

**EXECUTIVE AND RESOURCES
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 13 November 2013

Present:

Councillor Eric Bosshard (Chairman)
Councillors Nicholas Bennett J.P., Brian Humphrys,
William Huntington-Thresher, Russell Mellor (Vice-
Chairman), Nick Milner, Tom Papworth, Ellie Harmer,
Peter Fookes, Tony Owen, Ian F. Payne,
Neil Reddin FCCA, Pauline Tunnicliffe, Will Harmer and
Kate Lymer

Also Present:

Councillor Stephen Carr, Councillor Graham Arthur,
Councillor Peter Dean, Councillor Robert Evans and
Councillor Richard Scoates

**397 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
 SUBSTITUTE MEMBERS**

Apologies were received from Councillor David Hastings.

398 DECLARATIONS OF INTEREST

As a member of the Board of Penge Churches Housing Association,
Councillor Peter Fookes declared a personal interest in items 8 and 9 of the
Executive agenda.

Councillor Nicholas Bennett J.P. also declared a personal interest in the same
items as a member of the Regional Board of Affinity Sutton.

**399 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE
 PUBLIC ATTENDING THE MEETING**

No questions had been received, but the Chairman allowed Mrs Marie
Pender, Chair of the West Beckenham Residents Association, to make a brief
presentation to the Committee concerning the former public toilets at Elmers
End (item 14a of the exempt part of the agenda).

Mrs Pender explained that the building was in the centre of designated Urban
Open Space. It was a focus of Elmers End having stood on a triangle of land

for a number of years. A commercial enterprise was not wanted for the public space. There could be long term financial risks if the building was sold to a private buyer; the building could be sold on and there would be a sole reliance upon planning considerations to influence any future use.

In the event that a purchaser was not successful in gaining planning permission, Mrs Pender questioned who might be liable for the site, suggesting the Council would have costs for work to clear a derelict building. She also questioned how any shops or offices with obtrusive signing could support recreational purposes.

There were already a number of restaurants, cafes and take away food outlets nearby. There was a desire to see the land remain green. Mrs Pender recommended that the building be demolished and the green provided with flower beds.

Responding to a question from Councillor Will Harmer, Mrs Pender suggested that residents would consider potential uses other than a café or offices. She was particularly concerned that customers of a café would spill out on to the green.

Following Mrs Pender's presentation the Chairman permitted Councillor Dean to make a statement.

Councillor Dean explained that the site was not at the edge of the green belt or on a high street, but rather positioned on a triangular piece of land, large enough to be considered a park. If sold, the site would need change of use consent, and if granted, Councillor Dean was concerned for what might be provided in future. There were also a number of issues to consider with a change of use e.g. highways and the safety of pedestrians crossing to any commercial premises. There would also be loss of amenity and loss of prospect. He felt that a sale of protected land would set a precedent for L B Bromley, adding that numerous local residents opposed a sale. He felt that to sell would be a betrayal of trust.

Councillor Bennett referred to public conveniences being on the site with no highway issues. He suggested the position would be no different with commercial premises. Councillor Will Harmer suggested there might be an opportunity for a restaurant, so attracting more people to the site as a park area.

The Chairman highlighted that Councillor Phillips had written objecting to any sale of the site. This included concerns about access to green space and traffic hazards should there be commercial premises. She favoured demolition of the building and a return to open space. If the site were sold it would then, effectively, be outside of Council control with a risk that there could be a derelict building.

Councillor Milner was also concerned that the Council would lose control of the site if sold - particularly the freehold which he felt was not suitable for

disposal. He would be prepared to consider a leasehold arrangement if the Council could exercise control. He suggested having a sponsored flower bed at the site.

The Chairman advised that Councillor Lynch had also written opposing a sale which included highway safety concerns. Local residents were opposed to a sale and a sale would also set a precedent.

Councillor Bennett asked if there was a difference in receipt by selling the site as freehold compared to having a 999 year lease. In response, it was considered acceptable to offer on a long lease; if a bid was unconditional, it would be a mismatch. It was possible to put a covenant on freeholds and restrictions could be applied on leasehold. A design would need to be appropriate to achieve planning permission on change of use.

400 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETING HELD ON 10TH OCTOBER 2013 (EXCLUDING EXEMPT ITEMS)

RESOLVED that the minutes of the meeting held on 10th October 2013 (excluding exempt information) be confirmed.

401 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES13196

Members noted an update on matters arising from previous meetings.

402 FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS

The Committee received the latest version of the Forward Plan of Private and Key Executive decisions as published on 22nd October 2013.

403 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

No questions had been received.

404 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following report for pre-decision scrutiny where the Resources Portfolio Holder was minded to take a decision.

404.1 Bromley Youth Employment Project: Update
Report DRR13/133

The Committee considered an update on the delivery of the Bromley Youth Employment project, being delivered by Bromley College of Further and Higher Education on behalf of the Council.

The Chairman expressed his disappointment at the poor progress made with the project.

Mr Craig Potter and Mr Vaughan Leyshon, both from Bromley College, attended the meeting to give a short presentation. Originally, the Bromley Project grant was to replace the Apprenticeship Grant for Employers (AGE grant), which was due to end in March 2013. However, the grant was extended (after the Bromley contract was granted) to 31st December 2014.

The economic situation was different when Bromley College bid for the project, with a high number of unemployed young people in the borough. There was now positive growth with employers starting to recruit again. As such, the number of unemployed had fallen and former learners were gaining employment.

For the Bromley project it was necessary to realign the minimum number of working hours with those in standard apprenticeship contracts. Some of these are 30 hours (rather than 36 hours) per week and some internship contracts are 35 hours per week.

Employers are also able to pay apprentices at the national Apprenticeship minimum wage, which is lower than the National Minimum wage set within the contract specification for the Bromley project.

An improvement was anticipated and the project was now considered sound. At the end of October it was indicated there were six apprenticeship starts and three internship starts. During November, December and January the profile was lower so providing an opportunity for Bromley College to catch up. It was possible for the College to re-design the grant to meet the aspiration for apprenticeships - approaches could be made to employers as soon as the necessary changes had been made.

As the Bromley Project appeared to compete with the more successful national provision (the AGE grant), Councillor Will Harmer suggested the Council offer to supplement the national capacity.

The specification for the project, including the minimum number of working hours, was compiled with advice from the National Apprenticeship Service. The Council's investment had been protected with payment only made on the delivery of results. Some £6k had been paid out and if all outcomes were evidenced, the Council would be liable for £30k. It was possible to make adjustments to the Contract or consider termination.

Councillor Owen questioned the value of the project. He felt it would be more worthwhile to invest in young people acquiring skills rather than invest £500k in the project.

Councillor Bennett asked for anonymous information on each internship, including whether or not the intern is a graduate and the company they are employed by.

The Chairman was concerned about the structure of the project. He felt it was necessary to better match what employers expect. He suggested giving Bromley College another opportunity and recommended the College work with the Assistant Director to re-shape the contract to make it more attractive to individuals and employers. He suggested the contract then be reviewed in three months.

RESOLVED that:

(1) the Resources Portfolio Holder be recommended to:

- **review the progress of Bromley College in delivering the project, with progress being reviewed again in three months to give adequate opportunity for the College to improve performance;**
- **reconsider project delivery if progress remains unsatisfactory at the end of the three month period; and**

(2) the College provide information on each internship, including whether or not the intern is a graduate, and the company they are employed by.

405 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report RES13197

The Committee considered the following reports on the public agenda for the meeting of the Executive on 20th November 2013.

(5) Budget Monitoring
Report RES13193

Members considered the third budget monitoring position for 2013/14 (based on expenditure and activity levels to September 2013).

Referring to Education and reductions in central government grants, the Chairman highlighted commentary that statutory functions were not appearing to decline in proportion to the number of schools maintained by the Local Authority. He encouraged members to lobby local MPs on the need for more grant if the level of statutory functions was to continue. Change was necessary either through a reduction in statutory functions or provision of adequate grant. Supporting this approach, the Leader referred to a meeting he was due to have with local MPs on 18th November.

RESOLVED that the recommendations be supported.

(6) Update on the Council's Financial Strategy 2014/15 to 2017/18
Report RES13208

Issues that would continue to shape the medium term strategy, updated to reflect latest projections to 2017/18, were outlined (the 2014/15 Local Government Financial Settlement and details such as updated information on the Council's business rate share and Council Tax base would not be available until December). A broad indication was provided of cost pressures along with an on-going need to identify savings for 2014/15 and future years.

Councillor Bennett asked that officers email the current position on reserves.

RESOLVED that the recommendations be supported.

(7) Capital Programme Monitoring – 2nd Quarter 2013/14
Report RES13207

The current position on capital expenditure and receipts was outlined following the 2nd quarter of 2013/14. Executive approval was sought to a revised Capital Programme.

RESOLVED that the recommendations be supported.

(8) Homelessness and Temporary Accommodation Budget Pressures: Homelessness (Impact of Recession/Welfare Reform) Contingency Provision Draw-down
Report CS13038

In view of current homelessness pressures, Executive approval was sought for the release of £1m set aside in central contingency against anticipated risks resulting from the impact of welfare reform and the current economic and housing climate. From a largely cost neutral budget the position had changed to one where the majority of temporary accommodation placements could now only be secured on a nightly paid basis at a net cost to the Council. Details were also provided of initiatives being pursued to reduce the rising budget pressures wherever possible.

Aware that young people could comprise a significant proportion of single clients, the Chairman linked this report to the employment benefits that could potentially be obtained from the Bromley Youth Employment project were it to be successful (minute 404a).

RESOLVED that the recommendations be supported.

(9) Approval to Draw-down the Social Housing Fraud Initiative Grant
Report CS13039

Approval was sought to draw-down ring fenced Government funding of £200k over a two year period (two instalments of £100K) to help identify and tackle incidents of social housing fraud. Draw-down of £100k was required to meet the expenditure requirement in 2013/14.

RESOLVED that the recommendations be supported.

(10) Public Health Procurement Framework
Report CS13047

Public Health Category A standard contracts covering the five key Public Health Improvement Programmes would end in March 2014. Retendering was now necessary. Details of the programmes were outlined along with their positive impact on service users. The report explained how Public Health intended to retender the services under a framework agreement allowing significant flexibility.

RESOLVED that the recommendations be supported.

(11) Adult Social Care – Impact of the Care Bill and Future NHS Funding
Report CS13049

Further information was provided on the potential impact of changes to adult social care proposed in the Care Bill, published in May 2013. The report also considered changes made necessary by the Government's proposals to further integrate health and adult social care.

To assess the impact on adult social care and address challenges arising from the Care Bill, proposals were set out for a programme of detailed modelling for which it was recommended that £216k be spent from the NHS social care funds in 2013/14 and 2014/15. Proposals from the Department of Health related to the Integration Transformation Fund were also considered in the report – the report offering a way forward to allow L B Bromley to be best placed to exploit opportunities presented by further integration with the NHS in coming years.

RESOLVED that the recommendations be supported.

(12) Children's Social Care Recruitment and Retention Strategy
Report CS13037

With the current strategy for the recruitment and retention of children's social workers in its final year of operation, comparative salaries data indicated that it was necessary for L B Bromley to continue having an enhanced employment package for qualified social workers.

The Executive was asked to agree that the current scheme be extended for the 2014/15 financial year using residual funding from the agreed recruitment and retention package and that the current scheme is extended to include the Children with Disabilities Service at an additional £7,374 per annum. The report also recommended that consideration be given to the future funding of competitive social work salaries beyond 2014/15.

In comparison with private sector practice, Councillor Lymer suggested that the Finders Fee at £250 could be regarded by staff as an insufficient incentive to market L B Bromley for qualified social work positions.

Comments were made in support of the recommendations. Councillor Tunnicliffe referred to the importance of having high quality social workers, cautioning against the authority falling back to vacancy levels experienced some three years previously. On future funding, the Chairman suggested a re-arrangement of some priorities in order to reward good performers. The Leader referred to incentivising and being market leaders. He highlighted the importance of support for the authority's young social workers.

RESOLVED that the recommendations be supported.

(13) Financial Implications of changes to the Youth Remand Framework
Report CS13030

The report outlined changes to the youth remand framework introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. It described the indicative costs arising from changes to the youth remand framework and sought approval for the Ministry of Justice youth remand grant allocation of £73,734 to be released from central contingency.

Approval was also sought to draw-down £500k set aside in central contingency to fund the anticipated volume of remand placements arising from changes to the youth remand framework.

RESOLVED that the recommendations be supported.

406 BRIEF UPDATES FROM PDS CHAIRMEN
Report RES13198

Updates from the Health Scrutiny Sub-Committee (meeting on 14th October 2013), the Care Services PDS Committee (meeting on 29th October 2013) and the Public Protection and Safety PDS Committee (meeting on 5th November 2013) were circulated to the Committee prior to the meeting.

The Education PDS Committee met the previous evening (12th November 2013) and Councillor Bennett updated Members. This included points which are briefly summarised below:

- seven Roman Catholic Primary Schools are to become academy schools (as part of a multi academy trust);
- there will be a new free school at 1 Westmoreland Road (The Bromley Bilingual Primary School);
- the Grovelands and Kingswood Pupil Referral Units are looking to convert to academy status;
- a report will be provided to Education PDS Committee on support for underperforming schools, including data on risk, and for any school with identified concerns, more detailed information will be provided to the Committee to outline areas for improvement;
- should full market testing of Bromley Adult Education College be progressed, a report on the outcome, along with a best value analysis, will be presented to the Council's Executive (via Education PDS Committee) in 2015;
- a further report on the attainment of Looked After Children, with anonymised case studies, would be provided to the next Education PDS meeting.

Concerning a new free school at 1 Westmoreland Road, the Leader explained that it was not known until the previous Friday afternoon that this would go ahead. Councillor Humphrys highlighted his understanding that there would be no playing fields at the school, a position which he was unable to support.

407 WORK PROGRAMME 2013/14
Report RES13199

The Committee received an update on its work programme for 2013/14.

Concerning the new Working Group on Council Costs, Charges, and Re-charges, the Chairman would join Councillor Bennett and Councillor Reddin on the Group. Arrangements would be made for the Group to meet before the Christmas break.

RESOLVED that the Work Programme be noted.

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

RESOLVED that the press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries
refer to matters
involving exempt information**

**409 EXEMPT MINUTES OF THE MEETING HELD ON 10TH
OCTOBER 2013**

The exempt minutes of the meeting held on 10th October 2013 were confirmed.

**410 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES
PORTFOLIO HOLDER REPORTS**

The Committee scrutinised the following proposed decisions of the Resources Portfolio Holder.

**410.1 FORMER PUBLIC CONVENIENCES, CONEY HALL, ELMERS
END AND GREEN STREET GREEN**

The Committee considered proposals for the sale of former public convenience buildings at Coney Hall, Elmers End and Green Street Green.

410.2 CROFTON HALLS (WEST) SITE, YORK RISE, ORPINGTON

Members considered proposals for the Crofton Halls (West) site at York Rise, Orpington.

**411 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
REPORTS**

Members considered the following reports for the Part 2 agenda of the Executive's meeting on 20th November 2013:

- Award of Contract for the Riverside School and
- Queen's Gardens, Bromley – proposed restaurant development

Under exempt proceedings, Members also noted the position on capital receipts in relation to the Capital Programme monitoring report at item 7 of the Executive's agenda.

The Meeting ended at 9.40 pm

Chairman