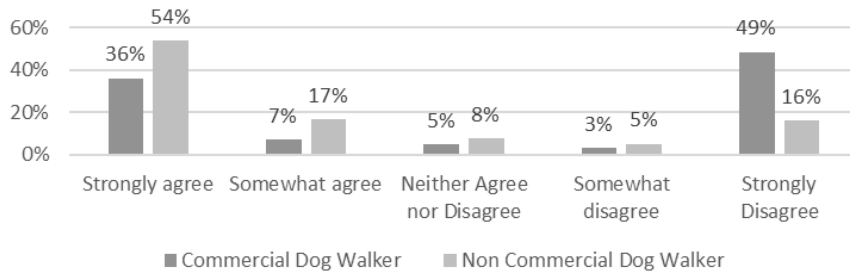
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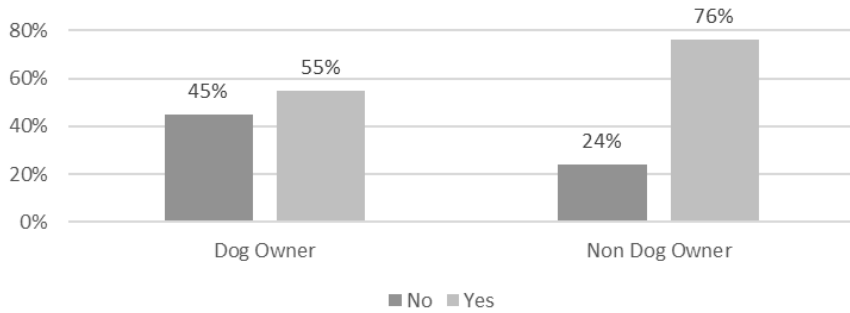
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as all public highways and car parks? Dog Owners and Non-Dog Owners.



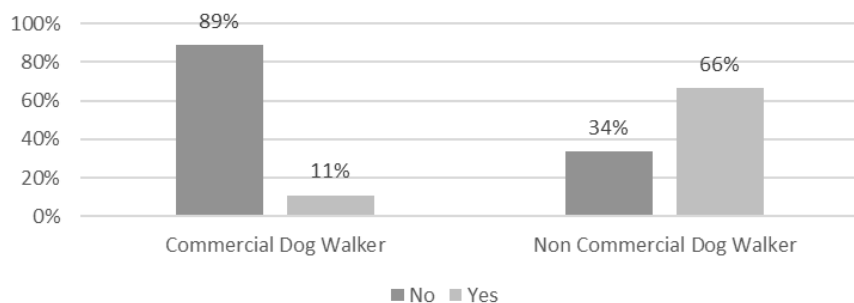
Would you support the extension of the proposed PSPO for dogs being kept on a lead in areas such as all public highways and car parks?  
Commercial Dog Walkers and Non Commercial Dog Walkers.



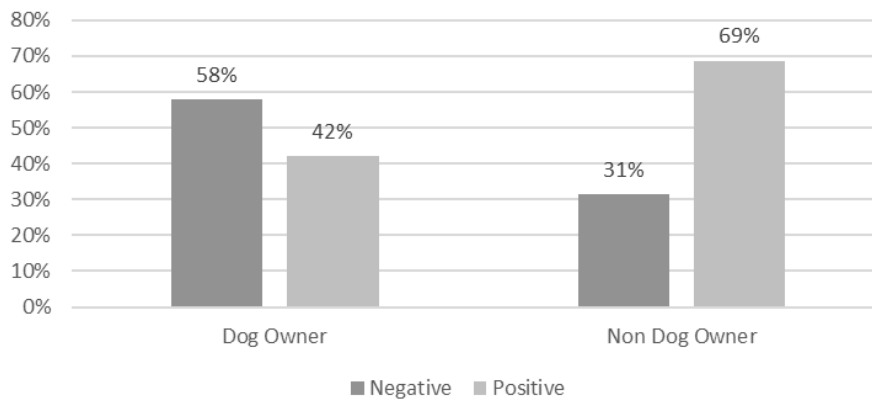
Do you support the proposal to restrict the number of dogs that can be handled by any one person to 4 dogs on leads? Dog Owners and Non-Dog Owners.



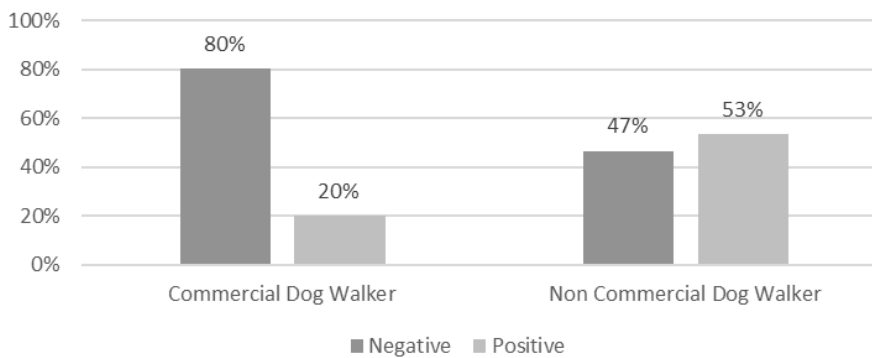
Do you support the proposal to restrict the number of dogs that can be handled by any one person to 4 dogs on leads? Commercial Dog Walkers and Non Commercial Dog Walkers.



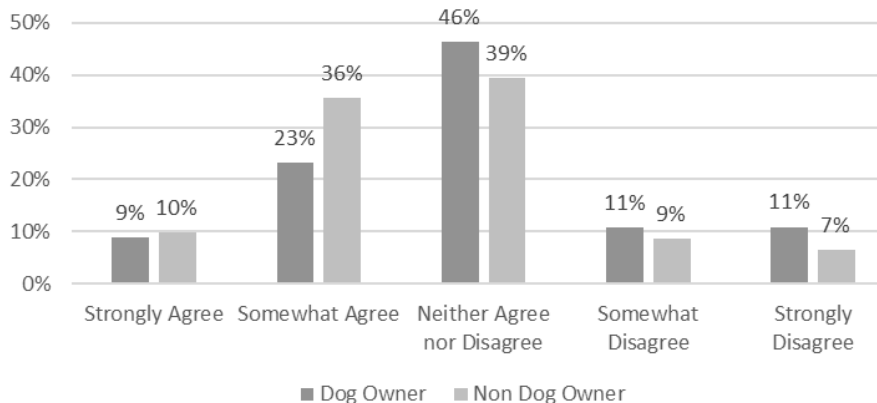
What impact has the current Dog Control PSPO had on you? Dog Owners and Non-Dog Owners.



What impact has the current Dog Control PSPO had on you? Commercial Dog Walkers and Non Commercial Dog Walkers.

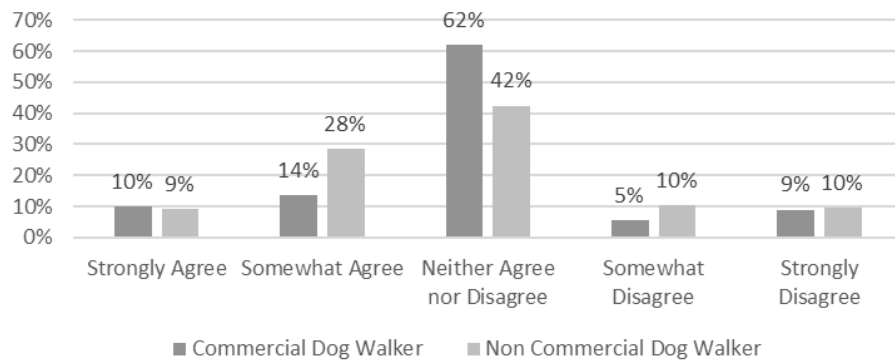


The current Dog Control PSPO has been effective: Dog Owners and Non-Dog Owners.

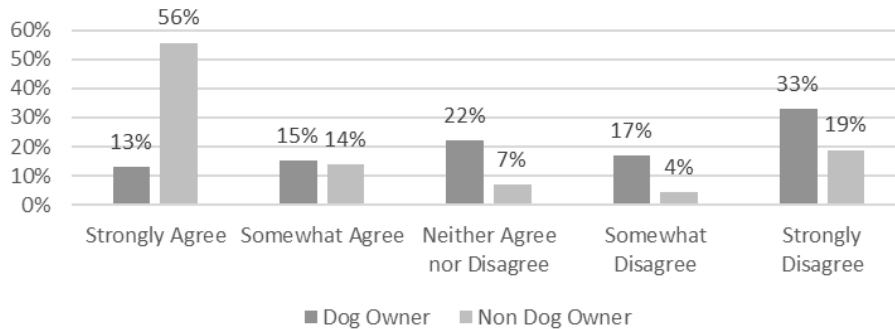




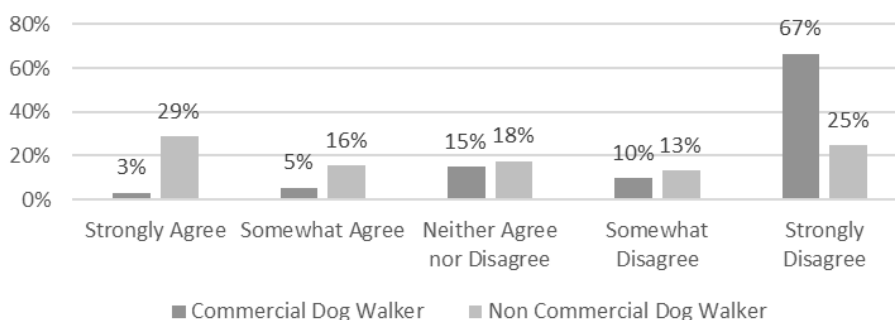
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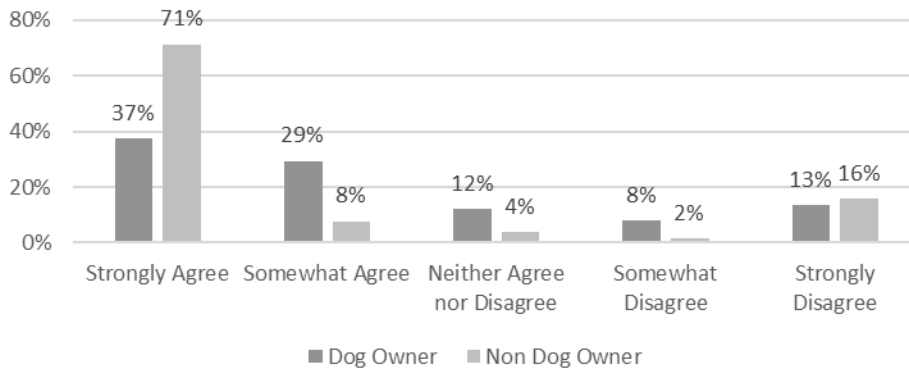
If the PSPO is not renewed, the problems  
associated with dogs in public place will lead to  
bad behaviour: Dog Owners and Non-Dog  
Owners.



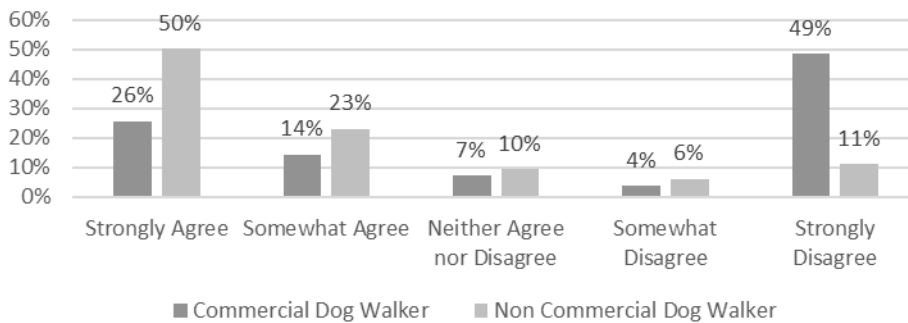
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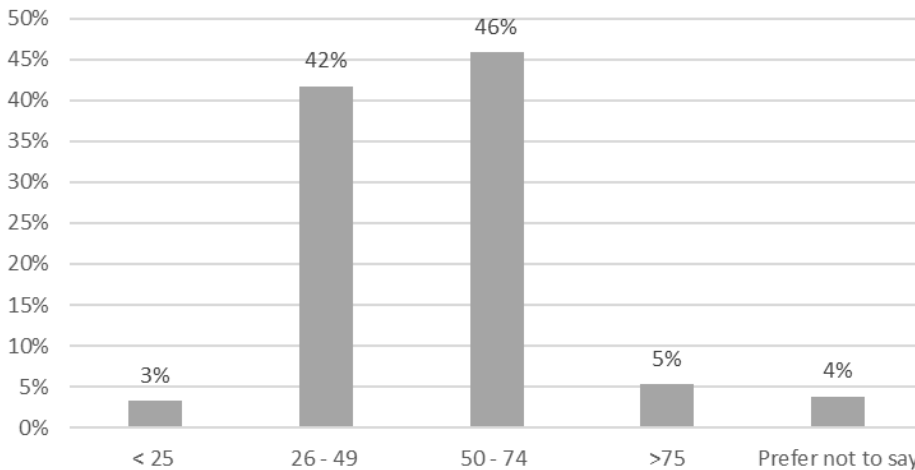
It is important to control the way in which people look after their dogs in shared public spaces: Dog Owners and Non-Dog Owners.

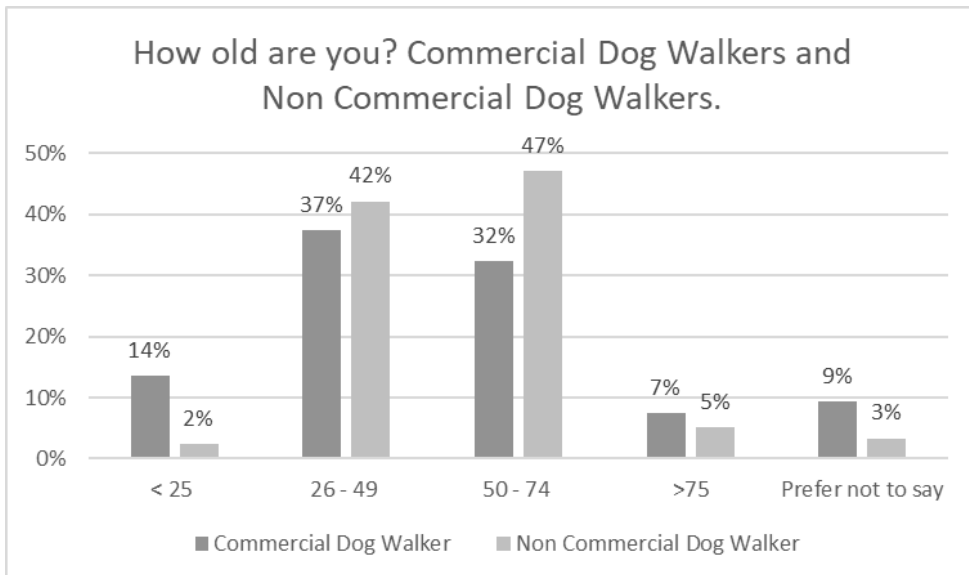
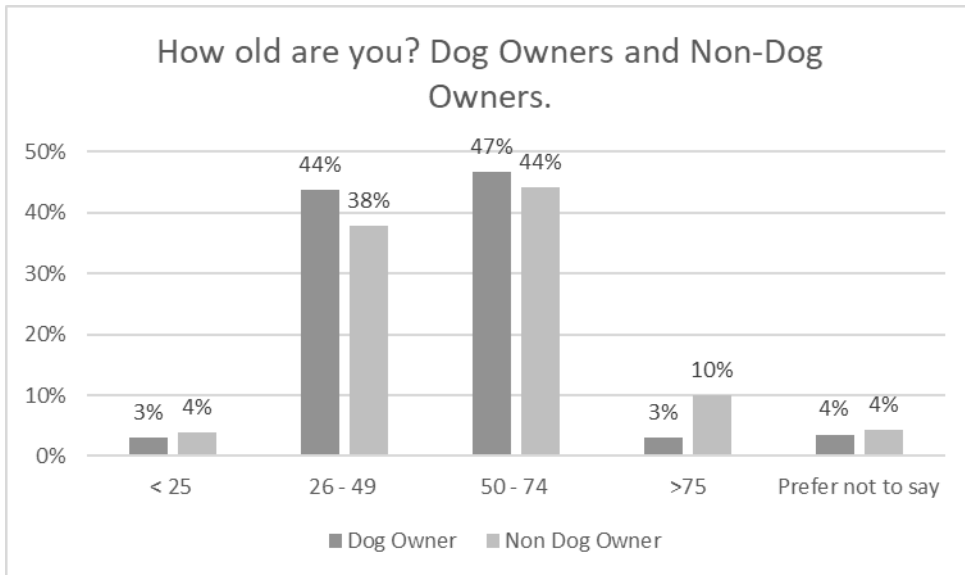


It is important to control the way in which people look after their dogs in shared public spaces: Commercial Dog Walkers and Non Commercial Dog Walkers.

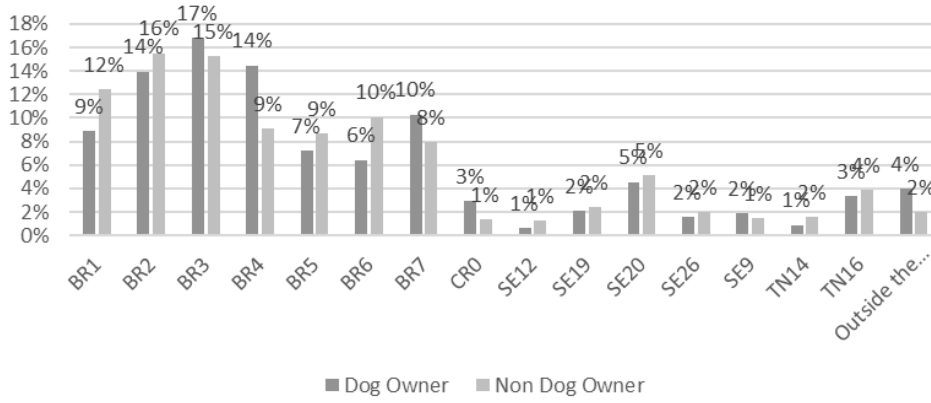


How old are you? All respondents.

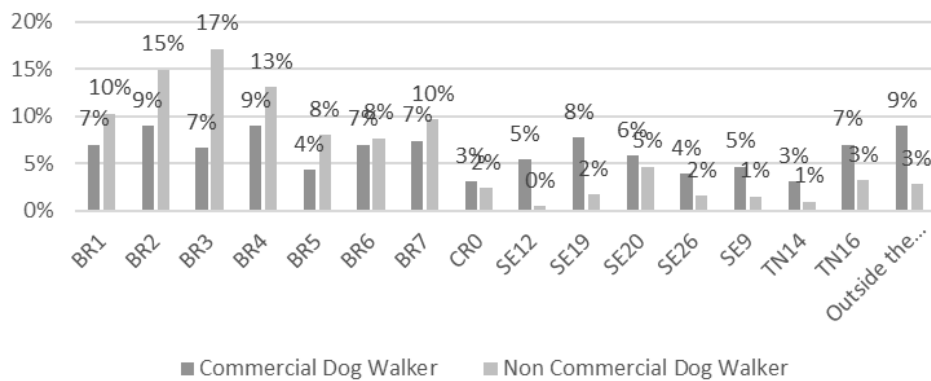




### Where do you live or where is your organisation/business located? Dog Owners and Non-Dog Owners.



### Where do you live or where is your organisation/business located? Commercial Dog Walkers and Non Commercial Dog Walkers.



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# Professional Dog Walkers' Guidelines

Endorsed by:





PET INDUSTRY FEDERATION



# Professional Dog Walkers' Guidelines

This document has been prepared in the best interests of animal welfare and to assist those involved with professional dog walking. It is based on good practice and can help professional dog walkers meet the requirements of the Animal Welfare Act 2006 which covers England and Wales. It is essential that professional dog walkers are aware of this Act and are compliant with other relevant pieces of legislation as well as local council laws and bylaws relating to dog walking. In some areas a licence will be required.

These guidelines are intended as general information only about potentially relevant law, welfare and behaviour, and other issues. Nothing in this guide is intended to constitute legal advice. If you want to know how to meet your legal requirements as a professional dog walker, you should consult a qualified legal professional for specific advice in your circumstances. No liability rests with contributing bodies for any circumstances arising out of the application of the information contained within the document.

The groups consulted included:

**Dogs Trust**

**Pet Industry Federation**

**RSPCA**

**Tailster**



# Introduction

Professional dog walking is becoming an increasingly common service due to the changing habits of the general population and a heightened awareness of animal welfare. This document aims to provide guidelines that professional dog walkers should conform to, ensuring standards of welfare for the dog, respect for the environment and peace of mind for the owner.

The Animal Welfare Act sets the minimum standard required in relation to the welfare of animals.

## Animal Welfare Act 2006

As domesticated animals, dogs are protected under the Act. The law says an owner of a dog is always regarded as responsible for him/her. A dog walker is also identified as being responsible for it - whilst he/she is in charge of the dog. So, a dog walker has legal responsibilities and can also be held criminally liable under the Act.



There is a range of current relevant regulations and legislation which a professional dog walker may find relevant:

- **Animal Welfare Act 2006** <sup>2</sup>
- **Antisocial Behaviour, Crime and Policing Act 2014**
- **The Control of Dogs Order 1992**
- **Countryside & Right of Way Act 2000**
- **Dangerous Dogs Act 1991**
- **The Dangerous Dogs (Amendment) Act 1997**
- **Dogs (Fouling of Land) Act 1996**
- **Dog Fouling - Clean Neighbourhoods and Environment Act 2005**
- **Dogs Protection of Livestock Act 1953**
- **Environmental Protection Act 1990**
- **Health and Safety (First-Aid) Regulations 1981**
- **Health and Safety at Work Act 1974**
- **Management of Health and Safety at Work Regulations 1999**
- **The Microchipping of Dogs (England) Regulations 2015**
- **The Microchipping of Dogs (Wales) Regulations 2015**
- **Personal Protective Equipment at Work Regulations 1992**
- **Regulation on the protection of animals during transport (EC) 1/2005**
- **Welfare of Animals (Transport)(England) Order 2006**
- **Workplace (Health, Safety and Welfare) Regulations 1992**

<sup>2</sup>This act and the subsequent information in this document applies to England and Wales only. There is separate, but similar legislation that covers Scotland (the Animal Health and Welfare (Scotland) Act 2006) and also Northern Ireland (the Welfare of Animals Act (Northern Ireland) 2011). It is strongly recommended that professional dog walkers are aware and fully understand the legislation within their own jurisdiction.

These guidelines have been divided into three sections to cover all aspects of dog walking and should provide a clear set of procedures, which all professional dog walkers should follow:

## Dog welfare and behaviour

6

## Impact on the environment and others

12

## Professional conduct

14

Welfare and behaviour  
- ensuring **dogs** are  
**protected**





### Understanding a dog's individual needs

The dog's physical health and mental wellbeing should be the priority at all times.

Dogs may have individual conditions that will affect their ability to go for walks, as will their age; and all dogs have their own individual personalities and characteristics which will affect how they are walked, who they can be walked with and where they can be walked. This is of particular importance if dogs do not interact well with other dogs, people or other species. Additionally some dogs will become afraid or worried in some situations e.g. with loud noises.

- The dog walker should meet the dog prior to taking them for a walk so that the walker can become familiar with the dog's needs and that a pre-assessment can be made to evaluate their personality and behavioural characteristics.
- The individual needs of the dog should be discussed and agreed with the owner, and the instructions followed, unless they would cause unnecessary suffering to the dog. This discussion should include the timing, knowledge of the dog's training and the cues used and the duration of the walk.
- The dog walker should be familiar with any medical issues for individual dogs. This should include any medication the dog is on, allergies that might be present and the dog's veterinary practice, including contact details.
- Any walks should be planned with consideration of the dog's age, health, behaviour and fitness.
- Any dog that exhibits fearful, anxious or aggressive behaviour towards other dogs or people should be walked independently and on an appropriate lead and lead length at all times. Consideration should be given to avoid walking in areas where meeting other dogs is likely. An appropriate (basket type) well-fitting and secure muzzle which allows panting, drinking, and vomiting might be considered if necessary and with the owner's permission.



## Transport

Transporting dogs in vehicles allows an increased variety of walks and interest for the dogs. Dogs can be distracting to the driver and, if loose in a vehicle, can cause accidents. Vehicles are also a source of infection and can result in spread of disease. The interior of vehicles can heat up very quickly, particularly on warm days, and become dangerous to dogs.

- All transport legislation must be followed (Welfare of Animals (Transport)(England) Order 2006).
- Dogs should be transported in vehicles with adequate ventilation and temperature control, with water available.
- Vehicles should be fitted with suitable caging or containment to ensure comfortable and safe transport of the dogs. Restraining with leads or chains must not be used.
- Where more than one dog is transported at the same time, the walker should ensure that the welfare of each dog is safeguarded and that no dog is at risk of injury.
- During extremes of weather consideration should be given to the distance and time travelled in a vehicle and it should be limited, e.g. where a dog is particularly susceptible to heat stroke.
- Dogs should not be left unattended in a vehicle other than for short periods whilst collecting or dropping off. This period should be the absolute minimum time and the vehicle should be locked when unattended.
- All equipment should be capable of being cleaned and be cleaned and disinfected regularly. For example, steam cleaning of upholstery. This is particularly important if there has been an outbreak of disease.



## Providing exercise

The equipment used, the way in which the walker interacts with the dogs and how they are walked can have a significant impact on their welfare.

- The dog walker should not conduct any behaviour modification or offer any advice unless they are, in combination, suitably qualified, experienced and knowledgeable. The walker must obtain the owner's express permission.
- The dog walker should not use any equipment which could cause fear, anxiety or distress. For example, electric shock, prong, spray or choke collars.
- The dog walker should check all equipment is well fitting and fit for purpose at the start of each walk.
- The dog walker should not act in any way which would cause fear, anxiety or distress.
- Dog walkers should try to vary the dog's walk to increase interest and stimulation.
- Dog walkers should give full attention at all times to the dog/s under their control.
- Dogs should only be allowed off the lead if prior written permission is obtained from the owner.
- Dogs that are allowed off the lead should be able to be called back to the walker reliably and immediately. If this is not possible, then dogs should be walked on a lead. When dogs are walked on a lead, ideally they should be trained to walk calmly, on a loose lead. The lead should be held in a secure manner, and be maintained at an appropriate length for the situation.
- Bitches in season should be walked in quiet areas and on the lead and walked alone, unless with prior written consent from the owner detailing which dogs the bitch can be walked with.
- Dogs should be provided with adequate fresh water as needed.
- Feeding of treats/food should only be given with prior agreement by the owner.



## Group walking

Walking dogs, particularly in groups, results in exposure to infections and disease and not every dog is suitable to be walked with others. Steps should be taken to minimise the risk of disease spreading between animals and to ensure all dogs interact amicably.

- The walker should check that all dogs are vaccinated, wormed and treated for fleas regularly, unless, certified exempt by a veterinary surgeon.
- Dog walkers should be familiar with signs of disease, infection and illness so that dogs showing signs of infectious disease, such as kennel cough, are not walked or socialised with other animals.
- Where dogs are to be walked in pairs or groups, the dog walker should assess each dog's suitability and be assured that each dog will be relaxed and happy during transportation and the walk.
- The maximum number of dogs that can be walked at any one time should not exceed the number stated in the walker's insurance policy and comply with local authority requirements regarding the number of dogs. It is recommended that no more than four dogs are walked at any one time. ALL dogs under a dog walker's care should be reliably under control at all times and transported in accordance with the guidance in this document.
- Dog walkers should ensure they have a lead for each dog.

## Returning home

Every effort should be made to ensure the dog is comfortable including towelling down, if appropriate, after the walk.

- Dog walkers should report any concerns about the health, behaviour or welfare of the dog to the client.
- Dog walkers should ensure they securely lock the property when they leave, as instructed by the client.



## Lone walking

As a lone worker, dog walkers should take extra precautions to ensure their personal safety. When using a vehicle, full breakdown cover should be in place and any valuables kept out of sight. When walking dogs, walkers should not enter any area where there is a perceived threat and should leave the area if a risk becomes apparent.

- There should be a daily schedule in place documenting where and when pickups, drop offs and walks will take place.
- Dog walkers should carry a charged, mobile phone with them at all times and have emergency numbers on speed dial. Various tracking / locating apps are now available, and it is recommended that dog walkers make use of this new technology.

## Emergencies

Unforeseen incidents may happen on walks and it is essential that dog walkers are prepared for this eventuality to maintain the welfare of all dogs in their care.

- Dog walkers should have emergency contact details of all owners accessible at all times.
- Prior written agreement should be made between the owner and dog walker over actions if a dog becomes sick or injured during a walk. This should include the authority to seek veterinary attention and the level of decision-making agreed to by the owner, if the owner is not contactable. It should also be confirmed in which veterinary practice this treatment should take place.
- Dog walkers should own a first aid kit designed for dogs and should keep this in a convenient location (ideally the transport vehicle). The dog walker should be trained in canine first aid.



# Dog walking - minimising its impact on the environment, other people and animals.



## Impact on the environment

Taking dogs for regular walks is essential for the mental and physical well-being of the animals by providing exercise, stimulation and interest to their daily routine. However walking can impact on the local environment and professional dog walkers should minimise this and show care and respect for the environment whilst also meeting all legal requirements.

Dog waste left in the environment is unhygienic, a health and safety risk for humans and other animals and can cause serious damage to plant and animal communities.

- Dog walkers must pick up faeces from all dogs in their care and ensure this is appropriately sealed and disposed of in suitable dustbins following the Dogs (Fouling of Land) Act 1996.
- Dog walkers should have sufficient poo bags on them at all times for the numbers of dogs they are exercising.

## **Impact on people**

Dog walkers should be aware that some members of the public may feel scared and intimidated by , or dislike dogs . This can particularly be the case around children or if walking groups of dogs .

- Dog walkers should avoid areas that are heavily populated with children e.g. playgrounds. In some cases these areas will be covered by local bylaws preventing access for dogs , which must be followed at all times.
- Dog walkers must follow restrictions on the number of dogs to be walked, for example, in Royal Parks.
- Members of the public should be given right of way at all times and if walking with groups of dogs the dog walker should, wherever possible, avoid bottleneck points and narrow pathways.
- Dog walkers exercising groups of dogs should avoid meeting up with other dog walkers unless they are able to control each and every dog reliably and immediately.

## **on other animals**

Dog walking will be prohibited in certain locations dependent on local bylaws. These might be at certain times of year if this relates to wildlife or tourism.

- Dogs must not be allowed to frighten, threaten or interfere with wildlife.

Dogs must be kept on leads in this environment but could be released in some emergency situations if chased by cattle as dropping the lead may help dogs and walkers to get away .

Professional  
Conduct – ensuring  
walkers are skilled,  
knowledgeable and  
competent





## Complying with legislation

Professional dog walkers should have the safety, comfort, welfare and security of dogs above commercial interest at all times. Dog walkers should be professional and courteous to members of the public, set good examples of animal welfare and dog walking and comply with the relevant legislation.

As dog walkers are in charge of the dog, they could be found liable for an accident or injury occurring or being caused by the dog whilst in their care. This could result in civil and criminal proceedings by those affected.

- All professional dog walkers should have adequate third party liability insurance, and wherever possible insurance that covers the dog in the walker's custody. Whether the insurance needs to also cover emergency veterinary fees depends on the prior written agreement between the dog walker and dog owner regarding whose responsibility it is to cover veterinary fees in an emergency.
- If a dog under the care of a dog walker is involved in an incident with another dog then the dog walker needs to fully document the incident and inform the owner.

National and local council regulations vary significantly and dog walkers should contact the local council for advice prior to undertaking such activities to ensure they comply with the law.

- Dog walkers must have licences if required by local councils and/or follow local council codes of conduct if present.
- Dog walkers must only walk up to the number of dogs covered by their insurance policy and allowed by the local council authority.
- Dog walkers must keep dogs on a lead in designated areas.
- Dogs must be on a lead on public highways even if the owner has granted permission for the dog to be allowed off lead when in the care of the walker.
- Dog walkers must put dogs on a lead when asked to do so by an authorised officer - this will vary depending on local council bylaws.

It is a legal requirement to have a dog microchipped (unless it has an exemption certificate issued by a veterinary surgeon) and wear a collar and tag with the owner's name and address present, to aid identification if the dog is lost.

- All dogs walked must wear a collar and tag with the dog's owner's name and address. It is recommended this contains the walker's contact details alongside the owner's details.
- The dog walker should check that the dogs in their care are microchipped by checking relevant paperwork and that there is an exemption certificate issued by a veterinary surgeon if not.
- If a dog gets lost, dog walkers should contact the dog's owner and the dog warden immediately.
- Dog walkers should ensure dogs are never left unattended in public places.

## Training of Dog Walkers

All dog walkers who exercise and handle dogs should be adequately trained to ensure the dog's welfare and their safe handling.

- Dog walkers should be suitably trained prior to undertaking dog walking. This should include up-to-date evidence based knowledge of dog behaviour and sound handling abilities.
- Training courses and dog walking certificates of competence are available and should be undertaken. It is recommended that professional dog walkers undertake regular CPD activities to ensure their knowledge is current. Accredited courses are available including the City & Guilds Level 2 Certificate of Competence in Dog Walking.
- Dog walkers should have canine first aid certificates.
- No person under 16 can be in charge of a dog.

## Termination of dog walking arrangements

The owner should be given reasonable notice when a dog walking arrangement is to be terminated. It is recommended that dog walkers have a written cancellation policy and clients are made aware of this prior to booking.

- If keys were provided, appropriate arrangements should be made with the owner for them to be returned in person.
- All of the dog's belongings, such as leads and coats, should be returned.



### Pet Industry Federation

Unit A, Bedford Business Centre  
170 Mile Road  
Bedford  
MK429TW

info@petfederation.co.uk  
Tel: 01234 273933

*For further details about each organisation,  
please visit their individual websites*

[www.cfsg.org.uk](http://www.cfsg.org.uk)  
[www.rspca.org.uk](http://www.rspca.org.uk)  
[www.dogstrust.org.uk](http://www.dogstrust.org.uk)  
[www.petfederation.co.uk](http://www.petfederation.co.uk)

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## LONDON BOROUGH OF BROMLEY

### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

#### LONDON BOROUGH OF BROMLEY PUBLIC SPACES PROTECTION ORDER 2023 (DOG CONTROL)

The Council of the London Borough of Bromley (in this Order called “the Council”) hereby makes the following Order pursuant to Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

The Order may be cited as the “London Borough of Bromley Public Spaces Protection Order 2023 (Dog Control)”.

This Order is made on xx xxx 2023 and shall have effect for a period of 3 years thereafter, unless extended, varied or discharged by further order(s) under the Council’s statutory powers. This Order can be extended pursuant to Section 60 of the Act.

In this Order the following definitions apply:

“**Person in Charge**” means the person who has the dog in their possession, care or company at the time the offence is committed or, if none, the owner or person who habitually has the dog in their possession.

“**Proper Control**” means a dog being on a lead or muzzled if the dog requires it, or otherwise being at heel/close enough to the person in charge that it can be restrained if necessary or responding immediately to voice commands.

“**Public Place**” means any place in the administrative area of the Council to which the public or any section of the public has access on payment or otherwise, as of right or by virtue of express or implied permission. The administrative area of the Council is the land edged red in Schedule 1.

“**Restricted Area**” means the land described and/or shown in the map in Schedule 1 to this order. “**Authorised Person**” means a police officer, PCSO, Council officer, and persons authorised by the Council to enforce this Order.

“**Assistance Dog**” means a dog that is trained to aid or assist a disabled person.

#### Article 1 – Dog Fouling

4. If within the Restricted area (defined in Map 1, Schedule 1), a dog defecates, in any Public Place, at any time, the person who is in charge of the dog at the time must remove the faeces forthwith, unless –

- a. They have a reasonable excuse for failing to do so; or
- b. The owner, occupier or other person or authority having control of the Public Place has consented (generally or specifically) to their failing to do so.

5. For the purposes of this Article –

- a. Placing the faeces in a receptacle in the restricted area which is provided for the purpose, or for the disposal of litter or waste, shall be a sufficient removal from the Public Place;
- b. Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for, or other suitable means of, removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

6. This part of the Order applies to all Public Places in the administrative area of the Council (as detailed in Schedule 1).

## **2 Article 2 – Dogs on leads by direction**

5. A person in charge of a dog, at any time, within the Restricted area (defined in Map 1, Schedule 1), must comply with a direction given to them by an Authorised Person to put and keep the dog on a lead for such period and/or in such circumstances as directed by that person, unless they can show that:

- a. They have a reasonable excuse for failing to do so; or
- b. The owner, occupier or other person or authority having control of the Public Place in question has consented (generally or specifically) to their failing to do so.

6. For these purposes, a 'lead' means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.

7. This part of the Order applies to all Public Places in the administrative area of the Council (as detailed in Schedule 1).

8. An Authorised Person may only give a direction under this Article if such restraint is considered by that person to be reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or other animal.

## **Article 3 – Dog exclusion areas**

2. A person in charge of a dog must not, at any time, take that dog onto, or permit a dog to enter or to remain on, any Public Place detailed in Schedule 2 unless:

- a. They have a reasonable excuse for doing so; or
- b. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

## **Article 4 – Dogs on lead areas**

4. A person in charge of a dog in any Public Place detailed in Schedule 3 must keep that dog on a lead, unless they can show that:

- a. They have a reasonable excuse for doing so; or
- b. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so.

5. For these purposes, a 'lead' means any rope, cord, leash or similar item used to tether, control or restrain a dog, but does not include any such item which is not actively being used as a means of restraint so that the dog remains under a person's close control.

6. This part of the Order applies to the areas listed in Schedule 3.

## **Article 5 – Dog handlers – Maximum 4 dogs**

3. A person in charge of more than three dog shall be guilty of an offence if at any time, they take onto any Public Place in respect of which this Article applies, more than three dogs, unless they can show that:

- a. They have a reasonable excuse for doing so; or
- b. The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to their failing to do so; or
- c. They have a licence issued by the Council permitting them to be in charge of no more than four dogs.

For the purposes of this article, a person who has a dog in their possession shall be taken to be in



charge of the dog(s).

4. This part of the Order applies to all Public Places in the administrative area of the Council (Schedule 1).

### **Article 6 – Dogs to be kept under proper control – Dogs on a lead**

2. A person in charge of a dog in the restricted area shall be guilty of an offence if their dog is not kept under Proper Control.

\*

#### **Exemptions**

Nothing in this Order shall apply to a dog being used by the police, contractors or agencies permitted by the Council for official purposes, or a person who:

- a) Is registered as a blind person on a register compiled under Section 29 of the National Assistance Act 1948; or
- b) Is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which they rely for assistance; or
- c) Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any prescribed charity registered in the UK with a purpose of training assistance dogs and upon which they rely for assistance.
- d) Has a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability.

#### **Offence and Penalty**

It is an offence under Section 67 of the Act for a person without reasonable excuse, (i) to do anything that they are prohibited from doing under the Order or (ii) to fail to comply with a requirement which they are subject to under the Order. A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale. In the alternative, that person may be issued with a fixed penalty notice in the sum of £100. If the fixed penalty notice is paid within 10 days, a discounted sum will be payable of £80.

#### **Appeals**

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council.

Interested persons can challenge the validity of this Order on two grounds, (1) that the Council does not have the power to make the Order or to include particular prohibitions or requirements; or (ii) that one of the requirements of the legislation has not been complied with.

When an application is made, the High Court can decide to suspend the operation of the order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it, or vary it.

The **COMMON SEAL** of the  
**LONDON BOROUGH OF BROMLEY**

was hereunto affixed in the presence of:

Authorised Signatory

Date: xx xxxxx 2023

## **Schedule 1**

### **Article 1 – Dog Fouling**

### **Article 2 – Dogs on leads by direction**

### **Article 5 – Dog handlers – maximum 4 dogs**

This part of the order applies to all Public Places in the administrative area of the Council, as illustrated by the map below.

Map 1. London Borough of Bromley:



## **Schedule 2**

### **Article 3 – Dog exclusion areas Land designated by description:**

#### **Equipped playgrounds**

Alexandra Recreation Ground, Alexandra Road, Penge  
Betts Park, Croydon Road, Penge  
Biggin Hill Recreation Ground, Church Road, Biggin Hill  
Blake Recreation Ground, Pine Avenue, West Wickham  
Burham Close Play Area, Burham Close, Penge  
Cator Park, Aldersmead Road, Beckenham  
Charterhouse Green, Charterhouse Road, Orpington  
Chelsfield Open Space, Skibbs Lane, Chelsfield  
Chislehurst Recreation Ground, Empress Drive, Chislehurst  
Church House Gardens Recreation Ground, Church Road, Bromley  
Churchfields Recreation Ground, Playground Close, Elmers End  
Coney Hall Recreation Ground, Addington Road, West Wickham  
Crease Park, Village Way, Beckenham  
Croydon Road Recreation Ground, Croydon Road, Beckenham  
Crystal Palace Park, Thicket Road, Penge  
Cudham Lane North Recreation Ground, Cudham Lane North, Green Street Green  
Cudham Lane South Recreation Ground, Cudham Lane South, Cudham  
Downe Recreation Ground, High Elms Road, Downe  
Edgebury Open Space, Imperial Way, Chislehurst

Eldred Drive Playground, Eldred Drive, St Mary Cray  
Elmers End Recreation Ground, Shirley Crescent, Elmers End  
Farnborough Hill Open Space, High Street, Farnborough  
Farnborough Recreation Ground, Starts Hill, Locksbottom  
Glentrammon Recreation Ground, Windsor Drive, Chelsfield  
Goddington Park Lower, Berrylands, Orpington  
Goddington Park Upper, Goddington Lane (East), Chelsfield  
Grassmead Recreation Ground, Dyke Drive, St Mary Cray  
Harvington Estate, Eden Park Road, West Wickham  
Hoblingwell Wood, Leasons Way, St Pauls Cray  
Hollydale Recreation Ground, Lakeside Drive, Keston  
Husseywell Open Space, Pickhurst Lane, Hayes  
Kelsey Park, Wickham Road, Beckenham  
Kings Meadow Open Space, Burnt Ash Lane, Plaistow  
Kings Road Park, Kings Road, Biggin Hill  
Leamington Avenue Open Space, Southfleet Road, Orpington  
Martins Hill, Recreation Road, Shortlands  
McAndrews Recreation Ground, Corkscrew Hill, West Wickham  
Mottingham Sports Ground, Grove Park Road, Mottingham  
Newbury Road Play Area, Bromley  
Norman Park, Hayes Lane, Bromley  
Oaklands School Play Area, Norheads Lane, Biggin Hill  
Old Hill, Green Street Green, Cudham Lane Nrth, Green St Green  
Palace Square, Pleydell Avenue, Anerley  
Parkfield Recreation Ground, Whitebeam Avenue, Southborough  
Penge Recreation Ground, High Street, Penge  
Petts Wood Recreation Ground, Eynsford Close, Petts Wood  
Pickhurst Recreation Ground, Pickhurst Lane, Hayes  
Poverest Park, Footbury Hill Rd, Orpington  
Pratts Bottom Open Space, Rushmore Hill, Pratts Bottom  
Pratts Bottom Recreation Ground, Broke Farm Drive, Pratts Bottom  
Priory Gardens, High Street, Orpington  
Ramsden Play Area, Whichling Close, Orpington  
Ravensbourne Open Space, Lakes Road, Keston  
Richmal Crompton Park, Lower Gravel Road, Bromley  
Sandway Park, Sandway, St Mary Cray  
Shaftesbury Park, Valeswood Road, Downham  
Southborough Open Space, Oxhath Crescent, Bromley  
St Mary Cray Recreation Ground, Park Road, St Mary Cray  
St Pauls Cray Recreation Ground, Main Road,  
St Pauls Cray Tillingbourne Green, Orpington  
Tubbenden Lane Open Space, Tubbenden Lane, Orpington  
Turpington Lane Open Space, Rayfield Close, Bromley  
Wharton Road Play Area, Bromley  
Whitehall Recreation Ground, Blenheim Road, Bromley  
Widmore Recreation Ground, Widmore Road, Bromley  
Willett Recreation Ground, Crossway, Petts Wood

### **Unequipped playgrounds**

Beckenham Green, St Georges Road, Beckenham  
Riverside Gardens, High Street, St Mary Cray

### **Sports facilities enclosure sites**

Arundel Drive Open Space Arundel Drive Chelsfield – Basketball Court  
Betts Park, Croydon Road, Penge – Basketball Court  
Biggin Hill Recreation Ground, Church road, Biggin Hill - Basketball Court  
Chislehurst Recreation Ground, Empress Drive, Chislehurst – Tennis Courts  
Church House Gardens, Church Road, Bromley – Skate Park & Tennis Courts  
Churchfields Recreation Ground, Playground Close, Elmers End – Basketball Court  
Coney Hall Recreation Ground, Addington Road, West Wickham – Tennis Courts  
Croydon Road Recreation Ground, Croydon Road, Beckenham – Tennis Courts

Cudham Lane South Recreation Ground, Cudham Lane South, Cudham – Tennis Court  
Farnborough Recreation Ground, Stats Hill, Locksbottom – Tennis Court & Cricket Wicket  
Glen trammon Recreation Ground, Windsor Drive, Chelsfield – Basketball Court  
Goddington Park, Goddington Lane (East), Orpington – Basketball Court & Tennis Court  
Hoblingwell Wood, Leasons Way, St Pauls Cray – Basketball Court & Learn to Ride Facility  
Mottingham Sports Ground, Grove Park Road, Mottingham – Basketball Court  
Norman Park, Hayes Lane, Bromley – Athletics Track  
Penge Recreation Ground, High Street, Penge – Basketball Court  
Poverest Park, Footbury Hill Road, Orpington – Basketball Court & Tennis Court  
Sandway Park, Sandway Road, St. Mary Cray – Basketball Court  
Sparrows Den, Corkscrew Hill, West Wickham – Golf Course  
Walsingham Linear Park, Chipperfield Road, St Pauls Cray – Tarmac Sports Area  
Willett Recreation Ground, Crossway, Petts Wood – Tennis Courts

\*Areas detailed as Basketball Court may relate to Multi Use Gaming Areas

### **Paddling pools**

Alexandra Recreation Ground, Alexandra Road, Penge  
Croydon Road Recreation Ground, Croydon Road, Beckenham

### **Boating pond**

Riverside Gardens, Kent Road, St Mary Cray

### **Recreation grounds (complete area)**

Queens Gardens, Kentish Way, Bromley

### **Recreation grounds (restricted areas)**

Alexandra Recreation Ground, Alexandra Road, Penge – Picnic Area  
Church House Gardens Recreation Ground, Church Road, Bromley  
Jubilee Park, Thornet Wood, Petts Wood – Picnic Area  
Kelsey Park Recreation Ground, Stone Park Avenue, Beckenham – Picnic Area  
Penge Recreation Ground, High Street, Penge - Swings  
Priory Gardens, High Street, Orpington – Grassed area between Formal Garden and Ponds  
Whitehall Recreation Ground, Blenheim Road, Bromley – Conservation Pond & Community Orchard  
Widmore Recreation Ground, Widmore Road, Bromley

### **Waterbodies (Incl. natural lakes and built ponds)**

Betts Park Canal  
Bromley Palace Gardens  
Church House Gardens  
Crystal Palace Park  
Glassmill Pond  
Hollydale Recreation Ground  
Husseywell Park  
Kelsey Park  
Keston Ponds  
Kingswood Glen  
Priory Gardens  
Scadbury Nature Reserve  
Shaftsbury Park  
The Knoll  
Watermeadows

Note: Further location details of the Boroughs Parks can be found on the Council's website at:  
[www.bromley.gov.uk/directory/26/parks-in-bromley](http://www.bromley.gov.uk/directory/26/parks-in-bromley)

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## Appendix E

*Q1. Does the new PSPO mean that I must keep my dog on a lead at all times?*

A. No, in the majority of parks and greenspaces dogs are allowed off the lead for exercise. The review of the PSPO retains the elements of where dogs are to be kept on leads (e.g. public highways) and introduced certain new areas where restrictions apply (e.g. cemeteries, allotments, waterbodies, café seating areas).

*Q2. Why is there a total exclusion of dogs in parks?*

A. The PSPO only excludes dogs from those areas where exclusions previously applied, such as childrens playgrounds, enclosed sports facilities (e.g. tennis courts) and certain areas within greenspaces. The Council have not introduced new exclusion measures for entire parks or greenspaces.

*Q3. Why has the council decided to restrict the number of dogs that can be handled from 6 to 4?*

A. The review has taken into consideration guidance issued by leading authorities on the management of dogs such as the RSPCA and Dogs Trust who have recommended the number of dogs being walked by a person be limited to four at any one time.

*Q4. The number of dogs kept on leads is confusing. Can I walk six altogether and allow two of them off the lead at any time?*

A. No. The proposal confirms the maximum number of dogs walked by one person at any one time is four. The restriction covering 2 Dogs to be walked off leash has been removed from the Final Proposed Order meaning that individuals can exercise up to 4 dogs off lead, at any one time.

*Q5. Can I let my dog off the lead to run and swim in a pond or lake?*

A. No. The original parks Byelaws did not permit disturbance to any animal or waterfowl and from entering certain water bodies. This has been retained in the PSPO.

*Q6. What measures will you take to informing the public about how to comply?*

A. The Council will be issuing guidance through various media, installing signs, handing out advisory literature and displaying seasonal notices (e.g. ground nesting birds etc).

*Q7. Will the Council take seriously the task of enforcement where breaches of the PSPO is taking place?*

A. The Council always takes its responsibility for enforcement seriously and will support the implementation of the new PSPO with a relaunch of the Council's Responsible Dog campaign which will form part of the information sharing with increased presence by Council officers/contractors raising awareness of the proposed measures

*Q8. Do the Council have any plans to increase the number of poo bins to tackle the problem of fouling?*

A. Each case for a request will be treated on its own merits. The Council's position has always been for a dog walker to bag up dog faeces and dispose of it responsibly and the PSPO gives the Council powers to enforce where the walker does not comply.

*Q9. How will the Council tackle unsociable behaviour from other dog owners?*

A. The majority of open greenspaces remain in use for exercise and wellbeing for all users, whether residents or visitors, dog walkers or non-dog owners. The Council is aware that unsociable behaviour can occur in any place, at anytime, and the proposed PSPO measures which range from educating dog walkers to enforcement action will provide a balanced approach to managing various situations that occur.



Report No.  
ES20294

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** 29<sup>th</sup> June 2023

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

**Title:** PLANNED MAINTENANCE OF PRINCIPAL ROADS

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

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

**Ward:** (All Wards);

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1. Reason for report

This report provides an update on Transport for London funding of principal road maintenance

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2. **RECOMMENDATION(S)**

**That the Environment and Community Services PDS Committee:**

- i) Notes the contents of this report

### Impact on Vulnerable Adults and Children

1. Summary of Impact: None
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: Estimated Cost : £Nil
  2. Ongoing costs: Recurring Cost : None
  3. Budget head/performance centre: Highways planned maintenance
  4. Total current budget for this head: £Nil
  5. Source of funding: Nil
- 

### Personnel

1. Number of staff (current and additional): 0
  2. If from existing staff resources, number of staff hours: 0
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: None
- 

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

#### Background

- 3.1 Bromley's highway assets include 547 miles (880Km) of carriageways and 885 miles (1,425 Km) of footways. It is a highly visible asset used by most residents and businesses daily. A well-maintained highway facilitates safe and reliable travel for pedestrians, cyclists, and motorists, and contributes to the vitality of the borough and the local economy. The highway network has a gross replacement cost of approximately £1.5 bn. according to the most recent submission to HM Treasury.
- 3.2 Maintaining the highway asset through timely intervention reduces the need for more expensive maintenance treatments at a later date, along with the demand for reactive maintenance, such as repairing potholes and broken paving. This improves value for money and customer satisfaction, reduces unplanned network disruption, and contributes to reducing third party claims for damages. There is a strong case for continued investment in planned maintenance of the highway asset.

#### Principal Roads Maintenance

- 3.3 The Council is responsible for maintenance of all roads in the borough, excluding the A21 and part of the A232 'red route', as the local Highway Authority. This includes roads that form part of London's Principal Road Network (PRN) within the borough; classified 'A' although planned maintenance of these road, such as resurfacing and reconstruction works, have traditionally been funded by Transport for London (TfL).
- 3.4 The historic funding for PRN maintenance is included in Table 1 below, which shows the reduced budget allocations since 2017/18;

Financial Year	PRN Funding Allocation
2012/13	£645k
2013/14	£869k
2014/15	£785k
2015/16	£1,019k
2016/17	£946k
2017/18	£1,056k
2018/19	£200k (Beckenham High Street)
2019/20	nil
2020/21	nil
2021/22	£200k (Crofton Road)
2022/23	£80k (Main Road, Biggin Hill)
2023/24	nil

- 3.5 Other than the small number of resurfacing schemes identified above, the Council has only undertaken reactive maintenance on the PRN since 2017/18 to maintain the roads in a safe and passable condition. As these roads are the busiest in the borough, taking most of the HGV traffic, this has resulted in a general deterioration of the of PRN network.
- 3.6 General deterioration of the PRN has also resulted in an increased demand on the revenue funded reactive highway maintenance budgets, which my require additional funding.
- 3.7 TfL have confirmed that a small London-wide PRN budget has been reinstated for the current financial year, and while all boroughs were invited to submit bids of up to £200k for their worst road, Bromley were not successful. Officers will continue to bid for funding from TfL, when available, for planned maintenance of the PRN.

**4 POLICY IMPLICATIONS**

- 4.1 The Environment Portfolio Plan includes the key aim “To continue to invest in a timely and effective manner in our roads and pavements to maintain the value of our highway asset”. The Plan (item 4.4) identifies the Council will “Improve the condition of the of the highway network by completing an approved major programme of road and pavement resurfacing”.
- 4.2 The reduced funding allocation received from TfL has restricted maintenance to reactive repairs only, a key aim of the Portfolio Plan has not been achieved.

**5 FINANCIAL IMPLICATIONS**

- 5.1 The total controllable budget for Highways Planned Maintenance is £2.6m. The budget is located in the Highways Cost centre, R60610.

**LEGAL IMPLICATIONS**

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

<b>Non-Applicable Sections:</b>	Impact on vulnerable adults and children Personnel implications Procurement implications
Background Documents: (Access via Contact Officer)	

Report No.  
ES20279

## London Borough of Bromley

### PART ONE - PUBLIC

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

**Date:** Thursday 29<sup>th</sup> June 2023

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

**Title:** ECS RISK REGISTER

**Contact Officer:** Lucy West, Head of Performance Management and Business Support  
Tel: 020 8461 7726    E-mail: Lucy.West@bromley.gov.uk

**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for decision/report and options

- 1.1 This report presents the revised Environment and Community Services Risk Register for detailed scrutiny by the PDS Committee.
  - 1.2 This appended Risk Register also forms part of the Annual Governance Statement evidence-base and has been reviewed by: E&PP DMT, Corporate Risk Management Group; and the Net Risk position, by way of a Heat Map, by the Audit and Risk Committee.
- 

2. **RECOMMENDATION(S)**

**That the Environment and Community Services PDS Committee reviews and comments on the appended 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.
- 

## Transformation Policy

1. Policy Status: N/A
  2. Making Bromley Even Better Priority (delete as appropriate):
    - (1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
    - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
    - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
    - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.Not Applicable
- 

## Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  3. Budget head/performance centre: ECS Portfolio
  4. Total current budget for this head: £38m
  5. Source of funding: Existing controllable revenue budget 2023/24
- 

## Personnel

1. Number of staff (current and additional): 141.2 FTEs
  2. If from existing staff resources, number of staff hours: N/A
- 

## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: N/A
- 

## Procurement

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

## Property

1. Summary of Property Implications: N/A
-

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A
- 

## Customer Impact

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

## Ward Councillor Views

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

### 3. COMMENTARY

- 3.1 The Council's aims are set out in [Making Bromley Even Better \(corporate strategy\) | London Borough of 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 now quantified and ranked according to the risk presented to the Council). The new Environmental Services Contract, therefore, appears both in this Risk Register and the Corporate Contracts Register, due to its size and complexity.
- 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 (now Audit and Risk Committee) twice a year (minimum) to allow activity to be scrutinised in a regular and systematic manner. At the request of the Audit and Risk Committee, the November 2022 meeting will receive the Departmental Net Risk position by way of Heat Maps. 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 24<sup>th</sup> May 2023.
- 3.8 At the time of writing, the Council has 126 individual risks (111 departmental plus 15, high-level, Corporate Risks (covering key risks which apply to the Council as a whole).
- 3.9 E&PP Department currently has 24 risks (~19% of the Council's total). The ECS Portfolio currently has 16 risks.
- 3.10 The appended ECS Risk Register is summarised in the Appendix. 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. Number E&PP risks are currently ragged 'red' following implementation of management control measures.

3.11 The risks (including causes and effects) are described in more detail in the appended Risk Register. Each risk is assigned a category (Compliance & Regulation, Finance, Service Delivery, Reputation and Health & Safety) and scored – using a combination of the 'likelihood' and 'impact' both being assessed on a scale of 1-5 – to produce a gross risk score.

3.12 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.

3.13 The ECS Risk Register was last presented at the March 2023 Committee. Key changes to the register since then are as follows:

- **Score Changes:**

- The Current Risk Rating for Risk 1 (Emergency Response) and Risk 3 (Business Continuity Arrangements) has been amended from a score of 6 to a score of 9. The likelihood score has increased from 2 to 3.

- **Current Red Risk Ratings:**

- Risk 5 (Highways Maintenance) has a Current Risk Rating of 16, which is red. The team are continuing to monitor conditions of the Highways network through surveys and repairs volumes. An additional contractor is to be commissioned to assist in clearing the backlog of outstanding tasks by an agreed timescale. This timescale will be based on the number of additional jobs which need to be raised.

- Risk 14 (Supplier Failure) has a Current Risk Rating of 15, which is red. Contingency plans to be developed in case of supplier failure. Along with, additional suppliers to be commissioned as required.

- **Addition of New Risk:**

- Risk 16, 'Arboricultural Management: Service Provider Performance Issues. This risk is in relation to the works not completed within the contractual timescales can increase the likelihood or impact of risks to safety or property occurring. A PART 2 report setting out options for the future of arboricultural services to be considered at the Environment PDS in June 2023, and the Executive in July 2023. The Gross Rating and Current Rating of this risk 12 for both, making the risk Amber. The likelihood is 3 and the impact is 2 for the scoring.

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

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

#### **5. TRANSFORMATION/POLICY IMPLICATIONS**

5.1 The Council's renewed policy ambition for the borough is set out in [Making Bromley Even Better \(corporate strategy\) | London Borough of 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. FINANCIAL IMPLICATIONS**

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

## 7. PERSONNEL IMPLICATIONS

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

## 8. LEGAL IMPLICATIONS

8.1 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.

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

## 9. PROCUREMENT IMPLICATIONS

9.1 Contract and hence procurement risk is mainly captured in the Contracts Database and Contracts Register Report rather than this Risk Register Report.

## 10. PROPERTY IMPLICATIONS

11.1 There are no direct property implications, but the Risk Register does identify service areas where Property present challenges (e.g. : Disruption to waste services during the Depot Improvement Programme works in 2022/23 and 2023/24).

## 11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

12.1 There are no direct carbon reduction/social value implications, but the Risk Register does identify service areas where carbon reduction and social values are reviewed (e.g. : Climate Change).

## 13 CUSTOMER IMPACT

13.1 There are no direct customer impacts, but the Risk Register does identify service areas that could result in customers being impacted.

## 14 WARD COUNCILLOR VIEWS

14.1 There are no direct Ward Councillor views.

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



Risk Matrix:

Risk No.	Risk Ref	Risk Description	Gross Risk Rating	Current Risk Rating
1	1	Emergency Response	12	9
2	2	Central Depot Access	12	9
3	4	Business Continuity Arrangements	12	9
4	8	Health & Safety (ECS)	12	8
5	12	Highways Management	16	16
6	13	Arboricultural Management	12	6
7	14	Income Variation (Highways, Traffic and Parking)	9	6
8	15	Waste Budget	12	8
9	18	Town Centre Markets	12	6
10	20	Staff Resourcing and Capability	12	9
11	22	Climate Change	12	8
12	26	Income Reconciliation (Waste Management)	6	2
13	40	Disruption to waste services during the Depot Improvement Programme works	20	12
14	42	Supplier Failure	15	15
15	43	Horizontal Swing Barriers	12	8
16	44	Arboricultural Management: Service Provider Performance Issues	12	12

Report No.  
ES20285

London Borough of Bromley

PART ONE - PUBLIC

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

**Date:** Thursday 29<sup>th</sup> June 2023

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

**Title:** ECS Contract Register

**Contact Officer:** Lucy West, Head of Performance Management and Business Support  
Tel: 020 8461 7726 Email: Lucy.West @Bromley.gov.uk

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

**Ward:** All Wards

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1. Reason for report

- 1.1 This report presents an extract from May 2023's Contracts Register of contracts with a whole life value of £50k or higher, for detailed scrutiny by PDS Committee – all PDS committees will receive a similar report each contract reporting cycle, based on data as at 21 April 2023 and presented to ER&C PDS on 15<sup>th</sup> May 2023.
- 1.2 The Contracts Register contained in 'Part 2' of this agenda includes a commentary on each contract to inform Members of any issues or developments. A covering report will also be included where additional commentary is required.
- 

2. **RECOMMENDATIONS**

**That the Environment and Community Services PDS Committee:**

- 2.1 Reviews and comments on the Contracts Register as at May 2023.
- 2.2 Note that in Part 2 of this agenda the Contracts Register contains additional, potentially commercially sensitive, information in its commentary.

### Impact on Vulnerable Adults and Children

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

### Corporate Policy

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

### Financial

1. Cost of proposal: - N/A
  2. Ongoing costs: - N/A
  3. Budget head/performance centre: Environment and Community Services Portfolio
  4. Total current budget for this head: £38m
  5. Source of funding: Existing controllable revenue budget for 2023/24
- 

### Personnel

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

### Legal

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

### Procurement

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

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

#### Contracts Register Background

- 3.1 The Contracts Database is fully utilised by all Contract Managers across the Council as part of their Contract Management responsibilities, which includes the updating the information recorded on the database. The Register is generated from the Contracts Database which is administered by Corporate Procurement and populated by the relevant service managers (Contract Owners) and approved by their managers (Contract Approvers).
- 3.2 As a Commissioning Council, this information is vital to facilitate a full understanding of the Council's procurement activity and the Contracts Registers is a key tool used by Contract Managers as part of their daily contract responsibilities. The Contract Registers are reviewed by the Procurement Board, Chief Officers and the Corporate Leadership Team.
- 3.3 The Contracts Register is produced four times a year for members and is a 'snapshot' at the time of each report – though the CDB itself is always 'live'. The quarterly reporting cycle is based on the Executive, Resources and Contracts PDS timetable with reports for each Portfolio prepared and distributed at the same time. There may be a timelag between the quarterly reporting cycle and the next available date of the relevant Policy, Development and Scrutiny Committee for each Portfolio. Report authors for each Portfolio have the opportunity to provide updates on any contracts through the accompanying Part 2 report.
- 3.4 Each PDS committee is expected to undertake detailed scrutiny of its contracts – including scrutinising suppliers – and hold the Portfolio Holder to account on service quality and procurement arrangements.

#### Contract Register Summary

- 3.5 The Council has 231 active contracts across all Portfolios as of 21 April 2023 for the May 2023 reporting cycle as set out in Appendix 1.
- 3.6 The summary for the Environment and Community Services Portfolio is as follows:

Item	Category	September 2022	February 2023	May 2023
Total Contracts	£50k+	20	23	22
Concern Flag	Concern Flag	0	0	0
Risk Index	Higher Risk	9	9	8
	Lower Risk	11	14	14
Procurement Status for Contracts approaching end date	Red	0	0	0
	Amber	1	2	0
	Green	7	8	10
	Neutral	12	13	12

### 4. IMPACT ON VULNERABLE ADULTS & CHILDREN

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

## 5. POLICY IMPLICATIONS

- 5.1 The Council's renewed ambition is set out in [Making Bromley Even Better 2021 - 2031](#) and the Contracts Database (and Contract Registers) help in delivering the aims (especially in delivering Ambition Five – Resources & Efficiencies). For Ambition Five, this activity specifically helps by supporting 'robust and active contract management'.

## 6. PROCUREMENT IMPLICATIONS

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

## 7. FINANCIAL IMPLICATIONS

- 7.1 The Contracts Database and Contract Registers are not primarily financial tools – the Council has other systems and reports for this purpose such as the Budget Monitoring reports. However, the CDB and Registers do contain financial information both in terms of contract dates and values and also budgets and spend for the current year.

## 8. PERSONNEL IMPLICATIONS

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

## 9. LEGAL IMPLICATIONS

- 9.1 There are no direct legal implications but the Contracts Database does identify those contracts which have a statutory basis and also those laws which should be complied with in delivering the contracted services.
- 9.2 A list of the Council's active contracts may be found on the Council website to aid transparency (this data is updated after each ER&C PDS meeting).

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




## Appendix 1 Key Data (All Portfolios)

Item	Category	September 2022	February 2023	May 2023
<b>Contracts (&gt;£50k TCV)</b>	<b>All Portfolios</b>	<b>236</b>	<b>246</b>	<b>231</b>
<b>Flagged as a concern</b>	<b>All Portfolios</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>Portfolio</b>	Executive, Resources and Contracts	79	88	79
	Adult Care and Health	49	49	47
	Environment and Community Services	20	23	22
	Children, Education and Families	41	45	40
	Renewal and Recreation and Housing	41	38	35
	Public Protection and Enforcement	6	8	8
<b>Risk Index</b>	Higher Risk	73	74	69
	Lower Risk	163	172	162
<b>Procurement Status for Contracts approaching end date</b>	Red	0	1	2
	Amber	23	18	11
	Green	72	78	73
	Neutral	141	149	145

## Appendix 2 - Contracts Register Key and Background Information

### Contract Register Key

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

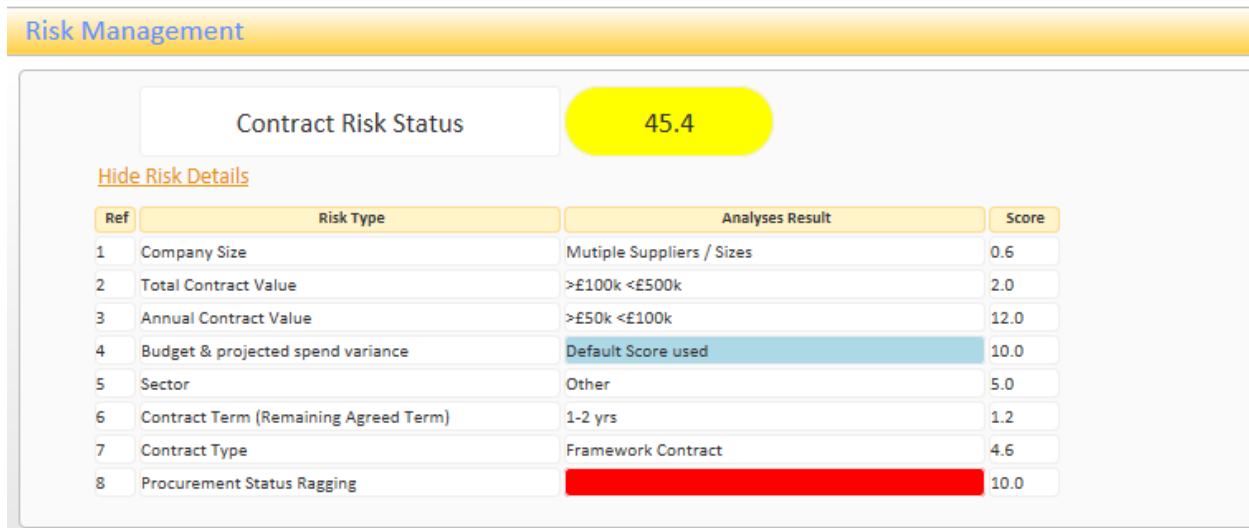
Register Category	Explanation
<b>Risk Index</b>	Colour-Ranking system reflecting eight automatically scored and weighted criteria providing a score (out of 100) reflecting the contract's intrinsic risk – reported as either Higher Risk or Lower Risk
<b>Contract ID</b>	Unique reference used in contract authorisations
<b>Owner</b>	Manager/commissioner with day-to-day budgetary / service provision responsibility
<b>Approver</b>	Contract Owner's manager, responsible for approving data quality
<b>Contract Title</b>	Commonly used or formal title of service / contract
<b>Supplier</b>	Main contractor or supplier responsible for service provision
<b>Portfolio</b>	Relevant Portfolio for receiving procurement strategy, contract award, contract monitoring and budget monitoring reports
<b>Total Contract Value</b>	The contract's value from commencement to expiry of formally approved period (excludes any extensions yet to be formally approved)
<b>Original Annual Value</b>	Value of the contract its first year (which may be difference from the annual value in subsequent years, due to start-up costs etc.)
<b>Procurement Status</b>	For all contracts automatically ranked by the Database as approaching their end date, a manual RAG rating is assigned by the Assistant Director Governance & Contracts to reflect the status of the contract. The RAG ratings are as follows:  <b>Red</b> – there are potential issues with the contract or the timescales are tight and it requires close monitoring.  <b>Amber</b> – appropriate procurement action is either in progress or should be commencing shortly.  <b>Green</b> – appropriate procurement action has been successfully taken or there is still sufficient time to commence and complete a procurement action.
<b>Start &amp; End Dates</b>	Approved contract start date and end date (excluding any extension which has yet to be authorised)
<b>Months duration</b>	Contract term in months
<b>Attention </b>	Red flag or Red RAG indicates that there are potential issues, or that the timescales are tight and it requires close monitoring. Further commentary may be provided in the Part 2 report.
<b>Commentary</b>	Contract Owners provide a comment –where contracts approach their end date. Corporate Procurement may add an additional comment for Members' consideration <i>The Commentary only appears in the 'Part 2' Contracts Register</i>
<b>Capital</b>	Most of the Council's contracts are revenue-funded. Capital-funded contracts are separately identified (and listed at the foot of the Contracts Register) because different reporting / accounting rules apply

### Contract Register Order

1.2 The Contracts Register is ordered by Procurement Status, Portfolio, and finally Contract Value. Capital contracts appear at the foot of the Register and 'contracts of concern' (to Corporate Procurement) are flagged at the top.

## Risk Index

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



## Procurement Status

- 1.4 The Database will highlight contracts approaching their end date through a combination of the Total Contract Value and number of months to expiry . For all contracts highlighted by the Database as potentially requiring action soon, a commentary is provided on the status of the contract and a manual RAG rating is assigned.

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

May 2023

Risk Index	Main Contract Data						Finance Data			Contract Terms				Attention	Capital
	Contract ID	Owner	Approver	Contract Title	Supplier Name	Portfolio	Total Value	Original Annual Value	Current Annual Value (Estimated)	Proc. Status	Start Date	End Date	Months Duration		
Lower Risk	4885	Garry Warner	Colin Brand	Supply of Leased Cars	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	2,310,000	525,000		■	16/05/2019	15/05/2023	48		
Lower Risk	5024	Garry Warner	Colin Brand	Rock Salt Access Agreement	ICL UK (SALES) LTD	Environment and Community Services	270,000	90,000		■	01/10/2020	31/12/2023	39		
Lower Risk	7386	Emma Pearce	Colin Brand	** Now Live ** Accommodation Move Programme – Design Consultants Contract	Pellings LLP	Environment and Community Services	225,197	225,197		■	30/03/2023	31/05/2025	26		
Higher Risk	5184	Peter McCreedy	Colin Brand	Bromley Market Stall Assembly	MarketForce Services Limited	Environment and Community Services	218,000	109,000		■	01/01/2022	31/12/2023	24		
Lower Risk	4886	Garry Warner	Colin Brand	Supply of Leased Commercial Vehicles	Crown Commercial Suppliers (CCS): Vehicle Lease Framework	Environment and Community Services	178,840	34,880		■	16/05/2019	15/05/2023	48		
Lower Risk	5054	Garry Warner	Colin Brand	Leased Cars Vehicle Bodywork Repair	Grove Autos Ltd	Environment and Community Services	150,000	50,000		■	01/12/2020	30/11/2023	36		
Lower Risk	6225	Hannah Jackson	Colin Brand	Hoblingwell Cycle Track and Hub – Landscaping	Blakedown Landscapes Limited	Environment and Community Services	99,926	99,926		■	14/03/2022	30/04/2023	13		
Lower Risk	5172	Hannah Jackson	Colin Brand	Consolidation of Ruins (Scadbury Manor)	Pierra Ltd	Environment and Community Services	85,080	65,100		■	27/09/2021	30/04/2023	19		
Lower Risk	6228	Garry Warner	Colin Brand	Vehicle & Plant Maintenance and Repairs - Council Fleet	Multiple Suppliers	Environment and Community Services	70,000	24,000		■	01/11/2020	31/10/2023	36		
Lower Risk	6226	Hannah Jackson	Colin Brand	Locksbottom Cricket Square and Outfield	Bourne Sports Ltd	Environment and Community Services	59,836	59,836		■	01/09/2020	31/12/2023	40		
Higher Risk	4868	Peter McCreedy	Colin Brand	Environment Services Lot 2: Waste Collection, Management of Waste Sites and Materials Handling & Sale of Recyclates	Veolia Environmental Services (UK) PLC	Environment and Community Services	102,030,546	12,304,583			01/04/2019	31/03/2027	96		
Higher Risk	3764	Garry Warner	Colin Brand	Highway Maintenance	JB Riney & Co Ltd	Environment and Community Services	90,000,000				01/07/2018	30/06/2027	108		
Higher Risk	4867	Peter McCreedy	Colin Brand	Environment Services Lot 1: Disposal of Residual Waste	Veolia Environmental Services (UK) PLC	Environment and Community Services	74,902,756	9,595,359			01/04/2019	31/03/2027	96		
Higher Risk	4869	Jim Cowan	Colin Brand	Environment Services Lot 3: Street Environment	Veolia Environmental Services (UK) PLC	Environment and Community Services	44,936,034	5,617,004			01/04/2019	31/03/2027	96		
Higher Risk	4870	Hannah Jackson	Colin Brand	Environment Services Lot 4: Parks Management and Grounds Maintenance	id verde	Environment and Community Services	38,230,832	4,698,854			01/04/2019	31/03/2027	96		
Higher Risk	1371	Chloe Wenbourne	Colin Brand	Parking Enforcement and Associated Services	APCOA Parking (UK) Ltd	Environment and Community Services	19,731,776	1,922,217			03/04/2017	02/04/2027	120		
Lower Risk	4866	Hannah Jackson	Colin Brand	Environmental Services: LOT 5 - Arboricultural Maintenance Services	Glendale Countryside Ltd	Environment and Community Services	4,075,624	509,453			01/04/2019	31/03/2027	96		
Higher Risk	4980	Peter McCreedy	Colin Brand	Multi disciplinary consultancy services for Depots Improvement Scheme	Pick Everard	Environment and Community Services	758,105				13/03/2020	31/03/2025	60		
Lower Risk	6254	Peter McCreedy	Colin Brand	** Now Live ** FixMyStreet Pro & WasteWorks	SocietyWorks Ltd	Environment and Community Services	432,000	54,000			01/04/2023	31/03/2031	96		
Lower Risk	4891	Chloe Wenbourne	Colin Brand	Videalert Ltd	Videalert Ltd	Environment and Community Services	394,496	125,396			01/06/2019	31/05/2026	84		
Lower Risk	6248	Garry Warner	Colin Brand	CONFIRM	Brightly Software	Environment and Community Services	162,800	81,400			01/07/2022	30/07/2024	25		
Lower Risk	5090	Peter McCreedy	Colin Brand	GM Canopies	GM Canopies	Environment and Community Services	50,000	12,000			01/07/2021	01/07/2025	48		

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