

ENVIRONMENT POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.30 pm on 4 November 2014

Present

Councillor William Huntington-Thresher (Chairman)
Councillor Lydia Buttinger (Vice-Chairman)
Councillors Kevin Brooks, Alan Collins,
Samaris Huntington-Thresher, Terence Nathan,
Angela Page, Catherine Rideout, Richard Scoates and
Melanie Stevens

Also Present

Councillor Colin Smith, Councillor Julian Benington and
Councillor Russell Mellor

25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Sarah Phillips and Councillor Alan Collins attended as alternate.

26 DECLARATIONS OF INTEREST

Councillor Collins declared a personal interest at item 6b by virtue of using the Unicorn School Green Garden Waste Satellite Site.

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

There were no questions to the Committee.

28 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 23RD SEPTEMBER 2014

The minutes were agreed.

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

In view of the number of questions to the Portfolio Holder, it was agreed to extend the 15 minutes allowed for questions in the Council's constitution, to 30 minutes.

Details of the questions are at **Appendix A** along with replies from the Portfolio Holder.

After a period of 30 minutes it was agreed to proceed with the Committee's substantive business; remaining questions would receive a written response from the Environment Portfolio Holder.

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

A) BUDGET MONITORING 2014/15

Report FSD14068

Based on expenditure and activity levels to 30th September 2014, the latest overall budget monitoring position for the Environment Portfolio 2014/15 showed an under-spend of £19k, with the controllable budget projected to be balanced at year-end.

Details were provided of the projected outturn with a forecast of projected spend against each relevant division compared to the latest approved budget. Background to variations was outlined.

RESOLVED that the Portfolio Holder be recommended to endorse the latest 2014/15 budget projection for the Environment Portfolio.

B) GREEN GARDEN WASTE SATELLITE SITES - REVISED SERVICE

Report ES14096

Members considered a proposed revision to the Green Garden Waste (GGW) Satellite service.

In recent years GGW tonnages collected at satellite sites had reduced. Provisional 2014 tonnages suggest that tonnages might have risen slightly, but were still projected to be lower than tonnages in 2012. GGW tonnages delivered by residents to the Household Waste Recycling Centres (HWRCs) had also declined since 2010 (although good weather this year had seen a slight rise in tonnages).

With over 15,000 customers having subscribed to the GGW collection service and new customers subscribing monthly, the original objective of the Satellite Sites – to address congestion issues near the HWRC sites – had become less crucial. Improvements to customer areas at the HWRC sites had also helped to address congestion pressures.

Two options were therefore proposed as savings to the GGW Satellite service:

Option 1: Open 3 sites on Saturdays and 2 different sites on Sundays between April and November with an annual saving of £136k;

Option 2: Open 3 sites on Saturdays and 2 different sites on Sundays between April and October with an annual saving of £151k.

The cost of operating the sites is highest on Sundays due to additional wage costs for Sunday working. Sunday opening hours are also more limited due to restrictions on HWRC opening hours and the need to empty vehicles ready for normal Monday work. With more sites open on Saturdays, site availability will also be maximised to avoid congestion.

The proposed service change also assumed that the sites would be operated one weekend each January to enable residents to recycle Christmas trees, with three sites open on Saturday and two open on the Sunday.

Where necessary the operating day of a site could also be changed during a particular weekend e.g. switching the day for Charles Darwin from Saturday to Sunday to avoid a Saturday open day at the school. Contingency measures would also be available should fly-tipping increase.

Councillor Mellor (Copers Cope), attending as a visiting Member, referred to a number of comments received from residents in Copers Cope ward. These included concern over the level of consultation. Two elderly residents, without online access, had not been advised of the proposed change. Financial constraints were recognised but it was also necessary to consider the concerns of residents. There was also a view that the HWRCs would not be able to cope with an increased demand. Some pensioners might also find an annual £60 fee for the collection scheme difficult to afford. Based on financial considerations, Councillor Mellor suggested that Option 2 provided a more favourable option, delivering savings to both residents and the Council.

In response to a question from Councillor Benington, also a visiting Member, it was confirmed that a spare vehicle was available for GGW, although for satellite site collections, fewer vehicles would be necessary in future. Councillor Benington highlighted the high level of courtesy and flexibility of staff at the Charles Darwin site.

Members considered the proposed service change, recognising its necessity in view of budget constraints. There had also been a decline in usage of the satellite sites. Comments made by Committee Members included the following:

- the proposals are fair;
- all existing sites will continue to operate - either on a Saturday or Sunday under the new service;
- more promotion of the GGW collection scheme is necessary;
- direct debit payments at £15 per quarter could provide an attractive option;

- increased publicity is necessary before implementing the change, including further promotion of the collection scheme;
- a saving of this level for GGW is preferable to finding an equivalent saving in social care;
- arrangements for Christmas tree disposal need to be publicised in good time with satellite sites open during a weekend after twelfth night.

In response to an observation that the sites for Sunday opening are closest to the HWRCs, Members were advised that more vehicles pass through the centres on Saturday compared to Sunday with traffic tending to flow more smoothly on Sundays.

The Portfolio Holder highlighted that it was possible for householders at smaller properties to share a GGW Wheelie Bin and the cost of the service.

In concluding, it was agreed that Option 1 should be recommended.

RESOLVED that the Environment Portfolio Holder be recommended to agree that Option 1 be taken forward for the future operation of the Green Garden Waste Satellite Site service, as outlined at paragraph 3.14 of Report ES14096, with the changes effective from April 2015.

(Democratic Services Note - following the meeting it was proposed that Shire Lane, Cotmandene Crescent and Norman Park satellite sites would be open on Saturdays between 11am and 4pm, with Biggin Hill and Unicorn School satellite sites open on Sundays. This was subsequently reflected in the decision taken by the Environment Portfolio Holder).

C) ON-STREET ENFORCEMENT

Report ES14027

Arrangements had been made with Ward Security to continue delivering a littering enforcement service, concurrent with the existing Parks Security service, from 1st January 2015 to 31st March 2020 at net zero cost to L B Bromley. The existing parks security contract would need to be extended and varied.

It was intended to deliver the service on a seasonal basis around peak hours and events, with a focus on the busiest days at town centres. It was proposed to operate the service from a Tuesday to Saturday, capturing market days and rush hours. Two full time Enforcement Officers would work in conjunction with the Parks Security Contract to increase coverage, particularly in winter months when parks are not so busy. The team would also be supplemented in peak seasonal times with two additional officers for 72 days of the year.

The average cost of the service per month was estimated at £10,750, inclusive of administrative support and management supervision, and would

be paid to Ward Security monthly in arrears. Ward Security would invoice L B Bromley for the hours worked; in return L B Bromley would retain income received from FPNs paid. Should the level of income received not equal the cost of labour paid to Ward Security, Ward Security would then provide a credit note to LBB for the difference.

It was also possible to link the processing of FPNs with the parking enforcement system. This would result in Ward Security being able to reduce current supervision and administration costs. Use of electronic handheld devices from existing parking equipment stock would greatly improve the reconciliation process and accuracy of data. A one-off £2k set up cost for four hand held devices would be necessary along with on-going costs of £2.2k for year 1 and £1k per annum from year 2 onwards for licences and stationery. Ward Security would meet these costs from year 2 onwards. L B Bromley would continue to take non- paying offenders through the court process.

Ward Security would also be developing an option to take over full management of the service, including collection of income and managing the court process.

Members supported the recommendation to the Portfolio Holder. It was possible to have a break clause in the contract and to be flexible on this.

It was hoped that Enforcement Officers would not over penalise offenders for accidentally dropping litter. Enforcement officers would generally be in uniform to make a challenge but this might not always be the case e.g. challenging for dog fouling offences. Enforcement Officers would also wear body cameras.

RESOLVED that the Environment Portfolio Holder be recommended to approve a variation and extension to the existing Parks Security Contract to include the issuing of Fixed Penalty Notices where individuals are in breach of the requirements of the Clean Neighbourhood and Environment Act, including offences for littering and dog fouling on the public Highway.

D) ORPINGTON RAILWAY STATION: IMPROVED ACCESS AND BUS STOP ENHANCEMENT

Report ES14075

As a condition to planning approval for the Tesco Store, Orpington, £80k has been set aside to enhance bus stops within the Orpington area, the money being held by L B Bromley on behalf of TfL.

It was proposed to use the £80k sum to facilitate changes to the bus stop outside Orpington Station, subject to agreement from TfL. A sum of £50k was also available from the LIP budget for Public Transport Interchange and Access. The existing forecourt taxi stand would be split between the forecourt and Crofton Road, enabling installation of the new bus stop and lay-by, as

well as space for disabled person parking bays as part of the station car park/forecourt scheme.

The existing bus stop next to the carriageway requires buses to stop directly on the main carriageway, often resulting in vehicles queueing to overtake a stationary bus. The new bus stop and lay-by would provide a solution, significantly contributing to a free flow of traffic.

As the new forecourt provides space for no more than five taxis, it was proposed to reposition the existing zebra crossing on Crofton Road to enable a new two vehicle lay-by as an additional Hackney carriage taxi stand. Further on-street parking for five Hackney carriage taxis was also proposed by extending the existing dedicated loading bay on Crofton Road (adjacent to York Rise) and amending the Traffic Management Order to permit: (i) loading Monday to Saturday 8am to 5pm; and (ii) dedication of the bay as a Hackney carriage taxi stand Monday to Saturday 5pm to midnight and all day Sunday.

Members supported the recommendations to the Portfolio Holder.

RESOLVED that the Environment Portfolio Holder be recommended to:

(1) approve the allocation of £80k of S106 monies towards access and bus stop improvements as part of the Orpington railway station car park and forecourt scheme, subject to TfL agreement;

(2) agree that informal consultation proceed based on the proposed changes to Crofton Road identified on drawing number ESD/11745-02; and

(3) delegate authority to the Executive Director of Environment and Community Services to implement the detailed scheme design following consultation with the Environment Portfolio Holder and Ward Members.

E) CONGESTION RELIEF SCHEME: HEATHFIELD ROAD / WESTERHAM ROAD, PROPOSED ROUNDABOUT

Report ES14092

An update was provided on progress concerning the proposed congestion relief scheme at the junction of Heathfield Road with Westerham Road. This included summarised results from consultation on the scheme, the consultation having concluded at the end of September 2014. A clear majority of respondents supported the scheme.

The Portfolio Holder was asked to approve the scheme and delegate detailed final design to the Executive Director of Environment and Community Services, following consultation with Ward Councillors and the Portfolio Holder. The scheme is low cost for a full sized roundabout and will help address congestion at the location. It will also help reduce the number of speed related personal injury collisions along Westerham Road.

Congestion issues primarily relate to southbound traffic along Heathfield Road. Motorists would most likely continue to use the route to avoid the Keston Mark junction as it provides the most direct route. A further traffic count in Heathfield Road between the end of September 2014 and beginning of October 2014, indicated that the proportion of Heavy Goods Vehicles (HGVs) using the road during the count period was less than 1%.

Based on road safety and congestion considerations, officers would continue to lobby TfL for improvements at the Keston Mark junction. A point had been reached in TfL's Programme where the junction would be subject to review. There was some hope that it would be possible to introduce a countdown signal for pedestrians and increase capacity at the junction.

The Chairman highlighted further views of Ward Councillors (in addition to those reported). Councillor Carr, unable to attend the meeting, considered the scheme unnecessary. Cllr Michael favoured the scheme. Considering the junction dangerous and noting a clear majority in support, she felt that HGVs using Heathfield Road should be treated as a separate issue. Councillor Ruth Bennett, in broad agreement with the recommendations, also suggested that traffic considerations for Keston Village be addressed separately.

To avoid an increase in HGVs along Heathfield Road, it was suggested the scheme be implemented following completion of the Cherry Lodge development in Darwin Ward. It was also suggested that sight lines at the roundabout should be particularly clear and a certain amount of deflection provided. If the scheme could be reviewed some six to nine months after completion, consideration could then be given to safety measures along Heathfield Road and any options related to the Primary School.

Aware that completion of Cherry Lodge could take some months, the Chairman suggested that TfL be lobbied in the meantime on improving the Keston Mark junction. It was also necessary to take account of views from Keston Villagers on safety related measures for Heathfield Road. The Portfolio Holder advised against a width restriction on approach to the village given access requirements for vehicles such as emergency vehicles, buses and refuse vehicles.

Following debate, Members agreed to support the recommendations in Report ES14092 and to additionally recommend that implementation of the scheme is delayed until the Cherry Lodge development is completed. Members also recommended that measures be considered to reduce excessive traffic speeds through Keston Village and that TfL continue to be lobbied on measures to improve the Keston Mark junction.

RESOLVED that the Portfolio Holder be recommended to:

(1) approve the proposed congestion relief scheme previously set out in Report ES13094 and shown on drawing ESD/11473-01;

- (2) delegate the decision on final scheme design to the Executive Director of Environment and Community Services, following consultation with Ward Councillors and the Portfolio Holder;**
- (3) delay implementation of the scheme until the Cherry Lodge development is completed;**
- (4) consider measures to help reduce excessive speeds through Keston Village and improve road safety; and**
- (5) ensure that TfL continue to be lobbied on measures to improve the Keston Mark junction.**

F) PRIVATE STREET WORKS REFERENDA - UPPER DRIVE AND SWIEVELANDS ROAD (PART), BIGGIN HILL

Report ES14095

In recent years, Ward Councillors had received complaints regarding the condition and use of Upper Drive and Swievelands Road, Biggin Hill, neither having been made up and adopted as a highway maintainable at the public expense. On several occasions the Council had been asked to carry out urgent repairs at its own expense, under S.230 (7) of the Highways Act 1980, but no budget was currently available to enable such repairs.

For the unmade part of the streets to become highway, maintainable at public expense, the Council would need to adopt them, subject to the highway having been improved to an acceptable standard. Much of the cost of making up a private street would need to be recharged to owners of premises fronting the street in line with the Private Street Works Code.

A referendum was conducted to determine the views of frontage owners on making up of the streets. Initial designs were undertaken and cost estimates obtained for frontage owners. Consideration was also given to the effects of Greenery Agreements, degree of benefit, and the possibility of recharging a proportion of the costs to the owners of premises situated in the numerous cul-de-sacs served by the streets.

As part of the referendum, owners of a property having a flank or rear frontage were informed that, subject to their particular circumstances, their charges could be reduced by between 20-67% of the standard amount. The Council was not permitted to charge a proportion of the making-up cost to owners of premises in adjoining cul-de-sacs. Owners could be requested to make voluntary contributions, and any such monies collected would reduce the street works charges.

Taking account of the issues above, owners of premises in Upper Drive were advised that the estimated cost of making up the street would be between £720-£740 per metre of frontage, and in Swievelands Road between £815-£835 per metre of frontage.

For Upper Drive, 46 referendum letters were delivered to frontagers with 31 replies received (67%). The results demonstrated insufficient support for the road to be made-up and adopted, with 69% of the total frontage, excluding 'Greenery Agreement' land, either not in favour or not expressing a view.

A total of 57 referendum letters were delivered to properties in Swievelands Road with 28 replies received (49%). The results did not indicate a majority of frontagers in favour of making-up and adopting Swievelands Road, with 67% of the total frontage, excluding 'Greenery Agreement' land, either not in favour or not expressing a view. However, given the road's location on the highway network and the views of Ward Members Report ES14095 proposed that a Private Street Works scheme be progressed for the road. The likely making-up cost was £600k, with £300k borne by L B Bromley.

Councillor Benington (Biggin Hill) addressed the Committee explaining that Swievelands Road and Upper Drive were located where Biggin Hill valley rises upwards. Part of Swievelands Roads was not made up and remained unadopted with the former tarmacked surface badly weathered causing difficulties for driving along the road. Councillor Benington supported this part of Swievelands Road being made up but accepted that Upper Drive would not be made up. Councillor Melanie Stevens (Biggin Hill) concurred with Councillor Benington that the part of Swievelands Road under consideration is in a particularly poor condition, causing serious difficulties for drivers, particularly during winter months.

In discussion Members supported the recommendation that no provision should be made for making up Upper Drive.

In considering Swievelands Road, there was concern the referendum results did not show a majority in favour of making up and adopting the road. Although a referendum was not necessary for the project, the Portfolio Holder felt it would be worthwhile to make further enquiries on how frontage owners yet to respond might feel on the matter. There was no budget to make up and adopt such roads solely at Council expense - to do so would be contrary to current policy. It was explained that there had been much effort to approach those not replying or expressing a view. Officers had sent repeat letters to those not replying, and approaches had been made in person to each relevant property. From such visits, ten frontage owners had expressed support for the making-up and two were against.

If it is against policy to proceed where the Council is expected to contribute financially (in this case £300k), and there is no significant demand for the work, it was suggested that no further consideration should be given to the project. Efforts had been made to contact frontage owners not replying or expressing a view. As such, and until such time as there is a clear majority of frontage owners expressing their support for such a project, Members agreed to decline their support for the making up and adoption of the remaining part of Swievelands Road.

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

(1) no provision be made for the making up of Upper Drive in view of the results of the referendum for this street; and

(2) no scheme be taken forward under the Private Street Works Code for that part of Swivelands Road between its junction with Valley View and Bankside Close.

G) TODDLER PLAY AREA AT PRIORY GARDENS

Report ES14045

Improvement works to the value of £30k were proposed for play space improvements at the toddler play area, Priory Gardens, High Street, Orpington.

Funds for the scheme equipment and installation were to be provided from the Section 106 Planning agreement related to the multi storey car park development at Earls Way, (Tesco Supermarket).

Consultation during the summer holidays with parents of children using the play area found that toddler items in the play area were considered outdated and of a poor standard.

Members supported the proposed improvement works.

RESOLVED that the Environment Portfolio Holder be recommended to approve the carrying out of improvement works to the Priory Gardens toddler play area funded by S106 monies.

**31 PRE-DECISION SCRUTINY OF REPORT WITH A
RECOMMENDATION TO THE EXECUTIVE AND OTHER
RECOMMENDATIONS TO THE ENVIRONMENT PORTFOLIO
HOLDER**

A) PLANNED HIGHWAY MAINTENANCE PROGRAMME 2015/16

Report ES14093

Members considered programmes of planned road and footway maintenance for completion by close 2015/16. Schemes were also presented for subsequent years as was information on the Council's annual bid to Transport for London (TfL) for bridge assessment and strengthening.

Planned maintenance minimises the level of reactive maintenance necessary, so increasing value for money and customer satisfaction. It also reduces unplanned network disruption and contributes to fewer damage claims.

The overall programme was prioritised by expected budget and based on highway condition and other factors such as use, location, adjacent services, frequency of reactive maintenance, level of public enquiries and consultation responses.

Additional Local Implementation Plan (LIP) funding was also available during 2014/15 for resurfacing busy bus routes (£120k) and resurfacing other roads where accidents had been attributed to skidding (mass action £135k).

A one-off sum of £504,982 had also been received from the Department for Transport (DfT) to permanently repair potholes. It was necessary to spend the sum by 31st March 2016 and approval was sought to its release from central contingency.

Approval was also sought to submit a £987k bid to the London Bridges Engineering Group (LoBEG) for structural projects, TfL advising later in the year on actual allocation.

Although Members supported the recommendations, the Chairman highlighted a Ward Councillor's disappointment that Pope Road, Bromley had not been included within the proposed programme. It had also been suggested that Cross Road, in the same Bromley Common and Keston Ward, might not be a high priority for maintenance. The Chairman also asked that sections of Sevenoaks Road be considered for maintenance and noted that Rye Crescent, Orpington was listed at Appendix C but as a bus route should be considered for "mass action" resurfacing. He therefore suggested that the maintenance programme needed to compare the priority road lists with bus routes to ensure the correct funding source.

RESOLVED that:

(1) the Executive be recommended to agree the release of £505k Department for Transport (DfT) funding from Central Contingency for planned highway maintenance; and

(2) the Environment Portfolio Holder be recommended to -

- (a) agree that the schemes listed at Appendix A to Report ES14093 form the basis of the Council's programme of planned highway maintenance on borough roads for 2015/16 and, subject to budgetary provision, the works be progressed;**
- (b) note the schemes of work for future years as listed at Appendices B and C to Report ES14093;**
- (c) agree that the additional DfT funding of £505k be allocated to planned highway maintenance, with authority delegated to the Director of Environment and Community Services, in consultation with the Environment Portfolio Holder, to select schemes from Appendix B for completion during 2015/16;**

- (d) agree the proposed TfL funded programme of highway maintenance works for 2014/15 and 2015/16, as set out at Appendices D and E to Report ES14093; and**
- (e) approve the bid for bridge strengthening and assessment, 2015/16, at Appendix F to Report ES14093, and its submission to Transport for London.**

32 ENVIRONMENT PORTFOLIO PLAN 2014/15; HALF-YEAR PROGRESS REPORT

Report ES14089

Members considered progress against commitments in the 2014/15 Environment Portfolio Plan.

Progress was being made against the Portfolio Plan objectives although a slight increase in litter was noted from Tranche 1 data for 2014/15. An increase in fly-tipping was also noted and advice sought on whether covert work with local police had produced positive developments/successes.

Councillor Brooks enquired whether further measures could be introduced to ensure the cleanliness of high streets. He suggested closed top bins for non householders and CCTV camera use to identify individuals depositing bags of waste on high street pavements. Councillor Brooks also referred to material often dropped during collections and not retrieved.

The Portfolio Holder confirmed that as much resource as the budget would allow is given to High Street cleaning, including Penge High Street. To supplement the Council's work, businesses in Penge might wish to consider creating a Business Improvement District for the area. The Portfolio Holder also hoped that it might be possible to obtain extra resource from any future funding possibility. Reference was made to the reply to Councillor Brooks' formal question related to refuse bags left on high street pavements and, where possible, officers from the Council's Waste team could assist in dealing with a particular local problem.

The Portfolio Holder further highlighted a programme to replace open top litter bins with closed or "hooded" bins to help prevent household waste being deposited. The use of CCTV technology was subject to restrictions outlined in legislation; however, if it was possible to report incidents of bagged waste on highway land, officers could respond to specific problems. The Council's street cleansing contractors should retrieve dropped material during waste and recycling collections; residents could also place any dropped waste in an appropriate bin and report the incident. This approach already worked well in areas with a strong residents association. The Chairman reminded that street cleansing performance would be reviewed at the Committee's next meeting when representatives of the Council's street cleansing contractors would be in attendance to answer questions.

On other Portfolio areas, it was necessary to try to maintain current service levels with less budget provision in future. Measures would be taken to address increased fly-tipping along rural roads, one approach involving the tracking of waste via transmitters implanted into material likely to be fly-tipped. The level of recycling was good but there was also concern for reduced paper tonnages. On transport, the borough's road safety record has been good for the previous ten years. Extending the Docklands Light Railway to Bromley North and Bromley South remained the Council's preferred route for a new transport link into the borough; any future Crystal Palace development would also need improved transport links. However, any extension of the Bakerloo line to Hayes was opposed.

As it was no longer necessary to display a vehicle excise licence (tax disc), a Member suggested that it was difficult for residents to identify a potentially abandoned vehicle. If there was any suspicion a vehicle might be abandoned, it was suggested that details should be reported to the Council and officers could investigate further. It was also possible for residents to check whether a vehicle is currently taxed via the GOV.UK website. The Council's own website (http://www.bromley.gov.uk/info/200089/street_care_and_cleaning/190/dumped_cars) provided a link to the GOV.UK website (<https://www.gov.uk/check-vehicle-tax>).

RESOLVED that progress against commitments in the 2014/15 Environment Portfolio Plan be noted.

33 FORWARD WORK PROGRAMME, MATTERS ARISING FROM PREVIOUS MEETINGS, AND CONTRACTS REGISTER

Report ES14088

The Chairman advised that some items scheduled for the Committee's next meeting were now proposed for the Committee's March 2015 meeting.

The date of the March 2015 meeting would also be moved from 11th March and Members would be consulted on an alternative date.

RESOLVED that:

(1) the Committee's work programme be agreed subject to an alternative date being found for the Committee's March 2015 meeting, and some items being moved to that meeting from the meeting scheduled for 20th January 2015;

(2) progress related to previous Committee requests be noted; and

(3) a summary of contracts related to the Environment Portfolio be noted.

The Meeting ended at 10.11 pm

Chairman

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR ORAL REPLY

1. Questions from Mr Philip Horton, on behalf of the Chelsfield Park Residents Association (asked on Mr Horton's behalf by Mr Chris Torbet-Smith)

Mr Horton submitted the questions "*regarding the proposed deletion of parking restrictions around Chelsfield Station*".

a. If the intent behind the proposal to de-restrict parking on the flank boundary of 55, Oxenden Wood Road is to benefit the residents of the Chelsfield Park Estate, why have those residents not been consulted about the proposal?

Reply

The intent of the proposal is to moderate parking pressure in neighbouring roads where crowded crossovers causing impaired sightlines are causing significant upset and danger to other homeowners, whilst at the same time retaining as much parking stock as possible for public use in less intrusive places.

The six houses most directly affected by the change were informed of the proposal by post.

The scheme has since been modified twice in response to those residents expressed concerns.

Supplementary Question

Suggesting that residents of the six houses were not informed of the proposal, Mr Torbet-Smith enquired of the reasons for this.

Reply

The Portfolio Holder maintained that residents of the adjacent six houses were informed by letter.

b. Would not such an intention be better achieved by different hour restrictions on opposite sides of the road (as in Windsor Drive)?

Reply

I do not believe so. Any restriction by definition inhibits the availability of potential parking stock and flank fences have been determined to provide the 'least worst' solution in this regard.

Supplementary Question

Mr Torbet-Smith suggested that the Portfolio's response did not satisfactorily answer his question.

Reply

In response, the Portfolio Holder indicated that he would be happy to provide an extended reply to Mr Torbert-Smith's question by email.

c. If the proposal is driven by commuter parking demands, would it not be better to provide a worthwhile increase in provision to extend the existing car park on the Highway and/or make use of vacant space in close proximity to Chelsfield Railway Station?

Reply

The idea to extend the existing car park on the Highway has been and continues to be investigated, notwithstanding that any proposal championing the relaxation of planning restrictions designed to protect the Green belt would most likely prove to be highly controversial in its own right.

With regard to the "vacant space", specific clarification as to the exact location you have in mind would be appreciated to enable a considered response to be provided to this point.

Supplementary Question

Mr Torbet-Smith indicated that drawings were available and he would take forward provision of these following the meeting.

2. Questions from Mr David Clapham

a. Drawing ESD/11473-02 shows two distinct areas of consultation, specifically how do the results differ from those of Keston Village and the roads to the west of Westerham Road compared to those to the east of Westerham Road?

Reply

A lot of thought was given to the consultation area in order to try and obtain a balance of views of residents and users of this street junction. A total of 33 roads were consulted, with 7 in the 'east' (mentioned above) where the majority of views supported the proposal.

As regards to 'west' area, 3 roads were of split views, 13 roads supported the proposal and 8 roads did not support the proposal.

Residents of Westerham Road itself supported the proposal.

In regard to absolute numbers of yes/no responses, these were as follows:

- Roads to the west of Westerham Road: Yes = 81 / No = 71
- Roads to the east of Westerham Road: Yes = 21 / No = 0
- Westerham Road itself: Yes = 29 / No = 4

Supplementary Question

Of the responses from Keston Village residents, Mr Clapham asked if there was a higher proportion against the proposed scheme.

Reply

The Portfolio Holder indicated that this was the case.

b. Keston Village Residents' Association (KVRA) joined with the Friends of Keston Common (FoKC) and two other local groups to object to the proposed roundabout scheme and made comprehensive alternative suggestions. As these have not been made available to the public how will consideration of these be progressed?

Reply

Council officers have prepared an extensive response to your paper which will be forwarded to you over coming days.

The contents are not regarded as an 'alternative' to the specific proposal being considered later this evening, rather a possible 'add on' to any potential safety measures which might prove to be forthcoming locally.

Supplementary Question

Mr Clapham enquired how investigations might be progressed.

Reply

The Portfolio Holder indicated that safety matters would be considered e.g. in regard to Keston C of E Primary School and any possible consideration of converting Fishponds Road solely for one-way traffic. Thoughts on such matters would be arrived at later.

c. B rated Heathfield Road travels through a narrow busy Conservation Area with a vibrant primary school and close to 6 specially designated areas. Residents complain continually about vehicle speeds and HGV's. Do you agree that the proposed roundabout will exacerbate these issues and reduce the significance of special areas?

Reply

This is something of a matter of subjecture and opinion, but I don't believe that necessarily to be the case.

If the scheme before us this evening is recommended for approval, the adaptation to the entrance of Heathfield Road at Westerham Road will ensure that average traffic speeds are reduced at that point.

If the right turning traffic exiting Heathfield Road into Westerham Road experiences less waiting time in future, queues should be reduced, and far less rat running at speed down Fishponds Road to 'beat the queue' should result.

To support this view, I am advised that the 7 day average northbound flow (5116 vehicles/day) is similar to the 7 day southbound average (5252).

This data does not suggest that drivers are currently put off using the southbound route because of the congestion, hence the southbound flow is believed unlikely to increase should the congestion be reduced by the introduction of the proposed roundabout.

It is acknowledged that average traffic speeds (the most recent survey recorded the 85th percentile speed at 35.7mph close to Keston Avenue) are faster than anyone would prefer to see, but such measurements are not abnormal for this class of road.

The local Police have been alerted to residents' on-going concerns in this regard.

Supplementary Question

Mr Clapham enquired how concerns related to the number of Heavy Goods Vehicles (HGVs) using Heathfield Road might be addressed. Mr Clapham referred to vehicles proceeding at high speed along the road.

Reply

The Portfolio Holder indicated that it was not possible legally to differentiate between vehicles permitted to be driven along Heathfield Road. He added that the speed of vehicles along Heathfield Road was a matter for the Police to enforce.

3. Questions from Mr Michael Ormond

a. Clearly this will make it beneficial to drive through the village as the pinch point will be removed. This will obviously result in more traffic, increased danger to school children and residents, already in fear of speeding HGV's and cars. Has the Council taken into account this specific point of risk displacement?

Reply

This is something of a matter of subjecture and opinion, but I don't believe that necessarily to be the case.

If the scheme before us this evening is recommended for approval, the adaptation to the entrance of Heathfield Road at Westerham Road will ensure that average traffic speeds are reduced at that point.

If the right turning traffic exiting Heathfield Road into Westerham Road experiences less waiting time in future, queues should be reduced, and far less rat running at speed down Fishponds Road to 'beat the queue' should result.

To support this view, I am advised that the 7 day average northbound flow (5116 vehicles/day) is similar to the 7 day southbound average (5252).

This data does not suggest that drivers are currently put off using the southbound route because of the congestion, hence the southbound flow is believed unlikely to increase should the congestion be reduced by the introduction of the proposed roundabout.

Supplementary Question

Mr Ormand sought confirmation that in developing the scheme, consideration had been given to any increased traffic levels and consequent risks for village residents and children.

Reply

The Portfolio Holder confirmed that there has been such consideration.

b. The congestion problem is minor and only really an issue driving south in the evening rush hour. Given budget restraints, is this really a priority spot for LBB over other congestion spots?

Reply

In addition to having a troubled safety history due to inappropriate speed along the length of Westerham Road, this particular junction has also been identified as a congestion 'hot-spot'.

The funds for dealing with priorities of this nature are provided by TfL via their London-wide 'LIP' (Local Implementation Plan) process.

The cost of the proposed roundabout is relatively low for this type of scheme which if approved would provide good value for money in terms of reduced congestion and increased safety both at the junction itself and also through the bends to the south of this location.

Supplementary Question

Mr Ormand suggested that the bends further south along Westerham Road were some distance away from the junction with Heathfield Road and if the bends were a safety problem, he suggested that the problem be dealt with in the location of the bends rather than at the junction with Heathfield Road.

Reply

The Portfolio Holder referred to the need to reduce vehicle pollution (from congestion) and increase road safety. Westerham Road is a fast road and measures have been put in place to help address excessive speeds in the location of the bends. The scheme at Heathfield Road junction was, in effect, an extension of measures already in place to help curb high speeds at the bends.

c. LBB has just approved building at Keston School, which included the need for traffic calming measures. Why not combine this with what to do at the end of Heathfield Road and the high number of accidents at "chicken farm bends", and work with the school and residents to find a cost effective, holistic solution?

Reply

All/any issues concerning highway safety around Keston School will be considered separately and do not feature as part of the proposal being considered this evening.

Supplementary Question

Mr Ormond suggested delaying a decision on the Westerham Road/Heathfield Road scheme and consulting with Keston Village residents.

Reply

The Portfolio Holder indicated that he was not pre-disposed to judge what the Committee's recommendations would be on the scheme.

4. Questions from Mr Chris Torbet-Smith

(With reference to drawing 11051-112 detailing changes in parking arrangements in Oxenden Wood Rd)

a. Can we have the full results of all related safety surveys/investigations which have been conducted relating to this proposal? If these are insufficient/incomplete can we rely on those responsible to ensure the plan is not implemented?

Reply

As part of the safety considerations various site visits were conducted to investigate the location and road width.

Swept Path Analysis was also commissioned, also visibility splay. Relevant records are available for viewing on request.

As such, I am advised that there is no technical reason to delay the implementation of the proposal.

Supplementary Question

Mr Torbert-Smith referred to safety considerations and parked cars, suggesting that it is not possible to provide a full safety survey without including any effects of parked vehicles. How was it possible to rely on advice from engineers when some advice appeared to be missing?

Reply

The Portfolio Holder referred to a number of visits by engineers to the location – two had taken place and there were two more proposed visits. It was accepted that a three car solution could impede exit. Parked cars in side streets provide a “build-out” helping to lower travel speeds, particularly at junctions. This provided a safety benefit.

b. Why is there such determination to push this through under ‘flank’ policy in order to generate parking for non-residents to the detriment, and against the wishes of, those directly affected?

Reply

The intent of the proposal is to moderate parking pressure in neighbouring roads where crowded crossovers causing impaired sightlines are causing significant upset and danger to other homeowners, whilst at the same time retain as much parking stock as possible for public use in less intrusive places.

The six houses most directly affected by the change were informed of the proposal by post.

The scheme has since been modified twice in response to those residents expressed concerns.

Supplementary Question

Mr Torbert Smith sought to understand why the Council appeared to be focussing on such a small space for non-resident parking.

Reply

The Portfolio Holder confirmed that the six households were informed of the proposal by post. Following this objections had been received.

Such roads are part of the public highway for the benefit of the borough as a whole. Some people would use Chelsfield station and park. Use of the Flank Fence Parking Policy can offer some parking relief (in view of pressure for parking spaces) and such flank fence spaces can be used in less busy locations. Such parking spaces would be facilitated for the greater good of borough residents.

c. As we have never been consulted on this matter we wish the proposal to be deferred until all avenues/options have been explored, including awaiting the results of changes to Orpington station.

Reply

I feel I must refer you to my answers at 4'a' and 4 'b' above.

Supplementary Question

Mr Torbert-Smiith maintained that a full consultation was needed with residents and residents consulted on the "full picture".

Reply

The Portfolio Holder indicated that the normal consultation process had been slightly foreshortened by the Local Government election in May 2014. Prior to the election a consultation paper, with a wide circulation, had been sent to residents. Although Chelsfield Park was initially omitted, residents in the area were subsequently consulted on the flank fence policy as it would affect Chelsfield Park. Five parking spaces were initially proposed for Oxenden Wood Road, but the number of spaces proposed had been reduced subsequent to consultation.

The Portfolio Holder explained that he had written to the Chelsfield Park Residents Association to apologise that the consultation had not been undertaken as a pure consultation. The next stage of the process would include the proposals being advertised e.g. in local press, when further opportunity would be provided for residents to present comments.

5. Question from Mr Chris Mulinder

Given the costs involved, inconvenience of implementation and the impact to the local area, has there been a thorough evaluation of traffic calming measures, improvements to the A-Road route and Keston Mark Junction and restrictions to traffic through the village to reduce the congestion at this junction?

Reply

Funding across London for road safety schemes is provided from TfL.

It is dispersed across the Boroughs on the basis of whether the funds will maximise the reduction of historic injury accidents, particularly serious and fatal accidents.

Thankfully in almost every regard, without ever becoming complacent, it has to be noted that Heathfield Road's current safety record is such that it does not qualify for such funding at this time.

In respect to the operation of the signals at the Keston Mark, Bromley is lobbying TfL heavily for improvements to be made to the timing of the lights to significantly improve traffic flow.

Supplementary Question

In view of Heathfield Road being a B Road through Keston Village, and congestion only occurring during peak times, Mr Mullinder asked whether it would not be better to look at the Keston Mark junction to determine the extent to which traffic uses the A road.

Reply

The Portfolio Holder indicated that it was not his position to guide the Committee (in making its recommendations).

At this point the Chairman had provided a period of 30 minutes for questions and replies. In view of the substantive business on the Committee's agenda, the Chairman sought views from Members on whether a further 30 minutes should be given to hearing remaining questions and replies. The matter was put to a vote and by a majority it was agreed that sufficient time had been allocated for questions (15 minutes more than required by the Council's Constitution). This was supported by the Chairman who confirmed that the remaining questions (detailed below) would receive a written response from the Environment Portfolio Holder.

6. Questions from Mr Toby Blythe

a. Any proposals to improve the junction of Westerham Rd and Heathfield Rd surely have to be considered taking into account the excessive amount of traffic that uses Keston Village as a cut through from both directions. What measures will be introduced to REDUCE cut through traffic using Keston village?

Reply

I can't promise that any measures 'will' be introduced given that they are very difficult indeed to engage or convince on such matters, but Bromley is lobbying TfL heavily for improvements to be made in the timing of the lights at Keston Mark to significantly improve traffic flow through that particular junction.

b. Keston Village is the quickest route south or north, but it is still a B road and a small village. The levels of daily traffic are comparable if not higher than many surrounding A roads causing huge disruption. What considerations for this roundabout proposal will address this inextricably linked issue?

Reply

The 'consideration' is that there will be no direct effect on Keston Village should the roundabout proposal be progressed.

c. Keston village evidently eases the traffic volumes on the surrounding A roads – do LBB acknowledge this and why therefore is the focus on the junction in question in isolation when it is obvious more significant measures are needed at various surrounding junctions in particular at the Keston Mark?

Reply

To a point yes, albeit as you have identified yourself in 'b' above, the route through Keston Village cuts off two sides of the A232 'triangle' defined by the Keston Mark junction and is therefore and will remain the logistically preferred route for many motorists irrespective of any delays which might be occurring/improved upon at that junction.

The Heathfield Road junction scheme is designed to reduce congestion at that specific location and also contribute to road safety more widely along Westerham Road by lowering average traffic speeds.

With respect to the junction at Keston Mark, I refer you to my answer at 'a' above.

7. Questions from Michelle Blythe

a. Why are you investing in a Roundabout at the end of Heathfield Road, when clearly there is an urgent requirement to re-design the junction at the Mark/Croydon Road?

Reply

The Heathfield Road junction scheme is designed to reduce congestion at that specific location and also contribute to road safety more widely along Westerham Road by lowering average traffic speeds.

In respect to the junction at the Keston Mark, Bromley is lobbying TfL heavily for improvements to be made to the timing of the lights to significantly improve traffic flow.

b. If plans go ahead, what will you offer Keston Village by way of a safe crossing facility as drivers will start to use Heathfield Road as a "short-cut" and traffic will increase? We have a school in Keston Village, and no crossing facility (as all other schools have in the Borough).

Reply

Consideration can be given to this if a suitable location and the local footfall demand achieve the necessary criteria. It is however incorrect for you to suggest that "all other schools have" same.

Regarding "traffic will increase" that remains something of a matter of subjecture and opinion, but I don't believe that necessarily to be the case.

To support this view, I am advised that the 7 day average northbound flow (5116 vehicles/day) is similar to the 7 day southbound average (5252).

This data does not suggest that drivers are currently put off using the southbound route because of existing congestion patterns, hence the southbound flow is believed unlikely to increase should the congestion be reduced by the introduction of the proposed roundabout.

c. What traffic calming measures will you introduce as a result of the likely increase in traffic?

Reply

Funding across London for road safety schemes is provided from TfL.

It is dispersed across the Boroughs on the basis of whether the funds will maximise the reduction of historic injury accidents, particularly serious and fatal accidents.

Thankfully in almost every regard, without ever becoming complacent, it has to be noted that Heathfield Road's current safety record is such that it does not qualify for such funding at this time.

Regarding "likely increase in traffic" that remains something of a matter of subjecture and opinion, but I don't believe that necessarily to be the case.

To support this view, I am advised that the 7 day average northbound flow (5116 vehicles/day) is similar to the 7 day southbound average (5252).

This data does not suggest that drivers are currently put off using the southbound route because of existing congestion patterns, hence the southbound flow is believed unlikely to increase should the congestion be reduced by the introduction of the proposed roundabout.

8. Questions from John Algar

a. Keston village is classified as a rural village, with small shops, post office and Keston CE Primary School. Heathfield Rd is a B road which runs through the heart of the village. A roundabout will only increase traffic and speed. Why cannot measures be proposed to reduce traffic speed?

Reply

This is something of a matter of subjecture and opinion, but I don't believe that necessarily to be the case with regard to either traffic or speed.

If the scheme before us this evening is recommended for approval, the adaptation to the entrance of Heathfield Road at Westerham Road will ensure that average traffic speeds are reduced at that point.

If the right turning traffic exiting Heathfield Road into Westerham Road experiences less waiting time in future, queues should be reduced, and far less rat running at speed down Fishponds Road to 'beat the queue' should result.

To further support this view, I am advised that the 7 day average northbound flow (5116 vehicles/day) is similar to the 7 day southbound average (5252).

This data does not suggest that drivers are currently put off using the southbound route because of the congestion, hence the southbound flow is believed unlikely to increase should congestion be reduced by the introduction of the proposed roundabout.

Specific to reducing traffic speeds, funding across London for road safety schemes is provided from TfL.

It is dispersed across the Boroughs on the basis of whether the funds will maximise the reduction of historic injury accidents, particularly serious and fatal accidents.

Thankfully in almost every regard, without ever becoming complacent, it has to be noted that Heathfield Road's current safety record is such that it does not qualify for such funding at this time.

It is acknowledged that average traffic speeds (the most recent survey recorded the 85th percentile speed at 35.7mph close to Keston Avenue) are faster than anyone would prefer to see, but such measurements are not abnormal for this class of road.

The local Police have been alerted to residents ongoing concerns in this regard.

b. UDP Policy 5.51 states that road safety consideration needs to influence decisions regarding traffic management policy. How will a roundabout improve safety when funds could be better spent on traffic calming?

Reply

Roundabouts lower the average traffic speed of all approaching vehicles.

c. UDP policy 3.2 of the London plan is to achieve a 40% reduction in carbon emission, particularly in a residential area. Westerham Road is classified as a main A road. With fewer residents, why should this road not have priority for traffic flow?

Reply

The introduction of a roundabout at the junction will reduce congestion and therefore reduce carbon emission.

'A' roads obviously do stand higher in the road hierarchy than 'B' roads, but both are very important routes and drivers are perfectly at liberty to use either.

9. Question from Councillor Kevin Brooks

What policy options are being explored to solve bags of refuse being dumped outside of properties on High Streets due to lack of appropriate room in flats to store refuse. If none are being explored, why? As something that increases High Street refuse, how often is rubbish cleared from outside business premises?

Reply

Where this problem has been identified, attempts are made to identify the properties that the waste has come from. In such cases, the resident will be sent a notice stating that simply dumping their refuse on the street is an offence, and that they will be fined if this happens again.

Our Waste Advisors will visit properties where there is a problem caused by the lack of outside space for storage of refuse. In many cases, arrangements have been made with the ground floor occupants to provide storage space, sometimes enabling several residents to share this facility. In other cases, arrangements have been made with commercial properties occupying the ground floor for shared space in their commercial collection containers.

Hence, rather than a specific policy being applied, we look to assist residents in finding a solution based on the practicalities at their specific address.

With regard to clearance from business premises, the Council's trade waste collection service operates on a daily basis. However, businesses are free to choose how often their waste is collected. In addition, not all businesses utilise the Council's service – they are free to utilise any of the licenced commercial trade waste collection services.

If waste from a business isn't properly contained, Waste Advisors are able to serve a notice requiring that it be properly contained and only placed on the highway for collection on the appropriate day.

QUESTIONS TO THE ENVIRONMENT PORTFOLIO HOLDER FOR WRITTEN REPLY

10. Questions from Mr Trevor Goodman

Mr Goodman asked the following questions "*with reference to the proposal to eliminate parking restrictions in Oxenden Wood Road*".

a. According to the Highways team there is a 2m clearance between a parked car and the curb in the area affected. The lorries using the estate are 2.55m wide and will have to mount the grass verge to pass. Why does the Council feel this is safe?

Reply

Parked vehicles serve as unofficial 'build outs'. Build Outs assist in lowering average traffic speeds.

The road width here is 5.4m so when a wide car or van is parked there remains a clearance of over 3m, which is sufficient for a lorry to pass by without mounting the grass.

b. Why was there no consultation for local residents about this scheme?

Reply

The six houses most directly affected by the change were informed of the proposal by post.

The scheme has since been modified twice in response to those residents expressed concerns.

c. There have been scores of objection to the scheme and not one advocate. Why are you thinking of going ahead?

Reply

The Council's 'flank fence' parking policy is designed to moderate parking pressure in neighbouring roads where crowded crossovers causing impaired sightlines are causing significant upset and danger to other homeowners, whilst at the same time retain as much parking stock as possible for public use in less intrusive places.

Question from Mr Zieminski

What is the classification of Heathfield Road and what physical traffic calming measures could the Council introduce to reduce the number of vehicles (including HGVs) that exceed the speed limit along it on a daily basis?

Reply

Heathfield Road is a mixed use classification, which included it being a local distributor road. It is a highway and therefore HGVs also make use of it, although less than 1% of traffic flow along Heathfield Road is by HGVs. Waste vehicles, buses and removal vehicles all use it along with delivery vehicles for local residents .

Regarding speeding traffic, it is acknowledged that average traffic speeds (the most recent survey recorded the 85th percentile speed at 35.7mph close to Keston Avenue) are faster than anyone would prefer to see, but such measurements are not abnormal for this class of road.

The local Police have been alerted to residents ongoing concerns in this regard.

Question from Mr Colin Willetts

Since the early October repair schedule has gone and having received a further email from Mrs Skeggs 21/10/14 in that there are now weeds growing over the damaged brickwork (Brooksway canal bridge), can you supply a new date for rectification?

Reply

These works could begin as early as next week, dependent on the delivery of the specialised hand crafted bricks required to complete the task.
