

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 12 November 2012

Present:

**The Worshipful the Mayor
Councillor Michael Turner**

**The Deputy Mayor
Councillor Ian F. Payne**

Councillors

Reg Adams	Simon Fawthrop	Alexa Michael
Graham Arthur	Peter Fookes	Nick Milner
Douglas Auld	Julian Grainger	Peter Morgan
Kathy Bance	Ellie Harmer	Ernest Noad
Jane Beckley	Will Harmer	Gordon Norrie
Julian Benington	David Hastings	Tony Owen
Nicholas Bennett J.P.	Brian Humphrys	Tom Papworth
Ruth Bennett	Samaris Huntington-	Sarah Phillips
Eric Bosshard	Thresher	Neil Reddin FCCA
Katy Boughey	William Huntington-	Catherine Rideout
Lydia Buttinger	Thresher	Charles Rideout
John Canvin	John Ince	Richard Scoates
Stephen Carr	Russell Jackson	Colin Smith
Roger Charsley	David Jefferys	Diane Smith
Peter Dean	Charles Joel	Tim Stevens
Nicky Dykes	Kate Lymer	Harry Stranger
Judi Ellis	Paul Lynch	Michael Tickner
Robert Evans	David McBride	Pauline Tunnicliffe
Roxhannah Fawthrop	Russell Mellor	Stephen Wells

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Michael Turner

26 APOLOGIES

Apologies for absence were received from Councillors Peter Fortune and Mrs Anne Manning. Apologies for lateness were received from Councillors Julian Benington, Nicky Dykes and Samaris Huntington-Thresher.

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The new Executive Director of Education and Care Services, Mr Terry Parkin, was welcomed to his first meeting of the Council.

27 MINUTES

The Minutes of the Council Meeting held on 25th June 2012 were confirmed, subject to an update in respect of oral Question 6 (Appendix B). The Portfolio Holder for the Environment advised that the number of people paying for their garden waste to be removed was 7,300 and that the figure of 8,000 included enquiries received.

The Minutes of the meeting of the Council held on 25th June 2012 were confirmed, subject to an update in respect of the reply to oral Question 6 (Appendix B). The Portfolio Holder for the Environment advised that the actual figure for people paying for garden waste to be removed at that time was 7,300 and that the remainder of the 8,000 related to the number of enquiries that had been received.

28 DECLARATIONS OF INTEREST

Councillor Auld reported that in accordance with the Localism Act 2011 he had a Discloseable Pecuniary Interest in item 8 (Localised Pay and Conditions of Service) as his wife worked for the local authority. He would therefore not be taking part in any discussion or voting on this issue and as required under the Council's Local Code of Conduct would leave the chamber whilst the item was being considered.

Councillors Colin Smith and Diane Smith both declared personal interests as their daughter worked part-time for the Library Service although this was not a Discloseable Pecuniary Interest.

29 QUESTIONS BY MEMBERS OF THE PUBLIC

Two members of the public attended to ask oral questions details of which are set out in Appendix A to these Minutes.

30 QUESTIONS BY MEMBERS

These are attached at Appendices B and C.

31 STATEMENTS MADE BY THE LEADER OF THE COUNCIL, PORTFOLIO HOLDERS OR CHAIRMEN OF COMMITTEES

1) The Portfolio Holder for Public Protection and Safety made a Statement on SLAM and Bethlem Hospital in response to the oral question and request from Cllr Nicholas Bennett J.P.

Councillor Stevens advised that since the Council agreed the Motion at its last meeting (Minute 24A – 25.06.12 refers) concerning breaches of security at Bethlem Royal Hospital, a further letter had been sent asking for a formal response to this but nothing had been forthcoming until 24th August 2012. In their joint reply the Chief Executive and Chairman of the Hospital Board stated that they did not accept the Council's conclusions on the way security was managed at the Hospital. Councillor Stevens had therefore been shocked when subsequently he had been informed of a serious incident at the Hospital when Police had been called to deal with a disturbance amongst patients on the night of 30th September 2012. He was aware that an independent review of this situation was being undertaken, the outcome of which was awaited. However, the Police had informed Councillor Stevens that the SLAM staff were not properly trained to deal with the situation. The Police were now having to do joint training with the SLAM Security Team to ensure that they were properly trained to deal with this kind of incident in the future.

The Leader of the Council on being informed of the situation had sought to arrange a meeting with the Hospital's Acting Chief Executive but had been told that a meeting was already arranged for 20th November 2012. Soon after this the Leader was informed by a hospital member of staff of their concerns that with the closure of units elsewhere more dangerous patients were being brought to the hospital and that the recent incident had demonstrated that the Trust lacked the resources to manage dangerous patients. After much persistence the Leader had finally spoken to the Acting Chief Executive on 25th October 2012 and expressed the Council's deep concerns and lack of confidence in the Chairman of the Hospital Board. Members were informed that the Leader of the Council, together with the Portfolio Holder and Chairman of the PDS Committee, Officers of the Council and the Police would be meeting with the Acting Chief Executive and his Team on 20th November 2012 when the Council's concerns and displeasure at the way this situation had been dealt would be made very clear.

The Portfolio Holder stated that he would continue to challenge SLAM when they failed to take the security of residents living nearby seriously and he would also continue to question their decisions and demand that they consult with the Council over any changes planned for the future.

2) The Portfolio Holder for Renewal and Recreation made a Statement on the latest situation concerning the provision of Christmas Lights in West Wickham High Street in response to a written question from Councillor Nicholas Bennett JP.

Councillor Morgan reported that Christmas lights had been displayed in West Wickham High Street for the past 20 years. However, as a result of the High Street being made a Red Route TfL had taken over responsibility for it and

had said they would not allow the lights to be displayed this year for Health & Safety reasons. They had told local traders that if they wanted to go ahead with the lights they would have to pay for the lamp columns to be stress tested at a cost of £150 per column. The Portfolio Holder explained that Bromley tested its lamp columns every 2 years. As there were 20 columns in the High Street area such costs were prohibitive and it seemed that there would be no lights along the road. Following numerous email messages between the various parties involved the Portfolio Holder was glad to announce that 'sense to some extent had prevailed' as TfL were now willing to allow wrap around Christmas lighting to be used this year in stead of the previous lighting at a cost of £75. Councillor Morgan wished to place on record his thanks to James Cleverly the GLA Member, Officers of the Council, the local Residents Association and the West Wickham Town Centre Manager for all they had done in bringing about a resolution to the situation.

32 LOCALISED PAY AND CONDITIONS OF SERVICE

A Motion to adopt from 1st April 2013, or the earliest possible date thereafter, localised pay and conditions of service on the following basis was duly proposed and seconded:

- (i) Withdraws from the NJC, GLPC and Soulbury Committees and introduces an annual local pay review mechanism to replace the existing national and regional collective bargaining arrangements and the LJNC for Lecturers in Adult Education.

- (ii) Discontinues the existing PRP scheme for MG staff and ceases to accept a recommendation from Inbucon on the market movement in salary bands for staff on the Bromley Management Grades (MG) - the MG annual salary review will be undertaken via the same single local annual pay review mechanism as all other staff (except teachers.)

- (iii) Introduces a scheme of discretionary non-consolidated non-pensionable rewards for exceptional performance applicable to all staff; and

- (iv) Withholds pay increases for under performing staff to reinforce the link between individual performance and pay.

The Chief Executive to be given delegated authority to progress the detailed work necessary to achieve the implementation of localised pay on the basis of the framework set out in recommendations (i)-(iv) inclusive above.

The Motion was CARRIED.

(Councillors Adams, Bance, Canvin, Fookes, Getgood, McBride and Papworth asked for the recording of their contrary votes against the Motion.)

33 FOURTH REPORT OF THE CONSTITUTION WORKING GROUP

The recommendations of the Constitution Working Group (as amended and circulated at the meeting) were put to the vote as follows:

Recommendations 1 (to continue with the present Leader and Cabinet system) and 2 (Executive Decision Making)

A Motion to approve the above recommendations was moved and seconded.

The Motion was CARRIED.

(Councillor Grainger asked for the recording of his contrary vote against this decision.)

Recommendation 3 (Area Planning Committees)

An amended Motion that Area Committees not be proceeded with was moved and seconded.

Recommendation 4 (Enhancing the Role of Full Council Meetings)

An amended Motion that either the Leader of the Council or 5 Members of the Council be permitted to initiate a debate on any matter of importance before full Council and prior to an Executive decision being taken was moved and seconded.

The above amended Motions were CARRIED.

Recommendation 5, 7, 8, 9, and 10

A Motion to approve the above recommendations was moved and seconded.

The Motion was CARRIED.

Recommendation 6 (Council to consider major planning applications)

A Motion that this recommendation be not accepted was moved and seconded.

The Motion was CARRIED.

Recommendation 11 (Master recordings of full Council Meetings)

An amended Motion was circulated that Master recordings be made of full Council Meetings, and on request, subject to 24 hours notice, of any Council Committee meeting was moved and seconded.

The Motion was CARRIED.

A further amended Motion to the effect that all Council Committee meetings should be recorded and accessed on the Council's website and meetings should be webcast was moved and seconded.

On being put the vote the further amended Motion was LOST.

Recommendations 13 – 17 as numbered in the report were proposed to be renumbered 12.4 to 12.8

A Motion that these renumbered Recommendations be approved was moved and seconded.

The Motion was CARRIED.

Recommendations 18 and 19 as numbered in the report were proposed to be renumbered 13 and 14

A motion that these renumbered Recommendations be approved was moved and seconded.

The Motion was CARRIED.

Appendix 2 – Changes Required to the Constitution

An amended Motion that the formal amendments to the Constitution set out in Appendix 2 be approved to include the following consequential alterations was moved and seconded:

Recommendation 4: Amended text to read –

“(xii) debate any matter on which the Executive is to make a decision where a request has been made by the Leader or five Members of the Council.”

Delete changes relating to recommendation 6.

The Motion was CARRIED.

34 REVIEW OF FINANCIAL REGULATIONS

A Motion to approve revisions to the Council's Financial Regulations was proposed, seconded and adopted.

35 TREASURY MANAGEMENT

a) Treasury Management Annual Report 2011/12

An amended Motion, circulated at the meeting, to approve the recommendation noting the Treasury Management – Annual Report 2011/12 and to agree the Actual Prudential Indicators 2011//12 was duly proposed and seconded.

The Motion was CARRIED.

b) Mid Year Review Report 2012/13

An amended Motion, circulated at the meeting, to approve the recommendation noting the Mid-Year Report 2012/13 and agree the following matters was duly proposed and seconded:

- (a) the inclusion on “vanilla” corporate bonds (i.e. with no derivative structures) and the Payden Sterling Reserve Fund as eligible investment vehicles in the Council’s Investment Strategy; and
- (b) changes to the prudential indicators, as set out in Annex B1 to the October report.

The Motion was CARRIED.

36 REVISED STATEMENT OF LICENSING POLICY 2011-2116

A Motion to approve the recommendation that the Revised Statement of Licensing Policy be adopted with immediate effect was duly proposed and seconded.

The Motion was CARRIED.

37 REVISED STATEMENT OF GAMBLING LICENSING POLICY FOR 2013-2016

A Motion to approve the recommendation that the Revised Statement of Gambling Licensing Policy for 2013-2016 be adopted with effect from 1st January 2013 was duly proposed and seconded.

The Motion was CARRIED.

38 MOTIONS

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

1) Library Service – (Revised version)

The following Motion was proposed by the Councillor Tom Papworth, and seconded by Councillor Reg Adams:-

“Bromley Council

1. reiterates its commitment to ensuring that all residents of the London Borough of Bromley of Bromley are able to easily access library services;
2. acknowledges the receipt of a petition in 2011 of over 1,000 signatures from residents (especially from Crystal Palace, Penge & Cator and Clock House) calling on Bromley Council to save Anerley Library
3. notes with concern the threat to the long term future of Upper Norwood Joint Library by the 60% cut in funding imposed by Croydon Council;
4. notes the excellent service provided by Anerley and Upper Norwood Libraries to Bromley residents in the Crystal Palace Ward
5. seeks the commitment from the Executive that some library services continue to be provided from the Anerley Town Hall site, following the development of a new library in Penge town centre
6. seeks assurances from the Leader and Portfolio Holder that they will work with Croydon and Lambeth Councils to explore how the long term future and governance of the Upper Norwood Joint Library can be secured.”

On being put to the vote this revised Motion was LOST.

2. Government Planning Policies

The following Motion was proposed by Councillor Peter Dean and seconded by Councillor Alexa Michael:

“This Council notes with great concern the recent proposed planning changes announced by Eric Pickles MP, Secretary of State for Communities and Local Government.

In particular, this Council is concerned about specific proposals to allow residents to build conservatories and single storey rear extensions of up to eight metres (30 feet) in domestic gardens without having to apply for planning permission until late 2015, and the proposal to encourage Councils to use the National Planning Policy Framework to vary the extent of the Green Belt in their areas.

This Council believes those proposals:

- would have an adverse and irrevocable impact on the character of the Borough, including further encroachment of the Green Belt and undesirable changes to properties;

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- would reduce the quality of life for neighbours and Borough residents generally;
- would undermine both the ability of individual residents to object to planning proposals that affect them and elected Councillors' power to refuse bad planning applications.

This Council therefore urges the Secretary of State to reconsider the above proposals and also calls on the Borough's MPs to lobby against the proposals."

On being put to the vote the Motion was CARRIED.

Order of Business

Councillor Getgood requested that in view of the important subject matter and the lateness of time that his Motion on Hospital Services be taken next for discussion – after brief discussion a Motion to proceed on that basis was moved and seconded and was **CARRIED**.

(Councillor Colin Smith asked for the recording of his contrary vote against changing the order of business.)

3 Hospital Services

The following Motion was proposed by Councillor John Getgood and seconded by Councillor Kathy Bance:

"This council welcomes the positive and helpful recommendations of the Special Administrator to deal with the financial problems associated with the South London Health Trust in his initial report published on 29th October 2012.

However, this Council is deeply concerned that the proposals to close Orpington Hospital, the Lewisham A&E and Maternity units and to withdraw services from the Beckenham Beacon will be harmful to the standards of health care for people living in Bromley.

This council calls on the Leader of the Council and the Chief Executive to respond to the consultation by drawing attention to these concerns and to approach the four Members of Parliament representing the Borough to present a united response to the Special Administrator on the recommendations he will finally make to the Secretary of State for Health."

An Amendment to the Motion was put that it be referred to the Care Services PDS Committee for consideration at the meeting on 4th December 2012 when the Trust Special Administrator would be attending whilst members discussed the consultation proposals.

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

(Note: The Leader of the Council stated that he would write to the Trust Special Administrator seeking an extension to the consultation period following the Council Meeting.)

3. European Union

The following Motion was proposed by Councillor Colin Smith and seconded by Councillor Richard Scoates:

“This Council notes with profound concern, recent widespread reports that the European Union intends to seek significant additional financial contributions from the UK over coming years, further to expand its own still un-audited and wasteful budget. This at a time when the Coalition Government is quite rightly trying to eliminate the worrying domestic deficit it inherited from its predecessors.

The EU provides little obvious benefit to the residents of this Borough. This Council therefore firmly believes that with valued local services facing acute ongoing pressure as a result of Central Government’s 28% cut to Local Government funding, that the EU must be forced to play its part in the solution too, by reducing its call on the Bromley taxpayers’ purse.

Accordingly, this Council respectfully calls on the Coalition Government to inform the EU of its intention to make large, real time reductions to the UK’s future contributions to the EU’s budget and likewise respectfully requests the Borough’s 4 MPs to use their influence within the House of Commons to promote this desired outcome.”

An amendment to the Motion deleting the majority of paragraph two and all of the last paragraph from the Motion was moved and seconded.

On being put to the vote this amendment was LOST.

On being put to the vote the original Motion was CARRIED.

39 THE MAYOR’S ANNOUNCEMENTS

The Mayor thanked those Councillors who represented the Borough at the Remembrance Sunday Services and also those who had attended the various services throughout the Borough.

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He also thanked those Councillors who had supported his Charity Appeal to date and members of the golf, cricket and bowls team, together with their Captains.

Dates for the diary:

The annual Staff Carol Concert would be held in the Council Chamber on Friday 14th December at 11.00 a.m. and all were welcome to attend.

A Charity Indian Evening would take place at the Cinnamon Culture on Wednesday 16th January 2013 and a Quiz Evening on Friday 8th February 2013.

Further details would be circulated nearer the time.

The Meeting ended at 10.26 pm

Mayor