

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

Minutes of the meeting held at 7.00 pm on 12 March 2015

**Present:**

Councillor Eric Bosshard (Chairman)  
Councillors Douglas Auld, Nicholas Bennett J.P.,  
Ian Dunn, Ellie Harmer, Samaris Huntington-Thresher,  
William Huntington-Thresher, Russell Mellor,  
Keith Onslow, Tony Owen, Ian F. Payne, Chris Pierce and  
Pauline Tunnicliffe

**Also Present:**

Councillor Graham Arthur and Councillor Stephen Carr

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

Apologies for absence were received from Councillor Kate Lymer (who was replaced by Councillor Chris Pierce), Councillor Angela Wilkins and Councillor David Livett.

**124 DECLARATIONS OF INTEREST**

Councillor Keith Onslow declared that he was employed by the Royal Borough of Greenwich.

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

No questions to the Committee had been submitted.

**126 MINUTES OF THE EXECUTIVE AND RESOURCES PDS  
COMMITTEE MEETING HELD ON 4TH FEBRUARY 2015  
(EXCLUDING EXEMPT ITEMS)**

**RESOLVED** that the minutes of the meeting held on 4<sup>th</sup> February 2015 (excluding exempt information) be confirmed.

**127 MATTERS ARISING FROM PREVIOUS MEETINGS**  
Report CSD15033

The Committee received an update on matters arising from previous meetings.

**128 FORWARD PLAN OF PRIVATE AND KEY EXECUTIVE DECISIONS**

The Committee noted the Forward Plan of key and private executive decisions published on 24<sup>th</sup> February 2015.

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

Two questions for written reply had been submitted by Mrs Susan Sulis, Secretary, Community Care Protection Group – these are attached at appendix 1.

**130 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY**

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

**130.1 CAPITAL PROGRAMME MONITORING - 3ND QUARTER 2014/15 & ANNUAL CAPITAL REVIEW 2015 TO 2019**  
Report FSD15020

On 11<sup>th</sup> February 2015 the Executive had received a report summarising the current position on capital expenditure and receipts and had agreed a revised capital programme for the five year period 2014/15 to 2018/19, including changes to the capital programme for the Resources Portfolio.

**RESOLVED that the Portfolio Holder be recommended to confirm the changes to the Resources Portfolio capital programme agreed by the Executive.**

**130.2 EXTENSION TO BANKING CONTRACT**  
Report FSD15023

The Council's contract with HSBC for the provision of banking services was due to expire on 31<sup>st</sup> March 2015 and it was proposed to extend this for a further two years.

Members queried whether any banks beyond the "big four" had been considered; officers responded that at present these tended to be the only banks bidding for local authority work, but this could change in future. A member suggested that the newer banks might not have enough capital to be able to cover the scale of the Council's needs. Further information would be provided on this issue. The Committee was concerned that a decision to extend the contract without going to the market was being taken at a late stage, and, while supporting the recommendation, urged that preparation for a full tendering process should start immediately.

It was confirmed that the contract fell below the new EU threshold and probably below the old threshold.

**RESOLVED that the Portfolio Holder be recommended to agree the extension of the contract with HSBC for the provision of banking service for two years from 1<sup>st</sup> April 2015, but also to begin work on re-tendering the contract.**

## **131 SCRUTINY OF THE LEADER AND CHIEF EXECUTIVE**

### **(A) The Leader**

The Leader of the Council, Councillor Stephen Carr, attended the meeting to give an update on his work and answer questions from the Committee. Councillor Carr began by emphasising how, by front-loading budget reductions, investment and use of invest to save, Bromley was ahead of many other authorities in preparing for the funding reductions still to come. Work was continuing on baseline reviews, and both the Council and the public realised that reductions in services would be necessary. Lobbying of government would continue, particularly on issues such as removing the ring-fencing between health and care and in the field of education budgets. The Council wanted to make progress on integrating health and care and seeing genuine devolution of power to the London boroughs, and interviews had been held with potential joint venture partners. Councillor Will Harmer had been appointed as an executive assistant to help with modernising the Council and achieving channel shift so that contact with residents was on-line wherever possible.

A Member commented that Members needed to see more formal risk management documents, and consider opportunities as well as risks. Councillor Carr responded that risk was considered carefully, particularly on issues such as the creation and use of the Investment Fund, and he discussed the need for the Council to take a more commercial approach and be more imaginative about managing risk.

Councillor Carr agreed with comments that it was necessary for the public to understand the restraints on the Council's budgets and for the Council manage expectations and educate the wider public, not just the minority who turned up to the public meetings.

Councillor Carr gave an update on the situation at Crystal Palace Park. The exclusivity period with ZhongRong Group had now ended and the Council was in discussion with the GLA and other interested parties on the way forward. Substantial investment was being made with the GLA to implement six major improvement projects in the Park. There were limitations on how the Park could be developed in the Crystal Palace Act, but local residents were now enthusiastic about the possibilities for change. Improvements in the Park linked into infrastructure improvements such as the extension of Tramlink, which the Council was still pressing for.

**(B) The Chief Executive**

The Chief Executive, Doug Patterson, attended the meeting to update Members and answer questions. He summarised the budget pressures and emphasised the need for the Council to be more creative and commercial in its approach as it faced further budget reductions, and to accept the incentives to increase business rates. Officers were working on the information for Members to make the tough decisions on which services had to be withdrawn. There were immense pressures and challenges through demographics, protection of education budgets, demand for housing and care services and pressure on the PRUH. As the only democratically accountable organisation in the borough it was right that the Council had a greater say in health sector spending, but with this came huge responsibilities. At the same time, the structure of the Council as an organisation would have to change and become much smaller. The balance of staff would shift leaving only a small client-side with a centralised commissioning team – this “thin client” approach was now well-advanced in Environmental Services. It was intended that the Council would move from the Civic Centre site within three to five years and there would be more joined-up working with other boroughs.

Responding to the Chief Executive’s statement, Members made the following comments –

- The wider implications and risks of decisions about budget reductions needed to be understood.
- The talents and experience of Members needed to be utilised more, particularly in managing contracts.
- Members required a cadre of expert officers to supply the high quality reports and information they needed. The Chief Executive agreed that this needed to be looked at, and added that with fewer officers available to provide support there might also need to be changes to the way Members were organised.
- A clearer picture was needed of the Council’s minimum statutory responsibilities. There were also areas where the Council had statutory responsibilities, but not the enforcement powers to back them up. The Chief Executive informed the Committee that the Council was working on this with KPMG to try to establish a model of minimum statutory responsibilities. This was beginning to develop pictures for how individual services could look, but it was important to remember that there were many grey areas and correct process had to be followed with all decisions.
- Full integration with health should be pursued, and further discussions on how to progress this were needed. The Chief Executive stated that there were massive challenges in providing more accountability in health services, not least because of the way that the King’s Trust provided services across a number of boroughs.

- A Member asked whether there was now a model for what the Council would look like in 2018. The Chief Executive responded that it would certainly be a smaller organisation, with the current departmental structure needing to be re-packaged, but the detail depended on decisions on services and commissioning that Members would take.
- Safeguarding issues must be given priority when looking at social care budgets.
- Councillors needed to look at how they carried out their scrutiny role and how they could focus more on policy development – this was being considered by the Constitution Improvement Working Group.
- The Council needed better presentation on the difficult choices and senior officers needed to be more aware of presentational issues – the recent concerns over the BYMT funding were a good example, although it was accepted that the Council's position had been consistent throughout. It was also suggested that the public needed more information on why the Council was making particular decisions. The recent public consultation meetings had shown how much the community was beginning to understand the message about the hard choices ahead.

## **132 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee considered the following reports on the part 1 agenda for the meeting of the Executive on 24<sup>th</sup> March 2015.

### **(5) Budget Monitoring 2014/15** Report FSD15024

The Committee considered the fifth budget monitoring report for 2014/15 based on expenditure and activity levels up to the end of January 2015. The report forecast a net underspend of £478k and set out cost pressures, significant variations and early warnings. It proposed the release of £120k grant funding from Central Contingency for Helping People Home and the creation of earmarked reserves for surplus rental income generated from properties used for temporary accommodation purchased from payment in lieu funds and for the Welfare Fund. It also recommended that Council establish a Financial Planning/Risk Reserve.

The Committee discussed a number of particular spending pressures across the portfolios. There was a projected overspend on Waste Services (offset by underspends elsewhere within the portfolio) due to a decline in the tonnage of paper collected and an increase in residual waste collected. This reflected national conditions, but was possibly due to fewer newspapers being printed and an overall increase in consumption as the economy improved. Government restrictions on the use of CCTV for parking enforcement would

also have an impact on income. In Care Services, the budget position had improved slightly but further savings had to be found, because whilst the in-year cost pressures had been managed down the department still had cost pressures of £2.9m that would impact in 2015/16. Given the financial pressures over the next four years, it was important that officers managed within the overall resources available and took immediate action as overspends were highlighted. Changes in Government grant conditions made it difficult to manage pressures in the Adult Education budget, and new solutions were being sought following the ending of the market testing process.

**RESOLVED that the recommendations be supported.**

**(6) Phase 2 – Drawdown of Government (New Burdens) Grant Funding held in Contingency to Support the Local Authority in Implementing the Special Educational Needs Reforms**  
Report ED15082

The Government had provided New Burdens Grants in 2014/15 and 2015/16 to assist local authorities in meeting their statutory duties to deliver reforms in Special Educational Needs. It was proposed to carry forward an underspend in 2014/15 to 2015/16, and to approve drawdown of part of the 2015/16 grant.

The report had been supported by the Education Budget Sub- Committee on 3<sup>rd</sup> March 2015.

**RESOLVED that the recommendations be supported.**

**(7) Approval of Procurement Strategy for Basic Needs Projects**

This report had been withdrawn.

**(8) Gateway Review 0, 1 and 2 approval of 2015/16 Education Building Maintenance Budgets, Education Planned Maintenance Programme and Preferred Procurement Options**  
Report DRR15/018

The report set out the maintenance budget for education buildings and the preferred procurement option for the programme. The Government funding announcement had been later than usual, but Members complained that the report had not been scrutinised by Education PDS Committee. The Chairman indicated that there was a general need to ensure that committee reports were prepared according to deadlines.

It was confirmed that the budget would reduce as more schools moved to academy status, and only the highest priority schemes could be funded. The Chairman of the Education PDS Committee commented that the report did not provide a picture of the overall context or what local academies were receiving from the Education Funding Agency.

**RESOLVED that the recommendations be supported.**

**(9) Allocations Scheme Review**  
Report CS14125

The Executive was being asked to approve revisions to the allocations scheme to be implemented with effect from July 2015, subject to delivery from the IT systems provider of the required system changes. The proposals had been supported by Care Services PDS Committee on 4<sup>th</sup> March 2015.

A Member queried whether applicants assessed as being intentionally homeless should be placed in Band 4, even if this allowed them only a reduced priority. This would be considered. Another Member sought clarification on the Council's stance with regard to supporting private landlords.

**RESOLVED that the recommendations be supported.**

**(10) New Homes Bonus and High Street Fund Allocations**  
Report DRR15/022

The Council had been successful in submitting project proposals under the New Homes Bonus top-slice and the GLA's High Street Fund programmes, and approval was sought to add the projects to the Capital Programme and to formally request release of the top-slice funding.

**RESOLVED that the recommendations be supported.**

**(11) Passenger Transport Contract**  
Report CS14139

The current Passenger Transport Framework Agreement, used for the delivery of transport by the Special Educational Needs Transport (SENT) team, was due to expire in August 2015. The vehicle hire agreement for the delivery of the Adults Transport Service had been extended to end in November 2015. The delivery of these two services had been market tested to ascertain if significant cost savings could be realised by contracting either element or holistically delivering these services through alternative means. It was proposed to award the contract for Adults Transport Services to a single provider for a period of three years and nine months from 1<sup>st</sup> December 2015 with an option to extend for a further period of up to two years.

The proposals had been supported by the Care Services and Education PDS Committees.

**RESOLVED that the recommendations be supported.**

**(12) Joint Parking Services Contract Gateway Review**  
Report ES15020

The current parking operations and enforcement contract with Vinci Park Services expired in September 2016, coinciding with the planned end date for LB Bexley's parking contract with NSL. It was proposed to procure parking services through partnership with LB Bexley using the British Parking Association Parking Management and Associated Services Contract.

The report would be considered by the Environment PDS Committee on 17<sup>th</sup> March 2015.

**RESOLVED that the recommendations be supported.**

**(13) Variation to the Grounds Maintenance Contract to Provide a Wholly Managed Service**  
Report ES15021

The Leader indicated that he would be asking for this report to be withdrawn.

**(14) Crystal Palace Park**  
Report DRR15/020

Following the end of the exclusivity agreement with ZhongRong International Group (ZRG) it was proposed to proceed with work towards a new form of governance for the park and to proceed with six capital projects for improvements in the park in line with the Masterplan, funded by £160k in capital receipts and £2m from the GLA.

**RESOLVED that the report be considered by Renewal and Recreation PDS Committee on 18<sup>th</sup> March 2015 as a matter of urgency.**

**(15) Land known as Beckenham Green Located Between High Street and St George's Road for Registration as a Town or Village Green**  
Report CSD15041

At its meeting on 25<sup>th</sup> November 2014 the Development Control Committee had declined to register Beckenham Green as a Town or Village Green, but had referred the report to the Executive for the Council to consider voluntarily registering the land.

Councillor Russell Mellor, as ward councillor, commented that the Green was a valuable local asset and he supported voluntary registration. However, other Members of the Committee considered that there was no reason to go against the clear officer advice that the land already had sufficient protection.

**RESOLVED that the Executive be recommended not to seek voluntary registration.**



**(16) Council Motion – Petts Wood Area of Special Residential Character**  
Report SCD15039

At the full Council meeting on 23<sup>rd</sup> February 2015 a motion had been moved by Councillor Simon Fawthrop and seconded by Councillor Douglas Auld proposing an amended statement in the Unitary Development Plan to provide additional protection for the Petts Wood Area of Special Residential Character (ASRC.) The motion had been referred to the Executive for decision.

**RESOLVED that the recommendation be supported.**

**133 BROMLEY YOUTH EMPLOYMENT PROJECT – PROGRESS UPDATE**

The Committee received an update on the performance of the Bromley Youth Employment Project for the period November 2014 to the end of January 2015. The majority of performance indicators had been met and in many cases exceeded, vindicating the decision to end the previous contract with Bromley College. Performance on placing young people into contracted employment had dipped slightly, but was now improving. The target for the end of March was 30 placements; the current figure achieved had now risen to 23.

Members were informed that the Project included work to prepare young people for work in terms of attitude and expectation. Some required a lot of preparation and support. A series of employability workshops and sixth form conferences had been held. The project also involved trying to make contact with young people whose current status was not known; during this reporting period 317 doors had been knocked. It was confirmed that the gender balance of those young people assisted through the project was roughly 50:50.

The Resources Portfolio Holder commended the Project for taking a holistic approach to the issue of youth unemployment, proactively seeking out those not in education or employment, providing support to make them employable and working with schools and employers. He suggested that at a future meeting the Committee should hear from one of the young people helped through the project.

**RESOLVED that progress with the Bromley Youth Employment Project be noted.**

**134 CAPITA SECURE INFORMATION SYSTEMS CONTRACT MONITORING REPORT**  
Report CSD15044

The Committee received a monitoring report on the performance of Capita IT Enterprise Services in delivering the IT and Voice and Data Networks contracts during 2014. A representative from Capita attended the meeting to answer questions.

A Member asked for further detail on the failure to meet the KPI of completing 95% of service requests within 5 days – a more detailed breakdown of the figures would be circulated.

**RESOLVED that the contents of the report be noted.**

**135 ANNUAL POLICY DEVELOPMENT AND SCRUTINY REPORT**  
Report CSD15037

The Council's Constitution required that a report be made each year to full Council summarising the work carried out by Policy Development and Scrutiny Committees. The draft report had been circulated, but a number of Chairmen were expecting to make further changes before it was submitted to Council, and the Democratic Services Manager was asked to ensure that Chairmen were informed of the relevant deadlines.

**RESOLVED that, subject to any further amendments made by PDS Committee Chairmen, the annual Policy Development and Scrutiny report be approved for submission to full Council.**

**136 UPDATES FROM PDS CHAIRMEN**  
Report CSD15035

An update had been circulated regarding the joint Education/Care Services PDS Committee hearing into Child Safeguarding on 25<sup>th</sup> February 2015. This is attached as appendix 2 to these minutes.

**137 WORK PROGRAMME**  
Report CSD15035

The Committee received an update on its work programme. The Chairman suggested that another Members' Finance Seminar should be held, possibly in July.

As this was the last meeting of 2014/15, the Chairman thanked Members and officers for their work on the Committee throughout the year.

**138 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**

**139 EXEMPT MINUTES OF THE MEETING HELD ON 4th  
FEBRUARY 2015**

The exempt minutes of the meeting held on 4<sup>th</sup> February 2015 were confirmed.

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

The Committee scrutinised reports on the Executive's agenda for the meeting on 24<sup>th</sup> March 2015 concerning Site G, Revised Development Options, Civic Centre for the Future, Housing Zone Bid, Update on Education Services Market Testing, Authorisation for Award of Contract for Alternative Provision, Special Educational Needs and Children's Transport Contract award, Passenger Transport Contract, Gateway Review – Procurement Strategy for Supported Living learning Disability Schemes and Lease Car Procurement.

The Meeting ended at 9.40 pm

Chairman

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## EXECUTIVE & RESOURCES PDS COMMITTEE

12<sup>th</sup> March 2015

### PUBLIC QUESTIONS TO THE RESOURCES PORTFOLIO HOLDER

1. **From Susan Sulis, Secretary, Community Care Protection Group**

FREEDOM OF INFORMATION ACT REQUESTS: PERFORMANCE MONITORING & REPORTING.

- (a) By department, how many FOI requests have been:-
  - (i) received since 01.04.14?
  - (ii) refused?
  - (iii) responded to with information within the statutory 20 working days?
  - (iv) ignored?
- (b) Which Chief Officer is responsible for monitoring performance in responding to requests?
- (c) Are planning documents, plans etc, prior to 1948 excluded from the FOI Act?

**Reply:**

(a) Figures based on 1<sup>st</sup> April 2014 to 28<sup>th</sup> February 2015, and including Data Protection Act and Environmental Information Regulations requests -

|       | Chief Executive's Department | Education, Care & Health Services Department | Environment & Community Services Department |
|-------|------------------------------|--|---|
| (i)   | 518                          | 317  | 718   |
| (ii)  | 15                           | 0  | 0   |
| (iii) | 269*                         | 308*   | 559*  |
| (iv)  | 0                            | 0  | 0   |

\* where exemptions to disclosure are potentially engaged, it is permissible for the response period to exceed 20 working days.

- (b) All Directors under the oversight of the Director of Corporate Services
- (c) No

**2. From Susan Sulis, Secretary, Community Care Protection Group**

BROMLEY'S 'CUSTOMER SERVICES CHARTER' AND 'CUSTOMER PROMISE'.

The Chief Executive, Doug Patterson, published the Council's 'Customer Service Charter'. This gave 'Customer Promises' that, letters would be acknowledged; ideally, full answers given within 5 working days etc; and responses would be written in a 'clear, concise and easy to understand way'.

(a) Has this Charter been abandoned?

**Reply:**

No

**EXECUTIVE & RESOURCES PDS COMMITTEE**

**12<sup>th</sup> March 2015**

**UPDATES FROM PDS CHAIRMEN**

**Joint meeting of the Education and Care Services PDS Committees  
Select Committee hearing into Child Safeguarding  
25<sup>th</sup> February 2015**

1. Following the successful hearing on May 7<sup>th</sup> 2013 a further joint meeting of the two PDS committee was held on February 25<sup>th</sup>.

The objective of the meeting was: *“To scrutinise the arrangements, organisational structures, and procedures and processes of the Council and partner organisations with regard to child safeguarding to ensure there is clear cooperation, no unnecessary duplication and effective management and supervision of frontline staff.”*

2. Evidence was taken from the following witnesses:
  - ✓ Helen Davies, Independent Chair, Bromley Safeguarding Children Board (BSCB);
  - ✓ Terry Parkin, Executive Director: Education, Care and Health Services;
  - ✓ Detective Chief Inspector Kevin Clarke, Metropolitan Police;
  - ✓ Sonia Colwill, NHS Director of Quality, Governance and Patient Safety.
3. The areas examined by the joint meeting included:
  - Interaction between the BSCB and other strategic boards in Bromley;
  - BSCB work with schools;
  - attendance at BSCB meetings by other agencies;
  - cause of the increase in child protection allegations made against professionals working with children;
  - source and number of referrals made to Multi-Agency Safeguarding Hub;
  - definition of ‘missing children’;
  - monitoring of elective home education by Local Authority;
  - action by LA to target truancy;
  - duty of academies and free schools to notify LA of any child they intend to remove from roll;
  - ensuring adequate number of high quality children’s social workers;

- increase in number of children subject to child protection plans;
- action to stop young people sharing explicit personal photographs via the internet;
- protection of children in homes with domestic violence;
- tackling violent extremism;
- Female Genital Mutilation;
- self harm;
- child deaths,
- gang activity;
- Tackling Troubled Families Initiative;
- child safeguarding in private fostering arrangements;

4. Cllr Stephen Carr, who had attended the meeting, as Lead Member for Children's Services, joined the witnesses for a panel question and answer session and outlined his role and that of the Children's Board which had been established to support him in undertaking his work as Lead Member.

5. The Joint Committee resolved the following:

**In considering the assurance arrangements in Bromley, Members agreed that the arrangements were satisfactory but noted that some organisations on the Safeguarding Board were not represented for several meetings as a result of staff turnover and that when a representative was sent they were sometimes not of sufficient seniority, the committee believes that the Board should address this issue as soon as practicable.**

**Cllr Nicholas Bennett JP  
Chairman  
Joint Meeting**