

PART 1 - PUBLIC

Decision Maker: Environment Portfolio Holder

**For pre-decision scrutiny by the Environment PDS
Committee on**

Date: 4th October 2011

Decision Type: Non-Urgent Executive Non-Key

Title: KENT HOUSE STATION APPROACH, BECKENHAM

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Chief Officer: Nigel Davis: Director of Environmental Services

Ward: Penge and Cator

1. Reason for report

This report is to enable the Portfolio Holder to make a first resolution in accordance with the Private Street Works Code, forming part of the Highways Act 1980, for the making-up of the carriageway and footway in part of Kent House Station Approach, Beckenham. The road is in a poor state which restricts access to the station.

2. **RECOMMENDATIONS**

2.1 The Environment Portfolio Holder is asked to recommend to Council that:

(i) a First Resolution under s.205(1) of the Highways Act 1980 be made in respect of Kent House Station Approach, as follows:-

“The Council do hereby declare that part of the street be sewered, levelled, paved, metalled, flagged, channelled, made good and lighted under the provisions of the Highways Act 1980.”

Schedule of Limits

From the junction of Kent House Station Approach with Kings Hall Road to the south eastern end of the street and from the north eastern boundary of Kent House Station Approach in a south eastern direction throughout its length, all as more particularly shown on drawing no. ESD-10935-1; and

(ii) it (the Council) resolves to bear the whole of the cost of making up Kent House Station Approach.

2.2 The Environment Portfolio Holder is further asked to approve the layout of the combined carriageway and footway on the south eastern side of Kent House Station as shown on drawing no. ESD-10935-1.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: Estimated cost £225k
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: TfL LIP funding for Network Infrastructure for 2012/13 & 2013/14
 4. Total current budget for this head: £205k is allocated to implement this scheme in 2012/13 with a further £20k for 2013/14. Both these sums have been agreed in principal by TfL.
 5. Source of funding: Transport for London LIP funding
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Staff

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

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable in respect of a decision by the Environment Portfolio Holder
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All users of the road
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments: Ward Members are supportive of this process.

3. COMMENTARY

- 3.1 Kent House Station Approach is an unmade, unadopted highway, providing access to both Kent House Station and Alexandra Infants School. The Council has been regularly requested to carry out improvements, but, as the street is unadopted, it is only entitled to carry out either minor repairs where it considers that conditions present a danger to users, or to make the street up for adoption. On 6 June 2001 Minute 60(1) of the Environmental Services Committee refers to its condition.
- 3.2 At another meeting on 14th November 2001, the Council made a First Resolution under the Private Street Works Code in respect of a combined cycle route and footway on the south western side of the street, to assist cyclists and pedestrians to gain access to the station and the school.
- 3.3 At its meeting on 30 January 2002, the Council made a Resolution of Approval under the Private Street Works Code in respect of this combined cycle route and footway on the south western side of the street, to assist cyclists and pedestrians to gain access to the station and the school. In 2002 the council built the combined cycle route and footway, and this was later adopted.
- 3.4 The layout attached indicates the remaining area in Kent House Station Approach with a proposed new layout of the carriageway and remaining footway.
- 3.5 As part of the statutory procedure and to enable the works to be undertaken, a first resolution is required. Under the Private Street Works Code contained in the Highways Act 1980, the Council must first declare by resolution that the carriageway and footway on the south east section is not made up to its satisfaction.

4. POLICY IMPLICATIONS

- 4.1 Policy T5 of the Unitary Development Plan states: "The Council will seek to improve the environmental quality, capacity and safety of local roads where appropriate, either by minor improvement or suitable traffic management schemes".
- 4.2 In "Building a Better Bromley 2020 Vision – Quality Environment", two stated issues to be tackled are: (i) Promoting safe motoring; and (ii) Improving the road network for all users.

5. FINANCIAL IMPLICATIONS

- 5.1 The estimated cost of constructing the carriageway and footway is £225k, including the cost of any works to statutory undertaker's mains or services. It should be noted that LBB has allocated £205k and £20k to this particular scheme from the formula funding settlements for 2012/13 and 2013/14 that TfL have agreed in principal. More detailed costs will be prepared for the resolution.

6. LEGAL IMPLICATIONS

- 6.1 To avoid any possible challenge to the preparation and carrying out of the scheme, the other frontagers to the street, although not liable to make any financial contribution, should be advised of the Council's intention to construct the proposed work.

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| Non-Applicable Sections: | Personnel Implications |
| Background Documents: (Access via Contact Officer) | Environmental Services Committee: Minute 60(1) 6 June 2001, 14 November 2001 (ES01492) and 10 January 2002 (ESC02098) |