

# **RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 5 July 2017

## **Present:**

Councillor Michael Rutherford (Chairman)

Councillors Vanessa Allen, Douglas Auld, William Huntington-Thresher, Alexa Michael, Sarah Phillips, Teresa Te and Michael Tickner

## **Also Present:**

Councillors Peter Morgan, Hannah Gray and Angela Wilkins

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

An apology for absence was received from Councillor Nicholas Bennett JP; Councillor William Huntington-Thresher attended as substitute.

An apology for absence was also received from Councillor Julian Benington.

### **2 APPOINTMENT OF CO-OPTED MEMBER**

#### **Report CSD17078**

Members considered a nomination put forward by Bromley Youth Council for one of its members, Nicolas Weaks, to attend Renewal and Recreation PDS meetings as a non-voting co-opted member for the consideration of public reports only.

The Chairman extended a warm welcome to Nicolas and encouraged the representation of young people at meetings of the PDS Committee.

**RESOVLED that Nicolas Weaks be appointed to the Renewal and Recreation PDS Committee as a non-voting, co-opted Member for the current 2017/18 Municipal Year.**

### **3 DECLARATIONS OF INTEREST**

Items 11 and 22 - Visiting Member Councillor William Huntington-Thresher declared a non-pecuniary interest as Advisor to the Orpington 1<sup>st</sup> BID Board.

Items 9 and 20 - Councillor Alexa Michael declared a non-pecuniary interest as a Member and user of Bromley Library.

Item 13 – As an Athletics England athlete, Councillor Michael Rutherford declared a non-pecuniary interest in regard to Aim 12.2 (page 119).

#### **4 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

##### **4a QUESTIONS FOR THE CHAIRMAN OF RENEWAL AND RECREATION PDS COMMITTEE**

The following written question was received from Orpington resident, Mr Richard Gibbons:-

‘Would the Chairman, on Committee's behalf, adopt the Healthy Streets Approach included in Draft Mayor's Transport Strategy 2017 when reviewing Agenda Items 8, 10, 11, 12, and encourage Portfolio Holder and Officers to do likewise with current/future projects to create a vibrant, thriving and healthy borough prioritising walking, cycling and public transport?’

The Chairman's written response was as follows:-

‘Thank you very much to Mr Gibbons for his question and for alerting me to the Healthy Streets Approach within the draft Transport Strategy.

In preparing for this meeting today I read the approach, and as he suggested took it into account when considering today's agenda. I would encourage other Members to do the same. To summarise, it outlines the strategy to encourage walking, cycling and public transport by making streets safe and pleasant, easy to cross, with cleaner air and places to rest.

There is a lot to commend the strategy and I believe they should be taken into account when we scrutinise proposals. I also believe that the Council's strategy is in large part in line with the Healthy Streets Approach. Our new homes are focused on town centres and areas with good public transport and St Mark's Square and Churchill Gardens (Site G) are focused on pedestrian squares with good bike parking and cars hidden away, largely underground. New cycle paths are on the way and enhanced cycle parking has been created at locations such as The Glades and major railway stations.

The caveat I add is that aspects of the Healthy Streets Approach move away from being pro-cycling and walking towards being anti-car. There are large parts of the borough that do not have great public transport connections and we must recognise that many of our residents like or need to drive. I believe our approach should allow more town centre visitors parking spaces but make it as easy as possible for people to use other forms of transport.’

**4b QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER**

No questions were received.

**5 MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 5 APRIL 2017**

**RESOLVED** that the Minutes of the meeting held on 5 April 2017 be confirmed and signed as a correct record.

**6 MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES**

All actions for matters arising from previous meetings had been completed.

**RESOLVED** that the matters arising from previous meetings be noted.

**7 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO REPORTS**

**7a BUDGET MONITORING 2017/18**

**Report FSD170045**

Members considered the latest budget monitoring position for 2017/18 for the Renewal and Recreation Portfolio based on expenditure and activity levels up to 31 May 2017. The total portfolio budget showed a projected underspend of £42k.

**RESOLVED** that the Portfolio Holder be recommended to endorse the latest 2017/18 budget projection for the Renewal and Recreation Portfolio.

**7b PROVISIONAL OUTTURN 2016/17**

**Report FSD17046**

Members considered the 2016/17 provisional final outturn position for the Renewal and Recreation Portfolio which showed an underspend of £292k.

Approval was also sought for the drawdown of the carry forward sums from 2016/17 held in the Central Contingency, totalling £367k (net of grant income) as highlighted in paragraph 5.9 of the report.

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

- 1) endorse the 2016/17 provisional outturn position for the Renewal and Recreation Portfolio; and**

- 2) **approve the drawdown of the carry forward sums from 2016/17 held in the Central Contingency, totalling £367k (net of grant income) as highlighted in the report.**

## **8 CRYSTAL PALACE PARK: REGENERATION PLAN**

### **Report DRR17/029**

Following completion of the development stage of the Regeneration Plan for Crystal Palace Park, Members were requested to consider the proposed steps to take the Regeneration Plan forward to delivery.

The report sought approval from the Executive of spend of up to £625k funded from Capital Receipts to progress the Regeneration Plan to the submission of the outline planning application by spring 2018. A further £242.3k was requested from Capital Receipts to deliver the Crystal Palace Park café project with any unspent contingency being contributed towards the next phase of the Regeneration Plan scheme.

Due to its confidential nature, a detailed report on the outcome of the café works tender process was considered under the Part 2 section of the agenda.

In outlining the report, the Head of Culture, Mrs Lydia Lee, made the following representations:-

- 'The Regeneration Plan follows numerous unsuccessful attempts to regenerate the park. Including the 2007 Masterplan, valued at £100m to deliver, and the ZhongRong Group proposal in 2013.
- In March 2015 the Executive agreed to a new strategy to the regeneration of the park
- The agreed approach was to develop a regeneration plan for the park made up of three strands:
  - a capital scheme to regenerate the park in line with the vision of the Masterplan,
  - a new form of governance, and
  - a new park specific business model.
- The development of the Regeneration Plan is now complete and this report seeks approval to progress to the first stage of delivery, which is to proceed to outline planning permission for the capital scheme by spring 2018 at a cost of up to £625k.
- Although the business plan and governance strands have been progressed, as detailed in the report, the report recommendations are restricted to the progression of the capital scheme.

### Capital scheme

- The capital scheme development has been led by consultants AECOM through an options appraisal process.
- The scheme has been required to meet set priorities for regeneration and certain criteria, such as working within the likely capital budget available and responding to the developing business plan findings.
- As detailed in the committee report extensive consultation has been undertaken with sector bodies and the community to inform the scheme.
- The report summarises the proposed capital scheme works, and appendix A to the report visualises the scheme.
- The capital scheme includes park wide infrastructure improvements, such as lighting, and specific works to improve each of the park zones, including the restoration of the historic terraces.

### Costs and funding

- A cost plan for the delivery of the capital scheme has been developed in response to the estimated funding available.
- Knight Frank has valued the enabling development housing sites in the current market at £24.84m.
- In addition a successful Parks for People grant application to the Heritage Lottery Fund would realise £5m.
- Therefore the total assumed budget, bearing in mind the original Improvement Scheme budget mainly funded by the Mayor of London, is £32.11m. As set out in the table in paragraph 3.27.
- The funding model at this time only includes £160k from the Council, previously agreed in 2015 for the improvement scheme, which is currently being delivered.
- All other expenditure is expected to be funded from the future capital receipts from the enabling development and the lottery grant, therefore the Regeneration Plan has been designed to be self-funding.

### Key issues and risks

- There are key issues and risks in taking forward the Regeneration Plan, as detailed in the report.
- Regenerating Crystal Palace Park is a highly complex project. The park is a multi-faceted site with a broad range of issues from leased buildings to historic assets.

- However the plan offers the only identified holistic solution to the park's regeneration and a sustainable future through the Regeneration Plan's development of significant diverse income streams.
- Additionally, during the development of the Regeneration Plan a previously unappreciated urgency to advance the plan now has come to light.
- The most valuable of the enabling development sites, at an estimated £15.44m, is Rockhills where the Caravan Club is currently situated. The Caravan Club's lease can only be broken every thirty years, and the 31<sup>st</sup> December 2018 is the next date that the lease can be broken.
- If the Council does not proceed with the Regeneration Plan now it will not be able to oppose the grant of a new lease to the Caravan Club and the courts could order the grant of a new lease for up to 14 years, which would prevent any redevelopment during that time. Therefore if the Council wishes to proceed with the Regeneration Plan the decision cannot be delayed.

#### Improvement Scheme

- Separate to the Regeneration Plan, the Improvement Scheme is currently being delivered in the park. The Improvement Scheme has largely been funded by the Mayor of London with financial contributions from the Council and Historic England. The Improvement Scheme is made up of six capital projects all of which are either complete or the contract has been awarded (in the case of the skatepark), with the exception of the new park café.
- The café tender process is detailed in the report. The outcome of the tender process is detailed in the Part 2 report.
- Ultimately, the winning (and lowest) tenderer is £242.3k over budget.
- Members are asked to approve the award of contract to the identified winning tenderer and approve additional spend of up to £242.3k, funded from capital receipts in order to deliver the Crystal Palace Park café project.

A solution to bring the scheme in on budget was rejected by the Mayor of London, the primary funder. Therefore so as to not lose the GLA grant monies it is proposed that the additional £242.3k required is underwritten by the Council, in the anticipation it can be recouped from future capital receipts from the park enabling development. This is shown in the table in paragraph 3.27. Councillor Michael was informed that the maze on the north mound would be retained as part of the Regeneration Plan. The former zoo was now Crystal Palace Park Farm which was operated by Capel Manor College and open to members of the public.'

Having visited the Park, it was clear to the Chairman that regeneration was required, particularly in regard to the café. He congratulated officers on producing a well-documented and detailed report.

Councillor Allen welcomed the regeneration scheme which she considered was long overdue. Referring to paragraph 3.10 (page 6), Councillor Allen commented on the usefulness of the existing Information Centre and urged officers to ensure that the building was either refurbished or re-provided but not removed. In regard to the delivery of a new café, Councillor Allen was informed that this was the only project out of six which came in over budget and would be closely monitored going forward. Detailed information on the budgeting aspect was contained in the tender report. Redevelopment of the Rockhills site included nursery provision which would replace the One O'Clock Club currently operated by Mytime and was also the allocated site for re-provision of the community centre.

Visiting Ward Member Councillor Angela Wilkins, thanked Mrs Lee for all the hard work and effort she had put into the project. Councillor Wilkins wholeheartedly supported the scheme and believed Crystal Palace Park should be the 'jewel in Bromley's crown'; this was a project which the community deserved.

Mrs Lee informed Members that six options for park regeneration had been developed; these were reviewed by Historic England, the Crystal Palace Park Project Executive Board, the Heritage and Environment Group, the GLA and the Shadow Board. As Option 5 was assessed as the preferred scheme, the remaining five options were no longer eligible for consideration.

Councillor Auld stated this was a smaller scale project than those previously put forward, so the sale of the Rockhills site and gaining planning permission for its redevelopment was vitally important.

In regard to the National Sports Centre, it was reported that The Lodge Tower, an 11-storey building providing overnight accommodation for athletes and visitors to the NSC, located in the central area of the Park, was under the control of the Greater London Authority.

In summing up, Members agreed that Crystal Palace Park was very much in need of regeneration and supported Option 5 as the preferred scheme which appeared to make the most of key spaces and would result in the least amount of open public space being lost.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

## **9 CONTRACT AWARD FOR THE PROVISION OF LIBRARY SERVICES - PART 1**

### **Report DRR17/034**

At a meeting of the Executive on 9 November 2015, officers were instructed to market test the library service using a procurement strategy based on competition with negotiation to enable officers' flexibility to work with bidders to realise savings.

Members of the R&R PDS Committee were now requested to consider the outcome of that market testing and provide comments to the forthcoming meeting of the Executive on 19 July 2017.

Further confidential details relating to the award of contract for the provision of library services was considered in an accompanying Part 2 report (DRR17/035).

In outlining the report, the Director, Culture, Renewal and Recreation, made the following representations:-

'Firstly, I should apologise to members of the Committee for the late publication of the two libraries reports, with hindsight I should have perhaps maintained my original position of calling a special meeting once all of the work was completed. However, when I agreed to bring the reports to this meeting I was of the view that this could be achieved. It then transpired that GLL asked for an extension of time to submit their final tender price which we agreed to, but this then caused a knock-on delay in the final evaluation which when considering the complexity of the bid meant that I was late in releasing the reports.

Having said that though, Members will be aware that there have been a significant number of reports tabled concerning the commissioning of library services and in many respects the two papers on the agenda tonight bring to a conclusion to this piece of work.

In particular, in November 2015, through the Gateway report concerning "Proposals for a Commissioned Library Service", the Council agreed to begin a process of market testing the Library Service. This decision was made in the context that over the coming years the Council will need to continue to deliver multi-million pound savings from its revenue budgets. The tender invited potential interested service providers to submit an application to deliver library services on behalf of and under the supervision of the Council, creating a commissioned library service.

In summary we are asking the Executives to agree to:

Award a contract to Greenwich Leisure Limited (GLL) for a period of ten years to run the councils library service with an option for a five year extension.



This is on the basis of the current service, so for instance:

- The same number of libraries that the Council currently provides (14)
- The same operating hours as provided now.
- Same number of days of opening as provided now.
- Same number of new books purchased as now
- Same or similar activities as provided now.
- The Councils library team TUPE transferring to GLL.

We are not envisaging any redundancies as a consequence of this TUPE transfer. Two posts will be retained to form the client team to act as the interface between the Council and GLL.

The contract, subject to the Executive agreeing would go live on 1 November 2017 and would generate significant revenue savings for the Council over the life of the contract.

The contract, should it be awarded, allows for continuous development and improvement and both parties are keen to explore how the service can be developed over the life of the contract to drive up usage of the library service.

It is worth noting at this point that GLL will only be contracted to run the service on the Council's behalf; any decision affecting the direction of travel for the service, amendments or changes to the service will be for the Council to take through the normal democratic process. In other words the Council will retain full control of its library service and will monitor contractual performance twice yearly against a detailed set of key performance indicators and service levels.

GLL are an experienced public library provider, operating library services in Greenwich, Wandsworth and Lincolnshire as well as in prison libraries on behalf of the Ministry of Justice. They are a long established charitable social enterprise experienced at working with local authorities and communities.

The 2016 CIPFA statistics show that in 2015/2016 The Royal Borough of Greenwich achieved 2,408,866 visits, the highest total number of visits to any London library authority.

In addition, Greenwich also had 8,766 visits per 1,000 population, the highest number of visits per 1,000 population across the country.

Wandsworth Borough achieved the highest number of issues in London - at 1,432,685.

There are two reports on the agenda, the Part 1 report provides members with details of the procurement process and the staff consultation that has been undertaken.

The Part 2 reports sets out the financial information behind the GLL bid and the positive impact on the council's revenue budgets going forward over the life of the contract.

The project team:- Mrs Moore, Mrs Jackson and Mr Woolgar are all here tonight to answer any questions or comments that Members may have in relation to the two reports.'

Councillor Michael was informed that the Local Authority would retain ownership of all libraries. Whilst GLL were able to procure books at a cheaper rate than Bromley, the Council would still pay for them and would, therefore, own them. GLL would however, be responsible for employing staff and managing the libraries.

Councillor Allen considered the scheme to be a form of privatisation and for this reason she could not support the proposals. She questioned how GLL could possibly make a profit from the scheme without making staff reductions. She added that the consultation results were misrepresented as the questions asked had been misworded. Councillor Allen also raised concerns about the continuous improvement plans and how these would be monitored. Just maintaining the service as it currently operated was the absolute minimum expected. She also feared that GLL were known to employ staff on zero hours contracts and did not pay the living wage.

The Director of Commissioning reported that £190m worth of Council services were currently outsourced, the majority of which worked well. Organisations such as GLL operated like businesses and worked on a more efficient basis. A summary of the benefits of their bid to deliver the library service and deliver savings on the Council's annual operating budget were outlined in paragraph 3.19 of the report.

In regard to Councillor Allen's concerns around zero hours contracts, the Director Culture, Renewal and Recreation informed Members that GLL were asked to provide their observations on this. Having originated from the leisure industry, GLL had various contracts in existence with 70% of hours worked delivered by staff on permanent open-ended contracts, 30% of hours worked were delivered by staff whom were casually contracted. Libraries were a more fixed operation where only 10% of hours worked were delivered by casual workers. It was GLL's view that it was easier to keep staff on the Local Government Pension Scheme. He also reported that a lot of misinformation was contained in the Trade Union document.

The Director, Commissioning confirmed that existing staff would be transferred across on existing Terms and Conditions. She emphasised the Council was required to save a total of £24m over the next four years. Going ahead with the proposed scheme would ensure that the same level of service was maintained whilst offering security to staff. Should Members decide not to go ahead, it was probable that less advantageous options would need to be considered.

Councillor Phillips alluded to the fact that the same concerns were raised when Members considered the Council's shared service for library back-office and management functions with the London Borough of Bexley. None of

those concerns were proved correct. Staff would be protected through TUPE. The Council was doing its best to maintain services and for this reason Councillor Phillips supported the proposals.

In response to a question raised by Councillor Huntington-Thresher, Members were informed that GLL were aware of the on-going project to redevelop Chislehurst Library and that the contract had the ability to manage such changes to library buildings. Going forward, officers would also work with GLL on the modernisation of various other libraries within the Borough.

Mr Tim Woolgar, Library Operations and Commissioning Manager, reported that new technology was being introduced to assist people in digital literacy and provide services for profiling local communities to ensure suitable stock was obtained for each library. E-books and e-magazines already formed part of the stock fund and would continue throughout the contract. The contract would allow an IT refresh from day one with a second refresh from year 6.

Members were assured that as a procurement activity, the Council would retain greater control over the contract. Any suggestion or change put forward by GLL would be considered by officers and decided by Members. GLL would be required to report to the Committee bi-annually.

In summing up, the majority of Members agreed that whilst libraries delivered an excellent service, something needed to change to enable the Council to save £24m as mentioned previously. It was envisaged there would be no loss of professional staff as a result of the contract. GLL were able to purchase more stock with less money and would do more in terms of community activities.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

Councillor Allen's dissatisfaction with the proposals was noted.

## **10 BIGGIN HILL MEMORIAL MUSEUM**

### **Report DRR17/032**

The development of the Biggin Hill Memorial Museum project was now complete with all funding having been secured. The report sought authority from Members of the Executive to take the project through to delivery and to approve the award of the works contract and the investment of the endowment.

Prior to this, Members of the R&R PDS Committee were requested to consider the report and make any comments available to the Executive.

Mrs Lydia Lee, Head of Culture was pleased to announce that the Heritage Lottery Fund had awarded a grant of almost £2m to the Biggin Hill Memorial Museum scheme.

In his absence, the Chairman reported written comments received from Ward Member and Committee Member, Councillor Julian Benington as follows:-

*'As ward Councillor and a Trustee of the Biggin Hill Memorial Museum Trust, I would like to record in the Minutes my sincerest compliments to the Culture team, particularly Lydia Lee, Jemma Johnson-Davey and Rachael David for their outstanding work and support for this project. It is mainly by their endeavours and professional approach that the successful fund-raising of £5 million has been achieved, from different sources, which will enable the Chapel and Museum plans to go ahead.*

*I would like to add the Assistant Director Colin Brand to these compliments for his continuous support and valuable assistance.'*

Members were informed that due to programme constraints, the outcome of the tender process and a recommendation to award the works contract would be detailed in a Part 2 report which will be circulated the day before the meeting of the Executive on 19 July.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

## **11 OPPORTUNITY SITE G - DEVELOPMENT AGREEMENT AND LEASE - PART 1**

### **Report DRR17/038/1**

Following the selection of Countryside Properties (UK) Ltd as the preferred development partner for the next phase of development of Opportunity Site G, Members were requested to consider the detailed terms of the development agreement and lease prior to consideration by Members of the Executive at its meeting on 19 July.

Further detailed information which, for reasons of confidentiality, was provided in an accompanying Part 2 report (Report DRR17/038).

However, one element of the Part 2 report included consideration of any objections received from the public as a result of the advertisement of the proposal to dispose of a small area of public open space. As this was no longer considered to be of a confidential nature, Members discussed this matter under the Part 1 public section of the agenda.

The original tender documentation indicated that the Council was prepared to consider straightening the boundary of the site by including a small part of Church House Gardens, provided there was a corresponding land swap and no net loss of public open space. Countryside confirmed they wished to take this option up and provided a plan which showed the area to be taken out of the park and included in the site, the area to be added back as open space and an additional area that would be dedicated as public open space but

maintained by Countryside. The total of the land to be lost and the land added back amounted to 435.6sqm, so there would be no net loss. In addition, the majority of the land to be lost formed part of the hard landscaped area leading from the High Street into the park.

Because the proposed land for disposal was currently public open space, it was necessary to give notice under S123 (2A) of the Local Government Act 1972 of the Council's intention to dispose of the land by advertising the potential disposal for two consecutive weeks in a newspaper circulated in the area. Members were then required to consider any objections received before making their final decision whether to proceed with the proposed disposal. The notices were published on 28 June and 5 July and any objections received would be reported to Members at the meeting of the Executive. The Chairman expressed concern about the timing of the notice, given that it had been issued before the first consultation regarding the site. He was also disappointed with the presentation of the notice, including the lack of a clear supporting map. The Chairman suggested the notice be withdrawn pending consultation.

The Head of Renewal confirmed that as a result of the land swap there would be no net loss of parkland or gardens. It would also result in a significant improvement to the landscaped area.

In regard to recommendation 2.2(iii), Members were informed that this was a standard clause and reference to 'any further [non-material] variation in the detailed terms' referred to one or two on-going phasing issues.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

## **12 ORPINGTON BUSINESS IMPROVEMENT DISTRICT (BID) PROPOSAL – RENEWAL FOR 2018-2023 - PART 1**

### **Report DRR17/036**

Members considered updates on the progress achieved to date on the development of a proposed Second Term for the existing Business Improvement District (BID) in Orpington Town Centre and its potential implications for the Council. The updates included the outline Orpington BID Proposal 2018-2023 and Members considered a request that the Portfolio Holder for Renewal and Recreation be given delegated authority to review the final version of the BID Proposal in order to authorise a Ballot to be held on the renewal of the Orpington BID in November 2017.

For reasons of confidentiality, full details of the Orpington BID Proposals 2018-2023 were contained in a report considered by Members in the Part 2 section of the agenda.

It was reported that Orpington 1<sup>st</sup> had requested the Council consider waiving the £8k per annum levy collection charge however, the Local Authority did not

have the budget to support this. It was also likely that in doing so, other BIDs may submit the same request and therefore the financial benefit gained from having BIDs would be lost.

The levy itself was collected on behalf of the Council by Liberata and Councillor Tickner was concerned that they may be overcharging. The Head of Town Centre Management had looked into this matter and discovered that some local authorities do waive the levy while others do not. Liberata was on a par with other local authorities in terms of the levy charge.

Councillor Huntington-Thresher commented that BIDs were not able to negotiate with collectors. The Orpington BID had a smaller income than others so the levy charge took up a significant proportion of that income. He emphasised the need to ensure that Liberata were encouraged to collect as cheaply as possible. Councillor Tickner moved that an additional recommendation be added to the recommendations to be considered by the Executive in regard to this.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017. The following recommendation was also added:-**

**'2.6 The Executive be recommended to agree that when Liberata's contract is up for renewal, the levy collection charge be included in the specification.'**

### **13 TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE**

#### **Report DRR17/037**

Members received an update on the progress achieved in delivering the Town Centres Development and Growth Programme.

Commenting on the Orpington Walnuts Shopping Centre Public Realm Scheme and in light of the recent Grenfell Tower disaster, Councillor Michael referred to concerns regarding the cladding for the new fire escape. The Head of Renewal confirmed the cladding was fire retardant.

Councillor Tickner reported the Beckenham BID had been deferred until January/February 2018 however, traders were still very enthusiastic. Councillor Morgan attended the last Beckenham Town Centre Working Group where concerns were raised regarding the incorrect paving laid around Beckenham Junction which was lighter than the darker granite originally ordered. On completion of the scheme, Conways the Highways Contractor, would replace the paving with the correct specification, meanwhile they considered deep scrubbing with a chemical solution should bring it back up to standard. The correct granite had been reordered for the remaining two phases.

In regard to anti-terrorism, Environmental Services were working towards introducing protective street furniture in the Beckenham Town Centre public high street at a cost of £100k. Deeply embedded bollards capable of withstanding attacks would be installed in Market Square.

Councillor Huntington-Thresher enquired whether current cycle parking in high streets were secure. In response, the head of Renewal confirmed that security was at the forefront in terms of design for Beckenham. Cycle parking should be located where it was most required by members of the public and visible in an area where passive surveillance could take place. Cycle pumps would also be made available. Councillor Tickner emphasised the importance of ensuring a number of smaller cycle spaces were also located around smaller convenient areas.

**RESOLVED that the progress achieved in delivering the Town Centres Development and Growth Programme be noted.**

#### **14 RENEWAL AND RECREATION PORTFOLIO PLAN**

##### **DRR17/033**

Members considered a report which summarised the aims and objectives of the Renewal and Recreation portfolio for 2017/18. The report also provided a summary of the achievements of the Renewal and Recreation portfolio in 2016/17.

It was agreed that a further Portfolio Plan report be submitted to the final meeting of the 2017/18 Municipal Year.

**RESOLVED that the reported be noted.**

#### **15 PLANNING APPEALS MONITORING REPORT APRIL 2016 TO MARCH 2017**

##### **Report DRR17/29**

The report (considered jointly with Item 15 – Report DRR17/28), provided an update on planning appeals received and decided for the year 2016/17.

In responding to questions from Councillor Michael, the Chief Planner reported there was no obvious reason for the difference between the number of appeals lodged in 2015/16 (261) compared with 2016/17 (351) as set out in Table 1 (page 135). One theory was that whilst the number of dwelling applications had increased in 2016/17, the number of applications refused were in fact very similar.

At the suggestion of Councillor Allen, officers agreed that each case recorded in future tables would be numerically allocated for ease of reference.

The Development Control Manager (Appeals and Enforcement) confirmed he actively encouraged officers to apply for awards of cost when applicable.

The Chief Planner reported the Planning Section attempted to match appropriately the quality of the appellant's barrister/planning consultants etc. at appeal hearings.

Discussion had taken place with the Communications Team in regard to advertising when appeal cases were awarded in the Council's favour with some being advertised in the weekly list. It was good to show residents that the Council was being robust in appealing cases.

**RESOLVED that the report be noted.**

## **16 PLANNING APPEALS - COSTS 2016-2017**

### **Report DRR17/28**

Members received an update on the award of costs from planning appeals made in the financial year 2016/2017. The report also contained an update on cost claims paid in the same year.

Members considered this information jointly with Item 14 (Report DRR17/29) and any comments made are recorded thereunder.

**RESOLVED that the report be noted.**

## **17 ENFORCEMENT MONITORING REPORT (APRIL 2016 TO MARCH 2017)**

### **Report DRR17/027**

Members considered an update on enforcement activity from 1 April 2016 to 31 March 2017. This report was considered jointly with Item 17 – Report DRR17/031).

In regard to Appendix 1 – Instructions Issued April/May/June 2016, the Chief Planner agreed in future to include outstanding items prior to 2016. The table would also be amended to show the date when cases had been resolved. The Development Control Manager informed Members that although the number of complaints received had remained static, the number of running cases had built up due to a member of staff being absent from the office for three months. Upon her return, the number of cases had decreased. Currently, enforcement staff were responsible for 150 cases each.

Councillor Tickner requested up-to-date information concerning action taken in regard to The Drive, Beckenham (page 185). He was aware that a decision to issue an Enforcement Notice was made in November 2016 yet the site still remained untidy. The Development Control Manager explained that the owner had appealed the Notice and Bromley Magistrates' Court had failed to



notify the Council of the scheduled hearing or that the appeal had been dismissed. A Breach of Enforcement Notice was currently with litigation and a summons would be issued shortly. Further action was awaited on the Section 125 Notice and a charge against the property would be raised. Upon receipt of the Notice, the owner would have 28 days in which to comply. It was envisaged that the case should be resolved within the next three months.

In light of the Grenfell Tower disaster, the Director of Regeneration informed Members that an information report on how this had affected the Council and the outcome of on-going housing association investigations concerning fire safety and fire risks would be submitted to the PDS Committee meeting in November 2017.

Amey, the Council's property contractor, had been requested to undertake fire/risk assessments on all Council-owned buildings. This should be completed by September 2017 and a separate report on the findings and costs would be submitted to a future PDS meeting.

The Chief Planner confirmed that external Building Control Approved Inspectors worked to the same Building Regulations as the Council and must also sign a completion notice as the Council do. In terms of cladding etc., the Council did attempt to advise owners of their responsibility to employ someone to carry out assessments.

The Chairman put forward a motion that officers contact relevant owners to ensure their building stock is assessed and to request a copy of the cladding assessment for the file. This motion was seconded by Councillor Tickner.

**RESOLVED that officers contact relevant building owners to ensure their building stock is assessed and to request, where relevant, a copy of the cladding assessment for the file.**

## **18 DELEGATED ENFORCEMENT ACTION - APRIL 2016 TO MARCH 2017**

### **Report DRR17/031**

Members were advised of the enforcement action taken under Delegated Authority for alleged breaches of planning control.

Members considered this information jointly with Item 16 (Report DRR17/29) and any comments made are recorded thereunder.

**RESOLVED that the report be noted.**

**19 RENEWAL AND RECREATION PDS COMMITTEE WORK  
PROGRAMME 2017/18 AND RE-APPOINTMENT OF THE BECKENHAM  
TOWN CENTRE WORKING GROUP**

**Report CSD17079**

Members considered the R&R PDS Work Programme for 2017/18 and were also requested to agree to the continuation of the Beckenham Town Centre Working Group for the current Municipal Year with membership comprising Councillor Michael Tickner and Ward Councillors.

**RESOLVED that:-**

- 1) the work programme for 2017/18 be noted; and**
- 2) the Beckenham Town Centre Working Group be appointed for a further year with a Councillor membership comprising Councillor Michael Tickner and Ward Councillors.**

**20 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 moved that the Press and public be excluded during consideration of the items of business listed below as it was 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.

**21 CONTRACT AWARD FOR THE PROVISION OF LIBRARY  
SERVICES - PART 2**

**Report DRR17/035**

Confidential details relating to the award of contract for the provision of library services was considered by Members. This report accompanied a Part 1 report (DRR17/034) in relation to the outcome of market testing the library service.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

**22 OPPORTUNITY SITE G - DEVELOPMENT AGREEMENT AND  
LEASE - PART 2**

**Report DRR17/038**

Following the selection of Countryside Properties (UK) Ltd as the preferred development partner for the next phase of development of Opportunity Site G, Members were requested to consider further confidential details on the terms

of the development agreement and lease prior to consideration by Members of the Executive at its meeting on 19 July.

One element of the report (paragraph 3.6), related to the Council's intention to dispose of a small piece of land; this was no longer considered to be of a confidential nature and was therefore discussed during consideration of the accompanying Part 1 report (DRR17/038/1).

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

**23 ORPINGTON BUSINESS IMPROVEMENT DISTRICT (BID)  
PROPOSAL – RENEWAL FOR 2018-2023 PART 2**

**Report DRR17/043**

Members considered confidential additional detail on the draft proposals and budget for a Second Term for the existing Business Improvement District (BID) in Orpington Town Centre. An accompanying Part 1 report (Report DRR17/036) was previously considered during the public section of this meeting.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

**24 BIGGIN HILL MEMORIAL MUSEUM**

As this report was no longer considered to be of a confidential nature, Members discussed its content under the Part 1 public section of the agenda (Supplementary Item 9a).

**25 CRYSTAL PALACE PARK: REGENERATION PLAN**

**Report DRR17/029**

Members considered a confidential update on the outcome of the Crystal Palace Park café works procurement process for which approval for the award of contract was sought from Members of the Executive. An accompanying Part 1 report relating to the development stage of the Regeneration Plan for Crystal Palace Park and the next steps to take the Plan forward to delivery was previously considered during the public section of this meeting.

**RESOLVED that the report be noted and Member comments be submitted to a meeting of the Executive on 19 July 2017.**

The meeting ended at 9.10 pm

Chairman