

## **ENVIRONMENT AND COMMUNITY SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 20 November 2018

### **Present**

Councillor Will Harmer (Chairman)  
Councillor David Jefferys (Vice-Chairman)  
Councillors Ian Dunn, Samaris Huntington-Thresher,  
Will Rowlands, Melanie Stevens and Kieran Terry

### **Also Present**

Councillor William Huntington-Thresher,  
Councillor Kira Gabbert and Councillor Michael Tickner

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

Apologies were received from Cllr Mark Brock and from Cllr Colin Hitchins.

#### **29 DECLARATIONS OF INTEREST**

There were no declarations.

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

There were no questions to the Committee.

#### **31 MINUTES OF THE ENVIRONMENT PDS COMMITTEE MEETING HELD ON 10TH OCTOBER 2018**

The minutes were agreed.

#### **32 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

Six questions had been received for oral reply. Details of the questions and replies are at **Appendix A**.

**33 PRE-DECISION SCRUTINY OF REPORTS TO THE ENVIRONMENT PORTFOLIO HOLDER**

**a BUDGET MONITORING 2018/19**

**Report FSD18088**

Based on expenditure and activity levels to 30th September 2018, the latest 2018/19 budget monitoring position for the Environment & Community Services Portfolio shows an underspend of £114k with the controllable budget projected to underspend by £141k at year-end.

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

Commenting on the current parking position, the Portfolio Holder highlighted a continued underuse of Council-owned car parks and a reduced level of income for on and off-street parking (with a £129k deficit projected). An income shortfall was also projected for parking enforcement (£300k) with certain parking suspensions at Beckenham potentially contributing to the shortfall along with changes to Bromley Town Centre Parking Zone A (signs being reviewed/ policy changes concerning shared use bays). Although enforcement existed to prevent contraventions, an understanding was being sought of causes for the present position and reduced income level. Conversely, bus lane and blue badge contraventions had both increased.

Lower parking enforcement income could also be attributed to APCOA's deployment plan currently being considered by the Head of Parking Services and APCOA. A growing number of ad-hoc enforcement requests were being received from residents using the available online form. In responding to a request, Civil Enforcement Officers (CEOs) would be diverted from routine patrols; however, on a number of occasions they are called to locations where it is not possible to enforce. To increase deployment effectiveness, it is necessary to call CEOs to locations where it is believed an enforceable offence will be committed.

Lower enforcement income could not be attributed to APCOA's previous poor performance as they are now performing to an improved level and not failing their performance targets. Instead, it was necessary to look at where to deploy CEOs more effectively.

Concerning the use of automated cameras for enforcement, those used successfully for bus lanes can be redeployed and it was confirmed that mobile cameras can be legitimately used for the enforcement of zig-zag restrictions outside of schools (e.g. fixed to school gates). However, legislation prevented officers from using CCTV equipment to enforce against a number of wider offences.

Concerning Waste Services, and noting that it might be necessary to carry forward to 2019/20 some of the £120k budget from 2017/18 to develop a direct debit payments system for the GW service, a Member felt that it is necessary to implement a system and for as long as the budget is not spent, money is being lost through the CRM system. The Assistant Director of Environment indicated that a need to integrate a service provider solution with a system wanted by the Council. The service has awaited the outcome of the Environment Commissioning Programme and it is necessary to speak to the new contractor for the service. There is an integrated solution through a cloud based system and next April a date might be available to take a direct debit payment system forward. To renew an annual fee, the Member suggested a system where a credit card can be automatically activated.

**RESOLVED that the Portfolio Holder be recommended to endorse the latest 2018/19 budget projection for the Environment & Community Services Portfolio.**

**b ORPINGTON: CROFTON ROAD CYCLE ROUTE**

**Report ES18063**

TfL's London-wide Strategic Cycling Analysis identifies Crofton Road as potentially having a high volume of short trips by cycling (switching from car and bus) with appropriate infrastructure. The section of Crofton Road proposed for a scheme is within the top 5-10% of connectors for potential cycling trips in London with analysis showing a potential to switch over 21,000 trips per day to cycling to and from Orpington town centre.

The scheme proposed for Crofton Road also offers improvement for pedestrians and bus passengers, primarily on the narrower section of Crofton Road, between Crofton Avenue and Ormonde Avenue. Additionally, provision is made for new trees and some landscaping.

Following approval of outline proposals in July 2017 for a safe and segregated cycle facility on Crofton Road (A232), Ward Members and the Crofton Residents Association (CRA) raised concerns. A number of meetings were held and the CRA subsequently circulated 2,073 consultation letters (December 2017) outlining changes to the proposals in response to concerns. With residents invited to comment to the Council, 26 responses were received - 65% being supportive or wanting the scheme to go further; 23% opposing; and 12% supporting some aspects of the scheme.

As the CRA felt that insufficient consultation had taken place and were unable to agree the analysis results, further meetings were held to understand the issues and concerns. One concerned a need to fell 33 trees. However, this was due to their potential impact on surrounding boundary walls rather than a result of the scheme. It is hoped to replace a number of trees through the scheme with precise locations being discussed with the Council's Arboriculture Officer.

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Local Ward Councillors raised additional concerns in October on the design of a revised scheme and its £850k cost. A further revised scheme now removes proposed cycle facilities between Ormonde Avenue and Crofton Avenue, although pedestrian improvements remain. Improved cycle and pedestrian facilities continue along the Crofton Avenue/Orpington Station section (drawings for the scheme being appended to Report ES18063). The scheme benefits pedestrians as well as cyclists through improved footways, wider refuges, and new zebra crossings. Bus users also have improved waiting facilities and lower vehicle speeds can be expected from reduced carriageway width throughout the whole length of the scheme.

The revised cost of the scheme was outlined at the meeting as £673k (sufficient to cover any realistic contingency) with the works phased over 2018/19 and 2019/20. A sum of £390k would be funded from the 2018/19 TfL LIP budget for Cycling and Walking with the remaining balance funded from the TfL LIP budget for Cycle Infrastructure 2019/20. Any future maintenance costs would be funded from the existing highway maintenance budgets.

Members were also advised that the CRA Chairman had offered comments on the latest scheme design drawing and Ward Members were more favourable to the latest design. In view of objections, proposed amendments at the mouth of Ormonde Avenue would not now proceed (the existing pedestrian refuge however remaining as it is to the east of Ormonde Avenue).

Options to extend the cycle route along Lovibonds Avenue will also be investigated at a later stage taking account of local current and potential cycling demand in streets to the south of Crofton Road and the demand from Darrick Wood School which is located in Lovibonds Avenue.

A potential conflict was envisaged between pedestrians boarding and alighting buses with passing cyclists, although, cyclists are obliged to stop in such circumstances. In developing the latest design, reference has been made to the London Cycle Design Standards guide and it is possible to design measures to encourage cyclists to ride at sensible speeds.

Regarding the trees that had to be removed, it was intended to plant some 25 replacements (or more if possible) and Transport officers were working with the Arboriculture Officer on appropriate tree types.

Differences between the latest scheme design and the earlier (October) design include:

- provision of a walking scheme only on the northern side of Crofton Road west of Crofton Avenue;
- no new refuge just east of Ormonde Avenue;
- fewer changes to the roundabout at Crofton Lane;
- lower cost for the latest scheme design at £673k (sufficient to also cover any realistic contingency).

The Transport Strategy & Projects Manager also referred to other minor changes in the latest design to reduce its cost.

**RESOLVED that:**

**(1) the following be noted –**

- **undertaking of the consultation and level of public support**
- **design changes made to address the concerns raised.**

**(2) The Portfolio Holder be recommended to approve -**

- **progression of the scheme to detailed design and implementation and**
- **the cost of the scheme being met from the 2018/19 TfL LIP budget for Cycling and Walking and the 2019/20 TfL LIP budget for Cycling and Walking.**

**c ACCESS ROAD TO DEVELOPMENT ADJACENT TO SITE OF 2, STATION COTTAGES, CHELSFIELD - PROPOSED LIGHTING UNDER PRIVATE STREET WORKS PROCEDURE - SECOND RESOLUTION**

**Report ES18080**

A Resolution of Approval was sought under the Private Street Works Code in respect of lighting the access road from Station Approach Chelsfield to the site of the development adjacent to 2 Station Cottage.

In 2011, planning consent for Robust Developments Ltd to build two pairs of semi-detached houses adjacent to the site of 2, Station Cottages, Chelsfield. was refused but subsequently allowed on appeal. The Planning Inspector placed conditions on the permission, requiring a passing bay and lighting to be in place in the access road ahead of the development commencing. However, the developer was unable to reach an agreement with the owners of the access road (who are the several owners of the various dwellings fronting the road) enabling construction of a passing-bay and installation of street lighting.

A further application resubmitted in 2015 was permitted, with the same conditions applying – the application having to be started within three years of the permission date which expired on 30<sup>th</sup> September 2018. For a subsequent single dwelling application in 2017, the lighting condition was applied but due to the reduced number of dwellings, and the access road junction having been realigned, the passing bay condition was not included.

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The street lighting can be addressed by means of the Private Street Works Code and in the circumstances the Council has been advised to use its powers, even though the lighting will not be adopted upon completion. The developer will meet the Council's costs in full and it is not proposed to pass the lighting cost to frontage owners. Should the Council refuse to use its powers under the Private Street Works Code, this could be seen as an attempt to frustrate implementation of the award of planning consent by the Planning Inspector. The Council would then be vulnerable to legal challenge for wrongful use of its discretion.

A First Resolution under s.205 (1) of the Highways Act 1980 was made by the former Portfolio Holder on 12<sup>th</sup> September 2013 and documents have now been prepared to enable the Resolution of Approval to be made. Frontagers of the access road have been initially contacted regarding ownership and property width to enable the Provisional Apportionment (which contains details of property ownership) to be as up to date as possible.

In line with Policy T14 of the Unitary Development Plan (UDP) adopted in July 2006, unadopted highways will normally be considered for making-up and adoption, as resources permit, but only following a referendum conducted in each road in which the owners of the majority length of frontage are in favour. In exceptional circumstances a referendum may be dispensed with. In this case, it is not proposed to make-up the road for adoption, but only to light it to enable the development to proceed.

As well as the Developer agreeing to meet all costs for lighting the access road, estimated to be £9.5k (including any costs for appearing before Magistrates to resolve any objections), there will be no costs falling to the Council for future maintenance of the lighting (subject of a legal agreement).

As the Developer will meet the full cost of the scheme without charge to the frontagers, it will not be possible for the frontagers to raise objections to the proposals on financial grounds. Any objections that are raised by the frontagers that cannot be resolved by negotiation will have to be referred to the Magistrates Court for determination, increasing the cost to the Developer and potentially delaying the scheme. The Developer has been made aware of this.

The developer would be responsible for arranging all the works and the Council's term contractor, AECOM, will carry out the site supervision.

Documents required for a resolution – a plan, specification, estimate, and provisional apportionment of estimated costs – were available with the Assistant Director, Highways at the meeting should Members wish to see them. On Members being so advised, Cllr Samaris Huntington-Thresher asked to see the documents which were accordingly passed over.

It was confirmed that the Developer, rather than the Council, included the conditions for street lighting and all land will be taken within curtilages rather

than from frontagers. Nothing was being taken from residents and only bollards had been included. As a private street, the consent of frontagers is needed and this was being undertaken on the developer's behalf.

With the development only allowed on appeal, Cllr Samaris Huntington-Thresher understood that the Council does not become involved in a civil case (going instead to the developer) and expressed concern about the Council's involvement. However, the Assistant Director, Highways referred to the view from legal advice which indicated that it would be wrong for the Council not to use the approach in this way. The frontagers are aware and can make objections within 30 days, objecting initially to the Council. The matter can then come back to Members and if there continue to be objections it can be referred to a Magistrates Court.

Members agreed by a majority to support the recommendations in Report ES18080. However, Cllr Samaris Huntington-Thresher asked for her name to be recorded in objection to the recommendations.

**RESOLVED that the Portfolio Holder be recommended to approve and resolve the following:**

**(1) the specification and layout shown on drawing no. 60508978/12773/01, estimate and provisional apportionment now submitted by the Executive Director of Environment and Community Services, in respect of a scheme approved by the Portfolio Holder for the Environment on 12<sup>th</sup> September 2013, be approved; and**

**(2) the Portfolio Holder further resolves that the Council bears the whole of the cost of the street works which will in turn be funded by the developer of the site, under the provisions of s236(1) of the Highways Act 1980.**

#### **d HIGHWAYS CODE OF PRACTICE**

##### **Report ES18083**

A new highway guidance document, *'Well – managed Highway Infrastructure – A Code of Practice'*, published by the UK Roads Liaison Group (UKRLG) in October 2016, supersedes previous versions of the Code (following an initial implementation period) and covers management of the carriageway, footways, street lighting/structures, and highway assets.

The new Code of Practice (CoP) is designed to *"promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment"*. The UKRLG guidance recommends formally approving this asset management approach.

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Although the CoP is not a legal requirement, it does recommend highway maintenance standards and is frequently a key component in court decisions. It is also used to determine whether or not a highway authority is complying with good industry practice and its statutory duty to maintain and repair the highway. As such, failure to adopt the CoP and its recommendations might compromise the Council's defence.

A summary of 36 recommendations from the CoP, covering all areas of highway maintenance for roads was appended to Report ES18083 together with the Council's progress in implementing the recommendations. Also appended to the report were:

- the Council's Highway Asset Management Policy and Strategy demonstrating how highway asset management supports the Council's corporate vision and aims and responds to the Mayor's Transport Strategy;
- L B Bromley's network hierarchy or series of related hierarchies; and
- the Council's methodology for implementing highway safety inspections, including inspection frequency.

The Highway Asset Management Policy and Strategy document will be implemented according to a Highway Asset Management Framework, documenting how the Council is working towards an integrated asset management approach to manage its highway. A Framework document is being developed and revised in light of the new CoP.

Members supported the Code of Practice (and its implementation).

**RESOLVED that:**

**(1) the Portfolio Holder be recommended to approve -**

- **adoption of the publication '*Well – managed Highway Infrastructure – A Code of Practice*', its recommendations and risk based approach for management of the highway network**
- **the '*Highway Asset Management Policy and Strategy*'**
- **the content of documents included in the appendices to Report ES18083 outlining a risk based approach for highway inspections, a network hierarchy/frequency of highway inspection, and investigatory levels; and**

**(2) the Portfolio Holder be recommended to note the progress in meeting remaining recommendations of the Code of Practice.**

**e KINGS MEADOW PLAYGROUND IMPROVEMENT PROJECT**

**Report ES18085**

Approval was sought to apply for Reaching Communities England funding to upgrade the existing Kings Meadow playground and extend play opportunities into a new play area, creating a larger, coherent play space. L B Bromley would act as grant holder.

The Friends of Kings Meadow community group have developed the project details in conjunction with the local community having initially consulted the public at the beginning of 2018 with objectives for the project to:

- cater for children of all ages;
- provide wheelchair accessible equipment, designed in such a way that children in wheelchairs can interact with others;
- include features to encourage imaginative play;
- offer thoughtful seating throughout the playground for parents and carers; and
- deliver easy access to the open field beyond.

By removing a fence between the current playground and field the space will be opened for a large integrated play area and a fundraising budget of £60k for capital costs was considered adequate.

Further public consultation (online) over a two-week period checks agreement on priorities for the play space and preferences for equipment (plus a one-day face to face consultation in the park). Following consultation, a final brief would be drawn-up for the works and tendered in line with the Council's Contract Procedure Rules. Completion of the project was expected during 2019/20.

The first stage of the application process involves a short, online form - a decision being provided within 15 working days. If successful, the main proposal is developed and a decision made about six months following submission.

Match funding at £10k was recommended (although not required) towards the capital project costs - £5k being proposed from the community group with £5k from the Community Fund. The group will continue its fundraising activities and the final figure will be applied to the second stage application. The Community Fund will further support the project to delivery stage.

For ongoing costs, up-front funds of approximately £10k are necessary, secured towards additional maintenance (play equipment and grounds maintenance) associated with the larger play area. The funds also cover the estimated life span of the new equipment (approximately 20 years). The £10k will be funded from the Community Fund, on behalf of the Friends group, and

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held in an LBB ring-fence account. There is no provision for replacing the equipment at the end of the 20-year period; however, L B Bromley will continue its existing financial obligation for play equipment maintenance and grounds maintenance at the same rate. idverde will also work with the Friends to secure in-kind funding for launch of the new playground and any other associated events and activities.

A full list of the Reaching Communities Fund standard terms and conditions was appended to Report ES18085 as was a mood board for the second public consultation.

Members supported the recommendation to the Portfolio Holder and in so doing health benefits of the scheme were also highlighted.

**RESOLVED that the Environment Portfolio Holder be recommended to agree that officers submit a grant application for up to £60k from the lottery funded Reaching Communities England fund to support improvements to the Kings Meadow playground.**

#### **34 PRE-DECISION SCRUTINY OF REPORT TO THE EXECUTIVE**

##### **a AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUNDS MAINTENANCE**

#### **Report ES18082**

Executive approval was sought to award a contract for the provision of Waste Disposal (Lot 1), Waste Collection (Lot 2), Street Environment (Lot 3), and Parks Management & Grounds Maintenance (Lot 4). A Part 2 report provided further detail under exempt proceedings for the meeting.

The Part 1 report considered by Members was a replacement (final) report made available on 16<sup>th</sup> November 2018 to replace the report version published with the agenda. It outlined the competitive tendering procedure - the tender documents being published on 18<sup>th</sup> January 2018 (under a negotiated procedure) with Supplier Shortlisting at the end of March and expressions of interest returned by mid-June 2018. An option was also included for providers to submit bids on a “variant” basis enabling options to be explored around changes to service provision if required, given the Council’s budget gap in future years. Comprehensive evaluation was undertaken from initial tender bids submitted in June 2018, based on 60% Finance and 40% Quality with outcomes then incorporated into a final evaluation and scoring process.

The Tender process was conducted in compliance with the Public Contracts Regulations 2015, as appropriate, for a Competitive Tender Procedure with Negotiation. As identified in the Contract OJEU Notice, the evaluation of submitted tenders, including Variant bids and any Negotiated proposals

made, was completed in line with the Council's standard tender evaluation procedure, which views financial and quality matters in line with its pre-tender estimate of value and its stated quality criteria. A minimum quality score was also incorporated into the evaluation process for quality matters, which also considered any additional value from bidding across several Lots.

Concerning one bid for each of Lots 2 and 3, no more than two or three bids were expected for the Waste Collection service given its specialist nature. Bids were also based on a lotting structure to attract smaller providers, although the market is limited for Lot 2. On value for money, discounts were offered and should the tender process not have taken place, contract extensions would have been necessary incurring significant costs. Additionally, tendering would still be necessary after any extension period and the number of bids would continue to be limited. It is also necessary for a provider to have the necessary infrastructure to manage waste; moreover, franchises with a provider having a regional approach can offer lower discounts on rates e.g. for a recycling franchise.

For the Committee's July meeting, it was not possible to disclose receipt of only a single bid for each of Lots 2 and 3. Officers first needed to undertake a thorough evaluation of the tender proposals. Information needed to be worked through the process to ensure that bids, and a recommended award, are robust. Until the evaluation is complete, details cannot be published.

It was also confirmed that the Director of Finance is represented on the Management Board for the tendering process by the Head of Finance for Environment and Community Services and Corporate Services.

**RESOLVED that the Part 1 report be noted with the Committee's comments passed to the Executive for consideration.**

## **35            AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES**

### **Report ES18077**

The Arboricultural Maintenance contract looks to maintain the Council's tree stock across the borough including tree inspection (for any remedial work), tree removal and tree replacement. The existing contract supports the Council's 2016-20 arboricultural strategy. The current contract with Gristwood & Toms was extended to 31st March 2019 to align with the tendering of all Environmental Services contracts to commence next Spring.

In line with the lotting structure and procurement route for the Environmental Services Contracts, Arboricultural Services was included as Lot 5 for tendering under a standard restricted process. The services were subsequently tendered separately to the other Environmental Services contracts using the agreed procurement route.

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The contract term comprised an initial eight-year period from 1st April 2019, with an option to extend for a further two four-year periods, not exceeding eight years, subject to the service provider's performance. The contract would then again align with a co-terminus procurement strategy with other Environmental Services contract renewals, including Grounds Maintenance, for any planned re-modelling options on environmental contracts at that time. The Conditions of Contract format for the 2019 Environmental Services Contracts was also used to provide a consistent contract management approach and uniformity in performance monitoring.

Tender submissions were originally requested by 23<sup>rd</sup> October 2018, subsequently extended to 31st October 2018, with two compliant bids received. A 60% Finance/ 40% Quality criteria was used to evaluate the initial tenders. As part of the evaluation, officers corresponded with the providers on elements of their bids to clarify areas of uncertainty or corrections required.

Details of the qualitative and financial evaluation of the bids were outlined in an accompanying Part 2 report under exempt proceedings of the agenda.

Members had no comment on the Part 1 report.

**RESOLVED that the Executive be recommended to:**

**(1) award the Arboricultural Services contract for a contract period of eight years from 1<sup>st</sup> April 2019, with the option to extend for a further two four-year year periods; and**

**(2) delegate the option to extend the contract, under the terms of the contract, to the Executive Director of Environmental and Community Services in consultation with the Portfolio Holder for Environment and Community Services, the Director of Commissioning and Procurement, the Director of Corporate Services, and the Director of Finance.**

**36 COMMISSIONING STRATEGY AND CONTRACT VARIATION - HIGHWAY ENGINEERING CONSULTANCY SERVICES**

**Report ES18088**

To support Council responsibilities for the safe use of its highway infrastructure and multi storey car park asset, Consulting Engineers deliver the professional services element of the duties including inspection/studies of structures (bridges, culverts, retaining walls), engineering emergencies involving the highway, ad hoc Transport and Flood Studies, larger highway development schemes, and inspection/studies of the Council's stock of multi storey car parks. The professional services have been regularly tendered since 1993 and the current arrangement with AECOM, originally tendered via an access agreement to a Framework Contract, ends on 31<sup>st</sup> March 2019.

Although the services were a provision within Highway Major Works, previously considered as Lot 6 to the Environmental Services Procurement Strategy, Highways Major Works and Street Lighting were subsequently taken as a separate procurement with a contract awarded to JB Riney from 1<sup>st</sup> July 2018 for an eight year period (with the option to extend for up to a further year) at an estimated whole life value of £90m.

A Common Procurement Vocabulary (CPV) code for Professional Services was included in the OJEU Notice to the Major Highway Works and Street Lighting Contract, providing an option for the Council to issue a contract variation for Highway Engineering Professional Services. Lower unit cost rates from a further tender via a Framework were considered unlikely as the supply chain chosen by JB Riney includes the same service providers accessible through a Framework. Furthermore, a Framework (where a Consulting Engineer is directly employed) would also not realise efficiencies and improved quality through Early Contractor Involvement. There would also be costs for tendering and creating a new Framework Access Agreement. The current contract with JB Riney is for eight years (with the possibility of a one year extension) and with frameworks having a maximum four-year duration, the service would need to be tendered twice with two access agreements formed during the nine-year period.

Early contractor involvement (ECI) in working with JB Riney and their supply chain would enable their expertise in building schemes to be drawn into the design/project management processes thereby helping in the choice of materials and scheme programming, and minimising disruption to highway users. Given previous experience of 'design and build' public realm projects, (e.g. Bromley North and Beckenham Town Centres), the benefits would result in a saving in scheme design costs of between 5% and 10%. ECI processes can also improve the quality of schemes, reduce overall costs, and offer better value solutions.

Under the terms of the Highways Major Works and Street Lighting Contract 2018, JB Riney would charge a sliding scale of handling/overhead fee, (dependant on the service element) in managing the consultancy services through their supply chain and providing ECI throughout the project delivery.

The value of consultancy services that can be commissioned through a new contract arrangement was estimated at up to £330k per annum to be met (along with full charges of the commissions) from individual revenue maintenance or capital project scheme budgets.

With JB Riney's unit rates competitive, working through the supply chain was expected to herald benefits through the ECI approach, representing a best value delivery of the service required in the original lotting of the Major Highway Works and Street Lighting Contract 2018. An appropriate change control notice was recommended for JB Riney to provide the consultancy services for the remaining term of the Major Highway Works and Street Lighting Contract taking account of:

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- estimated Variation Value – up to £3m
- other Associated Costs – none
- proposed Variation Period – 7.25 years with the potential to extend by 1 year, as per the current contract.

The use of design and build and ECI would also reduce the requirement for project management by the Council resulting in a saving of £10k per annum from staffing and a reduction of 0.2 FTE officer time.

Members had no comment on the report.

**RESOLVED that the Executive be recommended to agree that the The Highway Engineering Consultancy Services is included as part of the Highway Major Works and Street Lighting contract with JB Riney via a contract variation.**

### **37 ECS PORTFOLIO PLAN - SIX MONTH PERFORMANCE UPDATE**

Members considered a six month overview of performance against the ECS Portfolio Plan. As well as comprising 2018/19 targets for indicators and quarterly performance to date (including monthly performance for July, August and September) the review document also provided (where appropriate) a RAG status and commentary against the indicators. Annual performance for the previous four years and targets for the previous two years provided further information.

New parking related indicators were also shown on the review document: indicator 27 (ES29) relating to the cleanliness of surface and multi-storey car parks; indicator 28 (ES31) relating to Pay and Display parking machine maintenance; and indicator 29 (ES32) relating to cashless parking usage in on and off street locations. The 2018-19 RAG status for indicator 27 was also highlighted as needing to be green with the RAG status for indicator 28 needing to be amber.

More drivers are choosing to pay for parking via RingGo. Although this reduces maintenance costs for conventional parking machines, credit card payment via RingGo incurs a charge to the Council and the parking service will look to make the proportion of charge more transparent.

On Q1 and Q2 performance for non-operational time of Pay and Display machines (0.8% and 1.3% respectively), the year-end projection was revised to 1.5% in view of an increased level of reporting (of machines non-operational) during October.

Concerning adults and children killed or seriously injured (KSI) in road traffic accidents, more clarity had now been received on TfL's interpretation of data which they had backdated to 2005. TfL had taken samples of KSI data

attributed to the borough and had published revised data ten days previously. Compared to a 2005 to 2009 baseline, TfL's revised data is now showing L B Bromley as having a 52% decrease in KSI numbers.

In regard to Total Road Accident Injuries and Deaths, slight accidents are not (now) reported. However, for KSI data there is now consistency and each London borough will now change its Local Implementation Plan (LIP) in line with TfL targets. Officers will have new updated L B Bromley figures for the Committee's next meeting.

On municipal waste to landfill, a 0% target for 2018/19 is not possible as processes relate to the current contract expiring next March. Targets for the contract were considered at a time when they were considered advantageous; nevertheless, subsequent changes have meant that further waste can go to alternative treatment methods.

## **38 FORWARD WORK PROGRAMME AND MATTERS ARISING**

### **Report ES18057**

Members agreed the Committee's remaining work programme for 2018/19.

As the Director of Environment, Mr Dan Jones, would shortly be leaving L B Bromley, the Chairman thanked Mr Jones for his work, conveying his best wishes to Mr Jones for the future.

### **RESOLVED that:**

- (1) the latest 2018/19 Forward Work Programme be agreed; and**
- (2) progress concerning previous Committee requests be noted.**

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

## **40 PRE-DECISION SCRUTINY OF PART 2 REPORTS TO THE EXECUTIVE**

- a AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUND MAINTENANCE**

### **Report ES18082**

Under exempt proceedings, Members considered further information (including evaluation and financial details) on Lots 1 to 4 of the proposed Environmental Services Contracts for Waste Disposal (Lot 1), Waste

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Collection (Lot 2), Street Environment (Lot 3) and Parks Management & Grounds Maintenance (Lot 4).

The report made recommendations for award of the Lots which the Committee agreed to support by a majority.

**b AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES**

**Report ES18077**

Further to the accompanying report on Part 1 of the meeting agenda, the Part 2 report provided certain evaluation information including scoring and financial details. The report also made a recommendation on award of contract which the Committee supported.

**c COMMISSIONING STRATEGY AND CONTRACT VARIATION -  
HIGHWAY ENGINEERING CONSULTANCY SERVICES**

**Report ES18088**

The exempt report provided further information under Part 2 of the agenda, particularly in regard to evaluation details leading to a recommendation that the Highway Engineering Consultancy Services be included as part of the Highway Major Works and Street Lighting contract with JB Riney via a contract variation.

The Meeting ended at 9.40 pm

Chairman