

## **TO MEMBERS OF THE COUNCIL**

**Notice is hereby given that a meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Monday 25 June 2012 at 7 pm which meeting the Members of the Council are hereby summoned to attend.**

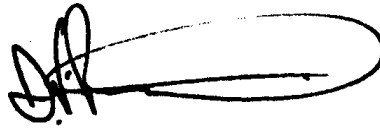
### **Prayers**

## **A G E N D A**

- 1 Apologies for absence
- 2 To confirm the Minutes of the meeting of the Council held on 26th March and the Special and Annual Council Meetings on 16th May 2012 (Pages 3 - 62)
- 3 Declarations of Interest
- 4 Questions from members of the public where notice has been given.
- 5 Petitions (Pages 63 - 66)
- 6 Oral questions from Members of the Council where notice has been given.
- 7 Written questions from Members of the Council
- 8 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.
- 9 Policy Development and Scrutiny - Annual Report 2011/12 (Pages 67 - 102)
- 10 The New Standards System Under the Localism Act 2011 (Pages 103 - 114)
- 11 Meeting of the Urgency Committee (Pages 115 - 118)
- 12 Membership of Committees and Sub-Committees (Pages 119 - 122)
- 13 To consider Motions of which notice has been given.

14 The Mayor's announcements and communications.

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Chief Executive

**BROMLEY CIVIC CENTRE  
BROMLEY BR1 3UH  
Thursday 14 June 2012  
Vol. 49 No. 2**

# Agenda Item 2

## LONDON BOROUGH OF BROMLEY

### MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.30 pm on 26 March 2012

Present:

**The Worshipful the Mayor  
Councillor David McBride**

**The Deputy Mayor  
Councillor Reg Adams**

#### Councillors

Graham Arthur	Peter Fortune	Ernest Noad
Kathy Bance	John Getgood	Gordon Norrie
Jane Beckley	Ellie Harmer	Tony Owen
Julian Benington	Will Harmer	Tom Papworth
Nicholas Bennett J.P.	Brian Humphrys	Ian F. Payne
Ruth Bennett	Samaris Huntington- Thresher	Sarah Phillips
Eric Bosshard	William Huntington- Thresher	Neil Reddin
Katy Boughey	John Ince	Catherine Rideout
Lydia Buttinger	Russell Jackson	Charles Rideout
John Canvin	Charles Joel	Richard Scoates
Stephen Carr	Kate Lymer	Tim Stevens
Roger Charsley	Paul Lynch	Harry Stranger
Peter Dean	Russell Mellor	Michael Tickner
Judi Ellis	Alexa Michael	Pauline Tunnicliffe
Robert Evans	Nick Milner	Michael Turner
Roxhannah Fawthrop	Peter Morgan	Stephen Wells

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor David McBride

#### 51 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Auld, Hastings, Grainger, Mrs Manning, Diane Smith and Colin Smith. Apologies for lateness were received from Councillors Benington, Buttinger, Samaris Huntington-Thresher and Tickner.

**52 MINUTES**

The Minutes of the meeting held on 20<sup>th</sup> February 2012 were confirmed, subject to the addition of Councillor Beckley to the list of members present.

**53 DECLARATIONS OF INTEREST**

Councillor Lymer declared an interest in item 8 – Financial Allocations – Special one-off initiatives and Transfer of PCT Funding as her mother worked in Public Health.

**54 QUESTIONS BY MEMBERS OF THE PUBLIC**

There was one member of the public who attended to ask an oral question at the meeting, details of which are attached as Appendix A to the Minutes.

**55 QUESTIONS BY MEMBERS**

These are attached as Appendices B and C.

**56 STATEMENTS BY THE LEADER OF THE COUNCIL, PORTFOLIO HOLDERS OR CHAIRMEN OF COMMITTEES**

There were no Statements made at the meeting.

**57 FINANCIAL ALLOCATIONS - SPECIAL ONE OFF INITIATIVES AND TRANSFER OF PCT FUNDING**

At the last meeting during consideration of the setting of the Council Tax for 2012/13 (Minute 44) the Leader of the Council had made reference to a number of one off initiatives that would be funded from underspend in 2011/12 further details of which would be reported to the Executive. The Executive at its meeting on 7<sup>th</sup> March 2012 had been advised of the proposals as well as the notification of a request from the PCT to transfer funding to the Council for which formal approval was now required.

An amendment to the recommendations by the Executive was proposed by Councillor Carr and seconded by Councillor Arthur as follows:

1a) approval be given to set aside, from the current years projected underspend a sum of £2.62m to be earmarked against the member priority initiatives announced at the last Council Meeting on 20<sup>th</sup> February 2012;

1b) these priority schemes to be delivered by the Executive or Portfolio Holders, as appropriate after consultation with Ward Members and to be subject to pre-decision scrutiny in the normal way;

2) it also be noted that the detailed arrangements for these initiatives will be reported to the Executive as appropriate; and

3) approval be given for a sum of £4,995,000 to be set aside as an earmarked reserve to ensure the support of key initiatives relating to the integration of health and social care.

**On being put to the vote the amended recommendations were CARRIED.**

**58 REPORT OF THE GENERAL PURPOSES AND LICENSING COMMITTEE - MEETING ON 14TH MARCH 2012**

**a) Revision of Licensing Policy 2012**

A Motion to adopt the changes to the Statement of Licensing Policy set out in appendices 1, 2 and 3 was duly proposed and seconded.

**The Motion was CARRIED.**

**b) Programme of meetings 2012/13 and start times of meetings**

A Motion to approve the following action was duly proposed and seconded:

i) the proposed Programme of Meetings for 2012/13, as amended in the report; and

ii) the recommendation that from 2012/13 onwards, the normal evening start time for full Council meetings, Committee and Sub-Committee meetings would be 7pm, subject to each body retaining the flexibility to start at a different time if necessary, as well as further day time meetings being permitted where there was agreement from all relevant members.

**The Motion was CARRIED.**

**c) Members Allowances Scheme 2012/13**

**A Motion to approve the Members Allowances Scheme 2012/13 (Appendix D) was proposed, seconded and adopted.**

**d) Pay Policy Statement**

**A Motion to approve the Pay Policy Statement (Appendix E), as amended in the report, was proposed, seconded and adopted.**

**59 CHANGES TO THE SCHEME OF DELEGATION TO OFFICERS AND THE CONSTITUTION**

A Motion to approve the changes to the Scheme of Delegation and Constitution to reflect the new Education and Care Services Department, its functions and the new Chief Officer post was proposed, seconded and adopted.

**60 MOTIONS**

Notice of three Motions had been received and these were dealt with as follows:

1) Loyal Address – The Queen’s Diamond Jubilee

The following Motion was proposed by the Mayor, Councillor David McBride, and seconded by the Leader of the Council, Councillor Stephen Carr:-

“Your Majesty

The Mayor, on behalf of the Councillors, Honorary Aldermen and the residents of the London Borough of Bromley, sends loyal greetings to Your Majesty on the occasion of the Diamond Anniversary of your accession to the throne.

For sixty years Your Majesty has provided wise counsel and dedicated and exemplary service to the people of this country and the Commonwealth.

Throughout your reign you have been supported by His Royal Highness the Duke of Edinburgh and we send him our warmest thanks and greetings.

The people of Bromley recall with great pleasure your previous visits to the Borough and, in particular, that in 1986 when you formally opened our Council Chamber.

Your Majesty’s Diamond Jubilee is a unique occasion in the history of our Nation, and it is with great pride that we look forward to Your Majesty’s visit to the London Borough of Bromley on 15<sup>th</sup> May and give you our warmest wishes for the coming years.”

**On being put to the vote this Motion was CARRIED unanimously.**

2) Mayor of London

The following Motion was proposed by Councillor Will Harmer and seconded by Councillor Nicholas Bennett JP:-

“This Council believes it is in the best interests of the residents of Bromley that Boris Johnson be re-elected Mayor of London.”

**On being put to the vote this Motion was CARRIED.**

### **3) PCSOs**

The following Motion was proposed by Councillor Katherine Bance and seconded by Councillor Peter Fookes:-

“This Council notes the loss of 60 Police Community Support Officers in the Borough and calls on the Mayor of London to urgently restore the number of PCSOs patrolling Bromley’s streets to 160.”

An amended Motion, moved by Councillor Tim Stevens and seconded by Councillor Stephen Carr, as set out below was proposed:-

“This Council notes the loss of 59 Police Community Support Officers in the Borough who have gone to begin training to become full time Police Officers, and welcomes all party support calling on the Mayor and Commissioner to make sure Bromley goes back up to its full allocation of 141 Police Community Support Officers as quickly as possible.”

Councillor Bance confirmed her acceptance of the amendment.

**On being put to the vote this amended Motion was CARRIED unanimously.**

## **61 DIRECTOR OF CHILDREN AND YOUNG PEOPLE SERVICES**

The Leader of the Council and the Mayor paid tribute to Gillian Pearson, Director of Children and Young People Services as this was her last Council Meeting before leaving the authority. All members joined in thanking Gillian Pearson for her valued work on behalf of the Council and wished her well for the future.

## **62 MAYOR'S ANNOUNCEMENTS**

The Mayor announced the death of a former Mayor of the Borough in 1977-78, Mr Bernard Gillman-Davies, whose funeral would take place on 4<sup>th</sup> April 2012 in Sussex. Further details could be obtained from the Mayor’s Secretary for those wishing to attend.

The Mayor would be hosting a Charity Dinner at Mings Restaurant in Petts Wood on 25<sup>th</sup> April and he reminded members that a Barn Dance was being arranged in the Great Hall on 11<sup>th</sup> May 2012. Details of both these events would be circulated in the next week or so.

*Council*  
*26 March 2012*

Members were reminded that the Council Meeting scheduled for 23<sup>rd</sup> April 2012 had been cancelled.

The Mayor concluded by thanking Members for the cards and best wishes he had received in respect of the recent birth of his daughter, Rose.

Mayor

The Meeting ended at 9.10 pm



**COUNCIL MEETING**

**26<sup>th</sup> MARCH 2012**

**ORAL QUESTION BY A MEMBER OF THE PUBLIC**

**From Mr Ron Condon a resident of Beckenham of the Chairman of the Development Control Committee**

Does the Council consider that Green Belt, Metropolitan Open Land and other designated spaces will receive adequate protection under the National Planning Policy Framework?"

**Reply:**

Councillor Dean responded that unfortunately with the National Planning Policy Framework not yet published, although it was expected tomorrow, the Council could not comment on the adequacy of any protection of Green Belt, Metropolitan Open Land or Urban Open Space under the document. However, the Council would hope that the Government had taken into account its comments and those of other authorities.

The Council in its response to the Government's draft National Planning Policy Framework (NPPF) in the early autumn, referred to "frustrations and disappointment about the detrimental impact on the Green Belt in Bromley, and many residents will feel betrayed if the balance is not corrected to enable local protection of the Green Belt to be guaranteed". In addition the Council stated that "bearing in mind the emphasis on ensuring economic growth in the NPPF it will be of concern that lesser weight could be given to local plans and considerations". The Council queried how clauses in the draft NPPF would work in designated open spaces such as Green Belt, Metropolitan Open Space and Urban Open Space with the functions they were afforded and whether they would override those protective policies, despite the existence of a Local Plan and the London Plan.

**Supplementary Question:**

Mr Condon referred to the recent approval to the building of 48 houses on Metropolitan Open Land in Beckenham to help finance a sports complex with conference and banking facilities, much of which were indoor facilities and the loss of up to 6 outdoor football pitches. He asked how consistent was that with the Council's own policy and how committed was Councillor Dean to supporting the Council's policy?

**Reply:**

The Chairman replied that the Council's policy in relation to Green Belt and Metropolitan Open Land had not changed given the decision in the KCCC proposal. The Council was committed to protecting Metropolitan Open Land and the Green Belt within the confines of Section G1. The application referred to was approved on the basis that there were very special circumstances for allowing that development to go ahead. This had also been supported by the Mayor of London and the Secretary of State who had decided not to call in this application. Therefore he felt that we were consistent with the policies of G1.

MEETING

26<sup>th</sup> MARCH 2012

ORAL QUESTIONS BY MEMBERS OF THE COUNCIL

**1. From Councillor Peter Fookes of the Portfolio Holder for Adult and Community Services**

Why are Bromley residents allowed to register to go on the housing list in Sevenoaks but not in Bromley?

**Reply:**

The Portfolio Holder advised that the current Sevenoaks allocations scheme was introduced in 2008 prior to the latest guidance on housing allocations. Whilst Sevenoaks operated an open allocation scheme preference for rehousing was given to those applicants with a proven local connection to the area. In addition the Scheme clearly stated that some specific properties would only be allocated to those with a local connection effectively excluding out of Borough applicants from certain properties and local lettings criteria. This meant that whilst applicants from other local authority areas such as Bromley might be able to register on the Sevenoaks list in reality they probably had very little chance of receiving an offer of accommodation essentially giving a false hope of rehousing.

Councillor Evans emphasised that the demand for social housing in Bromley far outstripped the supply and it was therefore essential to manage expectations by focussing on those applicants that had a realistic chance of receiving an offer of accommodation from the housing register rather than giving false hope by registering applicants who were unlikely to resolve their housing need through this route. This meant that for out of borough applicants we would only consider those with a very high level of housing need and proven necessity to live within the Borough. Applicants with lower levels of housing need or where there were alternative options to resolve their housing situation would be supported to pursue a range of housing options to resolve the difficulties they may be facing. The aim was to offer a more comprehensive service which better informed applicants of the options that may be available to them to offer a realistic and achievable resolution to their housing problem.

**Supplementary Question:**

Councillor Fookes asked the Portfolio Holder to say how many people had been registered by the Council as a result of the 'cull' taken last year?

**Reply:**

Councillor Evans responded that before the new register was established there were 8000 households listed. This was an inordinate number given the current situation and many of those 8000 would realistically have no chance at all of being offered accommodation. One figure that had been quoted to the Portfolio Holder was that in terms of the wait for a three bedroom house for everyone on the list who wanted that size accommodation, and with no further additions to the register, it would take 25 years to get to the bottom of the list. Currently there were about 1700 applications that had now been made to the register some of which were still being processed because more information was required. Out of that 1700 625 had not been accepted. However there were now 654 in the top 3 bands with a realistic chance of being offered accommodation.

**2. From Councillor Nicholas Bennett JP of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

- i) What is the estimated frequency of repair and the cost of each repair where asphalt is used to patch a concrete road surface;
- ii) What is the estimated frequency of repair and the cost of each repair where concrete is used to patch a concrete road?

**Reply:**

The Executive Assistant explained that:

- i) Asphalt was not ordinarily used to patch a concrete road surface and therefore was not frequently carried out. Where there were multiple defects and whole carriageway widths needed to be done these would be surfaced in asphalt materials. An average cost of this would be estimated as £10 per square metre.
- ii) Ordinarily we would not carry out a concrete patch repair. If the road required a full depth reconstruction in concrete this was estimated at £45 per square metre.

**Supplementary Question:**

Councillor Bennett said that he had not received an answer about the frequency as it was his experience that the frequency increased from looking at roads in his Ward (Surrey Road, Kent Road and Sussex Road) which were concrete and where asphalt was used to patch part of them. The frequency when this had to be done was fairly often because asphalt on concrete was not a good mix and was also not aesthetic. He requested that Councillor Fortune look again at the questions he had asked and come back with an answer given the real frequency of repair.

**Reply:**

Councillor Fortune responded that speaking to officers he had been informed that concrete roads did not fail that often and when work was done on the roads it was usually because of utility companies who were tasked to return the road to its original state. However, if there were specific roads causing concern then he was happy to take the details back to the Department to investigate further.

**3. From Councillor Tony Owen of the Portfolio Holder for Renewal and Recreation**

Have you visited Orpington High Street during or immediately after heavy rain?'

**Reply:**

The Portfolio Holder commented that whenever he went to Orpington it was never raining.

**Supplementary Question:**

Councillor Owen responded that if Councillor Morgan did visit Orpington High Street after heavy rain he would observe the subsidence that had occurred since the refurbishment. He asked when remedial action could be expected.

**Reply:**

Councillor Morgan replied that the project was still under guarantee and would not cost Council tax payers anything. The contractor was currently investigating the cause of any defects and the repairs would be organised during the school /college holiday period to cause minimum disruption.

**4. From Councillor John Getgood of the Portfolio Holder for the Environment – *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What was the arrangement for the recent hand delivery of Environment Matters? Why were election leaflets for Boris Johnson included in the same delivery? Were any special arrangements involved?

**Reply:**

The Executive Assistant advised on the situation which was not the fault of the Council:

There was an 'arrangement' with an external company that was used to deliver service information to residents across the Borough. The company took it upon themselves to deliver both our information and information from another job. This was their decision and had nothing to do with the Council.

After realising their mistake they are going to make a contribution to the Mayor's fund which he thought all would support.

**Supplementary Question:**

Councillor Getgood responded that he had had many emails about this situation which had caused considerable consternation. Many residents were shocked to find the two leaflets in the same mailing and questioned the connection between operational matters in the Council and political campaigning. He accepted the answer that had been given but felt damage had been done to the Council's reputation. He considered that a public statement distancing the Council from the false impression given should be made and asked if the Executive Assistant could arrange for that to happen.

**Reply:**

Councillor Fortune replied that he was glad the situation had been clarified and that it was completely the fault of an external company. He was surprised to hear it had caused such complaints and alluded to the previous Mayor who had funded the Londoner newspaper delivered across London with no regard for whether or not it was wanted by residents.

**5. From Councillor Peter Fookes of the Portfolio Holder for the Environment - *In the absence the Portfolio Holder the Executive Assistant for the Environment will respond***

What is the policy of his party towards the Freedom Pass?

**Reply:**

The Executive Assistant stated that Council had always and was fully in support of the Freedom Pass as it currently stood.

**Supplementary Question:**

Councillor Fookes commented that he recalled at the public meetings held last year looking at the Council finances for this year and beyond, the Portfolio Holder for the Environment was looking at the idea of charging residents £25 for Freedom Passes.

*The Mayor commented that this was not a question but more of a statement and that Councillor Fortune did not need to respond. He also reminded Members to ensure their supplementary questions were just that and not lengthy statements.*

**Reply:**

Councillor Fortune said he was happy to respond as he was aware of the public consultation and that there was a vote and many residents supported contributing to a very worthwhile cause. He reemphasised that Bromley remained committed to the Freedom Pass.

**6. From Councillor Nicholas Bennett JP of the Chairman of the General Purposes and Licensing Committee**

- i) How many members of staff are given time off for trades union and related activities (including Staff Side representation);
- ii) What is the cost of the salary (including National Insurance and pension contributions) of each member of staff for that proportion of time spent on union activity;
- ii) What is the cost of benefits in kind including office facilities, equipment, stationery etc provided to the union representatives?

**Reply:**

The Chairman replied as follows:

- i) 2
- ii) In response to the first part of the question he did not consider it appropriate to give individual salaries but he could advise that including on costs the total costs came to £57,500; and in respect of the second part of this question including central recharges £6,600.

**Supplementary Question:**

Councillor Bennett asked why the taxpayer was paying over £63,000 for union representatives and asked rather should it not be the Unions paying for this.

**Reply:**

Councillor Owen said that it was a matter that could be considered. He had read the tax payers alliance on this matter and certainly agreements were in place that would need to be looked at. However, any expenditure by the Council was open to scrutiny,

**7. From Councillor John Getgood of the Portfolio Holder for Children and Young People Services**

How many full time staff are employed on School Improvement. How many were employed two years ago?

**Reply:**

The Portfolio Holder replied that the CYP School Improvement Service had been the subject of restructuring and downsizing over the past 2 years or so. The first reason was as a consequence of the withdrawal of an area based grant from the DfE in 2010/11, totalling £1.4m of which £580k was attributable to School Improvement Services. Secondly as a part of the Council's own Budget Reductions to reduce service costs as part of the Council's financial

strategy 2011/12 – 2014/15 a further £410k savings to the school improvement services were currently being made.

The original school improvement service in 2010/11 had a staffing compliment of 59.2 Full Time Equivalents (FTEs) and this had been reduced to 33.5 FTEs as of April 2011. This level would reduce still further to 18 FTEs in 2012/13, subject to the ongoing staff and user consultations to restructure this service.

### **Supplementary Question:**

Councillor Getgood asked the Portfolio Holder to pass on to the remaining members of the school improvement team grateful thanks for the highly regarded work they did in helping schools, especially those that had fallen into special measures. He asked whether the Portfolio Holder shared his concern that with the new tougher Ofsted regime more schools would be harshly judged by Ofsted and that these schools were likely to be those already teaching in the most challenging circumstances. He asked if the Portfolio Holder also shared his concern that the school improvement team had been left weakened numerically and did not have the resources to work on the preventative measures needed to stop these schools becoming the focus of Ofsted attention. Was there anything that the Portfolio Holder could do about that before the Council was identified as having an increasing number of schools causing concern.

### **Reply:**

Councillor Noad responded that he would pass on the good wishes to the school improvement team. Concerning Councillor Getgood's other questions the Portfolio Holder commented that the member would be well aware from the CYP PDS Committee agenda over the past two years that the service had been subject to great change much of it very complex. It was an ongoing journey probably for the next 2 – 4 years. At this stage it was not known the extent of the Academy proposals that schools would embark on in the future. He thought Bromley had the highest number of Academies probably than anywhere in London and likely anywhere in England. As the member was aware Academies were independent schools not controlled by the local education authority. However, the Portfolio Holder accepted that there were still a number of schools that would remain under local authority control at the moment as was the case particularly in the primary sector. He was concerned about the level of the school improvement teams but the situation was in a period of flux and reorganisation. Councillor Noad was monitoring the situation and in touch with officers to ensure that Bromley could deliver a satisfactory service to the remaining schools under the control of this Council.

### **8. From Councillor Peter Fookes of the Portfolio Holder for the Environment – *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What is the backlog of trees needing pruning in the borough?



**Reply:**

The Executive Assistant advised that all tree pruning was done based on a cyclical annual survey. All Tree work relating to health and safety from the 2011/12 Annual Survey would be completed within the next 2 weeks. Tree pruning was an ongoing cyclical undertaking with orders continually being raised, works undertaken and more orders coming in.

**Supplementary Question:**

Councillor Fookes said that the situation as he understood it was that 2 years ago half the trees in the Borough still needed pruning and he suspected the situation had got far worse. He asked what plans there were for further pruning in 2012/13.

**Reply:**

Councillor Fortune responded that as he had already stated pruning was carried out on a cyclical basis of surveying certain sections of the Borough and then regulating them into an order of priority. He asked that if there were any particular trees that the Councillor wished looked at he would take that back to the Department and if he wanted a fuller answer he could provide that as well.

**9. From Councillor Nicholas Bennett JP of the Leader of the Council**

- i) What was the Mayoral precept and percentage rise in each year since 2000;
- ii) What was the cumulative increase in the precept and percentage rise in the following periods;
  - 2000-2004
  - 2004-2008
  - 2000-2008
  - 2008-2012?

**Reply:**

The Leader of the Council explained he had a list of figures and he would give Councillor Bennett a copy immediately after the meeting. Councillor Carr only read out the Annual increase for each of the years requested but had the full details in response to the question below:

i)

<b>Mayoral Precept</b>			
<b>Financial Year</b>	<b>Band 'D' Equivalent £</b>	<b>Annual Increase £</b>	<b>Annual Increase %</b>
2000/01	122.98	17.97	17.11
2001/02	150.88	27.90	22.69
2002/03	173.88	23.00	15.24
2003/04	224.40	50.52	29.05
2004/05	241.33	16.93	7.54
2005/06	254.62	13.29	5.51
2006/07	288.61	33.99	13.35
2007/08	303.88	15.27	5.29
2008/09	309.82	5.94	1.95
2009/10	309.82	0.00	0.00
2010/11	309.82	0.00	0.00
2011/12	309.82	0.00	0.00
2012/13	306.72	-3.10	-1.00

ii)

	<b>Cumulative Increase £</b>	<b>Cumulative Increase %</b>
<b>2000/01 - 2003/04</b>	£119.39	113.69%
<b>2004/05 - 2007/08</b>	£79.48	35.42%
<b>2008/09 - 2012/13</b>	£2.84	0.93%

**Supplementary Question:**

Councillor Bennett asked if the Leader could give the figure for 2000-2008 cumulatively and what conclusions he would draw from these figures?

**Reply:**

Councillor Carr replied that in money terms the increase was £198.87p which was a cumulative increase of 139.11%. What he thought this demonstrated was that since 2008 the taxpayers of the Greater London area had had a considerable better deal than they had previously.

## COUNCIL MEETING

26<sup>th</sup> MARCH 2012

## WRITTEN QUESTIONS BY MEMBERS OF THE COUNCIL

**1. From Councillor Russell Mellor of the Leader of the Council**

Can the leader advise me as to the outcome of the appeals detailed in response to my question placed before the Council on the 24<sup>th</sup> October 2011? The outstanding appeals and decision pending appeals were Children and Young People (1), Adult and Community Services (3).

Have the appeals been resolved, and if so, the cost to the Council; in the event of the appeals still being outstanding can you provide the reasons for the delay? “

**Reply:**

All job evaluation appeals have been heard. The outcome of one appeal is still pending and subject to further discussions with the trade unions. The delay is due to a technical matter which requires consideration and agreement by all three trade unions who are parties to the Single Status Agreement; as yet this has not been forthcoming from one of the trade unions concerned. Against this background arrangements are now in place to reconvene the appeal.

Department	Number of appeals*	Number that resulted in a grade change	Decision Pending
Children and Young People	3	0	0
Adult and Community Services	5	0	1
Renewal & Recreation	1	0	0
Environmental Services	3	1	0
Resources	1	0	0
Chief Executives	1	1	0

The cost of the 2 successful appeals is £23,206 one off costs and £6,555 going forward costs.

\*Please note this figure relates to the number of posts not post holders.

**2. From Councillor Russell Mellor of the Leader of the Council**

In view of the failure of our bid to secure funding for Beckenham and Penge from the Mayor's Outer London Fund and the TfL Capital of London Area

based funding scheme is the Council in a position to enhance the Beckenham Town Centre Management Team with a view to achieve success for future bids to the TfL scheme?

**Reply:**

Maintaining and enhancing the vitality of all of the Borough's town centres, including Beckenham, is a key Council priority. The Council, along with our Partners have a clear strategy for promoting improvements to Beckenham Town Centre. One of the agenda items before Council tonight is a report on Special One-Off Initiatives. This includes a proposal to allocate the sum of £250k to support immediate improvements to Beckenham High Street. Part of this funding will also be used to support design work to enhance a bid to Transport for London for traffic and public realm improvements under their Area Based Schemes, which is a competitive process. I would urge Members to support this item.

The process of developing a successful TfL bid and scoping more immediate improvements is being guided by the Beckenham and West Wickham Working Group – which was commissioned by the R&R PDS Committee. The Town Centre Management Team is playing an active role in attending and supporting this group in its deliberations. Notwithstanding some sickness issues within the team, which are being dealt with through the proper process, Town Centre Managers will also be working with colleagues in other Council Divisions to roll out many of the shorter term projects, and will assist with consultation on proposed future public realm changes.

With regards to the future of Town Centre Management, we are exploring the option of introducing Business Improvement Districts (BIDs) to the main town centres which may unlock additional resources and give more control to local businesses and other key occupiers. This approach, which has been successful in other town centres across the UK, is being piloted in Orpington town centre – and if successful we would be looking to gauge the feasibility of the BID model for other towns, including Beckenham.

**3. From Councillor Russell Mellor of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond.***

I would be obliged if the Portfolio Holder can advise me of the financial savings to the Council by the expenditure of £7.942 million from the Invest to Save fund for the replacement of lighting columns in the Borough, the reply to be expressed in terms of a revenue stream.

**Reply:**

As set out in 5.4 of the report that went to the 7<sup>th</sup> March 2012 Executive meeting, the total revenue saving over 11 years is expected to be: -

New Installation & Maintenance	£8.532m	
Energy savings	£0.897m	
Staff savings	<u>£0.342m</u>	
<b>Direct Revenue Savings</b>	<b>£9.771m</b>	
Savings from Carbon Allowances	£0.114m	
Inflation savings	<u>£1.797m</u>	
<b>Total Savings (inc future growth)</b>	<b>£11.682m</b>	
Repayment of invest to save monies (scheme)	£7.942m	(estimated cost of scheme)
Interest on borrowing 3.5%	£1.849m	
<b>Net Saving from Invest to Save</b>	<b><u>£1.891m</u></b>	

Any final release of monies will be dependent on the outcome of tendering for the works early in 2013.

The estimated net savings of £1.891m is after repayment of the 'Spend to Save' plus interest of 3.5%.

There will not only be enhanced asset values at the end of the investment period compared with the existing budget provision, but there will be further benefits relating to the use of latest technology, which could include LED's, to provide environmental benefits and improved lighting levels for pedestrians and drivers.

The investment is targeted at the concrete and older steel lamp columns which are at risk of structural failure.

A copy of the report together with the detailed papers providing further breakdown of the financial impact are available in the Members room.

**4. From Councillor Peter Fookes of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

When will trees be replaced in St John's Rd, Penge as the tree pits are becoming a trip hazard?

**Reply:**

There are currently no plans to plant trees in this road at present. Streetscene officers are arranging to have the tree pits tarmaced over. If requests are received from the public, staff will of course consider planting at these vacant locations, subject to suitable resources and priorities.

**5. From Councillor Peter Fookes of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What plans are there to plant trees in Hawthorn Grove in Penge?

**Reply:**

There are no plans to plant in Hawthorn Grove. If Ward Members would like to suggest anything then the potential will, of course, be investigated.

**6. From Councillor Peter Fookes of the Portfolio Holder for Resources**

What progress is being made in the redevelopment of the Studio in Beckenham?

**Reply:**

The Agreement to Lease 28 Beckenham Road Beckenham (previously known as "The Studio") was entered into with Citygate Church on 3<sup>rd</sup> November 2011. Citygate's contractor took possession of the property soon after to commence the repair and refurbishment work. Under the Agreement, Citygate has 1 year in which to complete "Phase 1" of the "Works" and serve notice on the Council to complete the Lease. "Phase 1" includes: external works, renewal of services (electrical, heating including boiler replacement, alarms, water and media), installation of steelwork and other alterations, asbestos removal, plaster renewals and redecoration to some ground floor rooms and one first floor room to enable the building to partially reopen. The main works undertaken to date include: renewal of flat roof, eradication of rot and renewal of some roof timbers, installation of steel beams and removal of masonry walls, new partitioning and ceilings, some electrical work, boiler strip out, some window renovation and other external work. The contractor is programming to complete all work by the end of the summer with the exception of the internal decoration. It is understood this will be undertaken by the church members.

**7. From Councillor Nicholas Bennett JP of the Portfolio Holder for Children and Young People**

What proposals he has for establishing sold services to schools?

**Reply:**

The London Borough of Bromley has successfully provided Sold Services to schools since the 1990's, offering schools a range of support packages especially in the areas of School Improvement, Governor Training & Support, Finance, Human Resources and Property. With the introduction of the Academies Act in 2010, and the direct funding of academies for many services previously provided by the Local Authority, the Bromley Sold Services offer has been reviewed and expanded to meet this changing agenda. Following the endorsement given by Executive to focus on a One-

Council during 2011/12, Children and Young People Services have co-ordinated the management and delivery of Sold Services across the Council. The take up of Sold Services from schools, including academies, remains high and many new services now provided to academies on a Sold Service basis only have seen high levels of buy back.

In parallel, a detailed analysis has been undertaken to establish the Full Cost Recovery position of each Sold Service. In January, Cabinet received a detailed report which presented the outcomes from this work including: the income profile, an evaluation of the potential for sold services on a Full Cost Recovery basis and options for the Council for the future direction of support and sold services to schools 2012/13 – 2014/15. This information will be reported to Executive in the spring.

For 2012/2013, the Sold Services offer will continue to be marketed to Bromley schools and, increasingly, out of borough customers. All Sold Services will be expected to meet income targets based on a Full Cost Recovery position and put in place appropriate action where needed, such as price reviews, to ensure that targets are met, supported by regular budget monitoring. Action will be taken in-year to remove a Sold Service offer where the level of market interest makes it unviable.

#### **8. From Councillor Nicholas Bennett JP of the Leader of the Council**

If he will set out the organisational arrangements following the merger of the ACS and CYP Departments from 1<sup>st</sup> April and any proposals to amend the Portfolio and PDS functions as a result of this merger?

#### **Reply:**

Since the start of January 2012, a single Management Team for Education and Care Services Department has been led and chaired by the Chief Executive, meeting weekly. This is in addition to ongoing respective ACS and CYP management meetings.

The Education and Care Services Management Team consists of the three Assistant Directors with responsibilities for front-line service divisions, namely Kay Weiss for Children's Social Care, David Roberts for Adults' Social Care, and Bob Garnett for Education. They are assisted by the Strategic and Business Support division under Anne Watts, the Commissioning division under Lorna Blackwood and Finance support from Lesley Moore. Also supporting this transition are Charles Obazuaye, Gillian Pearson, Terri Walters and Susie Clark.

In these months work has begun in identifying natural synergies and opportunities for smarter working across all component parts. The Management Team has also engaged with staff about the changes.

From 1<sup>st</sup> April, the Chief Executive will continue to lead the work of the Management Team as set out above, excepting a change following the

retirement of Gillian Pearson and the addition of Sara Bowrey to assist with consideration of Operational Housing matters.

The weekly meetings of the Management Team will address significant issues arising, matters of shared interest across all components of the department, and the overarching strategic framework.

ACS Departmental Management Team and CYP Senior Management Team meetings will be maintained alongside the ECS Management Team until the new civic year to ensure adequate consideration of portfolio-specific issues.

The recruitment process for the post of Assistant Director for Education is underway and it is hoped that an appointment will be made in due course. The recruitment process for the post of Director of Education and Care Services will be started again after Easter.

With regard to the Portfolio and PDS functions both myself and colleagues are currently assessing the best way forward that may well precipitate an evolved change to both the Portfolio and PDS function.

**9. From Councillor Nicholas Bennett JP of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What criteria does he intend to use in deciding the priorities for the Council's Public transport policy?

**Reply:**

The following factors would be taken into account in assessing priority. They are listed in no particular order.

- Whether the project falls within existing Council policy or aspirations as expressed through the Corporate Plan, the LDF/UDP, LIP and other key documents.
- The number of users likely to benefit from the proposal.
- Whether a proposal provides the level of service necessary to meet an identified current or forecast need for access to jobs or services.
- The likely timescale for implementation of the project.
- The likelihood of the project receiving funding.
- Overall value for money.
- Any costs likely to fall on the Council.
- Engineering feasibility.



- The environmental impact of the project through operation or construction.
- Whether the proposal promotes real choice of travel mode.

The views of the public and stakeholders expressed through consultation

**10. From Councillor John Getgood of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What will be the first opportunity to remove the street clutter of the free-standing advertising hoarding on the pavement outside Empire Square, Penge?

**Reply:**

There are no plans to remove the free-standing advertising hoarding; it was only installed after the planning permission had been granted to ClearChannel.

**11. From Councillor John Getgood of the Portfolio Holder for the Environment - *In the absence of the Portfolio Holder the Executive Assistant for the Environment will respond***

What progress is he making in persuading BT that the placing of their green box on the edge of Empire Square, Penge disfigures the public realm and that they should move it.

**Reply:**

The Streetworks Team have asked for the BT cabinet to be moved and are awaiting their response. A Fixed Penalty Notice has been issued to BT as they did not have a valid permit to work in this location, although as a utility company they do have powers to install cabinets and other equipment on the highway.

**12. From Councillor John Getgood of the Portfolio Holder for the Environment – *(In agreement with the Portfolio Holder this has been redirected to the Portfolio Holder for Renewal and Recreation)***

Will he please convey to all those staff involved, the thanks of people living and working in Penge for their support of and contribution to the Penge Town Sign project.

**Reply:**

Yes I will ensure your thanks are passed on.

**13. From Councillor Fawthrop of the Chairman of the Development Control Committee (to be asked at every Council Meeting)**

What pre-application meetings have taken place since the last full Council Meeting between Council Officers and potential planning applicants? Can these be listed as follows:-

The name of the potential applicant, the site address being considered.

**Reply:**

From 15<sup>th</sup> February to 19<sup>th</sup> March, 2012, there were 20 non-householder pre-application meetings and no householder meetings. At present, the details of individual applicants constitute exempt information and cannot be disclosed in response to a Council question.

## London Borough of Bromley

### Members Allowances Scheme

From 1<sup>st</sup> April 2012, in exercise of the powers conferred by the Local Authorities (Members Allowances) (England) Regulations 2003 (2003 No. 1021) [as amended by SI 2003 No. 1692], the London Borough of Bromley will operate the following Members Allowances Scheme.

1. This Scheme is known as the London Borough of Bromley Members Allowances Scheme and will operate from 1<sup>st</sup> April 2012 until amended.
2. In this Scheme:
  - “Councillor” means a member of the London Borough of Bromley who is an elected Member;
  - “Member” for the purposes of this Scheme shall mean elected Councillors;
  - “year” means the 12 months ending 31<sup>st</sup> March.
3. The Council in agreeing this Scheme has considered the recommendations of the Independent Panel commissioned by the Association of London Government on the remuneration of Councillors in London entitled “The Remuneration of Councillors in London 2010 Review” report published February 2010.

#### Basic Allowance

4. A basic annual allowance of £10,872.02 shall be paid to each Councillor.

#### Special Responsibility Allowances

5. (1) An annual Special Responsibility Allowance will be paid to those Members who hold special responsibilities. The special responsibilities are specified in Schedule 1 (attached).
- (2) During periods after an election when any position of special responsibility is unfilled, the relevant Special Responsibility Allowance shall be payable to the new holder of the position from the day after the previous holder ceases to be responsible.
- (3) The amount of each Special Responsibility Allowance is specified against that special responsibility in Schedule 1. The conditions set out in paragraphs 5(2), 5(4) and 14 apply.
- (4) Where a Member holds more than one position of special responsibility then only one Special Responsibility Allowance will be paid. Subject to sub-paragraph (5), Members may be paid quasi-judicial allowances in addition to a Special Responsibility Allowance.
- (5) All Members of the Plans Sub-Committees, Adoption Panel and Licensing Sub-Committee will be paid a quasi-judicial allowance at an annual rate £669.99 per annum. Where a Member has membership of only one Plans Sub-Committee, the allowance will be set at half that amount, £335.

### **Childcare and Dependent Carers Allowance**

6. The Council has agreed that no allowance will be paid for childcare or dependent carers.

### **Co-optees Allowance**

7. The Council has agreed that no allowance will be paid for co-optees.

### **Pensions**

8. All Councillors under the age of 75 are entitled to apply for membership of the Local Government Pension Scheme. Both Basic Allowance and Special Responsibility Allowance, including quasi-judicial allowances, will be treated as amounts in respect of which pensions are payable.

### **Travel and Subsistence Allowance**

9. The Basic Allowance covers all intra-Borough travel costs and subsistence. All other necessarily incurred travel and subsistence expenses for approved duties as set out in the Regulations (Regulation 8(a) to (h)) will be reimbursed under the same rules and entitlement as applies to staff. Travel by bicycle will also be paid at the same rates as applies to staff. Claims for reimbursement are to be made within one month of when the costs were incurred.

### **Ability to Decline An Allowance**

10. A Member may, by writing to the Director of Resources, decide not to accept any part of his entitlement to an allowance under this Scheme.

### **Withholding of Allowances**

11. The Standards Committee may withhold all or part of any allowances due to a Member who has been suspended or partially suspended from his/her responsibilities or duties as a Member of the Authority. Any travelling or subsistence allowance payable to him/her for responsibilities or duties from which they are suspended or partially suspended may also be withheld.
12. Where the payment of an allowance has already been made in respect of a period in which a Member has been suspended or partially suspended, the Council may require the allowance that relates to that period of suspension to be repaid.

### **Members of more than one Authority**

13. Where a Member is also a member of another authority, that Member may not receive allowances from more than one authority for the same duties.

### **Part-year Entitlements**

14. If during the course of a year:
  - (a) there are any changes in the Basic and/or Special Responsibility Allowances,
  - (b) a new Member is elected,
  - (c) any Member ceases to be a Member,
  - (d) any Member accepts or relinquishes a post in respect of which a Special Responsibility Allowance is payable, or

- (e) the Standards Committee resolves to withhold any allowances during the suspension of a Member,

the allowance payable in respect of the relevant periods shall be adjusted pro rata to the number of days.

### **Payments**

- 15. Payments shall so far as is reasonably practicable normally be made for Basic and Special Responsibility Allowances in instalments of one-twelfth of the amount specified in this Scheme.

### **Inflation Increase**

- 16. The allowances set out in this Scheme may be increased annually by the same percentage increase as the market movement change for officers under the PE Inbucon scheme, such increase to take effect from the start of the Municipal Year. This inflation index will apply until further notice unless the Scheme is revised after consideration of any new Independent Panel report. Where the only change to the Scheme in any year is that effected by such an annual adjustment in accordance with this index, the new uprated allowance rates will apply without further consideration by an Independent Panel.

### **Notification Fee to Information Commissioner**

- 17. The Council shall reimburse, or pay on their behalf, the annual fee payable by all Councillors to the Information Commissioner.

## Schedule 1

### Allowances for the year ending 31st March 2013

	£
<b>Basic Allowance</b>	10,872.02
<b>Posts of Special Responsibility Allowance</b>	
Leader of the Council	30,600.00
Portfolio Holders (x6)	20,400.00
Executive Assistants (x5)	3,573.22
Executive Members without Portfolio (x2)	3,573.22
Chairman of Portfolio PDS Committees (x6)	7,140.00
Chairman of Development Control Committee	9,179.61
Vice-Chairman of Development Control Committee	1,971.47
Chairman of Plans Sub-Committees (x4)	2,772.35
Chairman of General Purposes and Licensing Committee	9,179.61
Vice-Chairman of General Purposes and Licensing Committee	1,971.47
Chairman of Audit Sub-Committee	1,971.47
Chairman of Pensions Investment Sub-Committee	1,971.47
Leader of Main Opposition Party	7,577.78
Leader of Minority Opposition Party	3,673.53
<b>Quasi-Judicial Allowances</b>	
Members of two Plans Sub-Committees	669.99
Members of one Plans Sub-Committee	335.00
Members of Adoption Panel	669.99
Members of Fostering Panel	669.99
Members of Licensing Sub-Committee	669.99

**PAY POLICY STATEMENT 2012/13 (Amended)****1. Introduction**

- 1.1 The Localism Act 2011 introduces a requirement for public authorities to publish annual pay policy statements. It states, in the main, that a relevant authority must prepare a pay policy statement for the Financial Year 2012/13 and each subsequent year.
- 1.2 Pursuant to the Act and the associated guidance and other supplementary documents, this pay policy statement sufficiently summarises Bromley Council's approach to the pay of its workforce and, in particular, its "Chief Officers". In summation, the statement covers the Council's policies for the 2012/13 Financial Year, relating to:
- i) remuneration of its Chief Officers;
  - ii) remuneration of its lowest paid employees;
  - iii) the relationship between (i) and (ii) above.
- 1.3 In relation to "Chief Officers" the pay policy statement must describe the Council's policies relating to the following:
- i) the level and elements of remuneration for each Chief Officer;
  - ii) remuneration of Chief Officers in recruitment;
  - iii) increases and additions to remuneration for each Chief Officer;
  - iv) the use of performance related pay for Chief Officers;
  - v) the use of bonuses for Chief Officers;
  - vi) the approach to the payment of Chief Officers on their ceasing to hold office under, or to be employed by, the authority; and
  - vii) the publication of access to information relating to remuneration of Chief Officers.

1.4 As required by the Act and the supporting statutory guidance which, in turn, reflects the Local Government and Housing Act 1989, the definition of Chief Officer for the purpose of the pay policy statement covers the following roles:

- i) the Chief Executive/Head of Paid Service;
- ii) the Monitoring Officer;
- iii) a statutory Chief Officer and non-statutory Chief Officer under Section 2 of the Local Government and Housing Act 1989;
- iv) a Deputy Chief Officer responsible and accountable to the Chief Officer. However, it does not include those employees who report to the Chief Executive or to a statutory or non-statutory Chief Officer but whose duties are solely secretarial or administrative or not within the operational definition or the meaning of the Deputy Chief Officer title.

## **2. Exclusion**

2.1 The Act does not apply to schools staff, including teaching and non-teaching staff.

## **3. Context: Key Issues and Principles**

3.1 General Context – clearly there are a number of internal and external variables to consider in formulating and taking forward a pay policy. Reward and recognition is a key plank of the Council's agreed HR Strategy. This includes establishing strong links between performance and reward and celebrating individual and organisational achievements.

The HR Strategy is based on an assumption that all staff come to work to do a good job and make a difference. The Council expects high standards of performance from staff at all levels and seeks, in return, to maintain a simple, fair, flexible, transparent and affordable pay and reward structure that attracts and keeps a skilled and flexible workforce.



### 3.2 Industrial relations: Recruitment and Retention

The Council aims to enhance its ability to recruit and retain high quality staff by being competitive in the labour markets. This is still the case even in the current financial straitened times. As Members make difficult and unpalatable financial decisions and staff step up to the challenges of delivering more (or the same) with less resources, the Council faces the challenges of retaining a motivated and flexible workforce which is adequately remunerated and valued for their contribution to “Building a Better Bromley”. We will keep our pay policy updated and align it to reflect the “Bromley Council employee of the future” characterised by innovation, flexibility, empowerment, leadership and individualised rewards for exceptional performers.

### 3.3 Contractual/Legal context:

- i) Currently most Bromley Council employees, other than teachers, are employed on terms and conditions which fall within a national/regional pay and conditions framework including employees under:
  - the NJC for Local Government Services (Green Book);
  - the NJC for Youth and Community workers;
  - the Soulbury Committee (Education Advisers, Educational Psychologists)
  
- ii) additionally, with the exception of their pay and grading arrangements, the contracts for employees on the Bromley Management grades incorporate either the conditions of service of the JNC for Chief Officers of local authorities or the NJC Green Book. Likewise, although their pay and grading structure is negotiated locally, many of the terms and conditions of the lecturers at Bromley Adult Education College are aligned with the “Green Book”.

- iii) for legal reasons this pay policy statement does not change or propose to change the existing terms and conditions of service. Any pay policy would need to take account of the Council's legal obligations to effect any contractual changes, either through collective agreement with recognised Trade Unions or individual agreements, or through the dismissal and re-engagement route;
- iv) that said, going forward, the Council, subject to further staff and Trade Union discussions and negotiation, is considering localising its terms and conditions for its entire workforce, except teachers. One of the key reasons behind the proposal is that local control will give greater emphasis to local circumstances and improve the Council's ability to innovate and flex in ways that the current nationally agreed terms have often not encouraged. In summary, the proposal will introduce a single local annual pay review mechanism to replace the current separate arrangements for Bromley employees under the Green Book, Soulbury Committee and Management Grade staff.

The detail of how the single annual pay review will operate has yet to be determined and will be the subject of consultation and discussion locally with staff and their representatives. It will have regard to:

- affordability, inflation;
  - market settlements elsewhere;
  - flexible reward package;
  - organisational performance;
  - local and national circumstances and being competitive in the labour markets;
  - firm but fair performance management culture;
  - non-consolidated payments for exceptional performers
- v) The outcome of the proposal and any subsequent changes to the current terms and conditions of staff and, in particular, "Chief Officers"

will be reported to a future meeting of Full Council for consideration and approval.

### 3.4 Accountability

3.4.1 The Act requires that pay policy statements and any amendments to them are considered by a meeting of Full Council and cannot be delegated to any Sub-Committee.

3.4.2 Such meetings should be open to the public and should not exclude observers.

3.4.3 All decisions on pay and reward for “Chief Officers” must comply with the agreed pay policy statements.

3.4.4 As stated above, the Council must have regard to any guidance issued/approved by the Secretary of State. The latest guidance recently issued by the Department of Communities and Local Government (DCLG) states in inter alia “that full Council should be offered the opportunity to vote before large salary packages are offered in respect of a new appointment.” The Secretary of State considered that £100,000, including salary, bonus, fees or allowances or any benefit in kind, is the right level to trigger Member approval.

## 4. Transparency

4.1 In line with the guidance, the pay policy statement will be published on the Council’s website and accessible for residents to take an informed view on whether local decisions on all aspects of remuneration are fair and reasonable.

4.2 The Council is also required to set out its approach to the publication of and access to information relating to the remuneration of “Chief Officers”.

Information on pay and reward for senior employees required to be published under the Code of Recommended Practice for Local Government on Data Transparency and by the Accounts and Audit (England) Regulations 2011 is already accessible on the Council's website at:

[http://www.bromley.gov.uk/downloads/file/893/lb\\_bromley\\_statement\\_of\\_accounts\\_201011](http://www.bromley.gov.uk/downloads/file/893/lb_bromley_statement_of_accounts_201011)

For the purposes of the Code, senior employee salaries are defined as all salaries which are above £58,200. The information, including the posts which fall into this category, will be regularly up-dated and published.

### **5. Fairness**

5.1 The Council must ensure that decisions about senior pay are taken in the context of similar decisions on lower paid staff. In addition, the Act requires the Council to explain the relationship between the remuneration of its Chief Officers and its employees who are not Chief Officers, and may illustrate this by reference to the ratio between the highest paid officer and lowest paid employee and/or the median earnings figure for all employees in the organisation.

5.2 Additionally, the Act specifically requires the Council to set out its policies on bonuses, performance related pay, severance payments, additional fees/benefits (including fees for Chief Officers for election duties), re-employment or re-engagement of individuals who were already in receipt of a pension, severance or redundancy payment, etc.

### **6. Position Statement**

6.1 The Council's position on the requirement of the Act and the information that it is required to include its Pay Policy Statements is as summarised above and as set out in the attached table (Appendix 1).

6.2 This Statement is for the Financial year 2012/13.

- 6.3 The Statement must be approved by Full Council. Once approved it will be published on the Council's website. Any amendments during the Financial Year must also be approved by a meeting of Full Council.
- 6.4 This Statement (including the Appended table) meets the requirement of the Localism Act 2011 and the Department for Communities and Local Government (DCLG) guidance.

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# LONDON BOROUGH OF BROMLEY

## MINUTES

of the proceedings of the Special Meeting of the  
Council of the Borough  
held at 6.15 pm on 16 May 2012

Present:

**The Worshipful the Mayor  
Councillor David McBride**

**The Deputy Mayor  
Councillor Reg Adams**

### Councillors

Graham Arthur	Peter Fortune	Russell Mellor
Douglas Auld	John Getgood	Alexa Michael
Kathy Bance	Julian Grainger	Peter Morgan
Jane Beckley	Ellie Harmer	Ernest Noad
Julian Benington	Will Harmer	Gordon Norrie
Nicholas Bennett J.P.	Brian Humphrys	Tony Owen
Ruth Bennett	Samaris Huntington- Thresher	Tom Papworth
Eric Bosshard	William Huntington- Thresher	Ian F. Payne
Katy Boughey	John Ince	Sarah Phillips
Lydia Buttinger	Russell Jackson	Neil Reddin
John Canvin	David Jefferys	Catherine Rideout
Stephen Carr	Charles Joel	Charles Rideout
Peter Dean	Kate Lymer	Richard Scoates
Judi Ellis	Paul Lynch	Colin Smith
Robert Evans	Mrs Anne Manning	Diane Smith
Simon Fawthrop		
Peter Fookes		

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor David McBride

### 63 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Charsley, Roxhannah Fawthrop, Hastings and Milner. Apologies for lateness were received from Councillors Bance, Grainger and Samaris Huntington-Thresher.

**64 APPOINTMENT OF HONORARY ALDERMEN**

The report of the General Purposes and Licensing Committee of 14<sup>th</sup> March 2012 was considered and the following Motion was moved by Councillor Tony Owen and seconded by Councillor Stephen Carr:

That the title of Honorary Alderman is conferred on the following individuals:

Mr Peter Bloomfield  
Mrs Dorothy Laird JP

**This Motion was CARRIED unanimously.**

Mayor

The Meeting ended at 6.30 pm



# LONDON BOROUGH OF BROMLEY

## MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 6.30 pm on 16 May 2012

Present:

**The Worshipful the Mayor  
Councillor David McBride**

**The Deputy Mayor  
Councillor Reg Adams**

### Councillors

Graham Arthur	Julian Grainger	Gordon Norrie
Douglas Auld	Ellie Harmer	Tony Owen
Kathy Bance	Will Harmer	Tom Papworth
Jane Beckley	Brian Humphrys	Ian F. Payne
Julian Benington	Samaris Huntington-	Sarah Phillips
Nicholas Bennett J.P.	Thresher	Neil Reddin
Ruth Bennett	William Huntington-	Catherine Rideout
Eric Bosshard	Thresher	Charles Rideout
Katy Boughey	John Ince	Richard Scoates
Lydia Buttinger	Russell Jackson	Colin Smith
John Canvin	David Jefferys	Diane Smith
Stephen Carr	Charles Joel	Tim Stevens
Peter Dean	Kate Lymer	Harry Stranger
Judi Ellis	Paul Lynch	Michael Tickner
Robert Evans	Mrs Anne Manning	Pauline Tunncliffe
Simon Fawthrop	Russell Mellor	Michael Turner
Peter Fookes	Alexa Michael	Stephen Wells
Peter Fortune	Peter Morgan	
John Getgood	Ernest Noad	

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor David McBride

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Charsley, Roxanna Fawthrop, Hastings and Milner. Apologies for lateness were received from Councillors Bance, Grainger and Samaris Huntington-Thresher.

## **2 ELECTION OF MAYOR**

It was moved by Councillor Alexa Michael and seconded by Councillor Michael Tickner and

**RESOLVED that Councillor Michael Turner be elected the Mayor of the Borough.**

Councillor Turner made and subscribed the Declaration of Acceptance of the office of Mayor and thereupon adjourned from the Chamber in company with the retiring Mayor to receive the insignia of Officer.

In the Chair the Mayor Councillor Michael Turner

On his return to the Chamber, the Mayor expressed thanks for the honour conferred upon him, for the generous terms in which the motion had been proposed and seconded and of the manner of its reception.

## **3 RETIRING MAYOR**

On a motion by Councillor Reg Adams, which was seconded by Councillor Tom Papworth it was

**RESOLVED that at the conclusion of the year of office of Councillor David McBride as Mayor of the London Borough of Bromley, the Council places on record its appreciation of the able manner in which he has presided at meetings of the Council and the distinction with which he has maintained and discharged the high traditions and responsibilities of that office.**

**The Council also recognises the commitment, enthusiasm and dedication with which he has carried out his Mayoral duties during his term of office. It records with pleasure his particular interest and support of children and young people within the Borough in their schools, colleges and also in other activities and events with which they are involved.**

**Additionally, it notes his support for voluntary and community organisations, groups and businesses, within the Borough as well as a sincere consideration for the welfare and wellbeing of residents from all age groups throughout the Borough.**

**He has carried out the duties of the Mayoralty with enthusiasm and dignity and has spread knowledge of its tradition and its modern day relevance to the many schools and organisations which he has visited.**

**Councillor McBride has also successfully raised funds for The Biggin Hill Heritage Centre Trust through his Charity Appeal.**

**RESOLVED** that the Corporate Seal be affixed to an engrossment of this resolution for presentation to Councillor David McBride and a Past Mayor's Badge be presented to him in token of the appreciation hereby expressed.

Thereupon the Mayor, on behalf of the Council, invested Councillor David McBride with a badge in token of the appreciation of his services as Mayor of the Borough.

Councillor McBride expressed his thanks for the terms of the resolution and the presentation that had been made and for the support accorded to him which had contributed so greatly to his year of office as Mayor.

**RESOLVED** that the Council

(1) records its appreciation of the able and courteous services of Councillor Reg Adams and Mrs Marjorie Adams who, as Deputy Mayor and Deputy Mayoress for the year 2011/12, they represented the Mayoralty and the Council; and

(2) to provide to them an attested copy of this resolution.

Councillor Adams expressed his thanks for the terms of the resolution and for the support accorded to him during his year of office as Deputy Mayor.

Councillor David McBride presented a Resolution to the retiring Mayor's Chaplain.

#### **4 APPOINTMENT OF DEPUTY MAYOR**

The Mayor signified in writing his appointment of Councillor Ian Payne as Deputy Mayor.

The Deputy Mayor was invested by the Mayor with the insignia of his office and he expressed appreciation for the honour of this appointment as Deputy Mayor.

#### **5 MINUTES**

On a Motion by Councillor Carr, seconded by Councillor Colin Smith, it was

**RESOLVED** that the Minutes of the meeting of the Council held on 26<sup>th</sup> March 2012 be submitted for confirmation at the next ordinary meeting of the Council.

#### **6 APPOINTMENT OF THE DEPUTY LEADER AND OTHER MEMBERS OF THE EXECUTIVE**

In accordance with the Council's constitutional arrangements the Leader of the Council advised of the following appointments:

Councillor Colin Smith as Deputy Leader of the Council and also Portfolio Holder for the Environment

Councillor Graham Arthur – Portfolio Holder for Resources (and Public Health matters)

Councillor Robert Evans – Portfolio Holder for Care Services

Councillor Peter Morgan – Portfolio Holder for Renewal & Recreation

Councillor Tim Stevens – Portfolio Holder for Public Protection & Safety

Councillor Stephen Wells – Portfolio Holder for Education

**RESOLVED that the appointments made by the Leader of the Council as set out above be noted.**

## **7 THE LEADER'S ADDRESS TO THE COUNCIL**

In accordance with the agreed constitutional arrangements that the Leader of the Council may elect to address the meeting Councillor Carr made a brief statement.

He added his personal congratulations to Councillor Turner on his appointment as Mayor.

Councillor Carr reaffirmed the administration's commitment to Building a Better Bromley and referred to the various one off initiatives reported to the last Council meeting. He emphasised the intent to bring about improvements to Town Centres across the whole of the Borough and not just Bromley Town Centre. Whilst acknowledging the difficult financial situation over the past year work was progressing with shared service partnerships with neighbouring Boroughs and seeking other efficiencies of service.

## **8 APPOINTMENT OF COMMITTEES AND THEIR CHAIRMEN AND AND VICE-CHAIRMEN**

Councillor William Huntington-Thresher moved and Councillor Nicholas Bennett JP seconded a Motion that the appointment of Councillors to Committees and the election of Chairmen and Vice- Chairmen of Committees be approved as set out in the schedule which had been circulated.

**RESOLVED that the appointments indicated in the Appendix to these Minutes be agreed.**

## **9 SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS AGREED BY THE LEADER OF THE COUNCIL AND CONFIRMATION OF THE SCHEME OF DELEGATION OF NON EXECUTIVE FUNCTIONS AND MINOR CHANGES TO THE CONSTITUTION**

The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff. The Scheme was

normally updated for approval at the Council's annual meeting in May each year, although under the Local Government and Public Involvement in Health Act 2007 any executive powers delegated to officers had to be delegated not by the Council, but by the Leader of the Council, and it was open to the Leader to table changes to the executive scheme.

The Scheme had last been updated at the Council meeting on 26<sup>th</sup> March 2012 to take account of the new Education and Care Services Department, and only a small number of minor corrections were being proposed as set out in the report circulated.

Attention was drawn to Appendix 2 of the report which was circulated which contained additional amendments to the Constitution as follows:-

- a) new Portfolio descriptions notified by the Leader of the Council;
- b) amended PDS Committee terms of reference; and
- c) further amendments to the Scheme of Executive and Non-Executive Delegations to Officers.

Councillor Owen moved and Councillor Mellor seconded a Motion to confirm the Scheme of Delegation of Non Executive functions, as amended and minor changes to the Constitution.

The Motion was duly adopted.

Councillor Owen moved and Councillors Wells seconded a Motion to confirm the Scheme of Delegation of non executive functions.

The Motion was duly adopted.

## **10 REPORT OF COUNCILLOR ATTENDANCE FOR 2011/12**

In accordance with the procedure adopted by Council a report was submitted setting out details of members' attendances at Council, Committees and Sub-Committees and Executive/Portfolio Holder meetings during the Council year 2011/12. A revised schedule was circulated at the meeting.

A Motion to note the report was adopted.

## **11 REPORT OF COUNCILLOR'S ATTENDING OUTSIDE BODIES DURING 2011/12**

In accordance with the arrangements agreed by Council on 15<sup>th</sup> December 2009 that Councillors appointed to serve on outside bodies with a significant role and budget should be required to provide a short written statement back to Council, a report was submitted.

A Motion to note the report was adopted.

**12            MAYOR'S ANNOUNCEMENTS**

The Mayor advised that his Chaplain would be Reverend Angela King from St Andrew's Church, Burnt Ash Lane, Bromley.

The following dates for Member's diaries were also reported:

The Mayor's Civic Service would be held at St Andrew's Church, Burnt Ash Lane, Bromley on Sunday 10<sup>th</sup> June 2012 starting at 10am.

The Civic Reception for Voluntary Workers would be held on Thursday 19<sup>th</sup> July 2012 and the first charity appeal fund raising dinner would be held at the 'Con Amore' restaurant in Bromley High Street on Tuesday 10<sup>th</sup> July 2012.

Further information on these events would be issued shortly.

Mayor

The Meeting ended at 8.00 pm

## COUNCIL APPOINTMENTS 2012/13

The Executive support Members will be reported to the meeting of the Executive on 23rd May 2012.

### 1. APPOINTMENT OF POLICY DEVELOPMENT AND SCRUTINY COMMITTEES

#### (a) Proportionality and Size Of Committees

	Size	Conservative	Liberal, Democrat	Labour
Executive and Resources	15	13	1	1
** Care Services	9	7	1	1
** Education	9	7	1	1
Environment	9	7	1	1
** Public Protection and Safety	9	7	1	1
Renewal and Recreation	11	9	1	1

**RESOLVED** that the Committee sizes and proportionality indicated above, including an increase in the size of the Renewal and Recreation PDS Committee be agreed.

**\*\* Co-opted members to be appointed at the first meeting of the PDS Committee**

**(b) Appointment of Members to Policy Development and Scrutiny Committees**

**RESOLVED** that the following Schedule of Members to serve on Policy Development and Scrutiny Committees for the Municipal Year 2012/2013 be agreed.

**(i) EXECUTIVE AND RESOURCES PDS (To include the Chairmen of other PDS Committees)**

	<u>Councillors</u>
1	Douglas Auld
2	Eric Bosshard
3	Nicholas Bennett
4	Ruth Bennett
5	Judi Ellis
6	Will Harmer
7	Brian Humphrys
8	William Huntington-Thresher
9	Russell Mellor
10	Nicholas Milner
11	Ernest Noad
12	Sarah Phillips
13	Richard Scoates
14	John Getgood (LAB)
15	Tom Papworth (LIB/DEM)

**(ii) CARE SERVICES PDS**

	<u>Councillors</u>
1	Ruth Bennett
2	Roger Charsley
3	Judi Ellis
4	David Jefferys
5	Anne Manning
6	Catherine Rideout
7	Charles Rideout
8	John Getgood (LAB)
9	Reg Adams (LIB/DEM)
**	Up to 8 Co-opted members



(iii) EDUCATION PDS

	<u>Councillors</u>
1	Nicholas Bennett
2	Lydia Buttinger
3	Nicky Dykes
4	Judi Ellis
5	Brian Humphrys
6	Alexa Michael
7	Neil Reddin
8	Kathy Bance (LAB)
9	David McBride (LIB/DEM)
**	Up to 11 Co-opted members

(iv) ENVIRONMENT

	<u>Councillors</u>
1	Julian Grainger
2	Ellie Harmer
3	Samaris Huntington- Thresher
4	William Huntington- Thresher
5	David Jefferys
6	Nicholas Milner
7	Ian Payne
8	Peter Fookes (LAB)
9	David McBride (LIB/DEM)

(v) PUBLIC PROTECTION AND SAFETY PDS

	<u>Councillors</u>
1	Douglas Auld
2	Jane Beckley
3	Peter Fortune
4	Roxhannah Fawthrop
5	David Hastings
6	Kate Lymer
7	Gordon Norrie
8	Peter Fookes (LAB)
9	John Canvin (LIB/DEM)
**	Up to 6 Co-opted members

(vi) RENEWAL AND RECREATION PDS

	<u>Councillors</u>
1	Julian Benington
2	Nicky Dykes
2	John Ince
3	Paul Lynch
5	Ian Payne
6	Sarah Phillips
7	Neil Reddin
8	Michael Tickner
9	Pauline Tunnicliffe
10	Kathy Bance (LAB)
11	David McBride (LIB/DEM)

(c) **Appointment of Chairman and Vice-Chairman**

**RESOLVED that the following Councillors be appointed as Chairman and Vice-Chairman of Policy Development and Scrutiny Committees.**

	<u>Chairman</u>	<u>Vice-Chairman</u>
Executive and Resources	Eric Bosshard	Russell Mellor
Care Services	Judi Ellis	Catherine Rideout
Education	Nicholas Bennett	Lydia Buttinger
Environment	William Huntington-Thresher	Ellie Harmer
Public Protection and Safety	Doug Auld	Kate Lymer
Renewal and Recreation	Sarah Phillips	Neil Reddin

**2 APPOINTMENT OF GENERAL PURPOSES AND LICENSING COMMITTEE**

**(a) Proportionality, Size of Committee and Terms of Reference**

	<u>Size</u>	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>
General Purposes and Licensing Committee	15	13	1	1

**RESOLVED** that the Committee size and proportionately indicated above be agreed.

**(b) Membership of the General Purposes and Licensing Committee**

**RESOLVED** that the following Schedule of Members to serve on the General Purposes and Licensing Committee be agreed.

**(i) GENERAL PURPOSES AND LICENSING COMMITTEE**

	<u>Councillors</u>
1	Nicholas Bennett
2	Roger Charsley
3	Roxhannah Fawthrop
4	Julian Grainger
5	William Harmer
6	Russell Mellor
7	Gordon Norrie
8	Tony Owen
9	Ian Payne
10	Charles Rideout
11	Diane Smith
12	Tim Stevens
13	Pauline Tunnicliffe
14	John Getgood (LAB)
15.	John Canvin (LIB/DEM)

(c) **Appointment of Chairmen and Vice-Chairman**

**RESOLVED** that the following Councillors be appointed as Chairman and Vice-Chairman of the General Purposes and Licensing Committee.

	<u>Chairman</u>	<u>Vice-Chairman</u>
GENERAL PURPOSES AND LICENSING COMMITTEE	Tony Owen	Russell Mellor

### 3 APPOINTMENT OF DEVELOPMENT CONTROL COMMITTEE

#### (a) Proportionality and size of Committee

	<u>Size</u>	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>
Development Control Committee	17	15	1	1

**RESOLVED:** That the Committee size and proportionately indicated above be agreed.

#### (b) Membership of Development Control Committee

##### (i) DEVELOPMENT CONTROL COMMITTEE

	<u>Councillors</u>
1	Douglas Auld
2	Graham Arthur
3	Katy Boughey
4	Eric Bosshard
5	Lydia Buttinger
6	Peter Dean
7	Nicky Dykes
8	Simon Fawthrop
9	John Ince
10	Russell Jackson
11	Anne Manning
12	Russell Mellor
13	Alexa Michael
14	Richard Scoates
15	Harry Stranger
16	Tom Papworth (LIB/DEM)
17	Peter Fookes (LAB)

**RESOLVED** that the above Schedule of Members to serve on Development Control Committee be agreed.

(c) **Appointment of Chairman and Vice-Chairman**

**RESOLVED:** that the following Councillors be appointed as Chairman and Vice-Chairman of the Development Control Committee.

	<u>Chairman</u>	<u>Vice-Chairman</u>
DEVELOPMENT CONTROL COMMITTEE	Peter Dean	Alexa Michael

**4 STANDARDS COMMITTEE (5 Councillors and 5 Independent Members)**

**(a) Appointment Of Members**

**RESOLVED** that Councillors Reg Adams (LIB/DEM), Peter Dean, Peter Fookes (LAB), Gordon Norrie and Michael Tickner be appointed to serve on the Standards Committee for the 2012/2013 Municipal Year.

**(b) Appointment of independent Members**

**RESOLVED** that the four year terms of office of Dr Simon Davey and Mr Jonathan Prince be extended to cover the 2012/13 Municipal Year.

**5 STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION**

**Appointment of Members (7 Members) (Proportionality is 7:0:0)**

**RESOLVED** that Councillors Steven Carr, Roger Charsley, David Jefferys, Kate Lymer, Mrs Anne Manning and Gordon Norrie (LIB/DEM vacancy) be appointed to serve on SACRE for the 2012/2013 Municipal Year.

**6 APPOINTMENT OF APPOINTMENT PANELS**

**(a) Proportionality and size of Appointment Panels (as and when required)**

	<u>Size</u>	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>
	9	7	1	1

**RESOLVED** that the Panel sizes and proportionately indicated above be agreed.

**(b) Membership of Appointment Panels**

**RESOLVED:**

**that Appointment Panels to fill vacancies for Chief and Deputy Chief Officer posts should compose 9 Members as follows; the Leader of the Council, a majority Party Member of the Executive, a majority Party PDS Chairman, the Chairman or the Vice-Chairman of the General Purposes and Licensing Committee, one Liberal Democrat Member, one Labour Member up to 3 other Majority Party Members nominated by the Leader of the Council.**

**7 APPOINTMENT OF CHIEF OFFICER DISCIPLINARY PANEL**

**(a) Proportionality And Size of Appointment Panel**

<u>Size</u>	<u>Conservative</u>	<u>Lib/Dem</u>	<u>Labour</u>
7	6	1	0

**(b) Appointment of Members and Alternates**

**RESOLVED:** that Chief Officer Disciplinary Panels for Chief and Deputy Chief Officer posts should compose 7 Members as follows; the Leader of the Council, a majority Party Member of the Executive, a majority Party PDS Chairman, one Liberal Democrat Member, and 3 Members from the following 4 choices:

Either the Chairman of the General Purposes and Licensing Committee, the Vice-Chairman of the General Purposes and Licensing Committee, a second Majority Party Member of the Executive or a second Majority Party Member PDS Chairman.

**8 APPOINTMENT OF URGENCY COMMITTEE**

To appoint 7 Councillors (comprising the Mayor, the Chairman of the General Purposes and Licensing Committee, the Chairman of the Executive and Resources PDS Committee, the relevant Portfolio Holder or Committee Chairman and the Leaders of the three largest party groups) to deal with urgent non-executive decisions that are not of a sensitive nature.

**RESOLVED:** that the Urgency Committee be composed of the Mayor, the Chairman of the General Purposes and Licensing Committee the Chairman of the Executive and Resources PDS Committee, the relevant Portfolio Holder or Committee Chairman and the Leaders of the three largest party groups.



## GENERAL PURPOSES AND LICENSING COMMITTEE APPOINTMENTS

### 1. PROPORTIONALITY OF SUB-COMMITTEES

Audit Sub-Committee	7	6	1	0
Pensions Investment Sub-Committee	7	7	0	0
Local Joint Committee	9	9	0	0
Industrial Relations	7	6	0	0
Rights of Way	7	7	0	0

**RESOLVED** that the above proportionality be agreed

### 2. MEMBERSHIP OF SUB-COMMITTEES

#### (i) AUDIT SUB-COMMITTEE

	<u>Councillors</u>
1	Nicholas Bennett
2	Ruth Bennett
3	William Harmer
4	Simon Fawthrop
5	Neil Reddin
6	Stephen Wells
7	Reg Adams (LIB/DEM)

#### (ii) PENSIONS INVESTMENT SUB-COMMITTEE

	<u>Councillors</u>
1	Julian Grainger
2	John Ince
3	<u>Paul Lynch</u>
4	Russell Mellor
5	Neil Reddin
6	Richard Scoates
7	Stephen Wells

(iii) LOCAL JOINT COMMITTEE (to include Leader or named Deputy, Chairman of Executive & Resources, Policy Development and Scrutiny Committee or named Deputy and Chairman of the General Purposes and Licensing Committee or named Deputy)

	<u>Councillors</u>
1	Nicholas Bennett
2	Eric Bosshard
3	Stephen Carr
4	William Huntington-Thresher
5	Russell Mellor
6	Tony Owen
7	Diane Smith
8	<b>2 vacancies</b>
9	

(iv) INDUSTRIAL RELATIONS SUB-COMMITTEE (to include Leader, Deputy Leader, Chairman and Vice-Chairman of the General Purposes and Licensing Committee)

	<u>Councillors</u>
1	Nicholas Bennett
1	Eric Bosshard
2	Stephen Carr
3	Russell Mellor
4	Tony Owen
5	Colin Smith
6	Michael Tickner
7	Michael Turner

(vi) RIGHTS OF WAY SUB-COMMITTEE

	<u>Councillors</u>
1	Douglas Auld
2	Simon Fawthrop
3	Julian Grainger
4	Gordon Norrie
5	Richard Scoates
6	Harry Stranger
7	Stephen Wells

**RESOLVED** that the above Schedule of Members to serve on the Sub-Committees of the General Purposes and Licensing Committee be agreed.

### **3 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN**

**RESOLVED** that the following Councillors be appointed as Chairman and Vice-Chairman of the Sub-Committees of the General Purposes and Licensing Committee.

AUDIT SUB-COMMITTEE	Neil Reddin	Simon Fawthrop
PENSIONS INVESTMENT SUB-COMMITTEE	Paul Lynch	Julian Grainger
LOCAL JOINT COMMITTEE	To be appointed at the first meeting of the Committee	To be nominated by Staff Side
INDUSTRIAL RELATIONS SUB-COMMITTEE	To be appointed at the first meeting of the Committee	To be appointed at the first meeting of the Committee
RIGHTS OF WAY SUB-COMMITTEE	To be appointed at the first meeting of the Committee	To be appointed at the first meeting of the Committee

### **4. APPOINTMENT OF APPEALS SUB-COMMITTEE**

**RESOLVED:**

**(1) that all Members of the Council, except Executive Members, be eligible for appointment to the Appeals Panel.**

**(2) three Members be drawn as required, to constitute an Appeals Panel.**

### **5. APPOINTMENT OF LICENSING SUB-COMMITTEE**

**RESOLVED:**

**(1) that all Members of the General Purposes and Licensing Committee be eligible for appointment to the Licensing Appeals Sub-Committee;**

**(2) three Members be drawn as required, to constitute a Licensing Sub-Committee.**

## DEVELOPMENT CONTROL COMMITTEE APPOINTMENTS

### 1. PROPORTIONALITY OF SUB-COMMITTEES OF DEVELOPMENT CONTROL COMMITTEE

Plans Sub No. 1	9	7	1	1
Plans Sub No. 2	9	7	1	1
Plans Sub No. 3	9	7	1	1
Plans Sub No. 4	9	7	1	1

**RESOLVED** that the above proportionality be agreed

### 2. MEMBERSHIP OF SUB-COMMITTEES

#### (i) PLANS SUB-COMMITTEE NO. 1

	<u>Councillors</u>
1	Doug Auld
2	Katy Boughey
3	Samaris Huntington-Thresher
4	John Ince
5	Anne Manning
6	Alexa Michael
7	Harry Stranger
8	John Canvin (LIB/DEM)
9	Peter Fookes (LAB)

#### (ii) PLANS SUB-COMMITTEE NO. 2

	<u>Councillors</u>
1	Lydia Buttinger
2	Peter Dean
3	Simon Fawthrop
4	Russell Jackson
5	Alexa Michael
6	Gordon Norrie
7	Richard Scoates
8	Kathy Bance (LAB)
9	Tom Papworth (LIB/DEM)

(iii) PLANS SUB-COMMITTEE NO. 3

	<u>Councillors</u>
1	Doug Auld
2	Katy Boughey
3	Roxhannah Fawthrop
4	John Ince
5	Charles Joel
6	Paul Lynch
7	Alexa Michael
8	Peter Fookes(LAB)
9	David McBride (LIB/DEM)

(iv) PLANS SUB-COMMITTEE NO. 4

	<u>Councillors</u>
1	Peter Dean
2	Simon Fawthrop
3	Russell Jackson
4	Kate Lymer
5	Alexa Michael
6	Gordon Norrie
7	Richard Scoates
8	Reg Adams (LIB/DEM)
9	Kathy Bance (LAB)

**RESOLVED** that the above Schedule of Members to serve on the Sub-Committees of the Development Control Committee be agreed.

**3. APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN**

**RESOLVED:** that the following Councillors be appointed as Chairmen and Vice Chairmen of the Sub-Committees of the Development Control Committee.

PLANS SUB-COMMITTEE NO. 1	Alexa Michael	John Ince
PLANS SUB-COMMITTEE NO. 2	Russell Jackson	Richard Scoates
PLANS SUB-COMMITTEE NO. 3	Katy Boughey	Doug Auld
PLANS SUB-COMMITTEE NO. 4	Simon Fawthrop	Alexa Michael

**4. APPOINTMENT OF BIGGIN HILL HERITAGE CENTRE WORKING PARTY**

**The membership of the Working Party consists of up to 4 elected Members of the Council (Councillors Julian Benington, Richard Scoates and Anne Manning and David McBride) together with representatives from the Biggin Hill Battle of Britain Trust.**

**RESOLVED that the above schedule of members to serve on the Biggin Hill Heritage Centre Working Party be agreed.**

# Agenda Item 5

Report No.  
RES12112

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Council

**Date:** 25<sup>th</sup> June 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** Petitions

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Resources

**Ward:** N/A

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1. Reason for report

- 1.1 Under the Council's Petition Scheme, if petitioners are dissatisfied with the Council's response to a petition they can request that the issue be brought before a meeting of the full Council for consideration, provided that the number of verified signatures exceeds the threshold required. The lead petitioner or their nominee can address the council for up to five minutes.
- 1.2 Two petitions have been received objecting to (i) the Council's proposals to introduce localised pay and conditions of service for staff and (ii) the removal of Scope's textile clothing banks from Council sites.
- 

2. **RECOMMENDATION(S)**

**Council is requested to consider the cases made by the petitioners.**

### Corporate Policy

1. Policy Status: Existing Policy: Petitions are dealt with according to the Council's agreed Petition Scheme.
  2. BBB Priority: Excellent Council:
- 

### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £N/A
  5. Source of funding: N/A
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable: This report does not involve an executive decision.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable



### 3. COMMENTARY

3.1 The Council's Petition Scheme allows for petitioners to present their case to full Council if they are dissatisfied with the Council's response to a petition, provided that the number of verified signatures exceeds the threshold required of 500. The lead petitioner or their nominee can address the council for up to five minutes. Once Council has considered the matter, it can choose whether or not to make recommendations for action. If there are any recommendations for action by councillors or officers then a report back to the next scheduled full Council meeting is required, setting out the action that has been taken.

3.2 Two qualifying petitions have been received as follows -

#### **Localised Pay and Conditions of Service**

3.3 On 24<sup>th</sup> April 2012 a petition was submitted on behalf of Council staff calling on the Council to "drop their plans to remove all council staff from the national terms and conditions for local government workers." In line with the Council's Petition Scheme, the Portfolio Holder for Resources, Councillor Graham Arthur, responded to the petition in the following terms –

"I write with reference to the petition that you submitted to the London Borough of Bromley on 24 April 2012. The petition calls on the Council to "drop their plans to remove all council staff from the national terms and conditions for local government workers."

As Executive Member for the Executive and Resources Portfolio the matter has been referred to me for a formal response.

The current position is that subject to consultation and further discussions with Trade Unions, Departmental Representatives and staff the Council is considering localising the terms and conditions for its entire workforce, except teachers.

The key drivers behind the proposal include:

- gaining control over the annual pay review process and timetable at a time of significant financial challenge for the Council in order to achieve better alignment with budget setting processes
- the need for the Council to exercise local control in order to give greater emphasis to local circumstances, and improve the Council's ability to innovate and flex in ways that the current nationally agreed terms have often not encouraged;
- improving the Council's ability to align reward with staff performance
- achieving efficiencies through the harmonisation of the management grade and Bromley staff pay review arrangements

The proposals also reflect the provisions in the Localism Act particularly as regards improving democratic accountability and transparency in senior staff pay.

In summary, the proposals are to introduce:

- a single local annual pay review mechanism to replace the separate arrangements that currently exist for the various groups of staff;
- a scheme of discretionary non-consolidated rewards for exceptional performance; and
- a professional/technical grade equivalent to Management grade 6 for highly specialised/technical posts which do not carry any significant management responsibilities

The details of the new local framework based on the above proposals are currently being developed, and will be the subject of consultation and discussion locally with staff and their representatives. Thereafter the outcome of these discussions and any subsequent changes to the current terms and conditions of staff will be reported to the General Purposes and Licensing Committee, the Executive and to Full Council for consideration and approval.

In my view this petition is premature given the proposed staff and trade union consultation. I very much hope you and your colleagues will therefore take the opportunity to engage in meaningful consultation as key stakeholders in the future arrangements, and that this response will re-assure you of the Council’s intention to take the views of staff and their representatives into account throughout this process.

In light of the above I trust you will reconsider your position and not proceed with the petition or refer it to Full Council.”

- 3.4** Councillors will be aware that the General Purposes and Licensing Committee at its meeting on 29<sup>th</sup> May 2012 authorised the Assistant Chief Executive (HR) to progress formal consultation with trade union and departmental representatives and staff on proposals to introduce localised pay and conditions for staff.

**Scope Clothing Banks**

- 3.5** In May 2012 the Council received a petition from Scope objecting to the removal of its clothing banks from Council owned land. In line with the Council’s Petition Scheme, the Environment Portfolio Holder responded to the petition in the following terms –

“Thank you for taking the time to present your petition. The Council decided to introduce new textile recycling banks across the borough after careful consideration. The reality of the Council’s budgetary situation is that many hard and difficult decisions have been taken and decisions cannot be reversed without further impact on already stretched frontline services that serve all residents, including the most vulnerable.

The Council has never sought to infer that charitable giving is anything other than something to be encouraged. The Council is supportive of the good work that Scope undertakes and remains happy to encourage residents to give unwanted clothing items directly to a charity shop at the choice of the individual.

The Council will be introducing a door to door collection service for clothing as part of usual recycling services and the new textile banks are part of these arrangements.

These changes will generate savings for the Council as more recycling takes place. The sub contractor appointed to process the clothing supports a wide range of charities. Scope was informed of the Council’s intentions and did not offer any alternative arrangements. The Council subsequently agreed the arrangements that have been publicised.

I will be writing to you shortly to specifically address the issues raised in our discussion but after looking carefully at this issue again in light of the petition, the decision will not be reversed.”

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Report to General Purposes and Licensing Committee (29/5/12): Localised Pay and Conditions of Service

# Agenda Item 9

Report No.  
RES12111

London Borough of Bromley

Agenda  
Item No.

## PART 1 - PUBLIC

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**Decision Maker:** Council

**Date:** 25<sup>th</sup> June 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **POLICY DEVELOPMENT AND SCRUTINY -  
ANNUAL REPORT 2011/12**

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Resources

**Ward:** N/A

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1. Reason for report

1.1 The Council's Constitution requires that a report is made each year to full Council summarising the work carried out by PDS Committees and the report for 2011/12 is attached for approval.

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2. **RECOMMENDATION**

2.1 **That the Annual Policy Development and Scrutiny Report 2011/12 be received.**

### Corporate Policy

1. Policy Status: Existing policy. Section 6.03 (d) at Article 6 of the Constitution sets out the requirement for an Annual PDS report.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: N/A The cost of writing and reproducing the report is met from within existing budgets.
  2. Ongoing costs: Recurring cost.
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £357,790 (controllable budget)
  5. Source of funding: 2012/13 revenue budget
- 

### Staff

1. Number of staff (current and additional): There are 8 posts (7.22fte) in the Democratic Services Team
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: No statutory requirement or Government guidance.
  2. Call-in: Call-in is not applicable. The report does not involve an executive decision.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Members of the Council, interested members of the public.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 Article 6, Section 6.03 (d) of the Constitution requires that an Annual Policy Development and Scrutiny (PDS) report be submitted to Full Council on PDS functions, PDS budget and amended working methods where appropriate.
- 3.2 The attached Annual PDS Report for 2011/12 includes contributions from all PDS Chairmen on the work of their Committees during the year. The report also includes a foreword by the Chairman of the Executive and Resources PDS Committee. The report is to be considered by Executive and Resources PDS Committee on 14<sup>th</sup> June 2012 and any final amendments will be reported.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the London Borough of Bromley, Article 6, Section 6.03 and previous PDS Annual Reports

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THE LONDON BOROUGH

**Policy Development & Scrutiny  
Annual Report 2011/12**

**For submission to Full Council  
on 25<sup>th</sup> June 2012**

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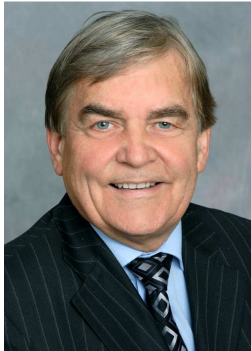


# **1. Foreword by the Chairman of the Executive and Resources Policy Development and Scrutiny Committee**

- 1.1 On behalf of all my colleagues who are engaged in Policy Development and Scrutiny Committees in the London Borough of Bromley, I have pleasure in presenting our Annual Report 2011/12, which summarises the work that has been carried out by the Committees during the Council year.
- 1.2 We have conducted the most challenging budget process undertaken by the Council in recent times. It was carried out against the backdrop of a reducing local government settlement as part of the Government's plans to reduce the structural deficit of the UK economy.
- 1.3 The Council will need to emerge as a different organization in the medium term. We face having fewer resources, leading to fewer buildings and staff. This has required the streamlining of the organization, the retention of skilled staff, coupled with the ongoing drive to optimize the use of assets, delivering value for money and safeguarding essential services.
- 1.4 We face significant changes in the future such as the Local Government Finance Review, the Localism Act, welfare reforms, and changes in education, health and social care. We can expect increasing and unprecedented financial volatility, uncertainty and risk in the financial markets, which will present a challenge to the Council to deliver a balanced budget over the coming years. This Committee has therefore decided to set up a working group to study how these changes will affect the Council and Bromley Borough in general and how we can benefit from them.
- 1.5 The role of the PDS Committees has become more critical than ever for contributing to the shape and changes required of the organization to ensure we deliver the best possible services to the residents of Bromley whilst retaining one of the lowest Council Tax levels.
- 1.6 All PDS Committees deserve praise for having grasped the challenges presented to them by the changed economic circumstances. I would like to thank all committee members and the Council's officers for their dedication, diligence and hard work for ensuring that Bromley Council can continue to provide the essential services, which are so important to our community

**Cllr. Eric Bosshard, Chairman,  
Executive and Resources PDS Committee**

## 2. Policy Development and Scrutiny Chairmen 2011/12



Cllr Eric Bosshard  
Executive & Resources



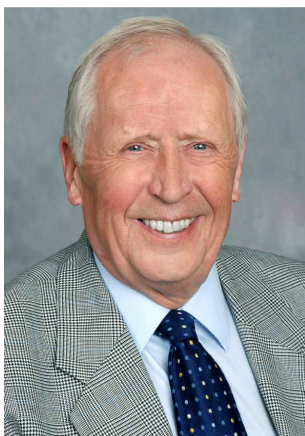
Cllr Judi Ellis  
Adult and Community



Cllr Stephen Wells  
Children & Young People



Cllr William Huntington-Thresher  
Environment



Cllr Douglas Auld  
Public Protection and Safety



Cllr Sarah Phillips  
Renewal & Recreation

### **3. Policy Development and Scrutiny in Bromley**

- 3.1 Six Policy Development and Scrutiny (PDS) Committees at Bromley discharge the overview and scrutiny functions conferred by sections 21 and 32 of the Local Government Act 2000. The Executive and Resources PDS Committee has an over-arching, co-ordinating role on behalf of the other five PDS Committees and is required by the Council's Constitution to present Full Council with an Annual Report "on the Policy Development and Scrutiny functions and PDS budget, and amended working methods if appropriate" (Article 6, Section 6.03 (d) of the Constitution).
- 3.2 The PDS Committees mirror the Council's executive portfolios:
- Executive and Resources  
(covering both the Resources Portfolio and the Executive)
  - Adult and Community
  - Children and Young People
  - Environment
  - Public Protection and Safety
  - Renewal and Recreation
- 3.3 Although they have no decision-making powers, PDS Committees have key roles in contributing to policy development and scrutinising the decisions of the Executive and individual Portfolio Holders.

#### **Policy Reviews**

- 3.4 PDS Committees advise Portfolio Holders, the Executive and full Council on policies, budget and service delivery. PDS Committees can commission groups of Councillors to review an issue or policy so assisting a Portfolio Holder or the Executive to improve a service or function affecting local people. This can be linked to a forthcoming decision by a Portfolio Holder or the Executive or to assist in formulating fresh, new policy. In each case detailed, evidence-based assessments are carried out and recommendations made in a report. In the process, Councillors can speak to a broad range of people to help gather information for their evidence-based reports.

#### **One-Off Reviews**

- 3.5 In addition to in-depth policy reviews, PDS Committees can also review a topical issue at Committee with comments and recommendations referred on to the Portfolio Holder. These reviews are often based around a presentation or an evidence-giving session with expert witnesses.

#### **Performance and Budget Monitoring**

- 3.6 PDS Committees monitor the performance of services and functions within their remit, assessing performance against key performance indicators and policy objectives. Concerns are reported to a Portfolio Holder who can then, if necessary, be called to a PDS Committee meeting to account for the performance of his or her Portfolio.

- 3.7 PDS Committees are also involved in the budget setting process and provide considered comment and recommendations for the Executive to take account of when formulating the Council's annual budget. Similarly, PDS Committees also monitor in-year spend of budgets and raise concerns where there is any possibility of overspend or other issues affecting spending priorities.

### **Call-in**

- 3.8 The call-in process is a key means by which PDS Committees can hold the Executive to account. Any five Councillors can call in a decision and prevent it from taking immediate effect until it has been considered by a PDS Committee. The Committee can then interview the Portfolio Holder and officers and consider whether the decision was appropriate, within the Council's policy framework and whether it should be reconsidered. If the Committee feels that the decision should be reversed or altered, it can make a recommendation to the Executive, which then has to reconsider the matter.
- 3.9 One call-in was made during 2011/12. This concerned a decision by the Portfolio Holder for Children and Young People not to support a bid for Seed Challenge Funding from Alexandra Junior School. The call-in was due to be considered by the Children and Young People PDS Committee on 20<sup>th</sup> March 2012, but one Member withdrew support and the matter was not taken any further.
- 3.10 This continued low level of call-in reflects an emphasis given to pre-decision scrutiny leading to better and more robust decisions which are less likely to be challenged.

## 4. Report from Executive & Resources PDS Committee

**Chairman:** Cllr. Eric Bosshard  
**Vice-Chairman:** Cllr. Russell Jackson

### Introduction

- 4.1 2011/12 has been a busy year with 10 scheduled meetings and additional work group meetings. Our regular meetings were scheduled to precede the Executive's meetings so that all their decisions could be pre-scrutinized. We dedicated one policy development meeting to a Financial Seminar by the Chief Financial Officer to keep members informed of the general financial situation affecting the Council and the cost savings needing to be made in response to the changes in financial support from central Government.

### Scrutiny of the Executive and the Resources Portfolio Holder

- 4.2 The Committee's principal role is to pre-scrutinize the decisions of the Executive and the Resources Portfolio Holder. This committee has worked very hard to achieve this task and the workload of some meetings has been very heavy indeed.
- 4.3 During the year we have reviewed the proposed Core Strategy and Organizational Re-design, studied proposals for various development sites in Bromley, the replacement of Chislehurst Road Bridge, the purchase of investment properties, the provision of environmental and building services, the streamlining of the Library Service and proposals for the Biggin Hill Heritage Centre, scrutinized the activities of the HR department, the Council's insurances and the Council's legal services, monitored the Housing Benefits and Revenues services, Liberata and the operation of section 106 agreements, and received a report on Blue Badge parking issues and a report from the New Technology Working Group and its progress report on the implementation of its recommendations.
- 4.4 Our Member of Parliament for Bromley & Chislehurst, Mr. Bob Neill, M.P., Parliamentary Undersecretary of State, Communities and Local Government, attended one meeting to present the Localism Bill, which was going through committee stage at the time. This was a very informative meeting and triggered a lively question and answer exchange between members and Bob Neill. The bill has since become law and its aspects affecting constitutional matters of the Council have been taken up by the Constitutional Working Group, which reported to the Special Council Meeting on 26th March 2012.
- 4.5 Our Committee invited the Leader of the Council, the Resources Portfolio Holder and the Chief Executive to report on their activities and to answer questions. These bi-annual meetings are very valuable for keeping members of our Committee up to date with recent developments affecting the Council and I would like to thank the speakers for having made the effort to come and speak to our Committee.

4.6 The Leader of the Council and the Resources Portfolio Holder have attended all our meetings as have senior officers to answer questions on matters in their areas of responsibility. I would like to thank them all for their valuable contributions.

### **Policy Development and Working Groups**

4.7 The parlous state of the Nation's finances has continued to affect our Council and efforts are ongoing to effect savings across the board, without endangering frontline services. We held again a Finance Seminar this year to update members on the issues, which affect the Council's finances and its ability to continue to fund essential activities and services. This seminar was presented by the Chief Financial Officer and was very successful.

4.8 In addition Policy Development scrutinized the gateway reports on the procurement strategy for domiciliary care and supported living services for people with learning difficulties, the provision of NHS funds for dementia, agency staff contracts, and the proposed governance of Crystal Palace Park.

4.9 We have set up a working group to focus on improving opportunities for volunteering and community participation across the Borough.

4.10 We have decided to form a working group to review the implications of the proposed Community Budgets contained in the Localism Bill for the Council and business opportunities in Bromley in general. Its remit will be akin to examining the concept of Total Place in Bromley.

### **Reports and Communication**

4.11 Reports are an important source of information for Members on issues, which are to be decided by the Executive and the Portfolio Holders and which PDS Committees need to pre-scrutinize. Last year's significant improvement in the timely dispatch of papers to members came under some strain this year due to re-organizations in the Council, but remained on the whole satisfactory. In order to reduce the workload of our Committee on routine matters, it has been decided to streamline the flow of reports. This should allow our Committee more time to scrutinize important issues.

4.12 Report writing remains a weak element in the reporting activity, as too many reports are verbose and repetitive in parts. Due to the financial pressures and the re-organization of the Council's activities, improving report writing has not been the most urgent imperative, but efforts will be renewed this coming year.

### **Conclusions**

4.13 Over the past year this Committee has worked hard to scrutinize fully the Executive's and Resources Portfolio Holder's decisions and to review many aspects of the Council's business. We have reviewed the proposed Core Strategy and Organizational Re-design, proposals for various development sites in Bromley, the replacement of Chislehurst Road Bridge, the purchase of investment properties, the provision of environmental and building services, the streamlining of the Library Service and proposals for the Biggin Hill Heritage Centre, scrutinized the activities of

the HR department, the Council's insurances and the Council's legal services, monitored the Housing Benefits and Revenues service, Liberata and the operation of section 106 agreements, and received the New Technology Working Group's report. Certain aspects of the Localism Bill affecting the Council have been studied by the Constitutional Working Group and reported to the Special Council Meeting on 26 March 2012.

- 4.14 The task to find the significant budget savings demanded by the Government has again been the dominant challenge this year. It is very pleasing to report that the necessary cost savings for 2011/2012 have been achieved, without impairing the delivery of frontline services.
- 4.15 The pressure to achieve the additional savings in the next three years will be a very significant challenge. Some fundamental, and possibly painful, changes will need to be made to the quantum and delivery of Council services, but every effort will be made to safeguard essential services.

**Cllr. Eric Bosshard**  
**Chairman, Executive & Resources PDS Committee**





## 5. Report from Adult and Community PDS Committee

**Chairman:** Cllr. Judi Ellis  
**Vice-Chairman:** Cllr. Roger Charsley

### Health Scrutiny Meetings of the Adult and Community PDS Committee

- 5.1 The changes to health care provision have led to a complex agenda, and holding separate meetings has given the Committee the opportunity to undertake in depth scrutiny; enabled closer working with Bromley Link and the opportunity for national and local changes to be fully reported and communicated to residents.
- 5.2 The first meeting in July 2011 was taken up with a statement from and questions to the Chief Executive of the South London Healthcare NHS Trust about the new trust and future plans.
- 5.3 The second meeting in November 2011 discussed -
- The proposed changes to Orpington Hospital and the Orpington Needs Assessment;
  - An update from Oxleas Foundation Trust including provision of older people's mental health in patient care;
  - A proposed model of care for cancer services;
  - A report from Bromley Link on discharge from the PRUH; and
  - An update from the Chief Executive of the South London Healthcare NHS Trust.
- 5.4 The third meeting in February 2012 covered –
- the Stroke Service provision at the PRUH;
  - the Dementia Needs assessment;
  - the action plan (following Bromley Link report) on discharge from the PRUH;
  - NHS, South East London – Bromley Intermediate Care Consultation; and
  - An update on the Orpington Health Services project.

### Adult and Community PDS Committee

- 5.5 We held seven meetings throughout the year looking at -

#### Housing issues -

- The Annual and mid year Housing and Residential Services Report on Social Housing;
- Housing related support for older people;
- Homelessness/Housing Need;
- Empty Properties;
- Private rental sector;
- Review of Registration on the Housing register; and
- GLA Pan London mobility scheme.

#### Learning disabilities

- Short break services;
- Day Activities;

- Direct payments;
- Supported Living; and
- Integrated transition strategy.

### **Older People Strategies**

- Residential/Nursing Home Respite Care;
- Blue Badges – Criteria, process and complaints; and
- Provision of in-patient services [Oxleas];

### **Strategy Updates**

- Dementia;
- Transition;
- Adults with Autism;
- The impact of revised personal budgets and charging policy; and
- Safeguarding.

### **Budget Issues**

5.6 Each meeting of the Committee looked at a budget area in depth and this has been closely linked to commissioning issues.

5.7 The commissioning issues scrutinised were -

- Advocacy – providing a voice and signposting for people who have difficulties speaking for themselves;
- Brokerage – Services for people who do not meet the Council's criteria for social care;
- Information advice and guidance Services;
- Community Links Bromley – support for the third sector;
- Substance Misuse;
- Visual impairment – provision of equipment and books; and
- Services for people with physical disabilities.

### **Complaints**

5.8 This is an important report as it is an excellent scrutiny indicator.

### **Questions from the Public**

5.9 We have had a large number of questions from the public this year and would like to thank the questioners for their continued interest in and support for the work of the Committee.

### **Briefing papers**

5.10 Briefing papers have replaced Items for Information and are to help Members increase their background knowledge of items on the agenda or to update Members following a report redrafted to reflect their comments.

### **Accommodation with Care for Older People Reference Group**

5.11 The Reference Group, which includes a number of Co-opted members and representatives of older people and their carers, met on four occasions to monitor progress with the closure of the Care Homes and the development of the Extra Care Housing Schemes. The Group was chaired by Councillor Charles Rideout.

## **Adult Safeguarding Board**

5.12 Councillor Roger Charsley represented the Committee on this board.

### **Conclusion**

- 5.13 My thanks go to all Elected and Co-opted Members for their dedication and commitment to Bromley in the last year. This has been another challenging year, and detailed information had to be absorbed and assimilated. This was needed to ensure that the targeted savings could be made without the loss of quality control and clearly communicated.
- 5.14 All Members understand the economic climate and the need to scrutinise proposed savings to ensure that they do not have serious long term financial implications or severely damage the support given to the most vulnerable residents in the Borough.
- 5.16 The Committee has been directly supported by Anne Watts, Assistant Director, Strategic Development for the first half of the year and replaced following reorganisation by Angela Buchanan for the second.
- 5.17 Philippa Stone was the Democratic Services Officer for the first half of the year and then seamlessly replaced by Helen Long for the second. The Committee continues to receive good quality and timely reports and this has been appreciated by the Members of the Committee. Our thanks go to the supporting officers and to all the officers who write the reports and attend the meetings.

**Cllr. Judi Ellis**  
**Chairman, Adult and Community PDS Committee**



## **6. Report from Children and Young People PDS Committee**

**Chairman:** Cllr. Stephen Wells  
**Vice-Chairman:** Cllr. Diana MacMull

### **Introduction**

- 6.1 The services provided by the CYP Portfolio and Department have implications for all of the Borough's some 73,000 children, young people and their families. It also has implications for children who attend Bromley schools and colleges, but who live outside of the Borough. The range of often directly targeted and universal services provided is extensive, complex in nature and highly diverse. Specific support is offered in the areas of Special Educational Needs (SEN) provision, disabled children, children's social care and in particular Children in Care, school improvement and services for children in danger of becoming disengaged and disaffected.
- 6.2 The Children and Young People PDS Committee is designed to reflect as many of the above aspects of the Department/Portfolio's work as possible, including the wider community interests. In addition to the Members of the Committee, various co-opted representatives from a wide spectrum of interests in young people ensure there is a strong experience base to influence the PDS role for the Portfolio.

### **Policy Development and Scrutiny**

- 6.3 In all some eight scheduled formal meetings of the Committee took place during the municipal year May 2011 to April 2012. No additional meetings were held. These formal meetings as well as considering its own agenda also included the pre-scrutiny of CYP Portfolio Holder reports. The Committee was focused on the ongoing priorities set for the Portfolio as a whole in the committee Work Programme.
- 6.4 The CYP PDS Committee fulfils its function as a PDS by:

A consideration of the CYP priorities (above) which are included in the Council's Building a Better Bromley performance plan and the CYP Partnerships Strategic Plan, with the progress of the work being measured against this plan. In response to these priorities the CYP PDS Committee considered the issues set out below during the Municipal year 2011-12.

### **CYP Budget**

- 6.5 In order to ensure that funding levels within CYP are continually aligned with Policy and with Departmental and Council Strategy, the CYP PDS Committee received regular Budget Monitoring Reports. Particular note was made of variations in budget areas of both the Schools and the Non-School expenditure and the reasons for the variations and any remedial actions necessary by the Department to bring spending back in line with the approved Budget spend limitations. Particular areas continually monitored were in relation to increasing pressure on the budget as well as the demands of children with SEN and Social Care. This pressure is unlikely to be

reduced in the short term; however every effort is being made to reduce the growth impact on the CYP budget of these two areas of provision.

- 6.6 The CYP PDS Committee continued to monitor throughout the year the impact of Government decisions and announcements regarding reductions in funding and efforts to mitigate the impact of same.
- 6.7 Those schools with deficits and deficit recovery plans were monitored throughout the year.
- 6.8 The impact of changes to the Area Based Grants continued to be seen.
- 6.9 Continued efforts at cost reductions within the Department were monitored both in response to Government funding changes and the needs of LBB to reduce its costs. (See 2010/11 PDS Annual Report.)

### **Commissioning**

- 6.10 All whole life contracts in excess of £50K were examined by the PDS. The PDS also looked at an annual report at the broad commissioning intentions of the CYP service. Note this year was particularly made of the continuing rise in costs of spot purchasing of placements of Looked after Children and Children with SEN.

### **Recruitment and Retention of Children's Social Work Staff Strategy**

- 6.11 This strategy was put in place in 2010 and reviewed in 2011. It was intended to secure a stable children's care workforce and reduce costs by reducing numbers of agency staff as well as manage increasing referral numbers and overall caseloads. The strategy has begun to deliver, as seen in better recruitment success, better retention and overall service costs. The 'Grow your Own' scheme continues to flourish.

### **Government Policy Changes**

- 6.12 The Committee received regular reports on changes to Government Policy with regard to education and children's services as they impacted Bromley, including the 2011 Education Bill, the Munro Review of Child Protection and the Academies program

### **External Inspections of CYP Services**

- 6.13 A number of external inspections of the CYP services were carried out during the year including an Ofsted inspection which concluded that Children's Services were performing well. A similar inspection by the Youth Justice Board on the Youth Offending Team came to a very pleasing similar conclusion.

### **Member Working Parties**

- 6.14 The CYP PDS held a series of meetings of the Executive and PDS Member Working Parties focusing on operational issues and detailed scrutiny of key issues.

### **Primary School Development Plan Working Party**

- 6.15 This working party met twice in the year to scrutinize the initial and the subsequent Primary School Development Plan. The working party looked at strategic planning for primary school provision across the Borough. The working party noted the continuing increase in the demand for Reception class places through at least 2015 and noted that as well as the need for some schools to permanently increase their PAN numbers, other schools would continue to be asked to accommodate 'bulge years'. In addition some 8 forms of entry would be required (240 places) concentrated in the northern strategic planning areas. Proposals were made in respect of each of the nine strategic planning areas, resulting in increases in numbers, or standstill.

### **Performance Monitoring working Party**

- 6.16 This working party has met twice in the year and determined those performance monitoring targets that would continue to be presented. It was also determined frequency Performance data would be presented. Subsequently the working party met again to discuss the continued monitoring and presentation of National targets as Local targets and to better determine the desired specific and percentage target criteria of reported performance targets.

### **Call-Ins.**

- 6.17 One call-in was made during the municipal year regarding the allocation of Seed Challenge funding. This call-in was withdrawn before it was considered by the PDS Committee.

### **Audit**

- 6.18 Three items referring to Burnt Ash Primary School, Tubbenden School and to the Highway School have been referred from the Audit Sub Committee. All three matters are Part Two items and all have been resolved.

### **Presentations.**

- 6.19 The Committee has received no presentations this municipal year.





## 7. Report from Environment PDS Committee

**Chairman:** Cllr. William Huntington-Thresher  
**Vice-Chairman:** Cllr. Ellie Harmer

### Introduction

- 7.1 The services provided within the Environment Portfolio affect every resident of Bromley. Clean streets, traffic congestion, the condition of highways and pavements, and parks provision, are all considered to be matters of high importance by residents. The Committee has continued to build on work carried out in the past and has kept major issues under review.

### Scrutiny of the Portfolio Holder and Executive

- 7.2 The Committee seeks to fulfil this role by:
- Early consideration of the priorities and milestones to be included in the Environment Portfolio Plan, followed by a half yearly review of progress in November each year.
  - Monitoring of service performance against expectations set out in the Portfolio Plan.
  - Pre-decision scrutiny of relevant Portfolio Holder and Executive decisions
  - Scrutiny of budget monitoring and the 2012/13 budget options and proposals.
- 7.3 In advising on the 2012/13 budget proposals, the Committee focussed on: supporting the work of Friends Groups; protecting weekly paper collections; and mitigating the potential impact on standards of highways and footways maintenance

### Working Groups

- 7.3 The Committee has sought to focus its efforts, directly and through Working Groups, on issues of concern to the public. Four Working Groups were constituted for at least part of 2011-12:

#### Waste Minimisation

Councillors: William Huntington–Thresher (Chairman), Reg Adams, Lydia Buttinger and Samaris Huntington–Thresher.

The Waste Minimisation Working Group met seven times during the year, and focussed primarily on 3 major topics: expansion of Food Waste recycling to Flats; developing a Green Garden Waste subscription trial scheme; and options for an alternative service provider for textile collections.

#### Highway Assets

Councillors: William Huntington–Thresher (Chairman), Samaris Huntington-Thresher, Julian Grainger and David Hastings.

The Working Group advised on a range of issues, including the levels of maintenance provided to footways and residential roads. It recommended that planned footway maintenance be restricted to defective areas as an economy measure. It also recommended changes to materials used for replacement and new crossovers, resulting in further ongoing savings. Levels of service for street lighting were considered, and night-time inspections of street lighting have now been moved to monthly on a trial basis in the lead up to the new street lighting contract.

#### Transport Statement

Councillors: William Huntington-Thresher; Nicholas Milner and Julian Grainger.

The Transport Statement Working Group met in July 2011 to consider the draft Local Improvement Plan (LIP). The Working Groups' comments were endorsed by the PDS Committee. The proposed LIP was approved by the Portfolio Holder in September 2011, and subsequently agreement was reached with TfL on the final version of the Plan. In turn, this facilitated development of the TfL funded work programme for 2012/13.

Following a presentation by TfL on the potential for extending rail and tram links to the borough, the PDS Committee endorsed the priority for a link from Bromley North to Lewisham DLR or direct to Docklands. The Transport Statement Working Group was reconvened to take forward this issue. The revised membership comprises: Councillors William Huntington-Thresher; Ellie Harmer; Nicholas Milner; Nicholas Bennett; and David Jefferys.

#### Parking

Councillors Samaris Huntington-Thresher (Chairman), William Huntington-Thresher, Sarah Phillips and Michael Turner.

The Parking Working Group was reconvened in January 2012 to scrutinise proposals for a new Parking Strategy, which would form part of Bromley's new Transport Policy. The Working Group's proposals were endorsed by the PDS Committee and the revised Strategy then agreed by the Portfolio Holder. The Working Group met again in February 2012 to scrutinise a proposed new system of parking charges.

The PDS Committee endorsed proposals to extend CCTV monitoring of key town centre locations on evenings and Sundays.

### **Major topics addressed by the Committee during the year**

#### **Children's Travel to School**

- 7.5 The Committee considered a report into the work of the School Travel programme, which seeks to reduce traffic congestion around schools and improve road safety. Members endorsed a continued but more focused programme of activity, and commended the team's achievements.

- 7.6 The Committee also examined the future of the School Crossing Patrol. Fast tracking of physical measures to protect children's safety was agreed, and the Committee endorsed proposals to release TfL funding to assist schools to sustain the service.

### **Road Safety and Traffic Management Schemes**

- 7.7 Pre-decision scrutiny was given to a wide variety of traffic management and road safety schemes. In June 2011, the Committee reviewed in depth how such schemes are selected, designed and consulted on, and how agreement is reached on the final design. An evidence based approach was supported, with an emphasis on involving ward Members at an early stage.

### **Winter Operations**

- 7.8 The Committee reviewed the effectiveness of the Council's preparations for clearing winter snow, in the light of lessons learned during 2009 and 2010 and the development of the Snow Friends initiative.

### **Friends Groups**

- 7.9 The committee congratulated residents for their outstanding involvement in Friends Groups in caring for and improving the local environment. The successfully Friends of Parks and Street Friends schemes have now expanded to include Snow Friends with over 3000 residents volunteering.

### **Contract review**

- 7.10 The Committee continue to carry out detailed reviews of existing contracts, as well as careful pre-decision scrutiny of recommended contract awards. The main contract examined during the year was that for street cleansing, which will deliver significant savings and efficiency improvements.
- 7.11 Other contracts examined during the course of the year were the Inspection of Streetworks; the Waste Management contract extension; and Gateway reports on Parking ICT, Parking Bailiffs and Debt Collection, and Street Lighting.

### **Metropolitan Police Traffic Presentation**

- 7.12 The Committee received a presentation from the Police on their role in traffic enforcement and road safety. Continued partnership working was emphasised with road users, schools and the Council's Road Safety team. The Police felt that accident rates could be reduced still further with a targeted approach, tackling specific locations where serious injuries or fatalities had occurred.

**Councillor William Huntington-Thresher**  
**Chairman, Environment PDS Committee**



## 8. Report from Public Protection and Safety PDS Committee

**Chairman:** Councillor Douglas Auld  
**Vice-Chairman:** Councillor Kate Lymer

- 8.1 In the municipal year 2011/12, the above Committee met on seven occasions. Attendance by Councillor Members including four occasions when alternates were present was 95.2%. Co-opted members represented Bromley Community Engagement Forum, Bromley Victim Support, Bromley Neighbourhood Watch, Bromley Youth Council and Bromley Federation of Residents' Associations. May 2011 saw a change of Portfolio Holder with Cllr Peter Morgan moving to Renewal and Resources and Cllr Tim Stevens being appointed the Portfolio Holder for Public Protection and Safety.

### Scrutiny

- 8.2 Each meeting has, taking into account the Portfolio Plan and budgetary constraints, scrutinised reports prior to them going forward to the Portfolio Holder for decision. These scrutinised reports included:-

- The Portfolio Plan.
- A proposal by the Fire service that the Council should provide funds to employ a Fire Risk Reduction officer.
- The monitoring of Portfolio, Safer Bromley partnership and Divisional budgets.
- A report concerning the tendering for CCTV services.
- Licensing Fees.
- Out of Hours Service.
- Review of the Food Safety Team.
- Enforcement Policy for Environmental Services.
- Review of Environmental Protection Services.
- Review and proposals relating to the Best Bar None Award Scheme.
- Bromley Council for Voluntary Youth Services – Funding.
- Use of Community Service funding.
- Fees for Public Protection Services.

### Other Issues and Reports

- 8.3 Among other issues and reports considered during the year were:-
- The Borough Police Commander's updates regarding crime trends and Police initiatives and operations.
  - The Mentoring Scheme.
  - Adult Safeguarding.
  - Presentations on the Protecting the Elderly Portfolio Initiative.
  - The Substance Misuse Commission Annual Report.
  - The Draft Budget for 2012/13

- A presentation by James Cleverly
  - The Bethlem Royal Hospital Annual Update
- 8.4 Perhaps of particular note are the items relating to the serious public disorder last August, James Cleverly's comments regarding policing numbers now and in the future and the Bethlem Royal Hospital update.
- 8.5 During the Chief Superintendent's initial update regarding the disturbances mention was made of the excellent level of cooperation between the Director of Environmental Services, the Portfolio holder and the Police. The emergency planning arrangements put into place by the Division over a period of years proved to be invaluable and images from the Council's CCTV system forwarded to the Police enabled them to identify and arrest many suspects. The Committee has continued to receive updates on the progress of the enquiry, arrests and convictions.
- 8.6 Within the next few weeks fifty-nine of the Borough's one hundred and nineteen PCSOs will have left to commence training to become police officers. Only six replacements are promised immediately with more to arrive in late August or September. When James Cleverly attended the PDS Committee meeting in March he was asked to comment on this. He confirmed that the above was indeed the current case and said that discussions were continuing between the Greater London assembly and the metropolitan Police in an attempt to resolve the matter.
- 8.7 The annual update from the Bethlem Royal Hospital was also presented at the March meeting by the Hospital's Chief Executive. The Chairman of the Hospital Trust and other members of staff were present. Attention focussed on the escape by four adolescent patients from a unit at the Hospital in late February. All four are now back in custody, the last being detained while trying to leave the country. It was ascertained that the escape had taken place over a period of about half an hour at approximately lunchtime on a Sunday when the ratio of patients to staff was seven to five. It had involved the removal by the patients of a secure window including the frame. Contributions were made by many of the Members present concerning this most serious occurrence. The Hospital's Chief executive stated that he could not reply to some of the questions as a Police enquiry, a separate independent review and an internal human resources investigation were in progress. Several recommendations were made by Members of the committee for the Portfolio Holder to consider.

### **Visits**

- 8.8 Visits were made by Committee Members to:-
- Bromley Fire Station
  - The Drug and Alcohol Treatment Centre
  - The Bethlem Royal Hospital

Members accompanying officers on duties including Environmental Health, Trading Standards, Licensing and the Voluntary Youth Service summer programme are either in being or are in the process of being arranged.

### **Budget Savings 2011/12**

8.9 For the year 2011/12 budget savings of £274k were achieved. In addition to this further “notional” savings of £70k were achieved by reducing office accommodation requirements by 50%. The bulk of the £274k being the result of seven full and part time posts being relinquished.

### **Budget Savings 2012/13**

8.10 For the year 2012/13 further budget savings of 3369k (plus an additional £25k licensing income to offset income shortfall) have been identified. The main components of this sum being:-

A reduction in the Community safety Fund (Government Grant)	£113k
Efficiencies from sharing services	£100k
Staffing reductions	£63k
Savings from joint procurement of CCTV services	£59K
Efficiencies in running expenses	£34k

8.11 In the last three years although management staff has reduced by 40% and significant reductions have been achieved in the Public Protection controllable budget, levels of service remain largely unaffected.

8.12 The savings over these years have been achieved with a minimum of reduction in service.

### **Achievements**

8.13 The division’s achievements are many and include:-

- Since 2003 direct intervention and disruption of rogue traders has saved older residents in the Borough more than £1.5m.
- Following the serious disorder in August 2011, the Council’s CCTV unit provided the Police with thousands of images of scenes of crime and of suspects.
- Compared with other south east London boroughs, Bromley has the highest percentage of food premises meeting basic standards of food hygiene.
- Environmental Health Services (.g. Food Safety, Environmental Protection) has the second lowest spend in London.
- Trading Standards is in the bottom quartile of spend for London and yet has submitted the highest number of intelligence reports to London’s Regional Hub.

### **Services Provided**

8.14 The services provided by the Public Protection Division are wide and varied and although the core strategy function of ensuring adequate standards of public health remain the Division has had to evolve and expand to comply with the new statutory

responsibilities such as the licensing of public houses. It also implements and maintains local policies developed by Members.

### **Immediate Future**

- 8.15 With the smallest budget in the Council it would be easy to say that with the reduction in staff numbers and changes in working practices already achieved there remains little “fat” on the bone to cut away. Certainly with the Division’s statutory responsibilities and other works deemed necessary by the Council there would appear to be little or no scope for further reductions in staff numbers. Nevertheless other means of savings and generating income have to be examined. An example of this is the joint CCTV contracts with the London Borough of Lewisham which will save this Borough at least a quarter of a million pounds over five years. A dog kennelling scheme is also in the offing on an invest to save basis and will initially break even in terms of savings and latterly generate income.
- 8.16 There is a high degree of experience, expertise and skill within the Division and a start has been made to generate funds by selling these capabilities to outside agencies and businesses. The following two matters are examples of this –
- The Council has invested a relatively small amount to purchase additional noise recording and CCTV equipment. Interest has been expressed by a number of registered housing associations to hire this equipment to counter anti-social behaviour and additionally to pay a fee for the use of the officers’ technical expertise and their report writing skills.
  - Two members of the Trading Standards staff are now qualified to manage instruction classes to the owners and managers of businesses in relation to the prevention of sales of alcohol, cigarettes etc to under age persons. Again, fees are charged for this instruction.
- 8.17 More significant savings may be possible by sharing some of the Public Protection regulatory services with the neighbouring boroughs of Bexley and Croydon. There is a current project to progress this issue and the proposed first step in the year 2012/13 is to introduce a shared management structure which has the potential to realise approximately £100k.
- 8.18 It is by these and other similar means that it is hoped the net cost of financing the Division will be further reduced.
- 8.19 It remains for me to thank my fellow Councillors, the Co-opted Committee members and the Council Officer for their commitment, support and contributions made during the year.

**Cllr Douglas Auld**  
**Chairman, Public Protection and Safety PDS Committee**



## 9. Report from Renewal and Recreation PDS Committee

**Chairman:** Cllr. Sarah Phillips  
**Vice-Chairman:** Cllr. Pauline Tunnicliffe

### Introduction

- 9.1 The Committee will have met 5 times this municipal year. Each meeting has scrutinised the reports for decision by the Renewal and Recreation Portfolio Holder and considered policy development of key areas of the Portfolio, with the exception of the January 2011 meeting which considered the draft Council budget for 2012/13. Monitoring performance against the Renewal and Recreation Department's Building a Better Bromley priorities has been central to the Committee's work. One working group was re-convened during the year, namely the Beckenham and West Wickham Working Group.

### Employment and Skills

- 9.2 In October the Committee considered an interim report on a review of the Bromley Adult Education College, and considered various options for the future including possible merger with the Bromley College of Further and Higher Education. The report set out the role and membership of the review board. A further report on the review came before the Committee in December. Of six options considered, two were escalated for further detailed analysis: (a) remaining as a core, scaled down directly provided adult education service and (b) merging with Bromley College of Further and Higher Education. Following discussion of the merits of the options, Members recommended that the Director of Renewal and Recreation commences consultation with staff at Bromley Adult Education College and their representatives on the review, both in the short and medium term and its potential implications for staff and to continue with detailed discussions with the Bromley College of Further and Higher Education on the potential opportunities for adult learning in the longer term. Results of this more detailed work on the merger option were reported to the March PDS meeting alongside a report on fees and charges at the College during 2012/13 financial year.

### Town Centres

- 9.3 Reports providing updates to members on developments in the Town Centres were considered at the Committee's October and December meetings. In October the report outlined the detail and funding timetable for the Outer London Fund Round 2 and the feedback on the 'Invest Bromley' conference (which took place in September). Members agreed the content of the Round 2 funding bid to the Outer London Fund, noting that it was anticipated that Round 2 would be over subscribed and very competitive with only the most robust and high quality bids likely to be supported. The bid was finalised in consultation with the Chairman of the Renewal and Recreation PDS Committee and the Leader of the Council, to meet the extended submission deadline of mid November. Members agreed that Executive approval be sought for agreement for any necessary matched funding that may be required, prior

to submitting a bid to TfL for Area Based funding towards the Beckenham Public Realm project. Members also agreed that further consideration be given to the creation of amenity and parking space at the Stables Town Green at rear of 86-132 High Street Beckenham. Other Town Centre issues under discussion in October were a report updating Members on progress in developing the Bromley North Village Public Realm Improvement Project - seeking authority to undertake public consultation on the draft plans prior to submission to the Transport for London (TfL) approval process – and a report seeking to inform the Committee of the scope of the proposed Penge Town Centre Renewal Strategy and the proposed timetable for production of the strategy document.

- 9.4 Also considered in October was a report seeking Council support in principal for the establishment of a Business Improvement District (BID) in Orpington town centre, along with authorisation for officers to work alongside the Orpington Business Forum (OBF) on the BID project, and for the release of £44,310 from Section 106 funds to support this process, which would be matched to £10,000 allocated from the Outer London Fund round 1. Members supported in principal the formation of a Business Improvement District (BID) for Orpington Town Centre and approved the use of officer time to work towards the establishment of the BID. They also agreed the draw down of £44,310 from the Section 106 funding from the Nugent development, which added to the Outer London Fund money would be available to cover the costs of the BID project. It is expected that as a result of this work a draft BID Proposal will be provided to Members for their consideration at the first Committee meeting of the new municipal year.
- 9.5 At the December meeting Members considered a report which outlined progress in delivering the Town Centres Development Programme and provided an update on the detail of the Outer London Fund (OLF) Round 2 bid submissions. An update was also provided on the six week period of public consultation on the outline designs for improvements to the public realm in Bromley North Village. As a result of discussions around this report Members agreed that the Beckenham and West Wickham Town Centres Working Party be reconvened to review the OLF Round 2 proposals for Beckenham Town Centre and to recommend new proposals for the Town Centre to form the basis of an area based bid to TfL in 2012. The membership of the Working Party comprises Councillors Sarah Phillips, Michael Tickner, Nicholas Bennett, Stephen Wells and Peter Fookes, along with invited representatives of residents and business groups. The outcome of the Working Party's considerations will be reported back to the Committee in summer 2012, with an interim report considered at the March meeting.
- 9.6 Also at the December meeting Members considered a report referred from the Environmental Portfolio Holder regarding the release of funds for the installation of a Variable Messaging System for Bromley town centre – as a way of providing the information drivers needed (in real time) and help efficiently redistribute parking demand to car parks with spare capacity. Members were advised that the VMS system was considered an essential requirement to support the successful implementation of Phase 1 of the Bromley Area Action Plan. Members resolved that the Portfolio Holder be recommended to agree implementation of the VMS given that the proposed scheme provides value for money and will contribute positively to Bromley Town Centre's economy.

9.7 In March Members considered the planned expenditure on the Town Centre Management Initiative Fund – including consideration of the town centre events programme and the expected expenditure on Christmas lights for 2012/13 financial year; and a report providing an update on the Bromley North Village Public Realm Improvement Scheme, including an assessment of the situation with regards to Area Action Plan Site A and a report on the plans for the Queen’s Diamond Jubilee celebrations.

### **Leisure and Culture**

9.8 At the July meeting of the Committee, Members considered a number of reports dealing with Leisure and Culture, including Bromley MyTime Contract Options (which was a Part 2 report), Library Shared Services, the London 2012 Olympics and Paralympics and the proposed Norman Park Multi Hub Site, and also considered membership of the Arts and Sports Consultative Panel – to which Councillors Ruth Bennett, Alexa Michael, Peter Fortune, Nicholas Milner and John Getgood were appointed.

9.9 Following a discussion of the Library Shared Service report, updating Members on the options to be considered for the future management of the Library Service including a “shared services” arrangement with the London Borough of Bexley. Members concluded that there should be no reduction in operating hours of the service without further consultation with staff representatives, ward Councillors and library users, but agreed that opportunities to generate income should be investigated and a further report be submitted to Members on the outcome. Members did not support the option to implement charges for the People’s Network. Members further asked that the option of transferring a shared service into a trust be investigated further urgently in order to achieve possible savings on business rates.

9.10 The Committee considered a report providing Members with an update regarding the ongoing developments in respect to the London 2012 Olympic and Paralympic Games (the 2012 Games), and outlines the current arrangements that are in place within Bromley in respect to the anticipated impact the 2012 Games may have. In particular this report dealt with the proposed Host Borough Co-operation and Licence Agreement; City Look and Feel grant funding and the Olympic Torch Relay.

9.11 At the July meeting Members also considered a report detailing proposals for the development of a multisport hub site at Norman Park. This outlined proposals to seek a leisure investment and management company to design, construct, manage, fund and operate a new multi sport hub site at Norman Park, which would incorporate the current athletics track and playing pitches within the park. Following discussion of the report Members recommended that officers be asked to continue to develop proposals for a multi hub site at Norman Park and bring a further report back to the Committee on the outcome of the tender process and the details of the proposals received.

9.12 At the October meeting the Committee considered a report examining different options for the future governance of Crystal Palace Park and recommending that management of the park in the form of a ‘not-for-profit’ organisation be further

investigated. The report also suggested pursuing discussions with established and experienced organisations such as the National Trust, English Heritage and other industry sectors with a history and reputation for managing green spaces. The Committee considered the Community Organisations that would be represented on the Executive Board.

- 9.13 At the December meeting Members considered the Mytime Active draft Service Delivery Plan for 2012/13 and received a presentation from Mr Dennis Barkway and Mr Steve Price of Mytime Active. Following a question and answer session, Members approved the Delivery Plan and the Investment Fund programme of works for 2012/13.
- 9.14 Members were provided with an update on the outcome of the first stage application to the Heritage Lottery Fund (HLF) for financial support to extend the borough's museum service into part of the vacated library building at the Priory, Orpington. This highlighted the HLF's decision not to offer a first round pass and therefore financial support. At a regional level the HLF had indicated that they viewed the application as a priority and would wish to see it re-submitted with a reduced grant request so enabling a decision to be taken at regional rather than national level. The Committee supported the recommendation to the Executive that re-submission of the first stage application to the Heritage Lottery Fund be approved with a further report provided to a future Executive meeting on the outcome of the application.
- 9.15 At the December meeting Members also received a report providing an update on the 'Trust Option' for Libraries. The report identified that as a consequence of the Government determining the baseline for rateable values earlier than predicted, it would not be possible to establish a joint Libraries Trust with Bromley and Bexley within the necessary timescales.
- 9.16 The March meeting agenda included reports for consideration by Members on the Orpington Leisure Centre Roof (a post-completion report) and on the Biggin Hill Leisure Centre (again a post completion report).

### **Finance and Performance Monitoring**

- 9.17 Throughout the year the Committee has received regular performance monitoring and budget monitoring reports, including quarterly updates on the Capital Programme.
- 9.18 In January 2012 Members considered a draft 2012/13 Budget for the Renewal and Recreation Portfolio incorporating cost pressures and initial draft budget saving options as reported to the Executive on 11 January 2012. Expenditure pressures on services within the Renewal and Recreation Portfolio were identified in relation to the Adult Education Centre, income from planning applications and income from building control. Savings options across the Portfolio were also detailed for the consideration of Members. Members' attention was drawn to the summary table in the report which outlined savings options relating to the Renewal and Recreation Portfolio. The Head of Finance reported that the quoted £276k for 2012/13 was in addition to savings already achieved of just over £1m making an overall saving of £1.3m for 2012/13 followed by an additional £943k in 2013/14.

## **Conclusion**

9.19 In conclusion it has been a very busy and exciting year for the Renewal and Recreation PDS Committee and I would like to thank all members of the Committee for their input and support. I would also like to thank all Officers in the Renewal and Recreation Department with whom I have enjoyed working.

**Cllr. Sarah Phillips**  
**Chairman, Renewal and Recreation PDS Committee**

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## **Council**

**25<sup>th</sup> June 2012**

### **THE NEW STANDARDS SYSTEM UNDER THE LOCALISM ACT 2011**

Final regulations under the Localism Act 2011 for the new standards system, required to be in place for 1<sup>st</sup> July 2012, were only published late on 8<sup>th</sup> June 2012. Prior to this, draft proposals had been considered by the Constitution Improvement Working Group on 29<sup>th</sup> May 2012.

A report on the proposals is to be considered by the Executive on 20<sup>th</sup> June 2012 (attached) following pre-decision scrutiny by the Executive and Resources PDS Committee on 14<sup>th</sup> June 2012. The Standards Committee will also be considering a similar report at its meeting on 19<sup>th</sup> June 2012. The relevant minutes from these meetings will be circulated for the Council meeting.

**The decisions required from Council are –**

- (1) To adopt a Code of Conduct.**
- (2) To appoint at least one, but probably two or more Independent Persons under the Act.**
- (3) To confirm any interests it requires to be registered in addition to the pecuniary interests set out in the Act.**
- (4) To agree the terms of reference for a new Standards Committee.**
- (5) To agree the process for dealing with dispensations, whether by the Urgency Committee or by a re-constituted Standards committee.**

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**Decision Maker:** Executive/Council

**Date:** 20<sup>th</sup> June 2012/25<sup>th</sup> June 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** THE NEW STANDARDS SYSTEM UNDER THE LOCALISM ACT 2011

**Contact Officer:** Mark Bowen, Director of Resources  
Tel: 020 8313 4355 E-mail: mark.bowen@bromley.gov.uk

**Chief Officer:** Mark Bowen

**Ward:** All

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1. Reason for report

To advise the Executive of forthcoming changes to the standards system for elected Members and to seek the views of the Executive on requirements of the new system including the new Code of Conduct for consideration by Council on 25<sup>th</sup> June.

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2. **RECOMMENDATION(S)**

The Executive is recommended:

- 2.1 To endorse the adoption of the Model Code of Conduct produced by the Department of Communities and Local government.
- 2.2 To support the recommendations of the Constitution working group in retaining the need to register all interests presently registered and retaining the Register of Gifts and Hospitality, and the existing £25 threshold and agreeing that the Code of conduct adopted should include these provisions.
- 2.3 To support the retention of a Standards Committee.
- 2.4 To endorse requests for dispensations being dealt with by the Urgency Committee

### Corporate Policy

1. Policy Status: New policy.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: N/A
  2. Ongoing costs: Non-recurring cost.
  3. Budget head/performance centre:
  4. Total current budget for this head: £There is no budget for the Standards Committee
  5. Source of funding: N/A
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: Work will be dealt with within existing staffing resources. However, the amount of time involved will depend on the number of complaints generated by the new system.
- 

### Legal

1. Legal Requirement: Statutory requirement. Chapter 7 of Part 1 of the Localism Act 2011 imposes a statutory duty to promote and maintain high standards of conduct, to have a Code of Conduct for Members, with a system to investigate breaches and to maintain a Register of Members' Interests.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The standards system is established to increase public confidence in Elected Councillors
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

3.1 Chapter 7 of Part 1 of the Localism Act 2011 sets out the new standards system for local government. The Act ended national regulation by Standards for England. However it still requires local standards systems to be established. Government has indicated that these local systems should be in place by 1<sup>st</sup> July. However some parts of the necessary regulations have yet to be finalised at the time of writing. The report outlines key decisions which need to be made to comply with the act. Consideration has been given to these issues at the Constitution Improvement Working Group at its meeting on 29 May. There will also be consideration at the Standards Committee on 19 June before going to Council for decision on 25 June.

3.2 In summary, the main changes to the present standards system are as follows:

- Abolition of the existing Ethical Standards Framework which, as well as abolishing Standards for England, also abolishes the necessity for Councils to establish and maintain Standards Committees;
- Maintaining the requirement for a Code of Conduct but authorising Councils to draw up their own local Code of Conduct for Councillors and co-opted members;
- Retaining the requirement for Councils to include in their Codes, a provision for the registration and disclosure of pecuniary and non-pecuniary interests. The legislation now makes it an offence for a Member knowingly to fail to register or disclose a pecuniary interest.
- Retaining a requirement for Councils to make arrangements for investigating complaints that a Member may have breached the Code of Conduct;
- Requiring that Councils appoint at least one independent person, whose views should be sought and taken into account before it decides on an allegation. The independent person's role also includes advising Members who may have been complained about;
- Sets out arrangements, or requires arrangements to be made, for granting dispensations to Councillors who have disclosable pecuniary interests.

#### **3.3 The New Code of Conduct**

Section 27 of the Act places a duty on local authorities to promote and maintain high standards of conduct by Councillors and co-opted members of the Council. It is mandatory that each local authority adopts a Code of Conduct dealing with the conduct that is expected of Councillors and co-opted members when acting in that capacity.

3.4 Section 28(1) provides that the adopted Code of Conduct must, when viewed as a whole, be consistent with the following principles, namely:

- Selflessness;
- Integrity;
- Objectivity;
- Openness;
- Honesty; and
- Leadership

Section 28(2) of the Act provides that the adopted Code of Conduct must include the provisions the Council considers appropriate in respect of the registration and disclosure of pecuniary interests and interests other than pecuniary interests.

3.5 The new Code needs to be in place by 1<sup>st</sup> July which is the date presently given for the current standards system ending and

- It must apply to Councillors and co-opted members when they are acting in that capacity;
- Once adopted, the Code must be publicised locally;
- The Code must include provisions that the Council considers appropriate in relation to the registration and disclosure of pecuniary and other interests.

There must also be a system in place for investigating and handling complaints made under the Code of Conduct. This, together with the registration of interests will be dealt with later in this report.

3.6 In April 2012, both the Local Government Association and the Department of Communities and Local Government (DCLG) produced indicative Codes within a short time of each other, with no obvious reference to each other. Copies of these Codes are attached as Appendices 1 and 2. The Constitution Improvement Working Group (CIWG) at its meeting on 29 May recommended the adoption of the DCLG Code. The views of the Standards Committee meeting on 19 June will be made available to this meeting.

### 3.7 Register of Interests Gifts and Hospitality.

Section 29 of the Act requires the Monitoring Officer to establish and maintain a Register of Members' Interests. Regulations yet to be published will specify a range of pecuniary interests that a member must register. From information available these will be similar to those presently registered and will include employment details, sponsorship, interests in contracts with the council, property interests in the borough, and substantial interests in businesses which have a presence in the borough.

3.8 The following summarises the statutory obligations on councillors and (voting) co-opted Members for Disclosable Pecuniary Interests (DPIs) specified in the forthcoming regulations:

- (a) To notify the Monitoring Officer of any DPI that the councillor may have within 28 days of their election or it is assumed the adoption of the Local Code of Conduct, **together with** the DPIs of:
  - (i) A spouse or civil partner
  - (ii) A person with whom they are living as husband and wife
  - (iii) A person with whom they are living as if they were civil partners

The Monitoring Officer will then enter the notified interests onto the register of interests. As is set out in paragraph 3.9, failure by the councillor to comply with this obligation is a criminal offence. It is also an offence to knowingly provide false or misleading information when making the disclosure or to be reckless as to whether the information is true and not misleading. This obligation is therefore far more stringent and intrusive than the existing obligation which is to declare in a meeting any personal or prejudicial interests arising from "family" relationships where the councillor *ought reasonably to be aware of the existence of the personal interest*". Family relationships and interests arising from those relationships do not currently have to be declared in the register of interests.

- (b) If a DPI arises at a meeting and that interest has not previously been notified to the Monitoring Officer and, therefore, not entered on the register of interests, the councillor **must** not only disclose the interest to the meeting but also notify the Monitoring Officer within 28 days of the date of disclosure. It is a criminal offence not to do so.

- (c) Where a DPI arises at a meeting and the councillor is aware that they have a DPI, they **must not** participate either in the discussion of the matter or in any vote taken at the meeting unless they have a dispensation, non-compliance being a criminal offence. The Council's procedure rules may make provision for the councillor to leave the room when such a situation arises. The current provision whereby a councillor with a prejudicial interest can speak in a meeting if there is a public right to speak does not appear to be carried over. Where a councillor has a DPI at a meeting, it may be considered appropriate in such circumstances for the councillor concerned to leave the room for their own protection unless a dispensation is granted.

- 3.9 Following 1<sup>st</sup> July, the law will effectively revert to the position prior to the Local Government Act 2000 in that failure to register or disclose a DPI will become a criminal offence. The maximum penalty is £5,000 on conviction before the Magistrate's Court. The Magistrates will also have the power to disqualify or suspend a Councillor following conviction.
- 3.10 The CIWG on 29 May was concerned to ensure that all interests presently registered continued to be so and that members kept their interests up to date on a regular basis.
- 3.11 Current information indicates that DPIs will not include registering or disclosing details' of gifts and hospitality received. The view of the CIWG was that the Council should keep the Register of Gifts and Hospitality, and the existing £25 threshold.

### 3.12 Dealing with Complaints

The Act requires the Council to make arrangements for dealing with complaints of breaches of the adopted code by members and co-opted members. There is no longer a need to have a Standards Committee or to follow the current requirements to have assessment and review panels. The act removes the statutory basis for Independent members of the standards committee with voting rights and replaces them with a new role – The Independent Person.

- 3.13 The statutory role of the Independent Person is as follows

- They **must** be consulted by the authority before it makes a decision on an allegation of misconduct by a Councillor that it has decided to investigate or before it decides on action to be taken in respect of that Councillor.,
- They **may** be consulted by the authority in respect of a standards complaint at any other stage.
- They **may** be consulted by a Councillor or co-opted member against whom a complaint has been made.

Given the potential conflict between roles the Standards Committee and CIWG have agreed that it is appropriate for at least two Independent Persons to be appointed. Indications are that transitional arrangements will allow current members of the Standards Committee to serve as an Independent Person for the next 12 months.

- 3.14 An aim of the Act is to discourage vexatious and minor complaints and to establish a less bureaucratic process for dealing with complaints. The present complaints form and general guidance with minor updating is operable under both the current system and that proposed by the Act. Sanctions are limited (save for the new criminal offences) therefore a system which encourages informal resolution with the engagement of, say, Group Leaders is preferential to one which is based on detailed investigation. This will receive further consideration by the Standards Committee.

### 3.15 Dispensations

Section 33 of the Act creates a new system for dispensations to be granted to Members who may have a pecuniary interest to allow them to speak or speak and vote at meetings they would otherwise not be able to participate in.

3.16 Dispensations can be granted in the following circumstances:

- If the number of Members unable to participate would make the meeting inquorate;
- If the exclusion would disturb the political balance of the meeting and the outcome of any vote;
- If every Member of the authority's Executive would be precluded in taking part in a decision, the Executive without the dispensation;
- If it would be in the interests of persons living in the authority's area;
- If the authority considers it is otherwise appropriate to grant a dispensation.

3.17 Granting dispensations can be delegated to a Committee or an Officer. The view of both the Standards Committee and the CIWG was that the function should be delegated to the Urgency Committee.

## 4. FINANCIAL IMPLICATIONS

4.1 These can not be fully assessed at this stage. However under the present system work was contained within existing budgets.

## 5. LEGAL IMPLICATIONS

5.1 These are set out in the body of the report.

<b>Non-Applicable Sections:</b>	Policy and Personnel
Background Documents: (Access via Contact Officer)	

## LGA TEMPLATE

As a member or co-opted member of *[X authority]* I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in *[X authority]* this will be done as follows: *[to be completed by individual authorities]*

As a Member of *[X authority]*, my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
- Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the *[county][borough][Authority's area]* or the good governance of the authority in a proper manner.
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it
- Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.
- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.



## DCLG TEMPLATE

**Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity**

You are a member or co-opted member of the [name] council and hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Accordingly, when acting in your capacity as a member or co-opted member -

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out in the box below.

You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.

**Registering and declaring pecuniary and non-pecuniary interests**

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.<sup>1</sup>

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

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<sup>1</sup> A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

Report No.  
Res12103

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Council

**Date:** 25<sup>th</sup> June 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** MEETINGS OF THE URGENCY COMMITTEE

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Resources

**Ward:** N/A

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1. Reason for report

- 1.1 The Urgency Committee deals with urgent non-executive decisions that are not of a sensitive nature where otherwise a meeting of full Council would be required. The Constitution specifies that any decisions made by the Committee should be reported to the next available meeting of the full Council. The Urgency Committee met on 18<sup>th</sup> April and 1<sup>st</sup> May 2012 to consider matters relating to appointments to the posts of Deputy Chief Planner and Assistant Director, Education.
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2. **RECOMMENDATION**

**That the decisions made by the Urgency Committee at its meetings on 18<sup>th</sup> April and 1<sup>st</sup> May 2012 be noted.**

### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council
- 

### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £344,054
  5. Source of funding: Revenue budget
- 

### Staff

1. Number of staff (current and additional): There are 8 posts (7.22 fte) in the Democratic Services Team
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable: The report does not involve an executive decision.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

3.1 The terms of reference of the Urgency Committee as set out in Part 3 of the Council Constitution state that its role is to “deal with urgent non-executive decisions that are not of a sensitive nature – any such decisions shall be reported to the next available meeting of the full Council.” At the recent annual meeting of the Council, the Committee’s membership was expanded to seven Members as follows –

The Mayor

The Leaders of the three largest groups

The Chairman of General Purposes and Licensing Committee

The Chairman of Executive and Resources PDS Committee

The relevant Portfolio Holder or Committee Chairman

3.2 The Committee has met twice in recent months and this report summarises the decisions that were made, in accordance with the Constitution. The minutes relating to each decision are set out below for Members’ information.

#### **18<sup>th</sup> April 2012:**

#### **1 INTERVIEW ARRANGEMENTS - APPOINTMENT OF DEPUTY CHIEF PLANNER** Report RES12072

It was agreed that the report should be considered as a matter of urgency to enable the appointment process to take place on 20<sup>th</sup> April 2012 as scheduled.

In Bromley, only appointments to posts designated as being at Chief Executive or Chief Officer level were normally made by Members, although by law Members could appoint to Deputy Chief Officer posts as defined by Section 2 (8) of the Local Government and Housing Act 1989. The role of the Deputy Chief Planner would require a high level of Member engagement, so the Chief Executive had requested that the appointment be carried out at Member level. Three candidates had been identified by officers for the final interview on 20<sup>th</sup> April.

#### **RESOLVED that**

**(1) the request of the Chief Executive that the appointment to the post of Deputy Chief Planner be made by Members be agreed.**

**(2) the interview panel to appoint the Deputy Chief Planner consist of the following Councillors –**

**Stephen Carr, Peter Dean, Charles Joel, Mrs Anne Manning, Tony Owen and Colin Smith, plus one representative to be notified from each of the Liberal Democrat and Labour groups.**

**1<sup>st</sup> May 2012:**

**2 INTERVIEW ARRANGEMENTS - APPOINTMENT OF DEPUTY CHIEF PLANNER**

Report RES12076

At its meeting on 18<sup>th</sup> April 2012 the Committee had appointed eight members to the interview panel to appoint the Deputy Chief Planner, partly based on availability for the interviews scheduled to be held on 20<sup>th</sup> April. These were Councillors Stephen Carr, Peter Dean, Charles Joel, Mrs Anne Manning Tony Owen, and Colin Smith, plus one representative from each of the Liberal Democrat and Labour Groups (subsequently confirmed as Councillors Reg Adams and Peter Fookes.) In the event, the interviews were postponed, offering Members the opportunity to reconsider the make-up of the Panel.

**RESOLVED that Councillor Peter Morgan be added to the Appointment Panel agreed at the last meeting on 18<sup>th</sup> April 2012 to interview for the post of Deputy Chief Planner.**

**3 APPOINTMENT OF ASSISTANT DIRECTOR, EDUCATION**

Report HHR12002

At the meeting on 26<sup>th</sup> March 2012 full Council had approved the Council's Pay Policy Statement for 2012/13. In accordance with the Secretary of State's guidance, appointments to posts with a salary package in excess of £100,000 per annum were required to be considered by Councillors.

The post of Assistant Director, Education had already been advertised with a salary package in the region of £100,000 per annum (MG2 - £62,069 to £100,621), a competitive amount and comparable with what was being paid elsewhere in London. A suitable candidate had been identified by the Member Appointment Panel and it was considered that, given the importance of the post and the limited number of potential recruits, the Council's ability to recruit the best candidate should not be compromised by the grade of the post.

**RESOLVED that**

**(1) The proposal to offer the successful candidate circa £100,000 per annum (basic salary), plus a lease car and any other entitlements set out in the general terms and conditions of service applicable to Management Grade staff be approved.**

**(2) In the event that the above package is not sufficient to secure the best person for the job, that the Chief Executive, in consultation with the Assistant Chief Executive HR and the Portfolio Holder, is authorised to increase the basic salary up to £110,000 per annum.**

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Agenda and minutes of the Urgency Committee meetings on 18 <sup>th</sup> April and 1 <sup>st</sup> May 2012

Report No.  
RES12113

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Council

**Date:** 25<sup>th</sup> June 2012

**Decision Type:** Non-Urgent

**Title:** MEMBERSHIPS OF COMMITTEES AND SACRE

**Contact Officer:** Lynn Hill, Democratic Services Officer  
Tel: 020 8461 7700 E-mail: lynn.hill@bromley.gov.uk

**Chief Officer:** Director of Resources

**Ward:** N/A

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1. Reason for report

To deal with outstanding vacancies on the Executive and Resources PDS Committee, Local Joint Committee and the Standing Advisory Council for Religious Education (SACRE).

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2. **RECOMMENDATION(S)**

- 1) to appoint Councillor Reg Adams to the vacancy on SACRE;
- 2) to appoint a member to fill the vacancy on the Executive and Resources PDS Committee; and
- 3) to appoint members to fill the two vacancies on the Local Joint Committee.

### Corporate Policy

1. Policy Status: Existing Policy:
  2. BBB Priority: Excellent Council:
- 

### Financial

1. Cost of proposal: Estimated Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Representation – Members' Allowances
  4. Total current budget for this head: £1,095,620 (Members Allowances Scheme 2012/13)
  5. Source of funding: 2012/13 Budget
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement: Sections 18 & 19 local government and Housing Act 1989, S 100 Local Government Act 2000, The Local Authorities (Member's Allowances) (England) Regulations 2003
  2. Call-in: Not Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Members of the Council
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A



### 3. COMMENTARY

At the Annual Council Meeting on 16<sup>th</sup> May 2012 various appointments to Committees and Sub-Committees were approved. However, there were vacancies unfilled on the following two Committees that now need to be addressed:

Standing Advisory Council for Religious Education – 1 Vacancy for a LIB/DEM member and Councillor Reg Adams has been nominated.

Local Joint Committee – two vacancies nominations for which will be reported at the meeting.

Since the Annual Council Meeting a vacancy has arisen on the Executive and Resources Policy, Development and Scrutiny Committee as Councillor Scoates has been appointed an Executive Assistant to the Leader of the Council. Executive Assistants may not serve on the PDS Committee which mirrors the Executive Portfolio they support. Nominations will be reported at the meeting.

<b>Non-Applicable Sections:</b>	Policy/Financial/Personnel/Legal Implications
Background Documents: (Access via Contact Officer)	Minutes of the Annual Council Meeting 16/05/12

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