

PART ONE - PUBLIC

Decision Maker: **EXECUTIVE**

Date: **For Pre-Decision Scrutiny by the Renewal, Recreation and Housing Policy Development & Scrutiny Committee on 6 September 2023**

Decision Type: Non-Urgent Executive Key

Title: **FEASIBILITY FUNDING FOR REGENERATION OF STAR LANE TRAVELLER SITE**

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Chief Officer: Director of Housing, Planning, Property and Regeneration

Ward: St Mary Cray;

1. Reason for decision/report and options

- 1.1 On 30th November 2022, Executive (and Full Council in December 2022) agreed the budget for the Operational Property Review programme to be added to the Capital Programme. On March 29 2023, Executive agreed the details of the Operational Property Refurbishment Programme, including proceeding to procurement for supporting services and works to deliver the Programme.
- 1.2 The Gypsy, Roma and Traveller (GRT) Site in Star Lane in St Mary Cray has been identified in the Operational Property Review as requiring significant works. Whilst a provisional sum has been allocated for these works, it is not possible to confirm a works budget without more detailed surveys of the site, as well as community engagement of the best way of moving forward and progressing works on site. This report seeks approval for utilisation of £500k from the Operational Property Review capital budget for feasibility and engagement works.

2. RECOMMENDATION(S)

- 2.1. The Renewal, Recreation and Housing PDS Committee are asked to comment on this report, and provide comments to the Renewal, Recreation and Housing Portfolio Holder.

Prior to the Council's Executive being asked to:

- 2.2. Approve the utilisation of £500k from the assigned Operation Property Review budget for feasibility works at the Star Lane Traveller Site;

- 2.3. Note the intent to allocate resources for the delivery of the programme as set out in 3.10 and 3.11, including procurement of necessary works and services to deliver the programme;
- 2.4. Approve an engagement programme with the residents of Star Lane to support a timetable for a works programme;
- 2.5. Approve the initiation of a planning application to make temporary use of the adjacent site to Star Lane for temporary pitches during a works programme;
- 2.6. Approve Road Adoption of a road into the site, and delegate Authority to the Director of Corporate Resources for any necessary legal arrangements of Road Adoptions; and,
- 2.7. Note the corporate risk of the current condition of the site.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Star Lane site is not fit for purpose and carries corporate risk. It is currently having a negative impact on the lives of vulnerable adults and children and therefore the works are urgent.
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority
 - (1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Estimated Cost £500k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Operational Property Review budget
 4. Total current budget for this head: £3m plus share of OPR delivery and contingency budget
 5. Source of funding: Capital receipts
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Personnel

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

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

1. Summary of Procurement Implications: The procurement of the feasibility works will be undertaken in accordance with the Council's corporate procurement rules.
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Property

1. Summary of Property Implications: The Traveller Sites are included within the approved Operational Property Review programme.
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A as this is feasibility works
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Impact on the Local Economy

1. Summary of Local Economy Implications: N/A as this is feasibility works
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: The repair works to the traveller sites are crucial to the health and wellbeing of the community it serves.
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Customer Impact

1. Estimated number of users or customers (*current and projected*): 21 families
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Ward Councillor Views

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

3. COMMENTARY

- 3.1. Councils are required by law to assess the accommodation needs of all people living in the area they are responsible for, and this includes Gypsies and Travellers. It is increasingly difficult for families to live the more traditional nomadic lifestyle many observed in the past and the Council takes a robust approach to illegal encampments.
- 3.2. The Local Plan identifies two Council owned sites in Bromley, alongside a number of other sites owned privately as protected for Traveller use. This provision was accepted as meeting the needs of the Traveller community when the Local Plan was examined in 2017.
- 3.3. It is recognised that to continue to meet the needs of the community and prevent illegal encampments in parks and other open land or highways it is important that these Traveller Sites are maintained to a standard that is suitable and available for the GRT community to a good living standard.
- 3.4. The 2 Council owned sites in Old Maidstone Road and Star Lane have been identified in the Operational Property Review (OPR) (report Executive November 2022) as requiring significant works. Consequently, a budget of £3m (plus share of OPR contingency and delivery budgets) was agreed by the Executive and then Full Council for their repair. This report focuses on progressing repair works at Star Lane; a further report will be brought forward for Old Maidstone Road.
- 3.5. The Council commissioned a condition report on Star Lane in 2021, and this report, amongst other things, identified, inappropriate utilities, poor foul management, some pitches with no hot water, an ageing amenity block, poor road management as well as potential contamination. An Executive summary of the report is included in Appendix A. It should be noted that the condition of the site, and some of the illegal works that have taken place on the site give rise to a corporate health and safety risk to the Council which must be mitigated.
- 3.6. Over time the pitches at Star Lane have become non uniform, some residents on the site have moved to other pitches, and as families have grown residents have tried to work within the site to keep families together as best, they can. This has made the site challenging from a management perspective and will also pose some challenges in undertaking capital works.
- 3.7. The site currently accommodates circa 21 families, and many of these are multiple generations. Regardless of the legislation requirement around making adequate provision for the GRT community, the council would not have suitable accommodation to house this number of people elsewhere. Many of the children are in settled school placements locally and are wedded to their local infrastructure.
- 3.8. The site itself is designated for Traveller Use only by the Bromley Local Plan 2019 and can therefore only be made available to the GRT community for meeting their needs.
- 3.9. The Council owns an adjacent parcel of land to the Star Lane site, and this may help support the repair works in terms of space available even if on temporary basis to help relocate people during a works programme. Whilst there is no identified need at this point to increase the number of pitches available at Star Lane, this could support temporary relocation but would require very careful management. The land, unlike the adjacent Traveller Site, lies within the Green Belt and therefore a planning application demonstrating 'very special circumstances' will be required to enable this temporary use, which is 'inappropriate' in the Green Belt. Use of the adjacent parcel over the longer term would require consideration of its current designation through the review of the Local Plan currently being undertaken, in response to updated evidence on traveller accommodation need. Regardless of this, the newly acquired site must be secured for future use and is currently being managed by the Environmental Services team.

3.10. In order to ascertain a detailed works programme on the site, it will be necessary to commission a number of surveys and undertake feasibility works, including some site clearance, road works, and site entrance works to secure the site as well-fixed term staffing or consultancy to support the works and appropriate planning application. In addition, it is recommended that there is a formal adoption of the road on the site, which will improve the condition and also make management and enforcement easier. To do this, officers are proposing an initial utilisation of £500k to commence this feasibility work. Officers will work with the community in Star Lane to ensure the feasibility works are undertaken successfully. Once the works are completed, a further report will be bought back to the Executive to identify the full repair works needed and the estimated budget requirement.

3.11. It is expected the funding will be utilised for the following components of work:

- Indicative surveys to test works needed to the site.
- Clearance of rubbish on site.
- Gates installed to prevent further poor waste management.
- Naming of road.
- To commence road adoption feasibility.
- Appropriate staff resources to manage this work.

3.12. Each procurement will be conducted in compliance with the Public Contracts Regulations 2015 and the Councils Contract Procedure Rules. The value of each procurement is expected to be within Officer delegated authority for proceeding to procurement and subsequent contract award.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1. The site accommodates a number of vulnerable adults and children, who are living in below satisfactory living conditions, some without hot water due to poor services on site. The works programme will improve the support for all residents and provide a suitable site management plan for the future.

5. TRANSFORMATION/POLICY IMPLICATIONS

5.1. The Council is committed to improving its Estate wherever possible and improving facilities for residents. These are works are part of the approved Operational Property Review.

6. FINANCIAL IMPLICATIONS

6.1. There is sufficient budget within the allocation of £3m for the Traveller's site OPR allocation to meet the cost of the feasibility studies. Although this gives approval to spend against this budget for this study, it does not give approval to spend the remaining budget, a report to executive will be required to request the utilisation of the remaining budget once the full cost of the works are known.

7. PERSONNEL IMPLICATIONS

7.1. There is a need for appropriate resource within the Regeneration team to manage these works, and the budget will include some allocation of staffing resource.

8. LEGAL IMPLICATIONS

- 8.1. The Council has a statutory duty to manage and assess the accommodation needs of all people living in the relevant area they are responsible for including for Gypsies and Travellers. The general principles are also echoed in 'Bromley Local Plan (2019)', as per Clause 3.2 and 3.8 of the Report and also in the policy reflected in 'Making Bromley Even Better'.
- 8.2. This report seeks to approve feasibility funding for the Regeneration of the Star Lane Traveller site with an overall budget of £500k.
- 8.3. This Report also asks the Renewal, Recreation and Housing PDS Committee to analyse this report and to provide comments to the Renewal, Recreation and Housing Portfolio Holder accordingly. The Council's Executive is therefore asked to approve the utilisation of £500k from the assigned Operation Property Review budget for feasibility works and initial works; to note the intent to allocate resources for the delivery of the programme as stated in clauses 3.10 and 3.11, including procurement of necessary works and services to deliver the programme and to also approve an engagement programme with the residents of Star Lane to support a timetable for a works programme. The Council's Executive is also asked to approve the initiation of a planning application regarding the temporary use of the adjacent site to Star Lane for temporary pitches during a works programme, to approve the Road Adoption of site; to delegate authority to the Director of Corporate Resources for any necessary legal arrangement of Road Adoptions and lastly to also note the corporate risk of the current condition of the site.
- 8.4. In accordance with the Contract Procedure Rules, each Procurement must have a Gateway Report completed and also a Contract award Report for each recommendation of award.
- 8.5. The Procurement Team should also be consulted on the Procurement process (including the e-procurement system) and any governance requirements.
- 8.6. Each Procurement must be in accordance with the Council's Contract Procedure Rules and the Public Procurement Regulations 2015 to ensure a compliant procurement route is followed. For proceeding to Procurement and contract award, the value of each Procurement is likely to be within Officer delegated Authority.

9. PROCUREMENT IMPLICATIONS

- 9.1 The report sets out the intent to procure a variety of works and services to support enabling works and feasibility studies for the development of the Star Lane Traveller Site. An overall budget of £500k is indicated.
- 9.2 Each procurement under this programme must use a compliant procurement route as required through the Public Contracts Regulations 2015 and the Councils Contract Procedure Rules. The value of each procurement, given the overall budget envelope, is likely to be within Officer delegated authority for both proceeding to procurement and subsequent contract award.
- 9.3 For each procurement, a suitable Gateway report (where required through the Contract Procedure Rules) setting out the detail of the planned procurement must be completed. Similarly, a Contract Award report must be completed for each recommended Award.
- 9.4 For each procurement, the Corporate Procurement Team must be consulted on the procurement approach, implementation (including use of the Council's e-procurement system) and any governance requirements.

10. PROPERTY IMPLICATIONS

- 10.1. The purpose of the OPR Programme is to ensure the effective use of the Council's operational property estate for the delivery of services.
- 10.2. The works to be considered under the OPR Programme are those where there is an accumulation of property infrastructure, maintenance and repair works that need to be dealt with and such other necessary works that will reduce the Council's repair and maintenance budget for a ten year period following completion of the works.
- 10.3. The extent and cost of the works required may be greater than the budget available and where this is the case works will be determined according to the following prioritisation; 1. Health & Safety and compliance, 2. Accumulated property infrastructure, maintenance and repair 3. Necessary works that will reduce the Council's property maintenance, repair and operating costs.
- 10.4. In the event that the extent of works required is completed at a cost that is under the approved budget then consideration will be given to remaining monies being redistributed within the OPR Programme to achieve the objectives of the Programme.

11 IMPACT ON HEALTH AND WELLBEING

- 11.1 The site is currently in need of significant repair and therefore these feasibility works are required to support the health and wellbeing of the residents.

12 WARD COUNCILLOR VIEWS

- 12.1 Ward Cllrs have been sought, those returned were supportive of the proposals and others provided will be tabled at the committee.

Non-Applicable Headings:	Carbon reduction/social value; Impact on Local Economy; Customer impact
Background Documents: (Access via Contact Officer)	Operational Property Review report, November 2022

Executive Summary: Star Lane Feasibility Report

The London Borough of Bromley (LBB) issued a project brief in October 2020, outlining the task of conducting a feasibility study and site survey for the Star Lane Travellers Site in St Mary Cray, BR5 3LW. The objectives included restoring utility blocks, assessing roadways, street lighting, drainage systems, water supply, and electrical supplies.

The inspections were delayed due to access and security issues, but were eventually completed in March 2022, with support from LBB and the Metropolitan Police. Various surveys were carried out, including building fabric inspections, roadway visual inspection, CCTV drainage survey, electrical services inspection, and ground condition analysis.

Key Findings:

Utility Blocks:

- Windows, doors, rainwater goods, and fascias are aged uPVC and need replacement.
- External render systems are cracked, fractured, and poorly repaired, requiring stripping, rendering, and decoration.
- Profiled sheet steel roofs have cut edge failures needing treatment for longevity.
- Some buildings have steps exceeding the recommended 220mm height in Approved Document K.
- Internally, original kitchen units and sanitary ware are aged and require replacement. Internal finishes show signs of aging, with mould in many bathrooms and kitchens.
- Boundary walls comprise a mix of blockwork and timber, with timber fencing in varied condition. Minor repairs or rebuilding may be necessary. Responsibility for fencing lies with residents but needs to be implemented.
- Plot 10 reported Japanese Knot Weed, although not observed during inspections. A specialist is recommended for further investigation and necessary remediation.

Electrical Services:

- Incoming electrical supply capacity to each plot seems sufficient, but verification through load testing is required (not done due to survey limitations).
- Most existing electrical installations are in poor condition, with equipment and fittings likely over 15 years old.
- Consider complete electrical replacements for each block, including metering equipment and consumer units.
- When updating utility block lighting, install new self-contained emergency lights in kitchen/lounge areas, and add fire escape signage.
- Suggest replacing the current fire alarm system with mains-powered fixed temperature heat alarms and sounder bases in amenity blocks.
- Lack of available O&M manuals, testing records, and maintenance info prevents confirming electrical systems' performance.
- Street lighting not observed working during daytime surveys, found in poor visual condition; propose replacement. Further lighting tests and modelling to ensure proper illumination distribution throughout the site is needed.

Drainage:

- The survey covered 686 linear meters (LM) of drains across 66 sections.
- Out of these, 141 LM (42 sections) were abandoned.
- 16 sections were found needing structural repair, with 6 being categorised as more severe.

- 30 sections required general repair or clearance.
- The overall conclusion is that the drainage system is generally in poor condition, needing significant overhaul and replacement.

Roadways:

- Road surfaces are generally in poor condition, exhibiting various issues such as surfacing delamination, potholes of different sizes and depths and numerous patch repairs, services, and utility trench reinstatements.
- Recent trench reinstatement along roads on the site, but many areas show reinstatement failure impacting the original road structure.
- Some sections of the carriageway on the site show signs of potential weakness or failure in sub layers or road formation.
- Assumption made that entire trench reinstatement needs replacing with new full-depth carriageway construction, connected to existing structures.
- Removing surface layer could reveal more road construction problems; cost-effective approach is full-depth reconstruction of the entire road should be budgeted for.
- Vehicles parked on roadway must be removed for reconstruction. To prevent parking and control speeds, recommend introducing bollards and road calming measures.

Ground Conditions:

- Six hand-augured boreholes were successfully drilled, while three sites were abandoned due to services.
- The successful boreholes revealed that the hard stand areas were underlain with 'Made Ground', with natural Thanet Foundation found only in two sites.
- Using 'Made Ground' as a sub-grade for pavement or hardstanding is not typically recommended, as it poses a risk of settlement over time, requiring long-term maintenance.
- When planning road reconstruction, consideration should be given to removing the 'Made Ground' and using only the Thanet Formation soils at the formation level.
- Ground contamination tests on the six samples showed no hazardous materials. However, variations in ground and groundwater could exist beyond the specific investigation locations.