

**TO MEMBERS OF THE COUNCIL**

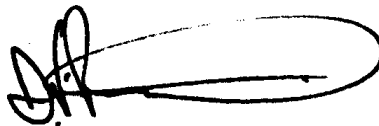
**Notice is hereby given that a meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Wednesday 13 May 2015 at 6.30 pm which meeting the Members of the Council are hereby summoned to attend.**

**Prayers**

**A G E N D A**

- 1 To elect the Mayor of the Borough  
*The Mayor to make and deliver the statutory Declaration of Office.*
- 2 To record the appointment of the Deputy Mayor signified to the Council in writing.
- 3 To confirm the minutes of the ordinary Council meeting on 23rd February 2015 and the special Council meeting on 25th March 2015. (Pages 3 - 90)
- 4 To receive an address from the Leader of the Council if they so elect.
- 5 To appoint Committees and their Chairmen and Vice-Chairmen and agree proportionality (Schedule to follow)
- 6 To receive the Scheme of Delegation of Executive Functions from the Leader of the Council and to approve the Scheme of Delegation of Non-Executive Functions and to deal with minor constitutional change if any. (Pages 91 - 178)
- 7 To receive the report on Councillor Attendance in 2014/15 (Pages 179 - 182)
- 8 To receive reports from Councillors attending outside bodies during 2014/15 (Pages 183 - 188)
- 9 The Mayor's announcements and communications.

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**Chief Executive**

**BROMLEY CIVIC CENTRE  
BROMLEY BR1 3UH  
Tuesday 5 May 2015  
Vol.52 No.1**

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## LONDON BOROUGH OF BROMLEY

### MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.00 pm on 23 February 2015

Present:

**The Worshipful the Mayor  
Councillor Julian Benington**

**The Deputy Mayor  
Councillor Kate Lymer**

#### Councillors

Graham Arthur	Charles Joel	Teresa Ball
Douglas Auld	Russell Mellor	Kim Botting
Kathy Bance MBE	Alexa Michael	Kevin Brooks
Nicholas Bennett J.P.	Peter Morgan	Lydia Buttinger
Ruth Bennett	Tony Owen	David Cartwright
Eric Bosshard	Ian F. Payne	Alan Collins
Katy Boughey	Sarah Phillips	Mary Cooke
Stephen Carr	Neil Reddin FCCA	Ian Dunn
Peter Dean	Catherine Rideout	Hannah Gray
Judi Ellis	Charles Rideout	David Livett
Robert Evans	Richard Scoates	Terence Nathan
Simon Fawthrop	Colin Smith	Angela Page
Peter Fookes	Diane Smith	Tom Philpott
Peter Fortune	Tim Stevens	Chris Pierce
Ellie Harmer	Michael Tickner	Michael Rutherford
Will Harmer	Pauline Tunnicliffe	Melanie Stevens
William Huntington-	Michael Turner	Angela Wilkins
Thresher	Stephen Wells	Richard Williams
David Jefferys	Vanessa Allen	

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor Julian Benington

#### **59 Apologies for absence**

Apologies for absence were received from Councillors Nicky Dykes, Samaris Huntington-Thresher and Keith Onslow. Apologies for lateness

were received from Councillors Peter Dean, Peter Fookes and Michael Rutherford.

**60            Declarations of Interest**

Councillor Peter Morgan declared an interest as his daughter was a Director of Kier Group plc.

**61            To confirm the Minutes of the meeting of the Council held on 8th December 2014**

The minutes of the meeting held on 8<sup>th</sup> December 2014 were confirmed.

**62            Petitions**  
Report CSD15020

Two petitions had been received asking the Council to (i) keep the Bromley Museum at the Priory in Orpington with its collection intact and (ii) not sell the Priory building. Both petitions were above the threshold that allowed the lead petitioner to address the Council, but in view of the recent decision by the Executive both petitioners had decided to defer their right to speak.

A third petition that met the threshold for consideration at Council had been received opposing the closure of the public toilets in Beckenham High Street. Ruth Fabricant addressed the meeting in support of the petition.

A motion to take no further action on the petition was moved by Councillor Colin Smith and seconded by Councillor William Huntington-Thresher and **CARRIED.**

**63            Questions from members of the public where notice has been given.**

Seven questions for written reply had been received from members of the public. These are set out in Appendix A to these minutes.

**64            Oral questions from Members of the Council where notice has been given.**

Twelve questions had been received from members of the Council. These are set out in Appendix B to these minutes.

**65            Written questions from Members of the Council**

Twenty three questions for written reply had been received. These are set out in Appendix C to these minutes.

**66 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.**

**(A) Leader of the Council**

A statement was made by Councillor Stephen Carr on the future of Bromley Youth Music Trust (BYMT). He started by saying that the Council acknowledged that BYMT had a musical track record perhaps second to none across the UK, but in the light of the financial challenges faced by the Council over the last few years and significantly to come in the future, it had to consider all non-statutory spending. BYMT had fully acknowledged the position the Council found itself in, and during recent discussions which culminated today a joint way forward had been found. Bromley Council had agreed to make £153,000 of funding available to BYMT in the civic year 2015/16, as well as maintaining support through the provision of premises which contained twelve classrooms and a large hall at their headquarters in Southborough Lane until at least 2017. The Leader knew that BYMT was highly valued in the borough and the Council wanted to continue to support the work of the Trust, but in the current challenging financial climate it no longer seemed appropriate to do so through the Council's revenue budget. The Council would, however, continue to work with BYMT to help identify and secure income from other sources such as the Arts Council, schools and potential commercial sponsors. The Leader was confident that this joint solution would help BYMT remain a jewel in the crown well into the future.

**(B) Portfolio Holder for Environment**

Councillor Colin Smith made brief statement on the recent Transport for London (TfL) consultation on the potential extension of the Bakerloo line to Hayes. He referred to an exchange of correspondence with TfL, copies of which had been circulated. He welcomed investment in public transport improvements in south-east London and north-west Kent and explained that the council was broadly supportive of the extension of the Bakerloo line to Lewisham, but not an extension to Hayes which would see the existing national rail lines subsumed by the Bakerloo Line extension and the ultimate loss of direct connectivity to London Bridge, Cannon Street and Charing Cross. However, should it be possible to bring the Bakerloo Line to Bromley town centre via New Beckenham without the loss of any of the existing rail services then the Council could be prepared to support this in principle.

Councillor Nicholas Bennett asked the Portfolio Holder whether he was aware that the West Wickham ward councillors had carried out a survey of all residents in West Wickham, with a result of four to one against the proposal, not just because of the loss of connections but also replacing full size trains with smaller tube trains. He also asked for clarification on the "New Cross option" mentioned in the correspondence with TfL. Councillor Smith agreed that he was aware that colleagues in other wards had carried out similar surveys with similar results. Residents had bought their houses

specifically for the links to central London and they did not want a less reliable and more overcrowded service. It was also important that as Londoners paying the second highest precept in the city it was unfair that TfL was trying to clear track space at London Bridge in favour of travellers from further out at the expense of Hayes Line residents. He confirmed that if the DLR could not be extended to Bromley then the Council would probably support the extension of Overground Services from New Cross to Bromley North.

Councillor Neil Reddin stated that surveys in Hayes and Coney Hall showed similar levels of opposition to the extension to Hayes, although there was some support for the extension as far as Lewisham. Opposition focused on loss of direct services but also the potential development pressure that would result. The incredulity of people in Lewisham to the reluctance of people in Bromley to be on the tube indicated different outlooks in inner and outer London that TfL should take account of. Councillor Smith agreed that Bromley residents did not want an inner London style of living forced upon them.

### **(C) Portfolio Holder for Public Protection and Safety**

Councillor Tim Stevens made statement about a raid carried out by Bromley Trading Standards and the Police on the Skunkworks shop in Orpington on Friday 13<sup>th</sup> February 2015 using new legislation for the first time. The raid was carried out following a number of complaints about the legal highs the shop was selling and related anti-social behaviour. There had been concern about the number of young people found in possession of legal high drugs and medical emergencies relating to their use. A suspected illegal pit-bull terrier and quantities of legal high drugs had been seized. Staff had been questioned and a warning had been issued to the business under the new legislation.

Councillor Stevens thanked Councillor Owen and the Orpington ward councillors for bringing this to his attention and Jo Johnson M.P. who had promised to talk to ministers about tightening up the legislation. He also paid tribute to Rob Vale and the Trading Standards team and the Police licensing officer Jonathan Booth for this outstanding piece of work, which showed that these businesses were not welcome in the borough.

### **67            **Budget (Revenue and Capital) and Council Tax setting - to consider the recommendations of the Executive from the meeting on 11th February 2015****

#### **(A) 2015/16 Council Tax**

The Director of Finance circulated supplementary information and amended recommendations. There were no changes to the final Mayoral precept accepted by the London Assembly on 23rd February 2015.

On 18<sup>th</sup> February 2015 the Environment Portfolio Holder had considered a report entitled “Revision to Kerbside Paper Collection Service”. Minutes of the meeting were circulated. Council was requested to approve an allocation of £558k from overall underspends in the Council’s 2014/15 Central Contingency sum for the purchase of three split bodied vehicles as detailed in recommendation 2.4 below.

“The above changes required the following amendments to be made to the recommendations of the Executive:

Amended Recommendation (2.1)

- (g) sets a 1.99% increase in Bromley’s council tax for 2015/16, compared with 2014/15, and a 1.34% reduction in the GLA precept;
- (h) notes the final position on the GLA precept, as accepted by the London Assembly on 23rd February 2015;

Amended Recommendation (2.2)

Council Tax 2015/16 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (j) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2014/15 £	2015/16 £	Increase/decrease (-) %
Bromley	1,010.07	1,030.14	1.99
GLA	299.00	295.00	-1.34
Total	1,309.07	1,325.14	1.23

Amended Recommendation (2.3)

- (iv) to note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council’s area as indicated in the table below.

Additional Recommendation (2.4)

- (i) Council approve an allocation of £558k from overall underspends in the Council’s 2014/15 Central Contingency Sum for the purchase of three split-bodied vehicles.”

In addition, the following amendments were moved by Councillor Stephen Carr, seconded by Councillor Colin Smith and **CARRIED**.

“The following changes be made to the recommended budget for 2015/16:

Recommendation 2.1:

- (b) approve the draft revenue budgets for 2015/16 with the following amendments:
  - (i) agree that a sum of £77k be set aside from 2014/15 underspends as an earmarked reserve to contribute towards the funding of Bromley Youth Music Trust in 2015/16 to enable the savings in the 2015/16 and future years budgets to be realised.

Recommendation 2.3:

- iii) that the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
  - (a) £560,423k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) £431,522k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.”

A motion to receive and adopt the recommendations as amended was moved by Councillor Steven Carr and seconded by Cllr Colin Smith.

The following amendment was moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn, and a spreadsheet summarising the proposed savings options was circulated.

“After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 55-96.

The following changes be made to the recommended budget for 2015/16:

Recommendation 2.1:

- (b) approve the draft revenue budgets for 2015/16 with the following amendments:
  - (i) that the following revenue savings in 2015/16 do not proceed:
    1. total of £1,865k in 2015/16 as marked Recommendation 1 in the spreadsheet (lines 9,12,15, 21, 28, 29, 30, 37, 46, 48, 51, 53, 54, 59, 60, 61, 62, 63, 64, 70, 72, 73 and 74);



2. total of £1,283k in 2015/16 as marked Recommendation 2 in the spreadsheet (lines 33, 47, 49, 50, 52, 55, 56, 57, 65 and 76);
3. line 66 of savings options totalling £202k in 2015/16 - cease funding for BME groups. Ethnic Comms Programme/Somali women and men, BACA, Pineapple club (£111k). Keyring service (£91k);
4. line 71 of savings options totalling £230k in 2015/16 – Bromley Youth Music Trust.

(ii) agree the utilisation of funding as follows:

- a sum of £2m is set aside from underspends in 2014/15 as an earmarked reserve to contribute towards the budget shortfall in 2015/16;
- the balance of £1,580k be utilised from general fund balances in 2015/16 to support the revenue budget.

(iii) We note that work is ongoing on proposals for use of at least £3m of the PIL funds namely the Bromley Town Centre Housing Zone Bid. We hope that this is successful and would further urge that every effort is then made to expedite this project as soon as possible.

Bromley needs housing, whether affordable, supported, for purchase or rent, or otherwise e.g. respite/care homes, to reduce the housing register, reduce spend on emergency accommodation, and also to help people who are in substandard or unsuitable housing.

On the basis of the above, Council are requested to agree that the sum of £4.4m of New Homes Bonus set aside to increase the Council's investment Fund in 2015/16 Budget instead be invested in the construction of affordable and social housing.

Recommendation 2.3:

(iii) that the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

- (a) £563,776k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
- (b) £434,875k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.”

**On being put to the vote, this amendment was LOST.**

The following amendment was moved by Councillor David Livett and seconded by Councillor Terence Nathan.

“After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 55-96.

The following changes be made to the recommended budget for 2015/16:

Recommendation 2.1:

- (b) approve the draft revenue budgets for 2015/16 with the following amendments:
  - i. agree a council tax freeze in 2015/16 resulting in reduced income from council tax of £2,511k offset by council tax freeze grant of £1,391k (net loss of income £1,120k);
  - ii. increased income from interest on balances of £659k (from £2,741k to £3,400k);
  - iii. closure of garden satellite sites at start of year £190k (includes additional income of £65k from extra wheelie bin sales) [line 35 of saving options];
  - iv. reduction in basic Member allowances of £57k;
  - v. increase in Mayoral allowance of £6k;
  - vi. committee structure to be re-instated providing a saving of £110k;
  - vii. the 2015/16 Central Contingency Sum be reduced by £110k.
- (e) approve a revised Central Contingency sum of £13,707k to reflect the changes in (b) and (d);
- (g) set a nil variation in Bromley’s council tax for 2015/16 compared with 2014/15 and a 1.34% reduction in the GLA precept.

Recommendation 2.2:

Council Tax 2015/16 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (j) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2014/15 £	2015/16 £	Increase/decrease (-)%
Bromley	1,010.07	1,010.07	0.00
GLA	299.00	295.00	-1.34
Total	1,309.07	1,305.07	-0.31

Recommendation 2.3:

- (ii) calculate that the Council Tax requirement for the Council's own purposes for 2015/16 is £126,390k;
- (iii) that the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
  - (a) £559,950k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) £433,560k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £126,390k being the amount by which the aggregate at (iii) (a) above exceeds the aggregate at (iii) (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
  - (d) £1,010.07 being the amount at (iii) (c) above, divided by (i) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- (v) that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings.

LONDON BOROUGH OF BROMLEY

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
673.38	785.61	897.84	1,010.07	1,234.53	1,458.99	1,683.45	2,020.14

GREATER LONDON AUTHORITY

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
196.67	229.44	262.22	295.00	360.56	426.11	491.67	590.00

AGGREGATE OF COUNCIL TAX REQUIREMENTS

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
870.05	1,015.05	1,160.06	1,305.07	1,595.09	1,885.10	2,175.12	2,610.14

- (vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2015/16, which reflects a nil increase, is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2015/16 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2015/16. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.”

**On being put to the vote, this amendment was LOST.**

**Accordingly, the recommendations of the Executive (as amended) were CARRIED as follows -**

**(1) Council -**

- (a) **approves the schools budget of £99.1 million which matches the estimated level of Dedicated Schools Grant (DSG);**
- (b) **approves the draft revenue budgets (as at Appendix 2 to Report FSD15009) for 2015/16 to include the following updated changes -**
- (i) **a sum of £77k be set aside from 2014/15 underspends as an earmarked reserve to contribute towards the funding of Bromley Youth Music Trust in 2015/16 to enable the savings in the 2015/16 and future budgets to be realised.**
- (ii) **additional core grant funding of £202k in 2015/16**
- (iii) **reduction in Discretionary Housing payments funding from £683k in 2014/15 to £509k in 2015/16 (variation of £174k), with a corresponding reduction in the Discretionary Housing Payments in the 2015/16 Budget;**
- (c) **agrees that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise any proposed savings reported to the previous Executive meeting;**

- (d) approves the following provisions for levies for inclusion in the budget for 2015/16 -

	£'000
London Pension Fund Authority	475
London Boroughs Grant Committee	340
Environment Agency (Flood defence etc)	236
Lee Valley Regional Park	376
<b>Total</b>	<b>1,427</b>

- (e) approves a revised Central Contingency sum of £13,817k to reflect the changes in (b) and (d);
- (f) approves the revised draft 2015/16 revenue budgets to reflect the changes detailed above;
- (g) sets a 1.99% increase in Bromley's council tax for 2015/16, compared with 2014/15, and a 1.34% reduction in the GLA precept;
- (h) notes the final position on the GLA precept, as accepted by the London Assembly on 23<sup>rd</sup> February 2015;
- (i) approves the approach to reserves outlined by the Director of Finance (see Appendix 4 to Report FSD15009);
- (j) the Director of Finance be authorised to report any further changes directly to Council on 23rd February 2015.
- (2) Council Tax 2015/16 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011) -

Subject to (1) (a) to (j) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2014/15 £	2015/16 £	Increase/decrease (-) %
<b>Bromley</b>	1,010.07	1,030.14	1.99
<b>GLA</b>	299.00	295.00	-1.34
<b>Total</b>	<b>1,309.07</b>	<b>1,325.14</b>	<b>1.23</b>

- (3) Council formally resolves as follows:

- (i) it is noted that the Council Tax Base for 2015/16 is 125,130;
- (ii) calculates that the Council Tax requirement for the Council's own purposes for 2015/16 is £128,901k;

(iii) that the following amounts be calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act) -

(a) £560,423k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act;

(b) £431,522k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;

(c) £128,901k being the amount by which the aggregate at (iii) (a) above exceeds the aggregate at (iii) (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year;

(d) £1,030.14 being the amount at (iii) (c) above, divided by (i) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year;

(iv) to note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below;

(v) that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings.

**LONDON BOROUGH OF BROMLEY**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
686.76	801.22	915.68	1,030.14	1,259.06	1,487.98	1,716.90	2,060.28

**GREATER LONDON AUTHORITY**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
196.67	229.44	262.22	295.00	360.56	426.11	491.67	590.00

**AGGREGATE OF COUNCIL TAX REQUIREMENTS**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
883.43	1,030.66	1,177.90	1,325.14	1,619.62	1,914.09	2208.57	2,650.28

**(vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2015/16, which reflects a 1.99% increase, is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2015/16 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2015/16. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.**

**(4) Council approves an allocation of £558k from overall underspends in the Council's 2014/15 Central Contingency Sum for the purchase of three split bodied vehicles.**

The following Members voted in favour of the motion –

Councillors Graham Arthur, Douglas Auld, Teresa Ball, Nicholas Bennett, Ruth Bennett, Eric Bosshard, Kim Botting, Katy Boughey, Lydia Buttinger, Stephen Carr, David Cartwright, Alan Collins, Mary Cooke, Peter Dean, Judi Ellis, Robert Evans, Simon Fawthrop, Peter Fortune, Hannah Gray, Ellie Harmer, Will Harmer, William Huntington-Thresher, David Jefferys, Charles Joel, Kate Lymer, Russell Mellor, Alexa Michael, Peter Morgan, Tony Owen, Angela Page, Ian Payne, Sarah Phillips, Tom Philpott, Chris Pierce, Neil Reddin, Catherine Rideout, Charles Rideout, Michael Rutherford, Richard Scoates, Colin Smith, Diane Smith, Melanie Stevens, Tim Stevens, Michael Tickner, Michael Turner, Pauline Tunnicliffe and Stephen Wells.

The following Councillors voted against the motion –

Councillors Vanessa Allen, Kathy Bance, Kevin Brooks, Ian Dunn, Peter Fookes, David Livett, Terence Nathan, Angela Wilkins and Richard Williams.

The Mayor, Councillor Julian Benington, abstained.

(During consideration of this item Council agreed to suspend Council Procedure Rule 8 to allow the meeting to continue beyond three hours.)

### **(B) Capital Programme**

A motion to include new scheme proposals supported by Chief Officers in the Capital Programme and add an additional £15m to the Council's Investment Fund in the 2016/17 Capital Programme to be funded by capital receipts was moved by Councillor Stephen Carr, seconded by Councillor Colin Smith and **CARRIED**.

**68 Establishment of Health and Social Care Integrated Commissioning Fund**  
Report CSD15029

A motion to set aside a sum of £4.5m as an earmarked reserve known as the "Health and Social Care Integrated Commissioning Fund" as recommended by the Executive was moved by Councillor Robert Evans, seconded by Councillor Stephen Carr and **CARRIED**.

**69 Refurbishment of Beacon House**  
Report CSD15027

A motion to add the refurbishment of Beacon House to the Capital Programme as recommended by the Executive was moved by Councillor Stephen Wells, seconded by Councillor Stephen Carr and **CARRIED**.

**70 Treasury Management - Annual Investment Strategy**  
Report CSD15021

A motion to adopt the Treasury Management Statement and Annual Investment Strategy for 2015/16 including the prudential indicators and Minimum Revenue Provision policy statement was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr and **CARRIED**.

**71 2015/16 Pay Award**  
Report CSD15025

A motion to approve a flat rate pay increase of 1.2% for all staff (excluding teachers) as recommended by General Purposes and Licensing Committee was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

**72 Pay Policy Statement 2015/16**  
Report CSD15026

A motion to approve the 2015/16 Pay Policy Statement and establish a Chief Executive's Appraisal and Pay Committee as recommended by General Purposes and Licensing Committee was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

**73 Members' Allowances Scheme 2015/16**  
Report CSD15022

A motion to approve the Members' Allowances Scheme and Mayoral and Deputy Mayoral Allowances 2015/16 with allowances remaining at the current level, as recommended by General Purposes and Licensing Committee but deleting paragraph 8 and re-numbering the remainder of the scheme accordingly, was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.



**74            Local Pension Board**  
Report CSD15023

A motion to amend recommendation (v) (b) in the report so that Council employees should have the right to elect their representatives on the Pension Board was moved by Councillor Ian Dunn and seconded by Councillor Angela Wilkins. The amendment was **LOST**.

A motion to approve the recommendation from General Purposes and Licensing Committee to establish a Local Pension Board and agree its composition and terms of reference was moved by Councillor Tony Owen, seconded by Councillor Simon Fawthrop and **CARRIED**.

**75            Committee Membership**

A motion to approve the following changes to committee memberships was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

- Councillor Douglas Auld to replace Councillor Will Harmer on Executive and Resources PDS Committee.
- Councillor Kathy Bance to replace Councillor Peter Fookes on General Purposes and Licensing Committee.
- Councillor Ian Dunn to replace Councillor Peter Fookes on Executive and Resources PDS Committee.
- Councillor Kevin Brooks to replace Councillor Peter Fookes on Care Services PDS Committee

**76            To consider Motions of which notice has been given.**

The following motion on the Petts Wood Area of Special Character (ASRC) was moved by Councillor Simon Fawthrop and seconded by Councillor Douglas Auld. The motion had been slightly amended in the first line by Councillor Fawthrop to refer the matter to the Executive.

“This Council recommends to the Executive that the existing statement in the Unitary Development Plan (UDP) in relation to the Petts Wood Area Of Special Character (ASRC) should be supplemented with the following updated statement which should also form the basis of any descriptions within the Local Development Framework (LDF) including any future reports to Development Control Committee. This supplement should take place with immediate effect, subject to any statutory or technical considerations, which should be expedited.

### **1.3 Petts Wood Supplement to the Descriptions in the UDP:**

*The original plans for Petts Wood date from the late 1920s and early 1930s. While Houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact. Within the overall area the Conservation Areas of the Chenies and Chislehurst Road already stand out.*

*The plots were originally designed on the garden suburb principle by developer Basil Scruby, with large plot sizes spaciouly placed. The characteristics of the Petts Wood ASRC include an open feel, predicated by low boundaries and visible front gardens, set back from the road; there is also spaciousness between the houses which is of a superior standard. This allows many of the trees and greenery which prevails throughout the area to be seen from the street scene giving the area its open and semi- rural feel in line with the garden suburb principle. This open and suburban aspect of the area underlines the special characteristic of the area. Development which erodes this special character will be resisted.*

*The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature.*

*The front building and rear building lines are also of importance in defining the area. The buildings are of a 1930s design, for example some built by the distinguished designer Noel Rees, which adds to the character of the area. Whilst there have been some changes post war this design aspect of the area remains intact and future development should respect this characteristic. The front roof lines are also of a nature which enhances the characteristic of the area being largely untouched by roof extensions and conversions at the front.*

*The plot sizes and rear gardens are mostly of a size which is commensurate with the Garden Suburb principle and this characteristic also forms part of the amenity value which makes the area special.*

*When considering future development within the Petts Wood ASRC, the main focus will be on the impact of any proposed development on the ASRC, taking into account the design and spatial standards including the low density of existing development. Proposals which undermine the character, rhythm, symmetry and spatial standards of the area will be resisted. Likewise new dwellings proposed on gardens and infill will also be strongly resisted. In this context special is used in the dictionary sense to*

*mean distinguished from others of the same category, because it is in some way superior or held in particular esteem.”*

The motion was **CARRIED**.

**77 The Mayor's announcements and communications.**

The Mayor thanked all those who had attended the Boxing Dinner on Friday 23<sup>rd</sup> January and the BYMT Concert at Langley Park Centre for the Performing Arts on Thursday 12<sup>th</sup> February. Both events were extremely successful and raised significant sums of money for the Mayor's charities. The Quiz evening on 20<sup>th</sup> February had also been an enormous success, and the Mayor thanked Councillor Ian Payne for hosting the event.

The Mayor advised Members of the following events -

- A charity preview of Alan Ayckbourn's "A Chorus of Disapproval" at Bromley Little Theatre on Thursday 12<sup>th</sup> March.
- The House of Commons Dinner with Tour on Friday 13<sup>th</sup> March.

The Meeting ended at 10.45 pm

Mayor

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**COUNCIL MEETING**

**23<sup>rd</sup> FEBRUARY 2015**

**QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY**

**(1) From Colin Willetts, Secretary, Longbury Residents Association, to the Portfolio Holder for Resources**

I understand that Councillor Nathan will be using an interpreter during Council meetings, can you tell me the approximate cost per meeting & who will be paying for this service (assuming that LBB is legally obliged to provide this support)?

**Reply:**

The Council is investigating reasonable adjustments to assist Cllr Nathan, including use of the Infrared Hearing System installed in the Council Chamber and provision of a Speech to Text Report (STTR) service, for which the cost will be about £160.

**(2) From John Getgood, Chair, Penge Forum to the Portfolio Holder for Renewal and Recreation**

The former Lodge in Penge Recreation Ground has been undergoing refurbishment by the new owner for at least 12 years. Residents have complained on several occasions about the waste of this local resource and the untidy state of the grounds surrounding the Lodge. The situation is clearly unsatisfactory.

Please can you tell me when council officers last visited the Lodge and discussed this situation with the owner?

**Reply:**

With regard to the property in question, the Council Empty Property Officers are aware of this house and have been in regular contact with the owner. The officers inspected the property last year and noted the continuing renovation works, which are now in the final stages. They found the exterior of the property to be boarded up and this may be considered unsightly but it only remains boarded for security reasons, primarily due to the location and the various vacant periods. The grounds were not considered to be in an untidy site at the time of their visit.

The progress has been slow but the project has had significant delays due to unforeseen circumstances; it being self-funded and the renovation works being carried out to a very high standard.

**(3) From John Getgood, Chair, Penge Forum to the Portfolio Holder for Renewal and Recreation**

What action, for example, issuing an untidy site notice, would you support to bring this building (the former Lodge in Penge Recreation Ground) back into use at the earliest opportunity?

**Reply:**

It is considered that success would be very unlikely if this case were taken to the Residential Property Tribunal or to a Public Inquiry. A Compulsory Purchase Order is not considered an option for the Council due to the current financial climate, the high percentage of work currently completed in the house and the compensation that would be involved. The use of a Notice under section 215 of the Town & Country Planning Act 1990 would not be considered appropriate, having regard to the comments made above in the answer to question (2).

Officers will continue to monitor and stay in contact with the owner, but formal action is not considered appropriate or possible at present.

**(4) From John Getgood, Chair, Penge Forum to the Portfolio Holder for Environment**

We were promised that the new public park in Kings Hall Road, created following permission being granted for the construction of houses on the former Cyphers' Sports Ground, would be opened to the public last summer, following the installation of park furniture and notices.

We are pleased to see the tennis courts being well used but why has the work on the park not been completed and when do you expect to see members of the public enjoying Bromley's first new park in this area for many years?

**Reply:**

The works planned for last year were suspended because of a major review of the way ancillary landscape services are procured. Accordingly new contracts have been set up following an extensive packaging, specification and tendering process. As a result of this we are now bulking projects together to take advantage of economies of scale and it is envisaged that any missing park furniture will be in place during late spring.

**(5) From Mrs Susan Sulis, Secretary, Community Care Protection Group to the Portfolio Holder for Renewal and Recreation**

Proposal to 11<sup>th</sup> February 2015 Executive to close Bromley Museum and sell off the historic Priory building and part of the Priory Gardens. The decision to withdraw this report is welcome. The Blue Plaque erected by LBB in 1999 states:

*"The Priory Gardens form part of the commemoration in 1946 by the Orpington Urban District Council to those who gave their lives in the Second World War"*

Is this statement untrue?

**Reply:**

The statement is true.

**(6) From Mrs Susan Sulis, Secretary, Community Care Protection Group to the Portfolio Holder for Renewal and Recreation**

Following the Council's decision to postpone consideration of the item for 3 months, and discuss with local groups, will the people of Orpington and the public be consulted on the final options for the use of the Priory, the future of its Museum collection and their contribution to Orpington Town Centre?

**Reply:**

Yes

**(7) From Mrs Susan Sulis, Secretary, Community Care Protection Group to the Portfolio Holder for Renewal and Recreation**

When will the Equality Impact Assessment be published and when will a report covering the planning requirements for the sale of the Priory as a Grade 2 \* listed building in a Grade 2 listed park in a Conservation Area be prepared by Bromley's Heritage/Planning Section?

**Reply:**

An Equality Impact Assessment was prepared but in light of the decision to undertake further consultation it was not published. It is envisaged that the further report back to committee in three months' time will set out all of the issues concerning the potential disposal of the Priory.

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**COUNCIL MEETING**

**23<sup>rd</sup> FEBRUARY 2015**

**QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL**

**1. Question withdrawn.**

**2. From Cllr David Jefferys to the Portfolio Holder for Environment**

Will the Portfolio Holder list the income received in the last two financial years and the projected income for 2025/16 for the collected

- (a) metal cans,
- (b) plastics,
- (c) waste paper,
- (d) glass,
- (e) textiles,

And for cans and plastic, how much is earned per item (or per ten items) collected.

**Reply:**

Paper income -

2013/14 £958k

2014/15 £847k

2015/16 (projected to be in the region of £3/4m)

Textile income -

2013/14 £107k

2014/15 (projected) £87k

2015/16 (projected) £85k

Glass income (Bring Banks only) -

2013/14 £3k

2014/15 (projected) £4k

2015/16 (projected) £4k

In addition, we have saved £1.4m in terms of avoided landfill tax charges through recycling paper, and £1.06m from green box materials by landfill avoidance. We do not earn anything physically for green box materials per se. The green box value that is released in addition to the landfill tax saving is written into the contract and that pays for the gate fee and the splitting out exercise. It is important to watch this as some of the certain plastics are valuable (up to £300 per ton) but some of the lower grade plastics are borderline useless – it is heresy to say so in some ears, but perhaps the best thing you can do with them is to burn them to produce heat.

Those are the raw numbers, if anyone wants to see more around recycling please let me know. One thing we have to watch very closely as a Council is that the value of collecting green box materials is borderline in pure financial terms. It pays at the moment and we want to continue, but it is fundamentally to reduce the amount we send to landfill.

**Supplementary question:**

We have an excellent record on recycling in Bromley, but what plans are there to refresh the message about recycling particularly around waste paper. We do need to

go down to fortnightly collection, but we also need to get the message across and drive up collection rates.

**Reply:**

There are plans for a campaign to boost our collection rates even higher, which are marginally under 50% at present. I anticipate that as Bexley ends its free collection of green garden waste we could be by a small margin the highest recyclers in London by this time next year. A fledgling campaign is already on the drawing board.

**3. From Cllr Peter Fookes to the Leader of the Council**

Which organisations have lost funding from Bromley Council this year?

**Reply:**

I am assuming that he is referring to the forthcoming year, and I will respond accordingly.

- Bromley MENCAP
- Kids and Crew
- Bromley Gypsy Community Traveller Project
- Mytime
- Somali Well Woman Project
- Somali Community Association
- Bromley Asian Community Association
- Pineapple Club
- Keyring
- Burgess Autistic Trust
- Bromley Shelter
- St Christopher's Fellowship
- CAB
- Bromley Youth Music Trust

**Supplementary Question:**

Why has it taken until tonight for Members to be informed of those organisations that are going to be losing money from April. The lack of transparency has been appalling this year – goodness knows what it would be like if this Council was on a knife-edge in terms of political control. I really want to see far more transparency.

**Reply:**

Fortunately I think it will be a long time before this Council is on a political knife edge. I just turn to your comments earlier about the numbers from BYMT that are here. Clearly organisations knew, other people knew what we are proposing, they have been discussed at previous meetings and I am slightly confused by Councillor Fookes' comments.

**4. From Cllr Nicholas Bennett to the Leader of the Council**

What estimate he has of the cost of new legislation and judicial decisions on the council's budget in each of the past three years?

**Reply:**

(See appendix 1 - information already circulated.)

A total of £7.4m per annum by the end of this financial year.

**Supplementary Question:**

Does the Leader agree that, given the number of in-year burdens put on this Council, we need in our budget-setting tonight a reserve which can be used as a contingency for items like this which appear out of the blue from the government or from judicial decisions.

**Reply:**

We can demonstrate over the last two or three years the prudent approach we have taken in setting our budgets and Councillor Bennett is absolutely right. When we consider our budget later this evening I'm sure that we will be exploring ways to address this in the future.

**5. From Cllr Ruth Bennett to the Portfolio Holder for Education**

What information he has as to the number of children who will be eligible for school in the Borough at the age of 5 in each year until 2020 on the basis of live births and recent inward migration to the borough?

**Reply:**

The projections we use in Bromley are based on GLA projection figures, together with information on the numbers of live births, the registration of children at GP surgeries, projections in regard to the numbers of children likely to be yielded from major housing developments and information from pre-school providers.

The figures across the borough - there are hotspots in particular locations where there are particular issues - are as follows -

2015/16 - 4,226  
2016/17 - 4,209  
2017/18 - 4,225  
2018/19 - 4,282  
2019/20 - 4,317  
2020/21 - 4,361

This borough is experiencing considerable inward migration from inner London in terms of families with young children, from immigration from outside the UK and from live births within the borough.

**Supplementary Question:**

The position is very worrying – how many extra classes will we need to have in place by 2020 and presumably, five years later, secondary classes?

**Reply:**

The figures that we are currently working on suggest that we will need to have a minimum of seven forms of entry which in most cases represents two primary schools in addition to those already planned and expansions already under way across the borough.

In terms of secondary schools, we would expect to need around twenty seven to thirty new classes across the borough. If there are typically six forms of entry per school this would mean around five new secondary schools.

**Additional Supplementary Question:**

Councillor Tony Owen asked what the methodology was – he was suspicious of long estimates not ending in zero or five, which suggested that arbitrary percentages were being applied.

**Reply:**

A 3% margin of error is applied to the figures, plus or minus. This is not a science, but more of an art. The projections for live births will vary for after 2019 in that the children are not yet born. The development level yield is based on the number of bedrooms and the number of dwellings that we are likely to be looking at. The figure of 6,421 used for projections beyond the next three years is based on GLA figures. The methods by which we gather information from pre-school providers are more useful but do not work beyond 2019 as the children are not yet born.

This is a projection, not absolute figures, but it is clear that there is a worrying upwards trend which we have seen for at least four years and the rise so far is consistent with our projections.

**6. From Cllr Tony Owen to the Portfolio Holder for Public Protection**

From April onwards, how will the borough deal with shootings and inter racial incidents, such as the recent McDonalds case?

**Reply:**

I am reliably informed by Bromley Police that they will continue to take incidents of shootings and inter-racial incidents very seriously, and they will deploy the correct response as it is required.

**7. From Cllr Peter Fookes to the Portfolio Holder for the Environment**

What progress has been made in making sure that the Council can enforce parking restrictions thus retaining £1 Million a year to the borough's coffers?

**Reply:**

Depressingly little. Despite lobbying, press interviews, work at London Councils where there is a cross-borough consensus at the borderline insanity of some of these proposals, despite debates in the House of Commons and House of Lords, where I should single out and praise the Liberal Democrat peer Lord Graham Tope, who described some of the ideas emerging from the DCLG as having been made up in the pub on Friday night, which is where they should remain. We are now in a position, despite the helpful exclusion of school crossing patrols, if boroughs can still afford to run their fleets to police them, it is now going back to the House of Lords on 4<sup>th</sup> March where I hope they will take the last opportunity to throw out the banning of CCTV vehicles. The downside if they don't will be that we will have reduced road safety capability in the borough and people will park dangerously and we will not be able stop them. The bottom line is that everything comes at a price and the price here will be that good car drivers, non-car users and users of public transport will in effect be cross subsidising irresponsible car drivers who disobey the rules and violate social norms. It is fundamentally not right. I would ask all Members to contact your MPs and ask them one last time to prevent this aspect of the legislation becoming part of the Act.

**Supplementary Question:**

Could the Portfolio Holder say what response he has had from MPs on this matter.

**Reply:**

To date I have heard from Jim Dowd MP (Lewisham West and Penge) who has said that he will look at it.

**8. From Cllr Nicholas Bennett to the Portfolio Holder for Education**

If he will give the location of each youth club run by the Council, the hours of operation, the annual running costs of the accommodation (including recharges), the estimated value of the premises, the annual staff costs (including recharges) and the number of different young people using each club each week?

**Reply:**

The location and hours of operation for each youth club are included in the Bromley Youth Support Programme, Delivery Schedule and Contracts which are available on the Bromley Council website, a copy of which has been put in the Members Room along with the attendance figures.

**9. From Cllr Ruth Bennett to the Portfolio Holder for Care Services**

What representations have been made to Affinity Sutton to encourage them to regenerate their estates within the borough?

**Reply:**

Whilst LBB does not have statutory powers to direct Affinity Sutton to regenerate estates, there are liaison arrangements in place with Affinity Sutton at both officer and Member level, including twice yearly meetings between the respective Chief Executives, Portfolio Holder and Leader of the Council. The meetings offer the opportunity to discuss and feed in at both operational and strategic level on issues such as regeneration and management of existing estates and plans for future developments. Where concerns or particular issues have been brought to officer and/or Member attention these will be raised at the meetings for agreed resolution.

**10. From Cllr Tony Owen to the Portfolio Holder for Care Services**

From April onwards, how will the Female Genital Mutilation task and finish group maintain trusted contact with relevant groups?

**Reply:**

The Bromley FGM Task and Finish group was set up by the Bromley Safeguarding Children's Board (BSCB). It has met 4 times and has completed its brief. The Head of Nursing and Safeguarding for Bromley Clinical Commissioning Group represents the BSCB on the pan London FGM Steering Group and provides a link between London-wide and local activity. Officers from the Council and Bromley Clinical Commissioning Group have long established links with local BME groups which provide a conduit to local communities.

A report on FGM will be considered by the BSCB on 3rd March and the joint Care Services PDS meeting on 26th February will receive a briefing from the CCG's Director of Quality, Governance and Patient Safety.

**Supplementary Question:**

It seems to me that the links have been withdrawn, and I am not sure how we re-establish these links given that the existing link is going. Most of the things mentioned sounded like pan-London talking shops.

**Reply:**

Councillor Owen is under the misapprehension that there is one single link person – it is my information that there are several people who make contact with the local BME population, not just one.

**11. From Cllr Peter Fookes to the Leader of the Council**

What efforts have been made to share resources with other public or private sector organisations in the borough?

**Reply:**

In face of ongoing financial constraints, the Council is committed to working with partners in the public, private and voluntary sector, to ensure that Council services remain effective and efficient. This includes developing shared services with Bexley, Lewisham and Greenwich Councils, and identifying opportunities to commission services from other organisations, where standards of services can be shared and efficiency savings generated.

Officers are also in regular discussions with public sector partners, the police, fire service and health sector, to consider the scope for sharing facilities and reducing costs.

**12. From Councillor Nicholas Bennett to the Portfolio Holder for Education**

What estimate does he have of the cost of providing alternative school places following the decision last year to refuse planning permission for the temporary buildings at Harris Beckenham site for a primary free school?

**Reply:**

The estimated final cost of the temporary class, fencing and car parking at the Unicorn school resulting from the decision to provide a bulge class there to take pupils from Harris Beckenham was £353k. This does not include officer time which was very considerable and unplanned for.

Following the loss of the appeal, the Planning Inspector added additional requirements on the local authority which will add further as yet unspecified costs to the overall programme. However, we do have an estimate that this could be £130k over the next six years. All of these costs, both capital and revenue, would have to be met through Revenue Support Grant.

The figure above does not include the cost of expanding the planned works at Unicorn School to take the bulge once the temporary class is removed, and the concomitant risks that will arise from having to take these through planning once again. The overall figure may well therefore be nearer to £500,000 once these costs are taken into account.

**Appendix1: Question 4**

<b><u>Description</u></b>	<b><u>Net cost to Council after grants</u></b>		
	<b><u>2012/13</u></b>	<b><u>2013/14</u></b>	<b><u>2014/15</u></b>
<b><u>Finance</u></b>	<b><u>£000</u></b>	<b><u>£000</u></b>	<b><u>£000</u></b>
<b>1 Council Tax Support New Burdens</b>			
Impact on grant funding	0	811	-25
Council Tax Support New Burdens - funding	-84	-142	-134
	<b>-84</b>	<b>669</b>	<b>-159</b>
<b>2 Changes to Housing Benefit Subsidy</b>			
LHA Changes	-8	0	0
Welfare Reform Fund	-50	0	0
Recession Funding	0	-84	0
HB Reform Transitional funding	-59	0	0
Local welfare Provision set-up costs	-8	0	0
Local Welfare Provision admin funding	0	-173	-159
Payment to Liberata for implementation	50	250	143
Early Adopter of Benefit Cap	0	-280	0
	<b>-75</b>	<b>-287</b>	<b>-16</b>
<b>3 Local Welfare Provision</b>			
Government Funding	0	-819	-819
Northgate Costs	57	75	71
Welfare Fund Programme Costs	0	442	442
	<b>57</b>	<b>-302</b>	<b>-306</b>
<b>4 LGPS</b>	<b>0</b>	<b>37</b>	<b>26</b>
<b>5 Auto Enrolment</b>	<b>0</b>	<b>0</b>	<b>200</b>

## **Chief Executives**

<b>1 Localism Act 2011</b>			
Additional burden being met within existing resources	<b>0</b>	<b>0</b>	<b>0</b>
<b>2 Immigration Act 2014</b>			
Additional burden being met within existing resources	<b>0</b>	<b>0</b>	<b>0</b>
<b>3 Electoral Registration and Administration Act 2013</b>			
Implementation of Individual Electoral Registration System	0	25	130
Grant funding	0	-25	-130
	<b>0</b>	<b>0</b>	<b>0</b>

## **ECS**

<b>1 Changes in the disposal requirements for detritus</b>	<b>35</b>	<b>135</b>	<b>145</b>
<b>2 Implementation of Domestic Violence, Crime and Victims Act 2004</b>			
This means that local authorities are expected to undertake a multi-agency review, following a domestic homicide, to assist all those involved in the review process, in identifying the lessons that can be learned with a view to preventing future homicides and violence. (So far we have had only one which has cost £8,000 for the management and conducting of the review plus associated officer time in Public Protection £4,000.	<b>0</b>	<b>12</b>	<b>0</b>
<b>3 Scrap metal dealers – although the fees are supposed to recover the costs</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>4 Trading standards based legislations which will give additional enforcement responsibilities</b>	<b>0</b>	<b>0</b>	<b>0</b>



## T & R

### 1 **Planning Regulations**

There is a loss of income arising from the changes to Planning regulations where some applications for house extensions now have permitted development rights linked with a Prior Notification Process. This means that in selected cases, much of the work will have to be done but no fee is received. The Council receive on average 100 such cases a year which means a loss of income of £8,600.	0	9	9
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## ECHS

### 1 **Reforms to the Family Justice System - requires LAs to complete Care Proceedings within 26 weeks.**

1.0 Court Pilot coordinator, 2.0 FTE to undertake connected person assessments within timescales and Increases to Family Group Conferences	9	124	174
Grant received vis SWIF/Monroe and Adoption Grant	-9	-124	-174
Net Expenditure	0	0	0

### 2 **Changes to the Children Act 1989 Guidance and Regulations Volume 3: Planning Transition to Adulthood - known as Staying Put policy.**

Gross Expenditure	0	0	160
Grant received	0	0	-36
Net Expenditure	0	0	124

### 3 **Children and Family Bill 2013 Makes changes to fostering and adoption requirements.**

Gross Expenditure	49	171	346
Grant received (2012-13 Adoption Improvement grant £49,197, 2013-14 Adoption reform grant total £697,592 and 2014-15 Adoption Reform Grant £273,154.	-49	-171	-346
Net Expenditure	0	0	0

<b>4 Academies Act 2010</b>			
LACSEG top-sliced from RSG		6,582	6,582
Grant received (Education Services Grant)	0	-2,957	-2,372
Net Reduction in funding	<b>0</b>	<b>3,625</b>	<b>4,210</b>
<b>5 Care Act</b>			
Gross Expenditure (Estimated cost in 2015/16 £2,876k, grant of £2,598k, net position of £278k)	0	0	125
Grant received	0	0	-125
Net Expenditure	<b>0</b>	<b>0</b>	<b>0</b>
<b>6 Legal Aid, Sentencing and Punishment of Offenders Act. (LASPO).</b> Transfers the central bed costs for secure remand to the LA and also requires LA to consider all remanded young people as LAC. Costs;			
Gross Expenditure	4	269	272
Grant received	-4	-74	-61
Net Expenditure	<b>0</b>	<b>195</b>	<b>211</b>
<b>7 Tower Hamlets Judgement - In respect of Connected Persons payments.</b>			
Gross Expenditure	0	0	60
Grant received	0	0	0
Net Expenditure	<b>0</b>	<b>0</b>	<b>60</b>
<b>8 No Recourse to Public Funds</b> – comes under existing legislation however, case law and how immigration claims are processed and the application of the benefits system means the costs of supporting children and families has been passed to the LA.			
Gross Expenditure	148	539	619
Grant received	0	0	0
Net Expenditure	<b>148</b>	<b>539</b>	<b>619</b>

<b>9 Southwark judgement</b>			
Gross Expenditure	100	100	100
Grant received	0	0	0
Net Expenditure	<b>100</b>	<b>100</b>	<b>100</b>
<b>10 Children and Families Act 2014 - SEN Reforms</b>			
Gross Expenditure	0	0	334
Grant received (2014-15 SEN Reform Grant £382k, 2014-15 SEND Implementation (New Burdens) Grant £152k with 2014-15 SEND Implementation (New Burdens) Grant £107k remaining in contingency)	0	0	-534
Net Expenditure	<b>0</b>	<b>0</b>	<b>-200</b>
<b>11 DOLS</b>			
Gross Expenditure (£628k budgeted for 2015/16. No additional grant funding to cover costs)	0	0	163
Grant received	0	0	0
Net Expenditure	<b>0</b>	<b>0</b>	<b>163</b>
<b>12 Welfare Reform (Homelessness)</b>			
Gross Expenditure	0	1,000	2,200
Grant received	0	0	0
Net Expenditure	<b>0</b>	<b>1,000</b>	<b>2,200</b>

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**COUNCIL MEETING**

**23<sup>rd</sup> FEBRUARY 2015**

**QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL**

**1. From Cllr Simon Fawthrop to the Portfolio Holder for Renewal and Recreation**

What is the largest airplane that

- a) can physically land at Biggin Hill Airport by Volume?
- b) is allowed to land at Biggin Hill Airport under the terms of the lease by volume?
- c) land at the airport by noise levels in decibels?

**Reply:**

- a) I am not clear what is meant by “volume” (noise, number of flights or physical size). The lease allows 125,000 movements per annum so theoretically the Airport could have 125,000 of any one aircraft type landing and taking off while remaining within the terms of the lease.
- b) The largest aircraft permitted in the “List of Approved Aircraft” are Airbus A320 and Boeing 737 500.
- c) The noise levels are covered in the third schedule of the lease as paragraphs (e) (i) and (ii).

Sideline	94 EPNdB
Take-off	89 EPNdB
Approach	98 EPNdB

**2. From Cllr Simon Fawthrop to the Portfolio Holder for Environment**

What is the frequency of public transport service at Biggin Hill Airport at the following times and the destination of the service ( nearest railway station)

- (i) between 6.30am and 7.30am on a weekday morning
- (ii) after 9.00pm on a weekday
- (iii) before 9.00am on a weekend
- (iv) after 8.00pm on a weekend

**Reply:**

- (i) 6 bus services an hour
- (ii) 4 bus services an hour
- (iii) 6 bus services an hour
- (iv) 6 bus services an hour to 9pm; 4 services an hour thereafter

**3. From Cllr Simon Fawthrop to the Portfolio Holder for Environment**

What are the quickest journey times by public transport from Biggin Hill Airport to Bromley South and Orpington railway stations?

**Reply:**

Bromley South – 18 minutes (320 service)  
Orpington – 17 minutes (R2 service)

**4. From Cllr David Jefferys to the Portfolio Holder for Education**

When will building work commence on the Kingswood House Free School site and when will the school open?

**Reply:**

The works at Kingswood House to provide a permanent facility for Harris Primary Academy Shortlands are being carried out by the EFA. The latest update provided to the LA is that works are due to start during Spring 2015 and be complete by August 2016.

**5. From Cllr David Jefferys to the Portfolio Holder for Education**

(a) How many pupils admitted to the Harris Kingswood Free school in September 2014 live in Shortlands Ward, and the number and percentage who live more than one mile from the Kingwood site?

**Reply:**

We do not record pupil place planning data on a ward basis

<b>The number and percentage of pupils who live more than one mile from the Kingwood site?</b>				
	<b>Less Than 1 mile</b>	<b>Between 1 and 1.99 miles</b>	<b>More than 2 Miles</b>	<b>Total</b>
<b>No.</b>	39	9	5	53
<b>Percentage</b>	74%	17%	9%	100%

(b) The same figures for the children offered places for September 2015

**Reply:**

The data requested will not be available until after National Offer Day on 16 April 2015.

**6. From Councillor David Jefferys to the Portfolio Holder for Renewal and Recreation**

What plans there are to commemorate the 350th anniversary of the opening of a Bromley College in 2016? If there are currently no plans whether the Portfolio Holder will work with the Trustees to appropriately mark the anniversary of the opening of this architectural gem in the Borough and commemorate the major contribution its residents have made to the life of Bromley over the centuries?

**Reply:**

I am not aware of plans to mark the 350<sup>th</sup> anniversary of Bromley College, a Grade 1 Listed Building, but will be pleased to work with the trustees as suggested.

**7. From Cllr Kathy Bance to the Portfolio Holder for Care Services**

Can you please advise the number of Bromley residents/families being made homeless through no fault of their own in the last 12 months?

**Reply:**

2012/13 – formal homeless applications 1146, of which full duty accepted 503  
2014/15 (Q1 -3) formal applications 1688 of which full homelessness duty accepted 481

**8. From Cllr Kathy Bance to the Portfolio Holder for Care Services**

A lot of time and effort has been spent on preparation of the Ward Profiles. In what ways are LBB making use the profiles and are there plans to tackle any of the negative outcomes?

**Reply:**

Ward Profiles were included into the JSNA this year as additional information on population health and care needs to inform commissioning. This is the main purpose of the JSNA.

Beyond the use in commissioning, the profiles have also been shared with Councillors to highlight and increase their understanding of the level and type of population need in their own area. This may promote discussions with the local community around how to best address identified need.

**9. From Cllr Kathy Bance to the Portfolio Holder for Care Services**

Is it accurate that a £7k invoice to cover the services of the Bromley Winter night shelter for 2014 / 2015 has only been partly paid by LBB at £3k? If so, is this a part payment with the outstanding £4k to be paid at a later date?

**Reply:**

The funding allocation for the Bromley Night Shelter 2014/15 is £3k once an appropriate invoice has submitted, this will be paid in full.

**10. From Cllr Kevin Brooks to the Portfolio Holder for the Environment**

Penge West Railway Station had been earmarked for step free access. Can you advise when work or consultation is expected to commence?

**Reply:**

TfL & London Overground Rail Operating Ltd (LOROL) have previously been lobbied by this Council for step free access at Penge West to the southbound platform. Proposals were discussed with them as recently as January 2014 but it was later

confirmed that TfL's Accessibility Implementation Plan did not identify Penge West as a strategic priority, as the neighbouring stations are all step-free (Sydenham, Penge East, Anerley and Crystal Palace). Officers have asked LOROL for clarification on whether this has subsequently changed.

**11. From Cllr Kevin Brooks to the Portfolio Holder for the Environment**

Are there any specific scheduled dates for the company who fine people for dropping litter outside Bromley South Train Station to do any work in Penge and Cator.

**Reply:**

The Scheduled visits by Street Enforcement officers to Penge High Street / Maple Road and Anerley Road are once a week as of November 2014. These are varied to different days of the week.

37 enforcement investigations have been undertaken in the Penge, Cator and Anerley Areas.

Once a week targeted dog fouling enforcement patrols as of December 2014 in local streets such as Venner road, Maple road, Laurel Grove.

186 site patrols of the local parks in this area ie. Cator Park, Penge Recreation Ground, Betts Park, Royston Field Open Space have been undertaken in the last 6 months.

The Enforcement Officer for this area alone (Penge & Cator) takes up to 50 complaint calls per month.

**12. From Cllr Vanessa Allen to the Portfolio Holder for the Environment**

With a number of new schools being constructed in the Borough and other schools increasing their intake substantially, what provision is being made for school crossing patrols and other road safety measures where appropriate?

**Reply:**

School Crossing Patrols are jointly funded by the Council and individual schools who chose to operate one.

Should any school (existing or new) wish to operate a School Crossing Patrol they should contact the Council to enable the necessary arrangements to be made.

Council Officers also engage in more targeted work with all schools, promoting road safety and smarter travel initiatives, as well investigate and implement other road safety measures, wherever they are deemed to be necessary.

**13. From Cllr Richard Williams to the Portfolio Holder for Resources**

How much is owed to Bromley in council tax and what is the largest amount owed by an individual?



**Reply:**

As at the 31/1/15 £10,198,040.47 remains outstanding in respect of the period 01 April 1993 to 31 March 2014. In addition, £8,036,764.57 is currently due for the financial year 2014/15.

The largest amount owed is £23,484.87 this includes the full liability for 2014/15 and £1,268.90 costs.

Of the above sum, £21,464.99 has been through all stages of recovery up to and including to referral to bailiffs and £2,019.88 (current year) is at Liability Order stage. Not possible to place charge on property as charge payer is not the owner and insolvency practitioners have advised that we will not recover funds by making the liable person bankrupt.

The Authority is now considering instigating committal proceedings.

**14. From Cllr Richard Williams to the Portfolio Holder for Renewal & Recreation**

As 15% of users to the Upper Norwood library are residents of Bromley would the Council look at contributing to this service?

**Reply:**

No

**15. From Cllr Ian Dunn to the Portfolio Holder for Resources**

Following my question at the November meeting of the E&R PDS, can the Portfolio Holder provide:-

- What is the spend to date on the Adecco Agency Worker contract and the forecast out turn for the end of 2014/15?
- Please provide this spend broken down by month for 2014/15 and for as much of 2013/14 as monthly information is available for.
- Please also provide the number of person days provided under this contract by month for 2014/15 and for as much of 2013/14 as monthly information is available for.
- What percentage of the total paid to date for 2014/15 was retained by Adecco as their fee under this contract?

**Reply:**

See appendix 1 below.

The answer to the last bullet point is £37,265.77 management fee in the current financial year to January 2015.

**16. From Cllr Angela Wilkins to the Portfolio Holder for Resources**

At the full council meeting on 13 October 2014 I asked the following question:

“How many payments on account have been made to housing benefit claimants for each of the last 12 months and what is the percentage of payments on account of all claims for each of these months?”

In reply, the following answer was provided (Council agenda 8 December):

“Unfortunately, information as to the number of Payments on Account is not available. However, I can confirm that the Authority attempts to make the initial payment on new claims as soon as possible.”

Having had two local residents who were entitled to and not given housing benefit payments on account, I remain determined to pursue my original questions. Therefore, at Executive & Resources PDS on 4<sup>th</sup> February, when Liberata presented their report on Housing Benefit Administration, I asked for an explanation as to why this information was not available.

Having – in vain - asked the question a total of four times at that meeting, I was finally promised that an answer would be provided. It has not.

Members of the E&R PDS will be aware that I have serious concerns about the administration of housing benefit by this authority, and that this matter is now being addressed elsewhere.

In the meantime however, please could the Portfolio Holder assure me that he will now give his personal attention to my questions and ensure that I am promptly given adequate and accurate answers?

**Reply:**

In respect of Rent Allowance cases the Authority is obliged to make the first payment of Housing Benefit within 14 days of receiving a properly completed claim or “if that is not practicable, as soon as possible thereafter”. This should be either the correct amount of entitlement or if this is not known an estimated amount, which will be adjusted when the correct amount is known. A payment on Account does not need to be made where the claimant has not supplied any requested information and/or documentation they have requested.

The Authority’s application form advises the claimant (Part 15) of the documentation that will be required in order to process their claim. This message is reinforced in the accompanying notes. Obtaining all necessary information at the time of claim minimises the need for a Payment on Account as it enables a full assessment to be made.

Where further information/documentation is required, officers are directed to wherever possible make a provisional award. These vary from Payments on Account in so much that the sum paid is based on the lowest possible entitlement, rather than an estimated amount. In this way it is hoped to avoid creation of overpayments. A customised letter is sent to the claimant confirming that the award is being made on a provisional basis and advising that the claim will be suspended should the information not be provided in the given time.

Unfortunately, once the provisional award is made substantive the Academy benefit system, which is used by a large number of authority's, overwrites the "provisional" marker making it impossible to retrospectively identify the number of provisional awards made.

Following your initial request the Exchequer Services contractor commenced exploring means of extracting the required information from the sections data management system. By interrogation of the usage of the personalised letters detailed earlier, the following statistics have been extracted but 100% accuracy cannot be guaranteed.

	Jan 14	Feb 14	Mar 14	Apr 14	May 14	Jun 14	Jul 14	Aug 14	Sep 14	Oct 14	Nov 14	Dec 14	Jan 15
HB Claims processed	446	365	370	299	299	316	448	479	580	387	383	320	411
Provisional awards	34	32	38	33	28	38	45	43	33	27	35	21	17

You have my assurance that wherever possible you will continue to receive an immediate response to questions raised. Where the information is not readily available every practicable effort will be made to ascertain the answer.

#### **17. From Cllr Peter Fookes to the Portfolio Holder for Resources**

What are the current electoral registration figures in % terms for each ward in the borough?

#### **Reply:**

Details of current registration figures are set out below (as at 2 February 2015)

<b>WARD</b>	<b>ELECTORATE</b>
Bickley	11690
Biggin Hill	7868
Bromley Common & Keston	12161
Bromley Town	12852
Chelsfield & Pratts Bottom	11373
Chislehurst	11899
Clock House	11783
Copers Cope	12026
Cray Valley East	11116
Cray Valley West	12133
Crystal Palace	8512
Darwin	4054
Farnborough & Crofton	11792
Hayes & Coney Hall	12537
Kelsey & Eden Park	12302
Mottingham & Chislehurst North	7340
Orpington	12009
Penge & Cator	12332

Petts Wood & Knoll	10862
Plaistow & Sundridge	11479
Shortlands	7689
West Wickham	12036
<b>TOTAL</b>	<b>237,845</b>

We are unable to provide these figures in % terms for the following reasons:

- % figures could only be produced on publication of the new register on 1 December following the annual canvass when every **household** in the ward/Borough received a Voter Registration form (100%). The number of **responses** to this was reflected as a % of this figure. These % figures could not be calculated at any other time of the year (i.e. through the rolling registration period)
- A new registration system (Individual Electoral registration) was introduced in England and Wales on 10 June 2014 by the UK Government replacing the previous outdated system where a 'head of household' submitted/responded to a Voter Registration form. Under IER people are required to register **individually** through a new process. % figures are no longer applicable

**18. From Cllr Peter Fookes to the Leader of the Council**

What are Bromley doing to commemorate 50 years of the borough in May?

**Reply:**

Although there are some London-wide celebrations, in the present economic circumstances we are not proposing any major celebrations.

**19. From Cllr Peter Fookes to the Portfolio Holder for Resources**

How many people in the borough have been sanctioned?

**Reply:**

Sanctions are imposed by the Department of Work and Pensions, I am therefore unable to provide the information requested.

**20. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation**

If he will list by Plans Sub-Committee the number of applications since May 2014 which have been recommended for;

- i. approval
- ii. refusal
- iii. and the number in each case where the committee took a contrary view and the number of appeals registered as a result and where available the outcome of the appeal?

**Reply:**

There were 20 Plans Sub Committees (PSC) from May 2014 up to 5th February 2015 (5 of each number)

There were 316 applications on PSC agendas

5 were withdrawn

Total therefore 311

63 (20%) were subject to overturned recommendations where the Committee took a contrary view to the officer recommendation

43 of those overturned had appeals lodged

16 of those appeals were allowed

9 were dismissed

1 was part allowed and part dismissed

1 was withdrawn

16 are still in progress

**21. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation**

What information he has as to the average number of applications dealt with by a single planning meeting in 2014-5 at the following boroughs:

Bromley

Hillingdon

Kensington and Chelsea

Wandsworth?

**Reply:**

Based on a sample, in summary -

Hillingdon: 8

Kensington and Chelsea: 15

Wandsworth: 32

Bromley: 17

**22. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation**

If he will list the reasons which require a planning application to be automatically referred to a Planning sub-committee for decision?

**Reply:**

The Council's constitution sets out planning applications which cannot be approved by the Chief Planner, in summary these are:- Bromley Council proposals; applications for three or more new dwellings; applications for new commercial development; applications submitted by Councillors, MP's, and certain staff; and applications which one or more Councillors formally request are put before a committee.

**23. From Councillor Ruth Bennett to the Portfolio Holder for Renewal and Recreation**

If he will provide in table format the monthly average and annual figures for 2013-4 and up to the latest available date the following information about each library:

- i. Number of visitors
- ii. Number of book issues
- iii. running costs
- iv. Cost per visitor
- v. Cost per book issue?
- vi. What has the percentage increase or decrease in book issues since 2007?

**Reply:**

- i. Number of visitors. Listed for 2013-14 and have calculated the monthly average for number of visits per month to each library (Spreadsheet - Attachment 1)
- ii. Number of book issues- Listed for 2013-14 and estimated monthly averages calculated (Spreadsheet - Attachment 1)
- iii. Running costs-This was less straight forward as wasn't sure exactly what was required so have include a breakdown of net expenditure from the CIPFA stats, broken down into key areas. If you need me to be more specific, I can ask Tim for exact costs when he is back (spreadsheet - Attachment 2)
- iv. Cost per visitor- taken from the latest CIPFA stats along with Greater London average (spreadsheet - Attachment 2)
- v. Cost per book issue the figures are actually cost per book acquisition, taken from CIPFA stats along with greater London average (spreadsheet - Attachment 2)
- v. % decrease from 2007 for issues.(spreadsheet - Attachment 1)

Question 23: Attachments

<b>1.Number of Visitors &amp; averages</b>		
<b>Visits</b>	<b>2013-14</b>	<b>monthly average</b>
Anerley	54,095	4,508
Beckenham	165,241	13,770
Biggin Hill	222,528	18,544
Burnt Ash	28,332	2,361
Central	468,096	39,008
Chislehurst	84,450	7,038
Hayes	31,650	2,638
Mobile Library	16,566	1,381
Mottingham	41,752	3,479
Orpington	308,966	25,747
Penge	80,989	6,749
Petts Wood	103,309	8,609
Shortlands	32,971	2,748
Southborough	31,454	2,621
St Pauls Cray	41,089	3,424
West Wickham	122,026	10,169
<b>Total</b>	<b>1,833,514</b>	<b>152,793</b>

<b>2.No of Issues &amp; averages</b>		
<b>Issues</b>	<b>2013/14</b>	<b>monthly average</b>
Anerley	28,467	2,372.25
Beckenham	195,764	16,313.67
Biggin Hill	66,226	5,518.83
Burnt Ash	17,948	1,495.67
Central	300,874	25,072.83
Chislehurst	84,754	7,062.83
Hayes	30,343	2,528.58
Mobile	19,388	1,615.67
Mottingham	26,325	2,193.75
Orpington	203,514	16,959.50
Penge	29,874	2,489.50
Petts Wood	94,400	7,866.67
Shortlands	35,804	2,983.67
Southborough	53,976	4,498.00
St Paul's Cray	28,302	2,358.50
West Wickham	108,387	9,032.25
<b>Sub-Total</b>	<b>1,324,346</b>	<b>110,362.17</b>
Callpoint	2,833	236
HLS	0	0
Reading Group Sets	7,008	584
Stack	1,178	98
Web	59,625	4,969
ebooks	9,611	801
<b>Overall Total</b>	<b>1,404,601</b>	<b>117,050</b>

<b>6. % increase or decrease in book issues since 2007</b>		
<b>% change in issues since 2007</b>		
<b>2006/07</b>	<b>2013/14</b>	<b>% Change</b>
2,018,887	1,404,601	<b>-30.43%</b>

Bromley Libraries Financial Information:  
 Data sourced from CIPFA Stats Comparative Profiles-2013-14 Actuals and 2014-15  
 Estimates

	£ p
<b>4. Bromley cost per visitor</b>	£3.63
<b>Greater London Average cost per visitor</b>	£3.65

<b>5. Bromley cost per book acquisition</b>	£6.74
<b>Greater London Average cost per visitor</b>	£6.78

<b>3. Libraries Running Costs-Net expenditure</b>	
<b>Employees</b>	2,984,470
<b>Premises</b>	1,109,570
<b>Supplies &amp; Services-Materials</b>	538,000
<b>Other Expenditure</b>	1,745,530
<b>Revenue Expenditure</b>	6,377,570
<b>Revenue Income(deduct)</b>	451,850
<b>Net Expenditure</b>	5,925,720



## Appendix 1: Reply to question 15

	Net	Vat	Gross
<b>Totals 13/14 (from Apr 22)</b>	<b>5,342,357.81</b>	<b>1,068,473.58</b>	<b>6,410,831.39</b>
<b>Totals 14/15 (to Jan 28)</b>	<b>5,601,470.26</b>	<b>1,120,295.51</b>	<b>6,721,765.77</b>
<b>Forecast Outturn 14/15</b>	<b>6,721,764.31</b>	<b>1,344,354.61</b>	<b>8,066,118.92</b>

Year	Month	Financial Year	Net	Vat	Gross	Total Hours	Days (calculated)
2013	May	13/14	203,615.09	40,723.02	244,338.11	11,749.50	1,631.88
2013	June	13/14	485,181.24	97,036.25	582,217.49	24,360.95	3,383.47
2013	July	13/14	649,936.47	129,987.28	779,923.75	32,285.55	4,484.10
2013	August	13/14	533,740.57	106,748.08	640,488.65	28,357.25	3,938.51
2013	September	13/14	342,265.91	68,453.34	410,719.25	19,222.25	2,669.76
2013	October	13/14	645,397.29	129,079.79	774,477.08	33,912.25	4,710.03
2013	November	13/14	525,439.63	105,088.16	630,527.79	26,752.75	3,715.66
2013	December	13/14	350,424.77	70,085.16	420,509.93	18,433.50	2,560.21
2014	January	13/14	110,864.95	22,173.57	133,038.52	5,031.00	698.75
2014	February	13/14	1,039,068.45	207,814.16	1,246,882.61	51,985.00	7,220.14
2014	March	13/14	456,423.44	91,284.78	547,708.22	23,736.75	3,296.77
2014	April	14/15	142,723.61	28,544.76	171,268.37	7,410.75	1,029.27
2014	May	14/15	911,010.06	182,202.52	1,093,212.58	45,939.75	6,380.52
2014	June	14/15	472,812.99	94,562.82	567,375.81	24,014.25	3,335.31
2014	July	14/15	548,935.86	109,787.17	658,723.03	27,873.00	3,871.25
2014	August	14/15	538,898.90	107,780.01	646,678.91	26,398.75	3,666.49
2014	September	14/15	639,729.98	127,946.25	767,676.23	31,843.25	4,422.67
2014	October	14/15	517,712.33	103,542.69	621,255.02	25,695.25	3,568.78
2014	November	14/15	577,150.79	115,430.33	692,581.12	27,298.25	3,791.42
2014	December	14/15	772,363.93	154,472.34	926,836.27	37,934.00	5,268.61
2015	January	14/15	480,131.81	96,026.62	576,158.43	23,449.25	3,256.84

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# LONDON BOROUGH OF BROMLEY

## MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.00 pm on 25 March 2015

### Present

**The Worshipful the Mayor  
Councillor Julian Benington**

**The Deputy Mayor  
Councillor Kate Lymer**

### Councillors

Graham Arthur	Thresher	Kim Botting
Douglas Auld	David Jefferys	Kevin Brooks
Nicholas Bennett J.P.	Charles Joel	Lydia Buttinger
Ruth Bennett	Russell Mellor	Alan Collins
Katy Boughey	Alexa Michael	Mary Cooke
Stephen Carr	Tony Owen	Ian Dunn
Peter Dean	Sarah Phillips	Hannah Gray
Nicky Dykes	Neil Reddin FCCA	David Livett
Judi Ellis	Richard Scoates	Terence Nathan
Robert Evans	Colin Smith	Angela Page
Simon Fawthrop	Diane Smith	Tom Philpott
Peter Fookes	Tim Stevens	Chris Pierce
Peter Fortune	Michael Tickner	Michael Rutherford
Ellie Harmer	Pauline Tunnicliffe	Melanie Stevens
Will Harmer	Michael Turner	Angela Wilkins
Samaris Huntington- Thresher	Stephen Wells	Richard Williams
William Huntington-	Vanessa Allen	
	Teresa Ball	

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor Julian Benington

### 78 Apologies for absence

Apologies were received from Councillors Kathy Bance , Eric Bosshard, David Cartwright, Peter Morgan, Keith Onslow, Ian Payne, Catherine Rideout and Charles Rideout.

Best wishes were conveyed to Councillor Peter Morgan for a quick recovery following his recent operation.

## **79           Declarations of Interest**

A number of declarations were made in advance of the meeting related to item 6 (Biggin Hill Airport Proposal to vary the Airport's Operating Hours), details of which were tabled as follows:

Councillor Mary Cooke: Council Deputy Representative on Biggin Hill Airport Consultative Committee;

Councillor Judi Ellis: Complementary ticket to the 2014 Air Fair (but paid for it herself);

Councillor Peter Fortune: Complementary ticket to the 2014 Air Fair;

Councillor Hannah Gray: Running a business to business exhibition at Biggin Hill Airport on 16th September 2015 along with two fellow directors of Bank (Bromley and Kent) on Business;

Councillor Kate Lymer: Four Complementary tickets to the 2014 Air Fair;

Councillor Alexa Michael: Council Representative on Biggin Hill Airport Consultative Committee;

Councillor Ian Payne: Council Deputy Representative on Biggin Hill Airport Consultative Committee and Complementary tickets to the 2014 Air Fair;

Councillor Melanie Stevens: Council Representative on Biggin Hill Airport Consultative Committee and Complementary ticket to the 2014 Air Fair;

Councillor Tim Stevens: Council Deputy Representative on Biggin Hill Airport Consultative Committee and Complementary ticket to the 2014 Air Fair;

Councillor Pauline Tunnicliffe: Two Complementary tickets to the 2014 Air Fair;

Councillor Richard Scoates: Council Representative on Biggin Hill Airport Consultative Committee.

Councillor Nicholas Bennett also declared a personal interest at the meeting as a Member of the Board of Bromley College of Further and Higher Education which hoped at some stage to open a College at Biggin Hill.

## **80           Questions from Members of the Public where notice has been given.**

A number of questions from Members of the Public had been received for oral and written reply. Details of the questions and replies – including replies to

supplementary questions - are at **Appendices A and B**. Details of the questions were also tabled, including written replies to questions where a non-oral reply was expected.

The questions for oral reply were taken in order and answered by the Leader of the Council. Given the importance of the matter before Members, it was agreed that time for the questions would be extended beyond the 15 minutes provided in the Council's Constitution for ordinary meetings of the Council.

The Mayor explained that a questioner would have opportunity to ask a supplementary question but that such a question should not take the form of general comment or a statement.

**81 Oral questions from Members of the Council where notice has been given.**

Four questions had been received from Members for oral reply. Details of the Questions and Replies are at **Appendix C**.

As the questions were unrelated to the main business of the meeting, the Mayor, in using his discretion to order agenda items, advised that the questions would be taken at the end of the meeting following debate on the evening's substantive item.

**82 Written questions from Members of the Council**

Four questions had been received from Members for written reply. Details of the Questions and Replies are at **Appendix D**.

Again, as the questions were unrelated to the main business of the meeting, the Mayor used his discretion to take the questions at the end of the meeting.

**83 Biggin Hill Airport Proposal to vary the Operating Hours**

**Report DRR15/035**

The Special Council meeting had been called to consider a proposal from Biggin Hill Airport Limited (BHAL) to vary the operating hours at the airport. Lawyers acting on behalf of BHAL wrote to the Council on 5th November 2014 proposing that the airport's operating hours be varied pursuant to the terms of the Lease.

The Mayor explained that for legal reasons the Council's Executive would be making the final decision on the matter. The Executive would meet immediately following the Special Council meeting. Report DRR15/035 sought a decision on whether the proposals should be supported or rejected. Executive Members at the Council meeting would be able to hear views expressed and any recommendations made; Council would therefore inform the Executive in its decision making.

The Mayor indicated that Members of the Executive had been advised that they may take part in the debate but it would be advisable for them to refrain from voting during the Council meeting.

The Mayor asked the Leader of the Council and Chairman of the Executive, Councillor Stephen Carr, if he wished to speak before opening up debate.

Councillor Carr explained that the Council meeting had been called to allow Executive Members to listen to the views of Council Members. The outcome from Council was not binding and Councillor Carr acknowledged that the topic was particularly emotive. From the outset he emphasised his total respect for the views of Members and for the views of those who had responded to the Council's public consultation. It was nevertheless important for the authority as a public body to respond to BHAL's application reasonably and in a timely manner and to fulfil its duty to all borough residents.

Councillor Carr took the opportunity to comment on matters included in a number of frequently asked questions received in previous weeks.

The public had been consulted recognising the Council's commitment to residents to do so. Councillor Carr also contrasted BHAL's current application with two previous BHAL applications in advance of the 2012 Olympics. The first, in November 2010, requesting fare paying passengers, was rejected. The second in 2011, to vary operating hours over the period of the Olympics, came with no commitment to an ongoing Noise Management Package or other mitigation. With the current application was the capability, at the airport's expense, to be able to monitor flight path noise and potential infringements of the lease. There was also now every possibility of the VOR beacon being relocated to provide further mitigation and benefit to local residents.

Councillor Carr also highlighted that Members of the majority group on the Council had been given a free vote on the issue.

Following comments from Councillor Carr the matter was opened up for debate. Councillor Nicholas Bennett moved the following Motion which was seconded by Councillor Peter Fortune:

*"That subject to agreement from the airport to all concessions, conditions, and obligations which can reasonably be required in consideration for agreeing a variation to the operating criteria in the third schedule to the lease, and subject to the Executive being satisfied with the concessions, conditions, and obligations negotiated, the Executive should then agree in principle to the extension of hours and consult again with Council before the final decision is made".*

The debate which followed covered a number of points from those in favour of the BHAL proposals and those against, including those briefly summarised below:

Summarised points in favour of the BHAL proposals

- Aviation technology had already changed since the lease was signed - adjustments could be expected from time to time during the 125 year lease.
- The commercial reality of aviation transport had also changed - for BHAL to continue as a viable commercial concern, change to the lease should be accepted to accommodate the changing face of modern avionics. Aviation is international and fast changing and it was important for Biggin Hill to compete with competitors including business focused London airports and airports from North West Europe. A change to the operating hours would enable BHAL to operate on a level playing field with competitors and ensure its ongoing viability. In light of significant competition, the airport could deteriorate if not supported in its expansion.
- It was necessary to take a holistic approach and consider the bigger picture.
- Revenue to L B Bromley could also be expected to increase through increased rent and increased business rates at a time when the Council's finances are under unprecedented pressure. The increased income might help to reduce the level of cuts to front line services and might help lower the gap between rich and poor in the borough.
- Currently BHAL could significantly increase movements under the lease without any sanctions.
- Noise limits in the lease are out of date with no means of effectively monitoring or enforcing the limits.
- The lease currently takes no account of latest technology in monitoring and tracking aircraft and their noise, with the Council missing out on opportunities to control noise and pollution.
- The motion would enable the Council to negotiate conditions and noise limits and hold BHAL to its promises on noise reduction, with sanctions being applicable should BHAL fail.
- Movements would be cut to 50,000 (as recommended by Cole Jarman, Acoustic Consultants) so removing any concern for massive expansion feared some years previously.
- The number of aircraft above the borough could be expected to reduce and plans to have the stacking beacon moved were well advanced.
- The opportunity was provided to achieve a better outcome for residents and the environment in a controlled and balanced way whilst also

allowing the airport the flexibility to remain a successful business location for the future.

- There would be opportunities for more jobs and for engineers to be trained and employed in Bromley - skills and training could be expected from a new aviation college.
- Small businesses could also be supported and the airport heritage was of benefit to all in the borough.
- Public consultation highlighted a majority in favour of expansion.
- The airport could create up to 2,300 new jobs in a modern high tech industry which is growing.
- The number of aircraft movements had been steadily reducing over the previous 15 or so years.
- Modern aircraft are quieter and better air traffic control enables aircraft to approach at a higher level and on a more precise flight path.
- With the preservation of Biggin Hill's name and its association with successful and high quality flying operations, income could be generated for the borough in more ways than through rent and other payments by the airport. Other considerations were important such as the airport's historical associations, the planned heritage centre, and the chapel forming a major tourist attraction. It made business sense to enable the airport to function in the best possible way for the 21<sup>st</sup> century.
- It was necessary for the Council to maintain control of the asset through the lease to encourage the aviation business market and prevent others considering the airport for operations such as scheduled holiday flights.
- All residents take some amount of noise from sources such as emergency vehicle sirens and railway traffic.
- No proposal for change is ever warmly supported by those who live nearby - there would be no progress if only those affected make the decision.
- If negotiations are successful the Council would have an opportunity which would be good for training, jobs, Biggin Hill, and Bromley as a whole.



Summarised points against the BHAL proposals

- Little change from the previous refused applications - times would be extended to unacceptable levels in the current application. The operational hours suggested are unsocial and would impact resident lifestyles. Proposals would blight residents under the flight path.
- The Council owns the airport to protect the interest of all residents – the lease had been established to support the airport and residents under the flight path.
- The noise contour line is too close to the airport to provide any idea of the impact it would have further out and would only have impact around Biggin Hill.
- Noise decibels from an aircraft causing actual disturbance is of more importance than an average decibel level.
- It is questionable how many additional jobs might be taken by Bromley residents and there is no mention of specific positions amongst the additional jobs – if business aircraft manufacturers are involved, the companies could be expected to bring their own workforce.
- Affected residents expressed strong objections during public consultation – the views of affected residents are paramount.
- Community Fund grants (from fines for non-compliance with noise abatement levels) for double glazing/ sound insulation to bedroom windows might take some time to deliver.
- There is no mention that the Aviation College will be built at Biggin Hill.
- Applications for alternative flight paths and relocation of the VOR beacon could be a lengthy process. If the applications are approved, there would be nothing to prevent BHAL continuing to use the existing flight paths.
- The number of jobs to be created was understood to be linked to the number of aircraft based at Biggin Hill – however, it was understood that the number of aircraft based at the airport had reduced.
- Improvements such as higher flight level, increased angle of descent, and possible flight path changes are matters for the Civil Aviation Authority (CAA) to approve. A new flight path was needed but no formal application from BHAL to change the flight path had been received by the CAA. If an application was to be received it would take four years to process. It was not BHAL's decision and change might not take place following an application. Before negotiations can take place, it was suggested that BHAL come back to the Council with firm

proposals e.g. when a change to the flight path has been approved. The initial proposals are not “set in concrete”, and there are no signed contracts, agreements, or guarantees.

- Other than for noise abatement, there appeared to be no sanctions or financial penalties for failure to deliver.
- Potentially, anywhere in the borough could be affected by helicopter flights which do not have a specific flight path.
- Benefits outlined by BHAL had not been proven and the financial benefit was unsubstantiated. All the benefits are aspirational, not guaranteed, and separate from a change to operating hours and varying the current terms of the lease.
- There is transport and accessibility drawbacks for Biggin Hill which could lead to concerns for road congestion - expansion would be hampered by a lack of transport infrastructure.
- Average day noise levels could increase if operating hours are extended. Residents living close to the airport and/or under flight path are likely to experience increased noise. Many thousands of people would be affected and residents would suffer more noise earlier and later each day; early risers might retire early and could be disturbed just prior to 11pm. The same could apply to younger children. Those rising at 7am or 7.30am might be disturbed by aircraft just after 6.30am. Recommendations on hours from the Noise Consultant could also cause difficulties for those working different hours.
- The proposed new operating hours are a big increase on existing hours. Although there would be a cap of eight movements between 6.30am and 7am and a cap of eight movements between 10pm and 11pm, the cap would potentially allow for one take-off or landing every 3.75 minutes between 6.30am and 7am and one take-off or landing every 7.5 minutes between 10pm and 11pm. As such, the cap did not seem to offer much protection for residents living under the flight path.
- It would not be possible to reverse a decision (to extend operating hours) and would go against the principles of the Council originally purchasing the airport.
- None of the following have anything to do with the proposed variation to operational hours: new aviation businesses and workshops; a new hotel; an aviation engineering college; 2,300 new jobs; noise abatement; and a change of flight path. Why had BHAL not commenced or completed some of these measures before now? Why was a change of flight path not followed up previously?

- The decision was being rushed through without proper discussion. Why rush if there is no time limit? Best to at least clarify and resolve issues contained in initial proposals before reaching a decision. The initial proposal might be agreed without sufficient thought and could result in no benefit being obtained for the borough.
- There were no guarantees on matters to do with finance.
- Why was it not possible for aircraft manufacturing companies to be established at Biggin Hill airport under the current terms of the lease? Such companies would be manufacturing aircraft rather than flying and would not need an extension to flying hours.
- No effort was made to find out how many would be affected by the extra operating hours or how they would be affected – the consultation questionnaire did not ask this.
- For business aviation, BHAL already had better operating hours than London City, Farnborough and Northolt airports. If the competitors being considered were Luton, Southend and Stanstead airports, these airports have facilities open 24hrs per day.
- Key questions to consider were those around the hours people rise or retire - people living under the flight path were getting older. BHAL suggestions could go ahead without a change in hours as the economy comes out of recession.

**The Motion from Councillor Nicholas Bennett was put to the vote and was CARRIED.**

Voting on the matter was recorded as follows:

For the Motion:

The Mayor and Councillors Allen, Ball, Nicholas Bennett, Ruth Bennett, Botting, Boughey, Brooks, Buttinger, Collins, Cooke, Dean, Dunn, Dykes, Ellis, Fookes, Fortune, Gray, Ellie Harmer, Will Harmer, William Huntington-Thresher, Jefferys, Livett, Nathan, Page, Phillips, Philpott, Pierce, Reddin, Rutherford, Diane Smith, Melanie Stevens, Turner, Tunnicliffe, Wilkins, and Williams (36).

Against the Motion:

The Deputy Mayor and Councillors Auld, Fawthrop, Samaris Huntington-Thresher, Joel, Mellor, Michael, Owen, Scoates, and Tickner (10).

*Council*  
*25 March 2015*

Abstaining from voting:

Councillors Arthur, Carr, Evans, Colin Smith, Tim Stevens, and Stephen Wells (6).

Mayor

The Meeting ended at 9.18 pm

**COUNCIL MEETING**

**25<sup>TH</sup> MARCH 2015**

**QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY**

**1. From Mrs Annick Tuesley**

Why does the Council allow the Airport to state that it operates from 06.30 to 22.00, when those are the very hours that were overwhelmingly rejected (twice) prior to the Olympics, and what justification would there be for the Council to grant those hours now, and even more?

**Reply**

It should be noted that for aircraft normally based at the Airport the lease allows departures from between 06.30 am and 07.30 am on weekdays, and landings up until 22.00 pm on weekdays only.

For these reasons, accepting the restrictions that are in place, I believe it is possible to describe the Airport as being open from the hours of 06.30 am to 22.00 pm. and therefore operational.

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**Supplementary Question**

Mrs Tuesley asked whether the Council accepted that the Noise Action Plan presented by the airport was only limited to assessing progress every five years towards noise reduction within the airport contours and if this was the case, Mrs Tuesley enquired how this would help residents.

**Reply**

The Leader indicated that should the decision be approved it was his intention that any monitoring would be live, day-by-day, and constantly reviewed from the period that an application was successful.

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**2. From David Hook**

Will the proposed (by BHAL) limited number of Air Traffic Movements of 50,000 per year, be incorporated into the new Lease, and/or temporary adjustment to the existing Lease?

### **Reply**

If amendments are approved, any change to air traffic movements would be incorporated into the revised third schedule of the lease.

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### **3. From Peter Birdsall**

(i) Regardless of the outcome of tonight's meeting, what steps are the Council planning to take which will increase the income from this relatively poorly performing investment property?

### **Reply**

The lease determines the rent and fees the Council can expect to receive from the Airport. This is made up of an index-linked base rent plus an additional amount payable at the higher of the amount by which 3% of turnover or 12.5% net profits exceeds the base rent.

As stated in the report at paragraph 3.2, the base rent in 2014/15 was £89,444 and the additional turnover/profit income was £119,084. Also, as stated in paragraph 5.5, the Council's budget assumes an estimated income of £206,000 from the Airport.

Regardless of the decisions tonight, the Council will continue to support appropriate business activity at the Airport which will not only support and attract further employment but also serve to increase the income the Council receives.

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(ii) Why did the Council refuse to give residents any detail about income to the Council when the Airport has been keen to mention large amounts in newspaper articles? How believable are those figures?

### **Reply**

As stated in the report at paragraph 3.11 BHAL submitted to the Council on 10<sup>th</sup> November, a "private and confidential" financial proposal which BHAL recently agreed could be included in the report. This was agreed by BHAL on the basis that as much information as possible should always be in the public domain in the interests of openness and transparency. Until such a time that BHAL agreed the financial information could be included in the report, the Council was not able to act otherwise.

Regarding "believability", as stated in paragraph 5.1 of the report, these figures represent a financial forecast, not a contractual commitment. Further work would be required on the financial appraisal linked to any conditions and

obligations the Council would require which in turn determine the amount the Council could expect to receive.

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(iii) How do you explain the most recent figure that the Council stands to make £11million a year? Is that before or after all the infrastructure and service costs?

**Reply**

As stated, the £11m is a BHAL income forecast. It represents a cumulative figure over the period 2015/16 to 2030/31 and does not represent the annual income. Any such forecasts must be treated with caution. As far as I know any forecast does not include any assessment of costs.

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**4. From Mike Overall**

(i) Irrespective of the result of tonight's debate, will the Council now ask the Airport to prepare a fully detailed Report on use of Alternative Flight Paths over open countryside on the East, accompanied by a Noise Action Plan that considers overflying of residential areas rather than airport contours?

**Reply**

In such an event, we will not only ask but insist.

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(ii) Since this seriously affects tens of thousands of Keston Village and Bromley residents, will the Council make publicly available detailed results of these studies and, if enforceable, impose sanctions for non-compliance by the Airport?

**Reply**

Absolutely.

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**5. From Michael Latham**

(i) Why are Members asked to consider this application given that the officer's report for Members states at Finance 1; 'It has not been possible to gauge how realistic these projections are at this stage as no detailed submissions were provided to support these proposals' ?

## **Reply**

It is the case that more detailed discussions between BHAL and LBB would be required before details could be agreed. However, Members need to decide if the proposals merit further discussion. That is the purpose of the report tonight.

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(ii) Why does the officer's report at 6.4 (d) not mention the environmental damage inflicted on the non-air conditioned Princess Royal University Hospital by planes flying low overhead to land at Biggin Hill – as this can affect all Bromley residents – at particularly stressful times?

## **Reply**

Effects on the hospital have been considered: it is a noise sensitive facility that the Government would expect to be assessed against the 57dB  $L_{Aeq,16h}$  parameter in line with dwellings. The hospital is located outside the present and anticipated future noise contour at this value.

The Aviation Policy Framework states (in para.3.37) that airport operators should offer acoustic insulation to noise sensitive buildings, including hospitals, exposed to levels of noise above 63dB  $L_{Aeq,16h}$ . The hospital lies well outside this contour.

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(iii) Will Councillor Carr confirm the Chief Executive wrote to him on 22.9.04 and 3.3.05 about the; 'detrimental effect on the PRUH and its patient environment' since when planes have become lower and larger - and that Councillor Arthur, non-Executive Hospital Trust Board Member, was party to those letters ?

## **Reply**

This may be the case and I refer to the answer given to the last question. I can also confirm that in conversation with Mr Watkinson, that the Trust did not have any issues with these plans.

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## **Supplementary Question**

Mr Latham enquired whether the Leader accepted that the hospital Chief Executive confirmed in the year 2000 that the hospital trust were unaware of plans by the airport to attract bigger planes and also that the Council's Chief Planner confirmed at a Council meeting in 2003 that he was responsible for negotiating the hospital planning permission and that the overflying by planes had not been mentioned to the hospital trust.



**Reply**

The Leader indicated that he was unable to provide the confirmation Mr Latham sought and Mr Latham stated that he had letters to confirm it.

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**6. From Tony Trinick (Question put by Mark Trinick)**

(i) Why did the Council not reveal that the supposed increase in jobs is not only linked to an increase in operating hours but to a raft of other major concessions to the Airport, including sacrificing Green Belt for hangars and building better access to the airport?

**Reply**

BHAL has made it clear that the potential to create up to 2,300 jobs is predicated on the hours being varied as proposed. Green Belt and transport matters would need to be dealt with separately and on their own merits in the normal way.

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(ii) Why did the Council not reveal (I quote from Appendix 1 of the NLP report) that there is an underlying request to de-link the "roles of the Airport from environmental factors including green belt, noise, access and amenity"?

**Reply**

The Council does not believe it is in anyone's interest, including the Airport's, to "de-link" the role of the Airport from environmental factors including Green Belt, noise and amenity. The Airport does not operate in a vacuum and the Council will continue to ensure that its impacts on the wider community are properly considered in any response to current and future development plans.

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**Supplementary Question**

Mr Trinick enquired whether a potential 2,300 new jobs and ambitious gross added value of £230m per year had been assessed in relation to hours only or the entire spectrum of the Nathaniel Litchfield and Partners report, and could the Council confirm that it would maintain its UDP (Unitary Development Plan) policy of balancing the economic prospects of the airport with residents' local amenities.

**Reply**

The Leader confirmed that balancing the economic prospects of the airport with residents' local amenities would be maintained. It was hugely important to the Council. Concerning a gross added value of £230m per year, the Leader did not immediately recognise the figure, and not wishing to misinform Mr Trinick, explained that advice would be sought and Mr Trinick advised.

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**7. From Susan Radford, Petts Wood & District Residents' Association**

Does the Council accept that the aircraft approach heights proposed in the trial announced in BHAL's press release will remain unchanged over Petts Wood and therefore the promised reduction in noise is likely to be minimal in our area?

**Reply**

I understand that the recent BHAL press release stated that aircraft flight altitudes are being raised over Chislehurst and Petts Wood. Aircraft will establish on the current approach slope to complete their landing, but will join that slope approximately one-and-a-half miles further from the Airport and 400 feet higher. The Council, BHAL and residents should perhaps wait to see what difference this initiative makes before judging how effective these measures may or may not be.

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**Supplementary Question**

As a condition of any change to operating hours, Susan Radford asked whether the Council would agree that BHAL should introduce fly paths which would not overfly residential areas.

**Reply**

In his reply, the Leader felt that everyone would like to see this happen. Some of the recommendations from the Council's noise consultant (including proposals related to noise contours) indicated that these, and the placing of conditions, would help address and perhaps counteract the noise impact that aircraft currently make. Any change to runway approach would also be of benefit.

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## 8. From Giuliana Voisey

(i) Does the Council accept that the busiest and noisiest flight path is the one running below 2500 feet from Sidcup/Chislehurst to runway 21, as clearly demonstrated by the red corridor of NO votes on Map 2, Appendix 8, which gives a very good indication of where the main problem is?

### Reply

Yes I do.

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(ii) Does the Council realise that the estimated increase in revenue of £626,000 in 15 years' time equates to just £90 per household under this flight path alone, in 15 years' time, and the proposed Community Fund equates to £20 (£110 in total) based on a very conservative estimate of 7000 affected households?

### Reply

As stated in the report and indicated in an earlier response, the figures presented by BHAL are forecasts not commitments. However, the income included in their projection is not insignificant and increases by £772k by 2030. I am not currently convinced that the supplementary community payments are commensurate with the increase in noise generated at anti-social hours and as stated in the report more work would be required to consider an appropriate level of charging if Members were to decide to allow these proposals.

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(iii) How do 2300 jobs in 15 years' time in a borough that only has 1.4% unemployment (which is as low as it can realistically get), mainly created by attracting non-Bromley employees, compare with the sacrifices you are asking more than 100,000 of your residents to make from now?

### Reply

Biggin Hill has been identified by the Council as one of three strategically important locations for future employment growth. I am pleased to note that we have recently received GLA funds to assist the Council and local stakeholders including the Airport to prepare a detailed feasibility report and business plan for an Aviation Technology and Enterprise Centre. Notwithstanding the fact that Bromley's economy remains healthy, we cannot rest on our laurels, and to ensure our economy remains healthy we need to ensure that good quality, sustainable local jobs are available for local people in the coming years. That is not to say that we will accept job growth at any cost. It is the job of the Council to ensure that the right balance is struck.

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### **Supplementary Question**

If the Council realised there was a problem in the flight path corridor to Runway 21, Giuliana Voisey enquired why the approach to the runway was not mentioned in the Airport's Noise Action Plan and consequently not picked up by the Council's noise consultants. She felt that people under the flight path approaching the runway were ignored in the Noise Action Plan.

### **Reply**

The Leader indicated that a reason why no reference had been made was that it was something currently beyond the control of the airport and others. The Leader understood however that negotiations were moving forward to try and alleviate the problem.

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### **9. From Hugh Bunce**

(i) Why has no mention been made of the PRU hospital, one of the largest in South England, 1.5 miles from the end of the runway, with aircraft only 700 feet directly above creating a serious safety risk, and what can be done to restrict jet movements over this sensitive site?

### **Reply**

As I stated in my response to Mr. Latham earlier, the effects on the hospital have been considered. Regarding safety risk, I am not aware of any concerns being raised with the Council to date but will happily consider any detailed concerns you may have which I can discuss with the Airport and/or appropriate authorities.

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(ii) The flight path crosses from Locksbottom, to Bexley, covering 200,000 residents, two major hospitals, and 8 schools, (one of the most densely populated areas of the UK). Is the safety, quality of life, and environment of these people more important than developing an airport with severe infrastructure limitations?

### **Reply**

Safety is of course a critical priority for the Council as landlord and we would not do anything that puts at risk people's safety. Airports are, of course, regulated by the Civil Aviation Authority, and they do not permit any activities at the Airport that put at risk people's safety. I should add that it should come as no surprise to residents who live under the flight path that their properties

indeed lie under the flight path of what has been an active airport for many years.

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(iii) There are over 100,000 voters in four constituencies who are subjected to the effects of the flight path to Biggin Hill Airport. If you make a decision against their wishes are you happy to lose these constituencies on May 7th?

**Reply**

It is the job of elected Councillors to weigh up the pros and cons of all proposals that come before us. It is the case that not all residents (or Members come to that) will always be happy with decisions that are taken, but that is democracy at work.

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**Supplementary Question**

Should voters in the constituencies affected by the flight path to the airport be unhappy with the decision taken, Mr Bunce asked for the Leader's view should voters be advised to no longer trust Conservatives to protect their amenities, quality of life, and their environment.

**Reply**

The Leader explained that the Conservative Group at the Council had allowed a free vote on the matter. It was a difficult decision for many and the Leader was determined that Members of the Conservative Group would be able to express their views in dealing with a particularly sensitive and emotive issue. The Leader understood that a lot of people would not favour a particular outcome but this was democracy at work and Members were elected to make difficult decisions.

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**10. From Barrie Mayer (Question put by Mrs Annick Tuesley)**

(i) Isn't a decision on this Application seriously premature as most all the mitigating factors offered by BHAL or suggested by Cole Jarman are untested, best-efforts or insignificant?

**Reply**

The consultant's noise control recommendations are consistent with best practice used at other airports in the UK where they have been tried and tested.

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(ii) Does the Council accept that the Noise Action Plan presented by the Airport is only limited to “assessing progress every 5 years towards noise reduction within the Airport contours” (page 10) and, if so, how is this going to help residents?

**Reply**

If the Council were to consider approving the application it would look for more rigorous management of noise reduction including continuous real-time monitoring.

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**Supplementary Question**

Why was it not proposed that helicopters be excluded during the most unsocial hours by either the Airport or Cole Jarman?

**Reply**

The Leader indicated that this was the case as there had been no application to allow helicopters to operate in those hours.

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**11. From Jason Polis**

(i) What would be the contractual and other legal provisions to revert the lease back to its current terms should the promises made, including those about noise reduction, fail to materialise or meet expectations?

**Reply**

BHAL as the Council`s tenant is seeking to amend the third Schedule of the lease which sets out the operating criteria for the airport - as it is entitled to do under the terms of that document. No decision has been made so my answer must be taken in that context. However if any variation to the third schedule was agreed the Council would look to ensure appropriate safeguards were included and this is identified as one of the three choices on the report being considered this evening.

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(ii) What budgetary, legal and contractual provisions would be made to defend Council and Councillors from legal actions in relation to the consequences of any decision made in relation to this matter?

**Reply**

No decision has been made at this stage so it would be purely speculative to consider what if any challenges could be brought. As with all matters then if any consequential work couldn't be contained within existing budgets for legal services support – which can't be judged at this stage - the provision of any necessary supplementary funding would need to be considered at an appropriate time. Individual Councillors have a range of statutory protections and indemnities in respect of the majority of decisions that they collectively make.

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(iii) What are all the expected consequences for residents and Council of earlier and later flights on every day and night of the week?

**Reply**

The consequence for residents of the proposals before Members tonight include:

- The potential to create new jobs and investment for the Borough.
- A cap on permitted flights.
- New, more affective noise management and monitoring arrangements.
- Increased hours of operation and associated mitigation measures including an aircraft charging schedule to reflect the increased noise generated during unsocial hours and to take account of any public purse expenditure required as a result of the increased business at the Airport.
- There could be more flights than currently and this is a factor we have to take into account in making a decision.

I would draw your attention to Appendix 7 of the report for a fuller analysis of the proposals, and the controls and obligations that would need to be in place to ensure the consequences for residents of the proposal are reasonably mitigated.

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**Supplementary Question**

Should any variation to the third schedule of the lease be agreed, Mr Polis sought clarification in regard to safeguards that would be included and whether one of the safeguards would include reversion of the schedule back to its current terms.

**Reply**

The Leader suggested that the supplementary question from Mr Polis could only be determined as a result of any negotiations that might or might not go

forward. The Leader understood the point from Mr Polis and highlighted that the Council was determined to do what it could to protect residents if there was any change to the current terms of the lease. The Leader acknowledged the importance of the supplementary question from Mr Polis.

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**12. From Will Curtis**

In the light of the overwhelming support for the proposals made for the future use of Biggin Hill Airport, does the Leader agree that, provided that environmental concerns can be satisfactorily addressed, the proposals made by the Airport will secure the future of the airport in the quietest and lowest density sector of commercial aviation whilst at the same time providing both social and economic benefits and safeguarding the heritage of Biggin Hill airport?

**Reply**

The various consultation results have indicated that a majority of the Borough residents support BHAL's proposals. However, BHAL's own proposals acknowledge that noise and other environmental concerns need to be properly managed in order to ensure that residents' concerns are properly addressed. The question is have BHAL offered a sufficient level of mitigation to allow these proposals to be supported? The Council's consultants have identified areas where the Airport would need to improve their offer to the Council and our residents before any approval should be given. Weighing up the pros and cons of the proposals and the adequacy of the mitigation measures is the subject of the debate tonight.

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**13. From Robert Walters**

Can the Leader say what alternatives there may be to business and general aviation if the airport continues to lose market share due to its unfavourable operating hours and what other sectors of commercial aviation exist that could fill any revenue shortfall resulting from further loss of market share?

**Reply**

No I cannot.

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**14. From Barry Sargeant**

With 31,500 residents supporting Biggin Hill's proposals, does the Council feel that it has received a clear instruction from residents to support BHAL's proposals?



**Reply**

The consultation is not a ballot or a referendum. Its results do not provide an “instruction” to the Council to support BHAL’s proposals. The purpose of the consultation was to give residents the opportunity to express their views which the Council would take account of in reaching its decision on the proposals. I should point out that whilst there was general support for BHAL’s proposals across the Borough as a whole, there was much less support in areas under or close to the flight path - notably Petts Wood and Knoll and Farnborough and Crofton Wards being against the proposals. In reaching a decision on the proposals the Council must take account of the concerns expressed as well as any expressions of support. In reaching our decision the Council must ensure that we are acting “reasonably” and have considered the application on its own facts and merits.

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**15. From John Willis**

Does the Leader believe that the planned Aviation Technical College will fit well with the recently announced and very commendable boost in the government apprenticeship scheme such that it will create jobs for Bromley residents and align with current Conservative economic policies?

**Reply**

I hope so.

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**COUNCIL MEETING**

**25<sup>TH</sup> MARCH 2015**

**QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY**

**1. From Andrew Cairns**

What alternative uses for the airport site has the Council considered, more appropriate to the residential nature of the surrounding areas, given that the management of BHAL feel unable to operate a viable business without increasing their weekly operating hours by an overall 14.5% (42% increase at the weekend)?

**Reply:**

The Council has not considered an alternative use for the airport site as it is leased to BHAL Ltd for a term of 125 years from 7<sup>th</sup> May 1994.

**2. From Matthew Coates**

(i) As job and Gross Added Value estimates are linked by NLP to more than just the increase in operating hours, has the Council received a satisfactory Business Plan from the Airport related exclusively to the increase in operating hours?

**Reply:**

The Airport has stressed that the forecast job growth could not be achieved without an increase in hours. The Council is reasonably satisfied that this is the case as evidenced by consultants (URS and DTZ) and BHAL's feedback from potential investors.

(ii) Why does the Council keep referring to the overall support for the Airport's proposals during its October survey when the Populus survey actually showed that only 35% unreservedly supported the only question that matters: Operating Hours, thus perpetuating BHAL's misrepresentation of it?

**Reply:**

The Council has encouraged the residents to read the full submission published on the Council's website. The populus survey result showed that "65% support the new opening times (including 35% who strongly support them) compared with 18% who oppose".

(iii) Why does the Council believe that taxpayers have to continue to provide funds and concessions to a private business serving an elite clientele AND already profitable, when that money would be better spent supporting other types of industries and enterprises?

**Reply:**

I don't believe the Council is.

**3. From Zoe Chambers**

(i) What forecasts have been run to ensure that there are enough students from the borough of Bromley to justify Bromley taxpayers paying £3.5m towards it and why was it not made clear that we taxpayers, not the airport, are paying for it?

**Reply:**

The Council is not in receipt of a Business Plan for the proposed training facility at the Airport and therefore it is premature to comment on costs and who will pay for the facility.

(ii) Has the Council analysed alternative sources of income for that large area which do not involve aeroplanes overflying people's homes and why would this not be a reasonable opportunity to ask the Airport (which is profitable and does not need extra support) whether they might want to rescind the lease if they do not like it as it is?

**Reply:**

The lease includes provision for the Airport to seek revisions to the operating criteria. That is all they are doing.

(iii) How much profit has the Council made in real terms from BHAL over the past 20 years after deducting the £1.5m to resurface the runway, additional money to install the ILS, £400k granted in 2007 (taken from BHAL's accounts) and other general infrastructure/services expenditure? Why do you think they are not taking you for a ride again?

**Reply:**

Since the lease agreement was signed, the Council has received rent payments totalling £2,382,374 for the period 1994/95 to 2013/14. In 1994, the Council undertook to contribute up to £1.5m towards the resurfacing of the main runway and actual expenditure on this totalled £1,500,850.00 between 1994/95 and 1998/99. In addition, the Council spent a total of £82,619.48 on lighting improvements between 1993/94 and 1998/99. This provides a net difference of £798,904.52 over the period 1993 to 2014.

We have checked back through our records and, from the information provided, have been unable to find any record of a contribution towards the ILS or of a £400k grant.

Subject to Members' decision tonight, I would be seeking to ensure that any new agreement with BHAL addresses more satisfactorily than was the case with the original lease agreement, a significantly better financial deal for our residents.

#### **4. From Nicholas Voisey**

(i) Now that I have read the report circulated yesterday, how can a decision be taken with so many imponderables, suggested 'best efforts' amendments, unsubstantiated projections, undeliverable pledges etc?

**Reply:**

The Council has received a proposal from BHAL and is obliged to consider the proposal in a timely manner.

(ii) How can the council even consider such a divisive decision based on putting two thirds unaffected residents of the borough against the third which is affected?

**Reply:**

The Council has a duty to weigh up the pro's and con's of such proposals and make decisions based on what is in the best interests of the Borough as a whole.

(iii) How can a Council, any council, support a party that has based its canvassing on market manipulation rather than market research and run a campaign by calling the opposition liars instead of using arguments as well as writing personal intimidating letters? All of this can be proven.

**Reply:**

The Council cannot be held responsible for activities undertaken by third parties and will make its own decisions based on its own merits and facts on the application it has received.

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**COUNCIL MEETING**

**25<sup>th</sup> MARCH 2015**

**QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL**

**1. From Councillor Ian Dunn to the Portfolio Holder for Environment**

Can the Portfolio Holder tell me how many residents have been written to demanding a fee of £80 per annum for the disabled space outside their home? How many of them are old age pensioners? Does he think that it is fair that some of the most vulnerable in society are being charged £80 per annum for a parking space which is available to any blue badge holder.

**Reply**

The Council has written to approximately 350 disabled residents.

Whilst I suspect that a significant proportion, and for the sake of debate would accept that a majority, are probably pensioners, the precise number is not immediately known as that information is not retained on file. I have however asked officers to try and recover that data for you from the relevant application forms.

I do have to respectfully suggest however that I believe you are incorrect to possibly conflate all pensioners and disabled people with an inability to pay for this service if indeed that is your suggestion.

As such, I do believe that the proposed charge is fair as provision and enforcement of Disabled Bays are not statutory services and are ones which we can no longer afford without a contribution being made for their upkeep by those who benefit from them.

Also, and perhaps more importantly, and this is where I might be able to persuade you a little, we are currently working on the details of a scheme which should in future hopefully mean that we will be able to dedicate each paid for space solely for the sponsoring householder's benefit.

That said, despite several other London Boroughs already operating similar schemes, we are listening to the expressed concerns surrounding aspects of this policy in non-Controlled Parking Zone areas, and may further nuance the criteria slightly following further consultation with that particular client group.

**Supplementary Question**

The paper from Committee last autumn stated that consultation will be carried out in advance of this scheme becoming operational with all disability groups and other key stakeholders. Can you please tell the Council what groups were consulted and summarise their responses?

## **Reply**

No, I can't, but I will have the Head of Traffic and Road Safety write to you with that information to be placed on record.

### **(Democratic Services Note:**

The following information was subsequently supplied to Cllr Dunn -  
"Consultation was carried out with the following groups in February 2015 before residents were informed of the proposed charge:

- Bromley Experts by Experience (formerly BATH)
- Bromley Mobility Forum
- Bromley Talking Newspaper
- Kent Association of the Blind

Comments and questions were received from:

- Bromley Experts by Experience – who asked further questions on the proposed format and how the scheme would operate. The questions sought clarification of the link between the issuing of disabled bays and the issuing of blue badges themselves and also asked if any charge was to be means-tested.

Separately, Disabled Motoring UK, a charity for disabled drivers, passengers and blue badge holders, contacted the Council regarding a specific Bromley resident and their on-street parking situation. This question was in respect to whether exclusive use of a disabled bay could be offered to a user."

### **Supplementary Question from Councillor Nicholas Bennett**

Councillor Smith will know that I wrote to him about a case in my ward two days ago. He has just mentioned "*not in Controlled Parking Zones*". Can he confirm whether the Equalities Act 2010 would prevent the Council charging disabled residents in a road where there are no parking controls, when everyone else can park for nothing? Has he looked at that aspect?

## **Reply**

That is the cause of much debate. Some lawyers think possibly; others think definitely not. Other authorities are doing it which doesn't necessarily make it right if it is wrong but that it is part of the teasing out in the non-controlled parking zones. It could be that policy will evolve - that people with bays keep them but are not policed, which would mean that people who park in them without a ticket would not be ticketed; it may be that residents outside of controlled parking zones, when they get to realise that it will be policed and a bay is dedicated to them, will be more than happy to pay the fee. These are the sorts of conversations that will be going on in the coming weeks.

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### **2. From Councillor Nicholas Bennett to the Leader of the Council**

*In view of time constraints and the need for the Executive meeting to start at a reasonable time, Cllr Bennett agreed to accept the Leader's reply for the question below in written form.*

What information he has as to the improvement of the local economy since May 2010?



## Reply

### Unemployment – claimant numbers and rates

The number of claimants of the main unemployment benefit (Job Seekers Allowance) has reduced from 5,900 in Jan 2010 to 2,600 in Feb 2015. As a proportion of the working age population the percentage has reduced from 3% to 1.3% in the same period.

### Number of enterprises

Total number of enterprises in the borough has increased from 10,700 to 12,300, an increase of 15%. The majority of this growth was in private sector enterprises of under 10 employees, with some shrinkage of the number of enterprises of 250 and above.

### Number of employee jobs – part time / full time

The number of employee jobs in the borough has remained relatively stable between 2010 and 2013 (latest data available) increasing slightly from 100,300 in 2010 to 101,100 employee jobs. The number of full time jobs has remained virtually static during the period – with the main growth in jobs coming from part time jobs, increasing from 37,600 to 38,600 between 2010 and 2013.

### Median earnings – weekly (full / part time) resident based and workplace based

The median weekly earnings of Bromley residents who are full time workers has increased from £652 in 2010 to £700 in 2014 (7.4% increase). For residents who are part time workers the increase during the period has been over 12%, from £167 to £187.

Median weekly earnings for jobs which are based in the borough (not necessarily held by Bromley residents) have shown a modest increase (3%) from £530 to £550 between 2010 and 2014. However, median earnings for part time workers in the borough are now nearly 13% more, increasing from £142 to £166 per week.

It should be noted that the earnings figures have not been adjusted for inflation.

### Business survival rates

In 2010 the 1-year survival rate for businesses was 88.1%. In 2012 (latest available data) it was 93.1%

### Business start ups

Based on a count of new business accounts started at major high street banks, the number of start-ups in the borough was just over 3,000 during 2010. For the whole of 2014 there were 2,700 businesses starting up (a 10% decline). This may reflect improved economic conditions as the number of employment opportunities has increased since 2010.

### Town Centre vacancies and footfall

These have remained relatively low (in comparison with GB average) for most town centres, with the exception of Orpington.

Beckenham 11.0% (Dec 14) – c.f. 9.1% (June 14)  
Bromley 11.8% (Nov 14) – c.f. 12.8% (May 14)  
Orpington BID area 15.2% (Jan 15) – c.f. 15.2% (Sept 14)  
Penge 8.1% (April 14) – c.f. 7.4% (May 13)

NB GB average 13.2%

Bromley North Village specifically has shown a marked improvement: Vacancy rates before the works in Feb 13 were 8.1%, during the works in Feb 14 were 9.1% and when the works completed the vacancy rates reduced to 6.6%.

Footfall in Bromley North Village has increased 62% on a weekday and 49% on a Saturday (compared to 2011).

Overall Bromley Town Centre footfall figures have also improved: The February 2015 Springboard data shows a 7.3% increase on February 2014, and a year to date increase year on year by 4.8%.

In the other 2 main town centres where footfall is monitored through manual counts the picture is more mixed:

Beckenham  
Feb 2014 = 22,100  
Feb 2015 = 30,300  
37% increase

Orpington  
Feb 2014 = 26,600  
Feb 2015 = 22,600  
15% decrease

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### **3. From Councillor Nicholas Bennett to the Portfolio Holder for Resources**

What was the Council tax money terms and percentage increase in the three years 1999-2002 and in the 13 years since 2002?

#### **Reply**

The Portfolio Holder referred to the table below:

## L B Bromley's Council Tax Band 'D' 1999/00 - 2015/16

Year	Bromley		Preceptors		Headline	
	Band 'D'	Increase	Band 'D'	Increase/ Decrease	Band 'D'	Increase/ Decrease
	£	%	£	%	£	%
1998/99	513.26	2.9%	96.31	17.8%	609.57	5.01%
1999/00	564.95	10.07%	105.01	9.03%	669.96	9.91%
2000/01	612.68	8.45%	122.98	17.11%	735.66	9.81%
2001/02	675.50	10.25%	150.88	22.69%	826.38	12.33%
2002/03	706.23	4.55%	173.88	15.24%	880.11	6.50%
2003/04	748.59	6.00%	224.40	29.05%	972.99	10.55%
2004/05	799.16	6.76%	241.33	7.54%	1,040.49	6.94%
2005/06	838.34	4.90%	254.62	5.51%	1,092.96	5.04%
2006/07	871.67	3.98%	288.61	13.35%	1,160.28	6.16%
2007/08	913.73	4.83%	303.88	5.29%	1,217.61	4.94%
2008/09	953.33	4.33%	309.82	1.95%	1,263.15	3.74%
2009/10	979.16	2.71%	309.82	0.00%	1,288.98	2.04%
2010/11	991.31	1.24%	309.82	0.00%	1,301.13	0.94%
2011/12	991.31	0.00%	309.82	0.00%	1,301.13	0.00%
2012/13	991.31	0.00%	306.72	-1.00%	1,298.03	-0.24%
2013/14	1,010.07	1.89%	303.00	-1.21%	1,313.07	1.16%
2014/15	1,010.07	0.00%	299.00	-1.32%	1,309.07	-0.30%
2015/16	1,030.14	1.99%	295.00	-1.34%	1,325.14	1.23%

The average increase from 1999/00 to 2001/02 in Bromley's element of the Band 'D' Council Tax was 9.6% totalling an average of £54.08 per annum.

The average increase in Preceptors was 16.3% totalling an average of £18.19 per annum.

The total average increase was 10.7% totalling an average of £72.27 per annum.

For the period 2002/03 - 2015/16, the total average increase was 3.5% totalling an average of £35.63 per annum.

Therefore, in summary, the increases since that time were just under a third of the level that they were during that time.

### **Supplementary Question**

In light of the General Election on 7<sup>th</sup> May, what advice would Councillor Arthur give to the residents of Bromley about the attitude of the Labour Party and the Liberal Democrats towards taxation?

### **Reply**

I do believe that the figures largely speak for themselves and it will be for the electorate to judge us on our record to say whether they were comfortable with

having increases of 10.7% or whether they would rather have increases of less than a third of that figure.

They would also look at what happened to the reserves during that time when the reserves were sadly depleted during those three years since when we have repaired that damage and returned the reserves to the way they were in the early nineties. We have also brought a degree of ambition into how we are treating those reserves in order that they can give us £4m per annum to shore up front line services.

But it is interesting to reflect – and I was a here at that time – I think there 18 Lib Dems and 14 Labour Members and I think we can say that the electorate has passed judgement as the 18 have disappeared altogether and the 14 have been cut in half. It was an interesting thing at the time to watch in slow motion a car crash effectively where these two disparate groups tried to cobble themselves together and to see the Labour Group desperately trying to get into power by cobbling themselves on to a group with which they had nothing in common at all. It is interesting and I do reflect perhaps that Mr Miliband is doing much the same thing with Alex Salmond perhaps where he is saying that he wishes to cobble himself together with someone else to get in by the back door. So perhaps people ought to learn the lessons from Bromley.

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#### **4. From Councillor Nicholas Bennett to the Portfolio Holder for Education**

*In view of time constraints and the need for the Executive meeting to start at a reasonable time, Cllr Bennett agreed to accept the Portfolio Holder's reply for the question below in written form.*

If he will make a statement on how the expected increase in pupil numbers in the coming years will be met by the provision of new places at both primary and secondary level?

#### **Reply**

Bromley has witnessed a significant increase in demand for primary places over the last five years with the number of children in reception increasing by approximately 600. According to pupil roll projections produced by the Greater London Authority demand will increase further from 3,982 in September 2014 to 4,148 in 2028.

We have ambitious plans to meet this demand. Already Churchfields, Clare House, Harris Primary Academy Crystal Palace, Parish Church of England Primary School, St Paul's Cray and Worsley Bridge schools have permanently expanded and bulge classes have been added at a number of schools.

Consultation on permanent expansion is currently taking place at Midfield Primary School with Edgebury Primary School to follow shortly. It is planned that more primary schools will consult on expansion over the next year permanently increasing the supply of primary school places in the borough.

Major building work is underway to physically expand schools. Clare House Primary School is being completely rebuilt as a 2 Form Entry School. Major extensions are currently being constructed at Churchfields, Parish, St Paul's Cray and Worsley Bridge schools to provide additional forms of entry, with smaller schemes at Bromley Road, Hawes Down Juniors and Keston schools being delivered over the coming months.

In addition to those schemes already being delivered, the Council has a developed primary school capital programme for the next three years. Schemes at Edgebury, Princes Plain, Scott's Park, Stewart Fleming and St George's schools are currently subject to detailed preparation work. Feasibility work is underway at James Dixon, Marian Vian, Farnborough, Chislehurst St Nicholas, Leasons, Poverest, Blenheim, Green Street Green and Oaklands schools.

However, the local authority cannot satisfy all demand for primary places within existing local schools and Free Schools have, and will continue to play, an important role in the Council's programme. Harris Beckenham, Harris Shortlands and La Fontaine academies opened in September 2014 and new Free Schools approved in Crystal Palace and Langley Park are due to open over the next couple of years.

Demand for secondary school places has started to increase after a period of decline in rolls. This increase is driven by two factors, the increase in demand for primary places passing through to secondary age and migration into Bromley.

According to pupil roll projections produced by the Greater London Authority demand for Year 7 places will increase further from 3,508 in September 2014 to 4,421 in 2031.

More places will be provided in secondary schools this September due to increasing local demand with Bishop Justus, Langley Park School for Boys and the Ravensbourne Academy all taking a bulge class.

We continue to work with our existing secondary schools to identify options for expansion where sustainable, but expansion alone will be unable to meet the additional 30 forms of entry required by 2030. New schools delivered via the Free School route will be required to satisfy that demand.

Colleagues will also be aware that along with the Beckenham Academy and Bromley College sponsored University Technical College (UTC) announced last year, another secondary Free School, Bullers Wood School for Boys is due to open in September 2016.

The local authority is also continuing conversation with the Roman Catholic Archdiocese of Southwark with regards the possible creation of new catholic secondary school in the borough.

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COUNCIL MEETING

25<sup>TH</sup> MARCH 2015

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

**1. From Cllr Ian Dunn to the Portfolio Holder for Environment**

Can the portfolio holder provide the number of disabled residents who have been written to demanding a fee of £80 per annum for the disabled space outside their home broken down by ward.

**Reply**

Current holders of a disabled parking bay have been sent a letter informing them of the decision which has been made to charge an annual fee. The Council has written to approximately 350 disabled residents. No demand for a fee of £80.00 has as yet been made. The bays are across all Wards borough wide and are not categorised by Ward but by each road.

I have asked officers to break this figure down by wards and update all Members at the earliest possible opportunity.

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**2. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation**

Further to my question at the last meeting If he will update the list by Plans sub-committee the number of applications since May 2014 which have been recommended for:

- i. approval
- ii. refusal
- iii. and the number in each case where the committee took a contrary view and the number of appeals registered as a result and where available the outcome of the appeal?

**Reply**

There were 22 Plans Sub Committees (PSC) from 1<sup>st</sup> May 2014 up to 5<sup>th</sup> March 2015.

There were 352 applications on PSC agendas

5 were withdrawn

Total therefore 347

249 were recommended for approval

100 were recommended for refusal

67 were subject to overturned recommendations where the Committee took a contrary view to the officer recommendation  
 48 of those overturned had appeals lodged  
 22 of those appeals were allowed  
 10 were dismissed  
 1 was part allowed and part dismissed  
 1 was withdrawn  
 12 are still in progress

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### 3. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation

What information he has as to the current operating conditions for flights into and out of the following airports:

Southend  
 Luton  
 Northolt  
 London City?

#### Reply

Airport	Hours	Operations	Noise Limits	
			Daytime (07h00 – 23h00)	Night time (23h00 – 07h00)
<b>Southend</b>	24 hours	53,000 m.p.a.  120 movement/month at night		
<b>Luton</b>	24 hours	18M p.p.a. NQ (23h30 – 06h00) 9,650 m.p.a. SH (06h00 -07h00) 7,000 m/p/a	57dB Envelope 19.4km <sup>2</sup> (2015) – 15.2km <sup>2</sup> (2028)	48dB Envelope: 37.2km <sup>2</sup> (2015) – 31.6km <sup>2</sup> (2028)  QC (23h30 – 06h00): 3,500 (2015) – 2,800 (2028)



<b>Northolt</b>	08h00-22h00 Mon-Fri  08h00-14h00 Sat  12h00-18h00 Sun/BH			
<b>London City</b>	06h30-22h00 Mon-Fri  06h30-12h30 Sat  12h30-22h00 Sun  Specific limits on BHs	120,000 m.p.a. 592 Mon-Fri 100 Sat 200 Sun  Specific limits on BHs	Factored movements not more than 120,000*	
<b>Biggin Hill (current proposals)</b>	06h30-23h00 Mon-Fri  07h30-23h00 Sat  08h00-22h00 Sun/BH	50,000	57dB (16h) Envelope  2.7km <sup>2</sup> (2030)	SH (06h30 – 07h00)  57dB (30m) Envelope  2.6km <sup>2</sup> (2030)

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#### 4. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal and Recreation

Further to Cllr Ruth Bennett's question at the last meeting if he will list by library the cost of issuing a book at each one?

#### Reply

2013/14 figures below - we don't have full year figures for 14/15. Please note this is based on the Controllable Budget.

<b>Cost of Issuing a book per Library</b>	
<b>Branch</b>	<b>Cost per issue</b>
Beckenham	£2.37
Biggin Hill	£2.54
Burnt Ash	£5.52
Central	£5.01
Chislehurst	£1.98
Hayes	£3.26
Mottingham	£3.76
Orpington	£2.28
Penge	£3.31
Petts Wood	£1.78
Shortlands	£2.77
Southborough	£1.83
St Pauls Cray	£3.50
West Wickham	£1.55

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Report No.  
CSD15051

London Borough of Bromley

Agenda  
Item No.

## PART 1 - PUBLIC

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**Decision Maker:** Council

**Date:** 13<sup>th</sup> May 2015

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

**Title:** SCHEME OF DELEGATION TO OFFICERS

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

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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### 1. Reason for report

- 1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved by Council and by the Leader. The Scheme is an appendix to the Council's constitution. In 2010, the Scheme was amended to meet the requirements of the Local Government and Public Involvement in Health Act 2007, principally by clarifying whether powers are delegated by the Council, by the Leader in the case of executive powers, or both. The Scheme was last updated by Council on 4<sup>th</sup> June 2015 (with some minor amendments on 21<sup>st</sup> July 2014) and only a small number of minor updates are proposed.
- 

### 2. RECOMMENDATIONS

- 2.1 That the Council considers whether to authorise the Director of Corporate Services to grant requests for dispensations from Members of the Council as set out in paragraphs 3.3 and 3.4 below.
- 2.2 That, subject to recommendation 2.1, the Scheme of Delegation to Officers in respect of non-executive functions be approved.
- 2.3 That the Scheme of Delegation to Officers in respect of executive functions be received from the Leader of the Council.

### Corporate Policy

1. Policy Status: Existing policy. The Council and the Leader approve a Scheme of Delegation to Officers each year at the annual meeting.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £326,980
  5. Source of funding: existing revenue budgets
- 

### Staff

1. Number of staff (current and additional): There are eight posts (7.39 FTE) in the Democratic Services Team. No additional staff are required to update the Scheme of Delegations.
  2. If from existing staff resources, number of staff hours: Updating the Scheme of Delegations has involved a number of senior officers, but the time involved is minimal.
- 

### Legal

1. Legal Requirement: Statutory requirement. Local Government Act 1972 and successive legislation, including the Local Government and Public Involvement in Health Act 2007.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The delegation of powers to officers is essential to the efficient operation of Council services.
- 

### 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 Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff, and forms part of the Council's Constitution (Appendix 10). The Scheme is normally updated for approval at the Council's annual meeting each year, although under the Local Government and Public Involvement in Health Act 2007 any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council, and it is open to the Leader to table changes to the executive scheme. The executive or non-executive origin of each delegation in the scheme is reflected in a column which indicates whether each individual delegation derives from the Leader or from Council, or both.
- 3.2 The scheme has been reviewed and the following minor updates have been made –
- a number of DECH delegations relating to children's care services were incorrectly located within the scheme and have been moved from the Education Portfolio to the Care Services Portfolio;
  - addition of S.106 funding for health (as agreed by the Executive, 16/7/14);
  - addition of Scrap Metal Dealers Act 2013 and ASB, Crime and Policing Act 2014 under PP&S Portfolio (as agreed by the Executive, 26/11/14);
  - minor change to highway obstruction delegation under the Environment Portfolio (as agreed by the Executive, 26/11/14);
  - addition of Definitive Map Modification Orders under the Environment Portfolio (as recommended by General Purposes and Licensing Committee, 26/3/15);
  - clarifying Property delegations in the Resources Portfolio as follows –
    - that the approval of property transactions is subject to a rental value of less than £50,000pa;
    - that officers can agree rent reviews in cases of properties where the Council is the tenant;
    - that officers can approve transactions in cases where the purchaser of a property wishes to include another family member as a purchaser but all other terms and conditions remain as originally approved.
- 3.3 One additional proposed change that Members may want to give particular consideration to concerns the granting of dispensations to individual Members to allow them to take part in Council meetings even when they have a disclosable pecuniary interest. There have been several recent occasions when a meeting of the Urgency Committee has been called to consider applications from Members for dispensations to allow them to take part in Plans Sub-Committee meetings where planning applications relating to their property (either their own applications or applications made by the owners of neighbouring properties) are being considered.
- 3.4 Until the Localism Act 2011 came into force, Members would have been able to address the Sub-Committee in the same way that a member of the public could, before leaving the room while the matter was debated. Now, under the new arrangements, Members are not allowed to be present during any part of the consideration. The Urgency Sub-Committee has always granted these dispensations and some Members have expressed concern at the need to call an additional meeting each time for what are normally considered very straightforward decisions. One way to avoid these extra meetings would be to allow the Director of Corporate Services, in his role as Monitoring Officer, to grant requests for dispensations, subject to consultation with

Members of the Urgency Committee. In cases where the Director or Members have concerns, a meeting of the Urgency Committee will still need to be called to take the decision.

- 3.5 If Members are not minded to allow this additional delegation, but do not want to maintain the status quo either, then another solution which could be investigated would be to allow each meeting to consider any requests for dispensations, with a standing dispensation item on relevant agendas so the committee/sub-committee could consider written applications at the start of the meeting with the Member explaining why they need a dispensation.
- 3.6 The amended scheme, including all the changes recommended above, is attached at Appendix 1.

<b>Non-Applicable Sections:</b>	Finance/Legal/Policy/Personnel
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers considered by Council, 4 <sup>th</sup> June 2014

LONDON BOROUGH OF BROMLEY  
CONSTITUTION – APPENDIX 10

**SCHEME OF EXECUTIVE AND NON-EXECUTIVE  
DELEGATION TO OFFICERS**

\* \* \* \*

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(May 2015)

\* \* \*

## PROPER OFFICERS

The Local Government Act 1972 introduced a requirement that the officer required to perform specified duties should be the 'proper officer' appointed by the Council for that purpose.

(1) Subject to any appointment for a specific purpose, the 'proper officer' for the purpose of the Local Government Act 1972 shall be as set out below:-

<u>Section</u>	<u>Purpose</u>	<u>Proper Officer</u>
39	Registration Officers	}
41(2) & (3)	Returning Officers at Local Government Elections	
83(1)	Declaration of Acceptance of Office	
		Chief Executive
		The Director of Corporate Services shall act as proper officer where the Chief Executive is unable to act
84	Resignation of Members	}
88(2)	Filling of casual vacancies for Chairman	}
89(1)	Notice of casual vacancies	}
212	Local Land Charges	}
		Director of Regeneration and Transformation
Schedule 12, Pt. 1	Notice of Meetings – for the issue of	}
4(2)(b) & 4(3)	(i) summonses calling meetings of the Council	}
		Chief Executive
	(ii) agenda for meetings of Committees, Sub-Committees etc.	}
		}
		Director of Corporate Services,
96(1) & (2)	Notice of pecuniary interest	}
225(1)	Deposit of Documents	}
		}
Schedule 14, Pt. 2	Certification of Resolutions	}
Para. 25(7)		}
229(5)	Photographic copies of documents	}
238	Evidence of Byelaws	}
115(2)	Accountability of Officers	}
146	Transfer of securities on alteration	}
		Director of Finance



<u>Section</u>	<u>Purpose of area</u>	<u>Proper Officer</u>
151	Financial administration	} } Director of Finance
	Notifiable diseases and food poisoning	} Director of Public Health
Schedule 22, Para.17	Authentication of orders and notices, etc under the Housing Act	For such matters as he is authorised to deal with by the Council's Scheme of Delegation to Officers the Executive Director of Education, Care and Health Services , otherwise the Director of Corporate Services
Sections 28 and 29	Regulation of Investigatory Powers Act 2000	Director of Corporate Services
Section 29(b)	- ditto -	Director of Corporate Services to have general oversight of the use made of the source in respect of covert human intelligence sources.
Sections 29 (a), (c), (d) and (e)	- ditto -	Chief Planner, Executive Director of Education, Care and Health Services , Executive Director of Environment & Community Services, Director of Finance and Head of Audit to have day-to-day responsibility for Sources and responsibility for the security and welfare of Sources.

(2) For all other functions the 'proper officer' shall be the Officer authorised in accordance with the Council's Scheme of Delegation to Officers or, where none is specified, the Chief Executive.

(3) Where written evidence of any such appointment as aforesaid is required the Chief Executive is hereby authorised to issue it, save for evidence of the appointment of the Chief Executive which will be issued by the Director of Corporate Services.

**PART I**

**GENERAL CONDITIONS GOVERNING DELEGATION  
OF FUNCTIONS TO CHIEF OFFICERS**

	Responsibility Delegated from
1. These General Conditions and any amendment of or addition to made by the Council, shall apply to the delegation of functions specified in Part II of this document, and to any amendment of or addition to made by the Council or the Leader or the Monitoring Officer under paragraph 12 of this Part.	-
2. Powers delegated shall be exercised in conformity with the Constitution, Standing Orders, Financial Regulations and other directives of the Council in force from time to time, and in accordance with the expressed policies and objectives of the Council, the Executive or Committees relevant to the matter upon which action is to be taken.	-
3. The delegation of authority to deal with any matter shall not derogate from the power of the Council, the Executive, or Committee, Sub-Committee or Panel to call for a report on any decision or action taken, or to require any such matter under consideration to be referred to the Council or to the appropriate Executive body or Committee Sub-Committee or Panel for determination so far as this accords with the law.	Council/Leader
4. A Chief Officer may refer a matter to the Executive, the appropriate Executive Portfolio Holder or to the Chairman of an appropriate Committee and will, in any event, ensure that care is taken to identify any case within his delegated authority where unusual circumstances or other reasons suggest the desirability of Member consideration.	Council/Leader
5. If a matter involves considerations not within the purview of the Chief Officer primarily concerned, he shall consider whether it is necessary to consult any other Chief Officer concerned before authorising action, shall do so if he concludes it is necessary and shall take due account of any views that are expressed.	Council/Leader
6. When the implementation of a decision taken under the delegated authority by a Chief Officer requires the preparation of formal documents, legal proceedings or other legal process or advice, the Chief Officer concerned shall refer the matter to the Director of Corporate Services for appropriate action.	Council

<p>7. Authority to take decisions and other action including but not limited to the signing of documents and the requirement to arrange consultations shall be exercised and undertaken on behalf of the Council in the name of the Chief Officer to whom the authority to act is given, but not necessarily personally by him.<sup>1</sup> Therefore, under this condition each Chief Officer has power to authorise others to exercise any power conferred on him provided that any such authorisation shall be subject to these General Conditions and be commensurate with the nature of the matters to be dealt with. Further, the Chief Executive may authorise any other Chief Officer to exercise any power delegated to him in this scheme which in his judgement is consistent with that other officer's responsibility. Authorisations given by Chief Officers to others to exercise powers delegated under this scheme should be recorded in writing in a list maintained by each Chief Officer. This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.</p>	<p>Council/Leader</p>
<p>8. The Chief Executive may, after consultation with any Chief Officer, refer to the Executive, the appropriate Executive Portfolio Holder, or appropriate Committee for decision any matter which has been brought to his notice and which, in his opinion, because of special difficulty or otherwise, warrants such reference.</p>	<p>Council/Leader</p>
<p>9. For the purposes of these General Conditions and the general and specific authorities to act to which they apply, the expression 'Chief Officer' shall mean:- The Chief Executive, the Director of Corporate Services, the Executive Director of Education, Care and Health Services, the Executive Director of Environment and Community Services, the Director of Regeneration and Transformation, the Director of Human Resources, the Director of Finance, the Director of Public Health and the Chief Planner.</p>	<p>Council</p>
<p>10. Reference to an enactment in a grant of delegation shall be deemed to extend to and include reference to any subsequent enactment having like or similar effect as though the delegation had been granted under the subsequent enactment.</p>	<p>Council/Leader</p>
<p>11. An officer exercising any power under this scheme of delegation shall ensure that some written or other permanent record is made of his decision and, in cases where a range of alternative decisions presented themselves, shall record why he made the particular decision.</p>	<p>Council/Leader</p>

<sup>1</sup> This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.

<sup>2</sup> Under the provisions of the Local Government Act 2000 as amended, the Council undertakes executive and non-executive functions. The Leader is responsible for delegated executive functions. The Council delegates non-executive functions. Save where a contrary intention is stated, the Leader and the Council have delegated the necessary general functions as is stated in Part 1 of this scheme above.

<p>12. For the avoidance of doubt, the Council and the Leader hereby declare that any exercise of a power by a Chief Officer, or an officer authorised by him and which, if expressly provided for by this Scheme of Delegation, could have been lawfully exercised by an officer under powers delegated to him by the Council or a Committee, shall be deemed to be authorised by this Scheme notwithstanding such express provision may not have been made in it; PROVIDED THAT, where an officer relies on this paragraph, the Monitoring Officer shall be informed by the officer of this action and the Monitoring Officer shall make a report on the matter to the next ordinary meeting of the Council.</p>	<p>Council/Leader</p>
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## PART II

Subject to the foregoing, and without derogation from the powers or duties now or hereafter conferred or imposed upon officers of the Council, by statute or by any statutory instrument or regulation, authority to act for and on behalf of the Council without reference to the Council or Executive body or any Committee shall be delegated as follows:-

A. GENERAL AUTHORITIES	Responsibility Delegated from
<p>1. To each Chief Officer, authority to:-</p> <p>(i) Take all necessary action for the effective day-to-day management, administration and supervision of their Department and of the services for which they are responsible, and for the efficient discharge of the professional responsibilities of their office.</p> <p>(ii) Within budgetary provision, take all necessary action for the effective day-to-day management, administration and supervision of the land and buildings for which they are responsible, such action to include for each property concerned and as far as practicable</p> <ul style="list-style-type: none"> <li>(a) proper documentation;</li> <li>(b) appropriate occupation;</li> <li>(c) maintenance to retain value;</li> <li>(d) security and satisfactory appearance;</li> <li>(e) an annual review to ensure property is still required; and</li> <li>(f) prompt release if surplus to requirements.</li> </ul> <p>(iii) That all powers delegated to Chief Officers include authority to take action in respect of any London Residuary Body matter transferred to Bromley by virtue of the London Residuary Body (Transfer of Property etc) Order 1990 in the same way and to the same extent that they have delegated powers in respect of any equivalent Bromley matters.</p> <p>(iv) Incur expenditure and accept tenders for items provided for in the approved revenue estimates or approved capital programme, in accordance with the Council's Contract Procedure Rules.</p> <p>(v) Select quotations and tenders for works, services and/or goods within approved budgetary provision on all contracts in accordance with the Council's Contract Procedure Rules.</p> <p>(vi) On the best terms obtainable, dispose of stores, plant, vehicles, equipment, furniture or other such items which are obsolete, or are unusable for or surplus to the Council's requirements, subject to the Director of Finance's prior agreement to</p>	<p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p>

any consequential writing off of balances of book value.	
(vii) Make adjustments of stock ledgers and accounts following stocktaking, subject to the Director of Finance's prior agreement.	Leader
(viii) Authorise officers under their control to attend conferences, courses and similar events appropriate to their personal, official responsibilities and to the work of the particular Department, in accordance with an approved list or agreed code of practice.	Council/Leader
(ix) Vary annually fees and charges (except car parking) within policy established by an Executive body or Committee.	Council/Leader
(x) Deal with applications for re-grading in accordance with the Council's agreed procedures.	Council
(xi) Sign authorisation documents, with the exception of the Chief Officer's own personal authorisation, which shall be signed by the Director of Corporate Services.	Council
(xii) Where a complaint has been made through the Council's complaints system, decide whether there is a justifiable case for which the Council should apologise and pay compensation, up to a limit of £5,000 in any one case (or, in the case of the Chief Executive, £10,000).	Council/Leader
(xiii) Approve trips to EU countries made on Council business subject; in each case, to a subsequent report to the appropriate Executive body or Committee on the action taken.	Leader
(xiv) Enter into contracts with any voluntary sector organisation (VSO) for the provision of services by way of a service level agreement (SLA) without the necessity of competition, provided that:  (1) the Chief Officer is satisfied that the VSO is able to provide a satisfactory quality of service and that the sums payable under the SLA represent best value;  (2) the relevant Portfolio Holder is notified of any new SLAs being entered into;  (3) any approval, extensions or renewals of such SLAs comply with the provisions of rule 13.1 of the Contract Procedure Rules;	Council/Leader
(xv) Authorise expenditure of money received through Section 106 agreements, subject to any restrictions set out in the Council's Financial Regulations.	Council/Leader

<p>2. To the Chief Executive, authority to:-</p> <p>(i) undertake all duties and responsibilities of the Council's Head of Paid Service as defined in the Local Government and Housing Act 1989;</p> <p>(ii) take all action necessary for the efficient management and execution of the Council's policies, services and functions;</p> <p>(iii) determine in conjunction with the Assistant Chief Executive - Human Resources, starting salaries of staff on Management Grades 1 and 2;</p> <p>(iv) authority to make detailed arrangements, in consultation with the Leader of the Council, for consultation with residents on service priorities and Council Tax implications.</p> <p>In exercising such authority the Chief Executive shall have full regard to the position where:-</p> <p>(a) Chief Officers are exercising responsibilities directly imposed on them by statute; or</p> <p>(b) the professional discretion or judgement of Chief Officers is involved subject to any difference of opinion between the Chief Executive and the Chief Officer being referred to the next available appropriate meeting of the Executive Portfolio Holder, Executive or committee for determination;</p> <p>(v) settle any points requiring interpretation or clarification in the practical application of this code of delegated authorities to Chief Officers.</p> <p>(vi) Parliamentary Matters - Take urgent action to protect the Council's interest (through Members of Parliament and/or by petition or otherwise) in consultation with the Leader of the Council.</p> <p>(vii) Electoral Fees - To approve the annual revision of the scale of fees within the approved estimate provision, payable to canvassers, checkers and coders.</p>	<p>Council</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p>
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3. To the Director of Corporate Services, authority to:-	
(i) authorise proceedings before any Court of Summary jurisdiction in respect of any offence for which the Council by virtue of any Act of Parliament; , regulation, order or bye-law, is now or may hereafter be empowered to prosecute or to authorise the institution of such proceedings; except in cases where some other officer is specifically authorised to act;	Council/Leader
(ii) authorise proceedings for the recovery of debts of all kinds due to the Council (other than rates) and for the recovery of possession of premises;	Council/Leader
(iii) authorise the institution or defence of proceedings in the Courts to safeguard the Council's interest;	Council/Leader
(iv) obtain Counsel's Opinion to ensure adequate advice to the Council or Committees;	Council/Leader
(v) in accordance with instructions given, institute or defend any legal proceedings authorised to be taken or defended on behalf of the Council, or serve notices, including directions under section 77 of the Criminal Justice and Public Order Act 1994;	Council/Leader
(vi) take any action urgently required to settle legal proceedings during the course of a trial or other hearing;	Council/Leader
(vii) authorise permanent or temporary members of staff to represent the Council under Section 223 of the Local Government Act 1972 in proceedings before a Magistrates' Court or a Juvenile Court or Family Proceedings Court and under Section 60(2) of the County Courts Act 1984 to represent the Council in the County Court;	Council
(viii) issue written authorities to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties (as evidence of their bona fides); provided that any written authority to enter upon land or premises is in pursuance of a statutory power of entry or inspection;	Council/Leader
(ix) sign and serve on behalf of the Council notices authorised by statute to ascertain ownership and other interest in land;	Council
(x) sign and approve service of Notices to Treat in pursuance of confirmed compulsory purchase orders and, where possession is required without waiting for settlement of terms of acquisition, sign and approve the service of Notices of Entry;	Leader
(xi) approve the assignment of contracts;	Council/Leader



<p>(xii) take appropriate action in individual cases to enable him to effect registration as a registered charge of any local land charge arising by virtue of the statutory provisions set out below, or as amended in subsequent legislation:</p>	
<p>(1) the Housing Act 2004;  (2) Public Health Act 1936, Section 291;  (3) Building Act 1984, Section 107;  (4) Greater London Council (General Powers) Act 1972, Section 19; and  (5) Highways Act 1980, Section 212;</p>	<p>Leader</p>
<p>(xiii) deal with applications for the use of the Borough Arms in accordance with arrangements as approved by the Committee;</p>	<p>Council</p>
<p>(xiv) allocate the use of the Committee Suite subject to new applications for use by outside bodies being decided in consultation with the Leader of the Council;</p>	<p>Leader</p>
<p>(xv) allocate and re-allocate existing offices, subject to reference to the Leader of the Council or the Committee in cases of significant changes involving transfer of a department or service from one part of the Council to another;</p>	<p>Leader</p>
<p>(xvi) authorise expenditure from the office improvements budget;</p>	<p>Leader</p>
<p>(xvii) to act as Monitoring Officer;</p>	<p>Council</p>
<p>(xviii) to maintain a Register of Members' Interests under Section 81 of the Local Government Act 2000;</p>	<p>Council</p>
<p>(xix) to sign Chief Officer's authorisation documents;</p>	<p>Council</p>
<p>(xx) determine, in consultation with the relevant Chief Officer, where a complaint has been made to the Ombudsman whether there is a justifiable case for which the Council should apologise and pay compensation as part of a local settlement – up to a limit of £5,000 in consultation with the Director or £10,000 in consultation with the Director and Chief Executive;</p>	<p>Council</p>
<p>(xxi) take any action urgently required to settle legal proceedings prior to a court hearing or to enter into a Compromise Agreement in potential Employment Tribunal cases where it is considered appropriate so to do;</p>	<p>Council/Leader</p>
<p>(xxii) to be the proper officer for, and issue any notice, permission, authorisation or other document under, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000;</p>	<p>Leader</p>

<p>(xxiii) to maintain a list of politically restricted posts under Section 2 of the Local Government &amp; Housing Act 1989 and consider and grant exemptions under Section 3 of the Act;</p>	<p>Council</p>
<p>(xxiv) to authorise payments in respect of maladministration under Section 92 of the Local Government Act 2000.</p>	<p>Council/Leader</p>
<p>(xxv) where written applications are received from Members of the Council, to grant dispensations to Members to take part in the business of the Authority if the Member has a disclosable pecuniary interest in that business, subject to consultation with Members of the Urgency Committee.</p>	<p>Council</p>
<p>4. To the Executive Director of Education, Care and Health Services , authority to:-</p> <p>Negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate client choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <p>(i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	<p>Leader</p>
<p>5. To the Director of Public Health, authority to:-</p> <p>Undertake functions relating to Public Health, save where these are delegated to any other body or person.</p>	<p>Leader</p>

**B. AUTHORITIES RELATED TO THE FUNCTIONS OF INDIVIDUAL PORTFOLIO HOLDERS AND COMMITTEES**

KEY REFERENCES TO OFFICERS

All	-	Chief Officers
CE	-	Chief Executive
DCS	-	Director of Corporate Services
DECH	-	Executive Director of Education, Care and Health Services
DECS	-	Executive Director of Environment and Community Services
DRT	-	Director of Regeneration and Transformation
DHR	-	Director of Human Resources
DF	-	Director of Finance
DPH	-	Director of Public Health
CP	-	Chief Planner

## DEVELOPMENT CONTROL COMMITTEE

<b>Officer(s) Authorised</b>	<b>Authority to:</b>	<b>Responsibility Delegated from</b>
Building Regulations		
CP (1)	Give consents where applications conform with Regulations.	Leader
CP (2)	Refuse applications which do not conform with Regulations.	Leader
CP (3)	Decide applications for relaxation where the Council have the power of decision.	Leader
CP (4)	Decide upon the observations to be made to the appropriate Minister with applications for relaxation of the Regulations.	Leader
DCS/CP (5)	Authorise and serve notices under Section 36 of the Building Act 1984 and the current Building Regulations.	Leader
DRT (6)	The Director of Regeneration and Transformation be authorised to amend the building control fees as required with the aim of ensuring the service is provided on a cost recovery basis in line with the 2010 Building (Local Authority Charges) Regulations and to change staffing levels to reflect changes to activity volume as required.	Leader
CP (7)	To be designated as "Appointing Officer" under Section 10 (8) of the Party Wall etc Act 1996 and have delegated power to act in that capacity.	Leader
Dangerous Structures		
CP (8)	Take appropriate action in respect of dangerous structures as set out in sections 60-70, 125, 126, and 142 of the London Building Acts (Amendments) Act 1939 Part VII including the removal of any danger where immediate action is required.	Leader

CP	(9)	To make appropriate charges regulations for dangerous structures as provided for within the relevant sections of the following Acts –  London Building Acts (Amendment) Act 1939: Part VII. London County Council (General Powers) Act, 1955: Part II (including section 9 (power of entry with respect to dangerous and neglected structures). London County Council (General Powers) Act, 1958: Part III. London Local Authorities Act 1994.	Leader
CP	(10)	To operate the new scale of fees for dangerous structure activities and to waive the fees in case of extreme hardship.	Leader
CP	(11)	Authorise and serve notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 to obtain particulars of persons interest in land and where there is default in compliance with any such notice refer the matter to the Director of Corporate Services to consider taking legal proceedings.	Council

#### Operation of Tree Preservation Orders

CP	(12)	Consent with or without conditions, or refuse consent to the pruning, cutting down, topping, lopping or destruction of trees which are the subject of Tree Preservation Orders in accordance with the provisions of such orders.	Council
CP	(13)	Consent with or without conditions to the pruning, cutting down, topping, lopping or destruction of trees within designated Conservation Areas.	Council
CP	(14)	The making of Tree Preservation Orders and provisional TPOs Section 198 and 201 of the Town & Country Planning Act 1990, including the making of TPOs in Conservation Areas.	Council

CP	(15)	Confirm opposed or unopposed TPOs.	Council
CP	(16)	Agree to the revocation of TPOs.	Council
CP	(17)	Issue tree planting notices.	Council
CP	(18)	Enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981.	Council
CP/DRT	(19)	Authorise legal proceedings to be taken in respect of breaches of TPOs and the legislation relating to trees in Conservation Areas, subject to the Director of Resources being satisfied as to the evidence.	Council

#### Determination

CP (Subject to consultation with DCS)	(20)	Determine applications for certificates of lawfulness of proposed use or development under Section 192 of the Town and Country Planning Act 1990.	Council
CP (Subject to consultation with DCS)	(21)	Determine applications for certificates of lawfulness of existing use or development under Section 191 of the Town and Country Planning Act 1990.	Council
CP	(22)	Deal with applications for determination of the Council's prior approval for demolition of dwellings and buildings attached to dwellings except for the authorisation of any Article 4 direction.	Council
CP	(23)	Determine applications for hazardous substances consent.	Council
CP	(24)	The power to grant outline or full planning permission, approve details, give advertisement, listed buildings, or conservation area consent, with or without conditions to planning applications or proposals excluding those in the following categories:	Council
	(i)	Council proposals as defined by the Town & Country Planning General Regulations 1992 (but not details pursuant, revised plans and proposals to renew deemed permissions).	Council

	(ii)	Permission to applications involving three or more purpose-built new dwellings (but not other associated buildings, conversions, extensions and changes of use, details pursuant, revised plans and renewal permission applications.	Council
	(iii)	Permissions to applications for new commercial development such as industry, offices and shops (but not other associated buildings, conversions, extensions and change of use, details pursuant, revised plans and renewal applications).	Council
	(iv)	Applications submitted by members of staff in the Planning Division, or other Chief Officers, or submitted by or on behalf of Bromley Councillors or Members of Parliament.	Council
	(v)	Applications and other matters which one or more Members formally request are put before a Committee or Sub-Committee of Members.	Council
CP	(25)	The power to:	
	(i)	refuse planning permission;	Council
	(ii)	refuse express consent for advertisements;	Council
	(iii)	refuse Listed Building Consent;	Council
	(iv)	not approve details submitted pursuant to a condition of a permission or consent;	Council
	(v)	refuse revisions and amendments to plans and to specify reasons for so doing whatever representations are received for or against the application;	Council
	(vi)	provide grounds of appeal and contest all appeals;	Council
	(vii)	observations on proposals for development by Government	Council

departments or in adjoining authority areas which would otherwise fall within the delegated categories.

CP/DCS	(26)	Power to authorise the issue of the following (the signing and actual issue of the notices to be dealt with by the Director of Corporate Services):	
		(i) Enforcement Notices under Section 172 of the Town & Country Planning Act 1990.	Council
		(ii) Stop Notices under Section 183 of the Town & Country Planning Act 1990.	Council
		(iii) Completion Notices under Section 94 of the Town & Country Planning Act 1990.	Council
		(iv) Unopposed revocations under Section 97 of the Town & Country Planning Act 1990 and Section 239 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
(with DRT)		(v) Section 106 Agreements (Town & Country Planning Act 1990) and similar agreements concerning related legislation.	Council
		(vi) Orders under Section 102 Town & Country Planning Act 1990 requiring discontinuance of use, or alteration, or removal of buildings and works.	Council
		(vii) Unopposed revocations of Listed Buildings Consent under Section 23 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
		(viii) Notices under Section 54 and 55 of the Planning (Listed Building & Conservation Areas) Act 1990 concerning urgent works and recovery of expenses.	Council
		(ix) Making and recovery of grants under Section 57 and 58 of Planning (Listed Building & Conservation Areas) Act 1990.	Council



- (x) Listed Building Enforcement Notices under Section 38 of the Planning (Listed Building & Conservation Areas) Act 1990. Council
- (xi) The enforcement of advertisement control. Council
- (xii) The authorisation of Rights of Entry to premises and any land for all the purposes of the Town & Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 and the Building Act 1984 (all these Acts as amended) and any Orders or Regulations made there under. Council
- (xiii) The power to require information as to interests in land under Section 330 of the Town & Country Planning Act 1990. Council

and to give reasons in the Notice or Order for taking such action;

- (xiv) Planning Contravention Notices under Section 171C of the Town & Country Planning Act 1990 Council
- (xv) Breach of Condition Notices under Section 187A of the Town & Country Planning Act 1990 Council

CP

- (27) The power to:
  - (i) give directions and notifications under Regulation 4 of the Town & Country Planning (Applications) Regulations 1988 and Article 7 of the Town & Country Planning General Development Order 1988 to require applicants to submit further information to enable the Council to deal with an application or to verify any particulars; Council
  - (ii) make determinations as to whether planning applications are departures Council

from the development plan;

- |        |  |         |
|--------|--|---------|
| (iii)  | make determinations as to whether development would affect the character or appearance of a conservation area or the setting of a listed building to enable such applications to be advertised;  | Council |
| (iv)   | make determinations under Section 73 of the Planning (Listed Building & Conservation Areas) Act 1990 as to whether a proposal should be advertised as affecting the character or appearance of the Listed Building or Conservation Area; | Council |
| (v)    | determine whether prior approval of the method of demolition and any proposed restoration is required in accordance with Part 31 of Schedule 2 of the Town & Country Planning General Development Order 1988 (as amended);               | Council |
| (vi)   | approve or not approve the details referred to in (v) above;   | Council |
| (vii)  | determine whether in a particular case details of siting and appearance of certain telecommunications apparatus are required and to determine such details submitted.  | Council |
| (viii) | determine applications for non-material amendment to planning permission, minor material amendments to planning permission and extensions to time limits of existing planning permissions.   | Council |

Notes:

- (i) No decision will normally be issued within 4 weeks of the date of the weekly listed supplied to Members.
- (ii) In relation to paragraph 19(ii) above the definition of “dwelling” includes bungalows, flats, maisonettes and

multi-occupied premises.

- (iii) "Details" as mentioned herein include siting, design, external appearance, materials, car parking, landscaping, site lines, access, levels and drainage.
- (iv) The Chief Planner will continue long established practice to deal administratively with very minor revisions, details, without formal registration, circular consultations or consultations from adjoining boroughs.

#### Means of Escape in Case of Fire

CP	(28)	Decide what means of escape in the case of fire are necessary at premises to which the Housing Acts 1985 and 2004 and Sections 24 and 71 of the Building Act 1984 apply; and serve a notice under those sections where these means are not provided.	Leader
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#### Buildings of Special Architectural or Historic Interest

CP	(29)	Approach the Department of the Environment to spot list properties on the list of buildings of special architectural interest if they are threatened.	Leader
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#### Repeat Planning Applications

CP	(30)	Authority to decline to determine repeat applications in accordance with the provisions of Section 70(a) of the Town & Country Planning Act 1990.	Council
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#### Agricultural Buildings/Private Way

CP	(31)	Authority to determine under the Town & Country Planning General Development (Amendment No.2) Order 1991 whether the prior approval of the Local Planning Authority is required to the siting, design and external appearance of agricultural and forestry buildings, or the siting and means of construction of a private way and, where an application is required, to determine such application.	Council
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#### Control of Unauthorised Advertisements

CP (32) Authority to take action under Sections 10-12 of the London Local Authorities Act 1995 relating to the control of unauthorised advertisements. Council

Untidy Site Notices

CP (33) Authority to issue Untidy Site Notices under Section 215 of the Town & Country Planning Act 1990, with such decisions being reported to the next available meeting of Plans Sub-Committee for information. Council

**EDUCATION PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

<b>Officer(s) Authorised</b>	<b>Authority to:-</b>	<b>Responsibility Delegated from</b>
DECH	(1) Direct the Authority's functions in its capacity as a local education authority, except those excluded under section 18(3) of the Act (namely certain functions relating to further education, higher education and adult education).	Leader
DECH	(2) Interpret conditions of service and all related matters for all teaching staff and non-teaching staff in schools in consultation with the Director of Human Resources where these concern matters which remain to be set by the LEA.	Council
DECH	(3) Implement payment of teachers' pay awards and secure the LEA's responsibilities as the Relevant Body under the School Teachers' Pay and Conditions.	Council
DECH	(4) Subject to any existing right of appeal to an Appeals Panel, to suspend, relegate or dismiss school based employees on all grades under the Education Act 2002 and any Regulations made there under.	Council
DECH	(5) Review and fix, subject to provision of the approved estimates, the establishment of employees at all maintained educational services not covered by a scheme of local management.	Council
DECH	(6) Exercise all of the statutory functions of the LEA as regards staffing matters in LEA maintained schools as provided for under the Education Act 2002 and any Regulations made there under with the exception of any exercise of discretion concerning the funding of discretionary early retirement with added years or redundancy costs which fall to be determined by the Executive Portfolio Holder.	Council

DECH	(7)	Manage the provision of training and support to the Education Service. (The element of training relating to an individual's terms and conditions is a non-executive matter. However, the Executive may recommend appropriate training within this framework.)	Council/Leader
DECH	(8)	Approve requests from employees in all maintained educational institutions for special leave in accordance with the Council's policy.	Council
DECH	(9)	Approve the payment of relocation and removal expenses to employees in all maintained educational institutions in accordance with the scheme agreed by the Executive Portfolio Holder.	Council
DECH	(10)	Approve payment of grants to individuals and organisations in accordance with the Executive's policy.	Leader
DECH	(11)	Agree annually increases in charges for service within the remit of the Executive Portfolio Holder.	Leader
DECH	(12)	Manage the admissions procedure in accordance with the Executive's policy.	Leader
DECH	(13)	Approve the placing of children with special educational needs in suitable schools as specified in a statement and including day, residential, independent and non-maintained special schools and special schools maintained by other authorities.	Leader
DECH	(14)	Arrange for home or hospital tuition in appropriate cases.	Leader
DECH	(15)	Fix school terms and holiday dates in consultation with teachers' organisations.	Leader
DECH	(16)	Make arrangements for transport of pupils.	Leader
DECH	(17)	Provide support services as requested by establishments.	Leader

DECH	(18)	Approve the provision of free meals, essential clothing, school uniform and educational maintenance grants in accordance with approved scales.	Leader
DECH	(19)	Approve applications for children to be employed in work or in entertainment, in conformity with relevant bye-laws and statutory obligations.	Leader
DECH	(20)	Take all action including services of notices, consultation, making and service of school attendance orders and to authorised institute and conduct legal proceedings under Sections 437, 438, 439, 440, 441, 443 and 444 of the Education Act 1996 and to make decisions relating to applications for Education Supervision Orders under Section 447 of the Education Act 1996	Leader
DECH	(21)	Approve the making of parenting contracts, parenting orders and the issue of penalty notices under Sections 18 and 23 of the Anti-Social Behaviour Act 2003.	Leader
DECH	(22)	Approve the issue of mini bus passes under Section 19 of the Transport Act 1985.	Leader
DECH	(23)	Undertake the duty of the local education authority with regard to exclusions as specified by Section 67 of the School Standards and Framework Act 1998.	Leader
DECH	(24)	Initiate renewals of temporary planning permissions.	Leader
DECH	(25)	Authorise a fee remission policy for instrumental music tuition provided by Bromley Youth Music Trust in consultation with the Trustees.	Leader
DECH	(26)	Authorise work by the Standards and Effectiveness Services on behalf of other Local Authorities, foundation schools (both within and outside the Borough) and independent schools in accordance with the principles and procedures set out by the Council.	Leader

DECH	(27)	In cases of urgency seek planning permission for mobile accommodation at primary and secondary schools in accordance with Regulation 3 of the Town & Country Planning General Regulations Act 1992 on the understanding that a full explanation for the need will accompany each application.	Leader
DECH	(28)	To act in support of the Borough's Major Incident Controller in respect of emergency accommodation, provisions and staffing.	Leader
DECH	(29)	Approve, after consultation with the Director of Corporate Services and the Head of Strategic Property, leasing arrangements in respect of educational premises where the terms of the lease or agreement do not exceed five years without a break clause.	Leader
DECH	(30)	In consultation with the Director of Corporate Services and Director of Human Resources, interpret and apply the provisions of the Teachers' Pension Scheme Regulation in respect of current and ex employees where the LEA is deemed to be the employer for pension purposes.	Council
DECH	(31)	Agree teachers' applications for early retirement without enhancement by way of added years.	Council
DECH	(32)	Approve the appropriate use of the Priority Schools Budget, Schools Budget Central Contingency as approved by the School's Forum subject to their use being monitored by the budget review process and the relevant consultation with the School's Forum.	Leader
DECH	(33)	Approve the arrangements for teachers who are to be awarded qualified teacher status after 7 <sup>th</sup> May 1999 to undertake an induction period in accordance with the provision of any regulations laid down by the Secretary of State and subsequent amendments; to grant extensions of the	Council



induction period as specified in the regulations and determine whether or not an induction period has been completed satisfactorily.

DECH	(34)	Decide on action in response to individuals OFSTED reports and, when the circumstances of the report are exceptional, submit the report to the Portfolio Holder for detailed consideration.	Leader
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#### Adult Education

DECH	(35)	To ensure the provision of Adult Education Services under Section 85 of the Further and Higher Education Act 1992 in accordance with Committee policy.	Leader
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**PUBLIC PROTECTION & SAFETY PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

<b>Officer(s) Authorised</b>	<b>Authority to:</b>	<b>Responsibility delegated from</b>
DCS (1)	In consultation with the Executive Director of Environment and Community Services, prosecution of offences for the selling of spray paint and graffiti implements to children under 16 under the Anti-Social Behaviour Act Section 54 and Environmental Protection Act 1990 Section 59.	Leader
DECS (2)	The issue of fixed penalty notices to abate noise under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2.	Council
DECS (3)	Enforcement of by-law breaches under the London Local Authorities' Act 2004.	Council
DCS (4)	In consultation with the Executive Director of Environment and Community Services, make parenting contracts and parenting orders in respect of criminal conduct and anti-social behaviour under sections 25 and 26 of the Anti-Social Behaviour Act 2003.	Leader
Fireworks		
DECS (5)	The grant of new applications and the renewal of a licence to retail fireworks outside prescribed periods in cases where (in the latter case) the applicant has not committed any offence prescribed in the Fireworks Regulations 2004 during the licence period.	Leader
Environmental Health/Weights and Measures/Consumer Protection		
DECS (6)	Carry out the Council's functions with regard to weights and measures and other relevant trading standards and consumer protection legislation.	Leader
DECS (7)	Administer the legislation listed in Part I of Appendix C of the report of the Director of Environmental Services to Environmental Services Committee on 7 <sup>th</sup> June 2000, ( <i>as updated at appendix A to this scheme</i> ) with the exception of any provision delegated exclusively by statute to another person or body, or any provisions the administration of	Council/Leader

which have already been delegated within this Authority.

DECS	(8)	Carry out the Council's functions with regard to public health, environmental protection control of pollution, food safety and quality, health and safety at work, pest control, communicable disease control, animal welfare, water supply and water quality, young persons and tobacco and other relevant environmental health legislation.	Council/Leader
DECS	(9)	Institute enforcement action and, subject to the Director of Corporate Services being satisfied with the evidence in each case, legal proceedings, in respect of (6) and (7) above.	Council/Leader
DECS	(10)	Authorise employees and, where appropriate, inspectors to carry out functions in relation to (6) and (7) above.	Council/Leader
DECS	(11)	Authorise employees to sign statutory notices in respect of functions relating to (6) and (7) above.	
DECS	(12)	Authorise persons other than employees of the Council for the purposes of providing specialist advice and support in relation to (6) and (7) above.	Council/Leader
DECS	(13)	Grant, renew or transfer (but not refuse or revoke) licences, registrations and authorisations relating to food safety, animal welfare, special treatments, public entertainment, late night refreshment, nurses agencies, caravan sites, environmental protection and Houses in Multiple Occupation.	Council
DECS	(14)	Refuse an occasional public entertainment licence (excluding pop concerts) under the London Government Act 1963.	Council
DECS	(15)	Manage caravan sites owned by the Council.	Leader
DECS	(16)	Carry out the Council's functions under S.16 of the Local Government (Miscellaneous Provisions) Act 1976 and authorise officers to serve notices under S.16 of the Act.	Council
DECS	(17)	Discharge functions relating to the detainment, examination and seizure of food under the Food Safety Act 1990 both within the Borough and in all local authorities in England and Wales where reciprocal arrangements exist. (In addition all local authorities in England and Wales are authorised to	Council/Leader

discharge the above functions within Bromley Borough.)

DECS	(18)	Take action under the Fire Safety and Safety at Places of Sport Act 1987 to approve but not refuse applications for certificates or licences under the Act.	Council
DECS	(19)	Employ veterinary surgeons in conjunction with the Council's functions under diseases of animals, animal welfare and other related legislation.	Leader
DECS	(20)	Authorise persons as competent engineers under Section 31 of the GLC (General Powers) Act 1973.	Council
DECS	(21)	Carry out the Council's functions under Sections 27 and 29 to 32 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of blocked and defective drains and securing of buildings.	Leader
DECS	(22)	Waive the standard fees in respect of occasional licences for music, dancing or plays where the organisations which will provide such entertainment are doing so for: <ul style="list-style-type: none"> <li>(a) educational purposes</li> <li>(b) in support of a registered charity; or</li> <li>(c) non profit making fund raising or similar activity except in the case of pop concerts and open air discos.</li> </ul>	Council
DECS	(23)	Approve payment of compensation under the Public Health (Control of Diseases) Act 1984.	
DECS	(24)	Administer the registration system pursuant to Part V of the London Local Authorities Act 1995 (registration of door supervisors), including refusal of registration of a door supervisor.	Council
DECS	(25)	Authorise competent Council officers to act under the provisions of the Health Act 2006, Schedule 2 (powers of entry) and Section 9 (fixed penalty notices).	Leader

DECS (26)	Act as the “Proper Officer” under the Public Health (Control of Disease) Act 1984 as amended by the Health and Social Care Act 2008 and appoint officers from the Council, Health Protection Agency or other organisations as necessary to exercise specific functions and powers as given to them (as set out in Appendix B to this scheme.)	Leader
Regulation of Investigatory Powers		
DECS (27)	Authorise action under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.	Leader
DECS (28)	Exercise functions and powers under the Scrap Metal Dealers Act 2013 including – (i) determining applications where refusal is being considered; 2. granting licences where there is no prospect of refusal; 3. imposing conditions as set out in section 4(9) where the site manager has relevant convictions; 4. revoking licences under specific conditions; 5. exercising the rights of entry and inspection; 6. applying to a Magistrates Court for warrants of entry; and 7. closing unlicensed sites.	Leader
CEX, DECS abd DCS (29)	Exercise functions related to the Anti-social Behaviour, Crime and Policing Act 2014 as set out in appendix 2 to the report of the Executive Director of Environment and Community Services to the Executive on 26 <sup>th</sup> November 2014.	Leader

**ENVIRONMENT PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

<b>Officer(s) authorised</b>	<b>Authority to:</b>	<b>Responsibility delegated from</b>
<b>New Streets</b>		
DECS	(1) Decide the question of liability or exemption under the Advance Payments Code, including decision on the amount of the payment to be made other than determinations under Section 219(4)(h) of the Highways Act 1980.	Leader
DECS	(2) Agree requirements in relation to new street construction in planning applications.	Leader
DCS	(3) On recommendation of the Executive Director of Environment and Community Services negotiate and complete agreements under Section 38 of the Highways Act 1980 for the construction of new streets.	Leader
<b>Private Street Works</b>		
DECS	(4) Provide street trees where appropriate under Section 2 of the Local Government Act 2000.	Council/Leader
DRS	(5) Sign and serve demands for payment under Sections 204-206 of the Highways Act 1980.	Leader
DCS	(6) Enter into agreements permitting frontagers to pay by instalments.	Leader
DCS	(7) Refer objections to Magistrates Court for determination.	Leader
DCS	(8) Arrange for the implementation of ministerial decisions on appeals by frontagers.	Leader
DECS	(9) Designate the "proper officer" for the purposes of Sections 205, 210 and 211 of the Highways Act 1980.	Leader
<b>Private Streets</b>		
DECS	(10) Within the limits of approved estimates determine priority and execute urgent repairs under Section 230 of the Highways Act 1980.	Leader

## Street Naming and Numbering

- |    |      |   |         |
|----|------|---|---------|
| CP | (11) | Decide action on applications for approval of intended names of streets.  | Leader  |
| CP | (12) | Make and sign orders under the London Buildings Acts to give effect to decisions on naming and numbering, including renaming and renumbering. | Council |

## Private Direction Signs

- |      |      |  |                |
|------|------|--|----------------|
| DECS | (13) | In appropriate circumstances, approve applications, subject to suitable indemnity and on condition that signs are fixed by the Environment and Community Services Department at the applicant's expense. | Council/leader |
| DECS | (14) | In appropriate circumstances, approve applications received from the Automobile Association or the Royal Automobile Club for the erection of temporary signs.  | Council/Leader |

## Erection of hoardings and scaffolding during building operations and the temporary deposit of materials and excavation

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|------|------|--|---------|
| DECS | (15) | Operate the provision of Sections 169, 171 and 172 of the Highways Act 1980. | Council |
|------|------|--|---------|

## Grass Verges

- |      |      |  |        |
|------|------|--|--------|
| DECS | (16) | Authorise and erect notices against parking of vehicles. | Leader |
| DECS | (17) | Construct pedestrian access over.                        | Leader |

## Overhanging Trees and Hedges

- |              |  |   |        |
|--------------|--|---|--------|
| DECS<br>(18) |  | Authorise and serve notices and take action under the Highways Act 1980, Section 154. | Leader |
|--------------|--|---|--------|

## Dangerous Trees

- |      |      |  |        |
|------|------|--|--------|
| DECS | (19) | Authorise and serve notices under Section 154 of the Highways Act 1980 requiring owners or occupiers to cut or fell trees that are dead, diseased or insecure and are likely to cause damage by falling on a highway or footpath. On | Leader |
|------|------|--|--------|

default to carry out the work and recover the cost from the owner or occupier.

DECS (20) Take appropriate action in respect of dangerous trees under section 23 and section 24 of the Local Government (Miscellaneous Provisions) Act 1976, including such steps as necessary to recover the costs incurred from the occupier. Leader

Refuse Disposal (Amenity) Act 1978 (Removal of abandoned motor cars and removal and disposal of other refuse abandoned in open air or on land forming part of highway)

DECS (21) Authorise and serve notices, and take action under Sections 3 and 6 of the Refuse Disposal (Amenity) Act 1978. Leader

DECS (22) Remove forthwith from the highway and dispose of any vehicle obviously abandoned and ownership unidentifiable. Leader

Car Parks

DECS (23) Allow refunds on car park season tickets. Leader

DCS (24) Make supplementary orders to apply the Off-Street Parking Places Order to further parking places provided by the Council. Leader

DECS (25) Accept commuted payments in lieu of car parking within a scheme approved by the Council. Leader

DECS (26) Approve and provide means of access to any premises under Section 340, Highways Act 1980. Leader

DCS (27) On the recommendation of the Director of Environment and Community Services and on terms negotiated, complete agreements with owners and occupiers concerned. Leader

Off-Street Car Parking

DECS (28) Authority to institute proceedings for contraventions of parking orders relating to the use of off-street car parks. Leader



## Parking Enforcement

- |      |      |  |        |
|------|------|--|--------|
| DECS | (29) | Sign, on behalf of the Council, requests for information as to the identity of the driver of a vehicle alleged to be guilty of an offence to which Section 85 of the Road Traffic Regulations Act 1967 applies, and sign notices under Sections 2 and 3 of the Road Traffic Act 1974 relating to excess parking charges. | Leader |
| DECS | (30) | Authority to determine applications for exemption from the footway parking ban.  | Leader |

## Special Parking Areas

- |      |      |  |        |
|------|------|--|--------|
| DECS | (31) | Authority to institute or contest any action or administrative proceedings arising out of contraventions of traffic management orders relating to the Special Parking Area designated pursuant of the Road Traffic Act 1991. | Leader |
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## Private Sewers and Drains – Overflow Prevention

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|------|------|--|--------|
| DECS | (32) | Install and maintain anti-flood ball valves. | Leader |
|------|------|--|--------|

## Temporary Direction Signs, Street Banners etc

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|------|------|---|----------------|
| DECS | (33) | Deal with all applications for temporary direction signs, street banners, etc, including seasonal and occasional decorations. | Council/leader |
|------|------|---|----------------|

## Sight-Lines

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|-----|------|---|--------|
| DCS | (34) | Authorise and serve notices and act under Highways Act 1980, Section 79, to secure sight-lines recommended by the Director of Environment and Community Services. | Leader |
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## Temporary Closure of Highways

- |     |      |  |        |
|-----|------|--|--------|
| DCS | (35) | Make orders for temporary closures recommended by the Director of Environment and Community Services | Leader |
|-----|------|--|--------|

## Minor Improvements of Highways and Sewers

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|------|------|--|--------|
| DECS | (36) | Approve and execute minor schemes of improvement of all categories of highways and | Leader |
|------|------|--|--------|

sewers maintainable at public expense, subject to all necessary consents, etc, being obtained and statutory action taken.

#### Prescription of Building Lines

DCS	(37)	Prescribe building lines under Highways Act 1980, Section 74 recommended by the Executive Director of Environment and Community Services.	Leader
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#### Highway Adoptions

DECS	(38)	After construction to his satisfaction declare streets to be highways maintainable at the public expense, and declare the associated drainage to be vested in the Council.	Leader
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#### Public Footpaths

DECS	(39)	Approve the making of orders for the diversion of public footpaths where no objections are made following prior consultations with relevant owners and occupiers of land and with local and other interested organisations or statutory undertakers.	Council
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DCS	(40)	Make orders for diversion of public footpaths approved by the Executive Director of Environment and Community Services and confirm such orders where no statutory objections are made.	Council
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DCS	(41)	The Director of Corporate Services, in consultation with the Executive Director of Environment and Community Services, to confirm:	Council
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(a)	all unopposed Orders for the creation, extinguishment, stopping-up or diversion of any footpaths, bridleways and byways; and	Council
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(b)	all unopposed modification Orders made under the Wildlife and Countryside Act 1981 relating to footpaths, bridleways and byways.	Council
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DECS	(42)	Make comments, on behalf of the Highway Authority, on the diversion of footpaths or bridleways necessitated to enable development for which planning consent has been given, to	Leader
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take place

DECS/DCS (43)	Make Definitive Map Modification Orders and amendments to the Definitive Map and Statement of Public Rights of Way	Council
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#### Markets

DECS (43)	Deal with the day-to-day supervision and management of markets.	Council
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#### Walkways in Buildings

DCS (44)	On terms recommended by the Executive Director of Environment and Community Services complete agreements for the provision of dedication of footways or walkways under the provisions of Section 35, Highways Act 1980.	Leader
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#### Drainage of Highways

DECS (45)	Take all action necessary for the drainage or prevention of flooding of highways under the provisions of Sections 100, 299 and 339 of the Highways Act 1980.	Leader
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#### Control of Builders' Skips

DECS (46)	Operate the provisions of Section 139 and 140, Highways Act 1980 in respect of skips deposited on highways.	Council
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#### Retaining Walls near Streets

DECS (47)	Operate the provisions of Section 167 of the Highways Act 1980 in respect of the erection and condition of retaining walls.	Leader
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#### Construction of Buildings over Highways

DECS (48)	Issue licences for construction of buildings over any part of a publicly maintained highways under the provisions of Section 177 of the Highways Act 1980.	Leader
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#### Vehicle Crossings over Footways

DECS (49)	Operate the provisions of Section 184 of the Highways Act 1980 relating to the construction of vehicle crossings over footways and verges.	Leader
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DECS	(50)	Authorise, the waiver of charges in respect of the provision of crossovers in association with other adaptations to disabled persons' properties, and in accordance with the recommendations of the Executive Director of Education, Care and Health Services (Occupational Therapy Service).	Leader
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#### Trees and Shrubs in a Highway

DECS	(51)	Grant licences for the planting and maintenance of trees and shrubs under the provisions of Section 142 Highways Act 1980.	Council
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#### Powers of entry for Survey

DECS	(52)	Authorise entry on to land for surveys in connection with highway functions under the provisions of Sections 289 and 290, Highways Act 1980.	Council
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#### Powers of Entry to Maintain Structures and Works

DECS	(53)	Authorise entry on to land for the purpose of maintaining, altering etc, works or structures owned by the Highway Authority under the provisions of Section 291 of the Highways Act 1980.	Leader
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#### Provision of Dustbins

DECS	(54)	Authorise and serve notices under Section 46 of the Environmental Protection Act 1990, as amended, requiring owners or occupiers of premises to provide the required number and type of covered dustbins for household refuse.	Leader
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#### Trade Refuse Disposal Facilities

DECS	(55)	Authorise and serve notices on the owner or occupier of a building under Section 11 of the London County Council (General Powers) Act 1963 as amended requiring the carrying out of works or taking action to secure that the building is provided with trade refuse disposal facilities approved by the Executive Director of Environment and Community Services.	Council
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#### Offences involving the use of a vehicle

DECS	(56)	Authorise and serve notices under Section 17 of the Greater London Council (General Powers)	Council
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Act 1972 relating to an offence involving the use of a vehicle on a highway or parking area requiring information as to the identity to the driver or person in charge.

#### Dangerous Land Adjoining Streets

DECS (57) Authorise and serve notices and take action under Section 165, Highways Act 1980 in respect of dangerous land adjoining streets. Leader

#### Footbridges over Highways

DECS (58) Grant licences for the construction of footbridges over highways under provisions of Section 176 of the Highways Act 1980. Leader

#### Restriction on placing rails, beams, etc over highways

DECS (59) Determine applications and grant consents under Section 178, Highways Act 1980, to place rails, beams, pipes, cables, wires, or other similar apparatus over, along or across highways. Council

#### Cellars under Streets

DECS (60) Determine applications and grant consents under Section 179, Highways Act 1980 for the construction of cellars, etc under the carriageway of a street and authorise and serve notices for removal, or alteration, of any cellar, etc, constructed in contravention of that section. Council

#### Openings in footways into cellars and pavement lights and ventilation

DECS (61) Determine applications and grant consents under Section 180, Highways Act 1980, to make an opening in the footway of a street to a cellar, or vaults; or to carry out works in a street to provide means for the admission of air or light to premises situated under or abutting onto the street and authorise and serve notices where default arises in complying with statutory requirements as to repairs. Council

#### Minor Improvement Budget Schemes

DECS (62) Approve expenditure on schemes from within the minor improvement budget. Leader

## Traffic Management Schemes – Civil Engineering Costs

DECS	(63)	Following agreement in principle to traffic management schemes by the Council, approve the detailed civil engineering element costs.	Leader
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## Land Drainage and Watercourses

DECS	(64)	(i)	Issue approvals under Section 11 (Restrictions as to buildings etc, in or over streams) and Section 13 (Restrictions on new connections with streams) of the River Ravensbourne etc (Improvements and Flood Prevention Act 1961.	Council
		(ii)	In accordance with the Land Drainage Acts 1991 and 1992 implement the Council's National Rivers Authority policies on:	Leader
		(a)	building over, adjacent to or in the flood plain of any watercourse;	Leader
		(b)	the use and maintenance of any watercourse;	
		(c)	the prevention of pollution to, and protection of the water environment;	
		(d)	in accordance with the Land Drainage Act 1991 Section 25, to serve notices on riparian owners for maintenance of watercourses and, if in default, carry out works and recharge the owner all reasonable costs.	

## Bromley Town Centre – Closure of White Hart Slip

DECS	(65)	Approve the issue of permits and determine any conditions that should be imposed thereon in respect of vehicles carrying out infrequent specialised maintenance or building activities and for infrequent delivery or collection of exceptional loads needing to gain access to White Hart Slip.	Leader
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## Bromley Town Centre – Parades etc in High Street

DECS	(66)	Determine applications for exemptions for parades and other similar events in the pedestrianised area of the High Street.	Council
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## Disposal of small surplus highway sites

DECS	(67)	Authority to declare as surplus to the requirements land held for highways purposes, being small areas of highway land not exceeding 500 square metres and to take such action as is necessary to extinguish highway rights associated with the land, subject to the receipt of planning consent for the change of use and the views of the local Ward Councillors being sought before any application is determined.	Leader
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## Licences – use of highway land

DCS	(68)	On the recommendation of the Executive Director of Environment and Community Services prepare licences under the provisions of the Highways Act 1980 to enable the owners of properties fronting public highways to use adjoining highway land as part of their gardens.	<i>Leader</i>
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## Neighbourhood Watch Signs

DECS	(69)	Authorise and/or refuse consent for the erection of Neighbourhood Watch signs on Council street furniture.	Council/Leader
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## Street Trading

DECS	(70)	To recommend legal proceedings subject to the Director of Corporate Services being satisfied as to the sufficiency of evidence.	Council
DECS	(71)	To grant unopposed applications for full and temporary licences and applications for renewals of such licences where the terms and conditions are unchanged.	Council
DECS	(72)	To refuse applications for street trading licences in circumstances where Section 25(4)(a) and (b) apply.	Council

DECS	(73)	To grant unopposed applications by licence holders for variation of conditions attached to their licence.	Council
DECS	(74)	To waive fees for temporary licences in respect of national charity events.	Council
DECS	(75)	To remit or refund fees or charges associated with street trading licences on production of a medical certificate or where because of road works etc a trader is unable to trade or for any other approved reason.	Council
DECS	(76)	To accept applications for renewal of licences later than two months before expiry date (submitted before the expiry date).	Council
DECS	(77)	To accept the surrender of a street trading licence.	Council
DECS	(78)	To refuse the granting of a temporary licence for a street trader.	Council
DECS	(79)	Confirm all experimental traffic regulation orders after an operational period of 12 months subject to: <ul style="list-style-type: none"> <li>(i) the Ward Members concerned, the police and the public where appropriate being consulted;</li> <li>(ii) no objections being forthcoming;</li> <li>(iii) a report being made to the Executive Portfolio Holder in respect of those locations where objections have been received.</li> </ul>	Leader
DECS	(80)	Powers to control unlicensed street trading under the London Local Authorities' Act 2004 Section 20 and Schedule 4.	Council

#### School Keep Clear Markings

DECS	(81)	Introduce mandatory school Keep Clear markings when the need is apparent and, the cost of each Traffic Order be funded from the block revenue provision for minor traffic management schemes.	Leader
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### Central Islands/Refuges

DECS	(82)	Approve the installation and removal of central islands/refuges subject to consultation with ward members.	Leader
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### Environment Bromley – Grant

DECS	(83)	Approve annual requests from Environment Bromley for grant funding.	Leader
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### Graffiti Removal

DECS	(84)	The Power to require the removal of graffiti from shops, commercial properties, apparatus and plant under the London Local Authorities' Act 2004.	Council
DECS	(85)	Approve action to secure the removal of graffiti in consultation with the Director of Corporate Services.	Council/Leader

### Waiting and Loading Restrictions

DECS	(86)	Authority to:	
	(i)	suggest the sites for the introduction or amendment of waiting and loading restrictions.	Leader
	(ii)	consult the Executive Portfolio Holder, Ward Members concerned, the Police and the public on the proposals.	Leader
	(iii)	subject to no objections being forthcoming, or where the scheme is less than £5,000 to introduce the restrictions; and	Leader
	(iv)	report to the Executive Portfolio Holder in respect of schemes costing over £5,000 where objections have been received but it is still considered that the restrictions should be implemented.	Leader

### Disabled Persons Parking Bays

DECS	(87)	Approve applications which meet all the following criteria and where no objections are received during consultation with the	Leader
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Ward Members, Police and local residents.

- (i) only disabled drivers will be considered, except in exceptional circumstances; Leader
- (ii) only applicants with no suitable off-street parking available to them will be considered; Leader
- (iii) serious and frequent problems must be experienced in parking near the applicant's residence; Leader
- (iv) applicants must undergo a medical assessment by the Council-appointed doctor; Leader
- (v) applicants under 65 years of age should be receiving the higher mobility component of disability living allowance whilst applicants over 65 years of age would be assessed by the Council-appointed doctor only as in (iv) above. Leader
- (vi) the exceptional circumstances referred to in (i) above be: Leader
  - (a) the application is on behalf of a minor; and
  - (b) the refusal of the application would cause hardship to the carers or the disabled person.

Street Works etc

- |      |      |  |         |
|------|------|--|---------|
| DECS | (88) | Operate the provisions of Section 50 of the New Roads and Street Works Act 1991, for the granting of street works licences.  | Council |
| DECS | (89) | Operate the provisions of Section 56 of the New Roads and Street works Act 1991, for giving the undertaker such directions as to the times when works may or may not be carried out. | Leader  |

## Unauthorised Signs on the Highways

DECS	(90)	Operate the provisions of Section 132 of the Highways Act 1980 to remove unauthorised signs placed on the highway in roads which are on the Council's statutory list of maintained highways and rights of way in the Definitive Map.	Leader
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## Wilful Obstruction of the Highway

DECS	(91)	Operate the provisions of Section 148 of the Highways Act 1980 for the removal of unauthorised things on the highway which are on the Council's statutory list of highways and rights of way in the Definitive Map.	Leader
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## Removal of Projections from Buildings

DECS	(92)	Serve notice under Section 152 of the Highways Act 1980 in respect of any projection from a building which may endanger the public.	Leader
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## White Bar Carriageway Markings

DECS	(93)	Decide whether white bar markings should be laid to reduce the incidence of car parking obstruction in the following cases:  (a) access to public places such as churches, halls and libraries;  (b) accesses to groups of garages or similar situations where obstruction causes for delivery or loading including refuse collection.  (c) access for individual disabled drivers who park off-street; and  (d) to assist pedestrian access where vehicle parking obstruction takes place at crossing sites, excluding formal pedestrian crossings.	Leader
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## Consultation Documents

DECS	(94)	Consider and submit comments in respect of consultation documents received seeking the Council's views on all matters within the portfolio's purview subject to there being no policy issues or substantial expenditure, involved. In those instances, where the Executive Director of Environment and Community Services considers it appropriate prior consultation should be undertaken with the Executive Portfolio Holder before observations are submitted.	Leader
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## Signing to Places of Worship

DECS	(95)	Approve or refuse application for signing to places of worship, based on the criteria approved by the Executive Portfolio Holder – any complex or sensitive issues to be referred to the Executive Portfolio Holder for determination.	Leader
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## Environmental Improvements

CP	(96)	Select environmental improvement schemes for implementation, following consultation with the Ward Members concerned (the CP also to report annually on the Committee on the action taken).	Leader
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## Blue Badge Scheme

DECS	(97)	The issue and administration of the Blue Badge Scheme as provided for under the Chronically Sick and Disabled Persons Act 1970.	Leader
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## Lease of Council Facility

DECS	(98)	Let or lease a Council facility or part to a Council contractor to assist with the performance of their contract with the Council.	Leader
DECS	(99)	Authority to approve highways and transport planning schemes for signs and disabled parking bays, including consultation and implementation stages, provided costs are within current budgets.	Council/Leader

DECS	(100)	Authority, in consultation with the Director of Corporate Services, to make Orders in respect of waiting restrictions and loading bays.	Leader
DECS	(101)	Decide on action in response to petitions related to environmental operational matters.	Council/Leader

Allotments

DECS	(102)	Manage and let allotment plots (in conjunction with allotment society or association where management agreement exists between Council and the society or association).	Leader
DECS	(103)	Waive all or part of the rent due in the initial year of a tenancy where in his opinion a plot requires additional work to put it into a satisfactory state for cultivation.	Leader
DECS	(104)	Deal with applications for permission to erect buildings and structures, subject to consultation with local allotment society or association in the case of those exceeding two feet in height and not being the replacement of an existing building or structure.	Leader
DECS	(105)	Authorise the signature of tenancy agreements on behalf of the Council.	Leader
DECS	(106)	Authorise and service notices to quit or notices or re-entry on allotment tenants:-  (a) where the Council determine alternative use of the land, and  (b) for arrears of rent or other breach of tenancy agreement.	Leader
DECS	(107)	In consultation with the Director of Corporate Services, approve changes of trustees appointed for the purposes of a management agreement between the Council and an allotment society or association.	Leader

Parks, recreation grounds, open spaces

DECS	(108)	Approve occasional, general or individual variations of dates and opening hours.	Leader
DECS	(109)	Allocate seasonal reservations in accordance with priorities approved.	Leader

DECS	(110)	Restrict public use to accommodate lettings, reservations and other special occasions.	Leader
DECS	(111)	Let all premises in accordance with policy and permitted uses approved by the Executive or Executive Portfolio Holder.	Leader
DECS	(112)	Let catering rights in all premises, on the best available terms, in respect of arrangements of up to one year's duration only and where arrangements for a longer period have not previously been made, subject to consultation where necessary with the Director of Corporate Services and the signing by the Chief Executive of any consequent licence.	Leader
DECS	(113)	Deal with applications for commercial purposes at a charge to be negotiated in each case.	Leader
DECS	(114)	Let sports pitches and facilities.	Leader
DECS	(115)	Set the dates of commencement and completion of sports seasons, including occasional, general or individual extension or contraction.	Leader
DECS	(116)	Grant temporary use and letting of parks, open spaces and premises to outside organisations including temporary closure to the public so that admission charges may be levied.	Leader
DECS	(117)	Accept gifts of memorial and other seats.	Leader
DECS	(118)	(a) Decide conditions for suitable applicants to be allowed to use the Council's parks and open spaces for filming and commercial photography on payment of prescribed fees, but with power to waive the fee for filming or photography by an education authority, or in such a case, to charge a nominal fee of £1, at his discretion.	Leader
		(b) Refuse an application where the films or photographs are likely to be detrimental to the Council's interests.	Leader

DECS	(119)	Deal with applications for use by circuses and small family fun fairs of areas within the Council's control which have been approved as suitable for such use.	Leader (Licensing decision Council)
DCS	(120)	Approve the use of the forecourt at the Churchill Theatre/Central Library for events.	Leader (Licensing decision Council)
Commons			
DECS	(121)	Deal with applications for fetes and other special activities on commons.	Leader (Licensing decision Council)
Cemeteries			
DECS	(122)	Manage the Council's cemeteries including the allocation of burial space and the authorisation and execution of grave grants.	Leader
Anti Social Behaviour			
DECS	(123)	In consultation with the Director of Corporate Services issue of fixed penalty notices in respect of graffiti and fly posting under the Anti-Social Behaviour Act 2003 Section 43.	Leader
DECS	(124)	Issue of graffiti removal notices under the Anti-Social Behaviour Act 2003 Section 48.	Leader
DECS	(125)	Powers to deal with the clearance of works and litter under the Anti-Social Behaviour Act 2003 Sections 55 and 56.	Leader
DECS	(126)	Control of high hedges under the Anti-Social Behaviour Act 2003 Sections 68, 69 and 70.	Council
DECS	(127)	Propose the making of a Gating Order under the Clean Neighbourhoods and Environment Act 2005.	Leader
Miscellaneous			
DECS	(128)	Deal with dangerous trees pursuant to Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Leader
DECS	(129)	Approve the purchase of selected horticultural stock, without recourse to competitive quotations.	Leader
DECS	(130)	Refer to the Director of Corporate Services for	Council

consideration with a view to prosecutions, cases under the Council's byelaws or other statutes.

DRT	(131)	Manage the staff canteens and catering service without prejudice to the Director of Finance's financial responsibilities referred to in Minute 1/356 (General Purposes Committee – 8.6.65) and subject to consultation as appropriate with and by the Director of Human Resources on staff welfare aspects.	Council/Leader
DECS	(132)	Issue of fixed penalty notices for fly posting under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2	Council
DECS	(133)	Destruction of vehicles which are unlicensed, without a valid registration plate, or which have no registered keeper and associated powers under the London Local Authorities' Act 2004 Sections 3, 4, 6 and 7.	Council
DECS	(134)	The control of car repairs on the street under the London Local Authorities' Act 2004 Section 11.	Council
DECS	(135)	Pigeon proofing of bridges under the London Local Authorities' Act 2004 Section 9.	Council



**RESOURCES PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

Where marked \* exercise of an authority to act is conditional upon the authorised officer consulting with the Chief Executive.

<b>Officer(s) authorised</b>	<b>Authority to:</b>	<b>Responsibility delegated from</b>
Staff Appointments		
All	(1) With the exception of the post of Chief Planning Officer, appoint staff in authorised posts of "Deputy Chief Officer" as defined by the Local Government Act 2002. A procedure for notifying the Executive will apply before a formal offer can be made.	Council
Suspension, relegation and dismissal of officers		
All	* (2) Subject to any existing right of appeal to an Appeals Panel to suspend, relegate or dismiss Deputy Chief Officers as defined by the Local Government Act 2002.	Council
	Consider appeals from employees against their dismissal, except where the Council's procedures provide for these to be heard by a Members' Appeal Panel	Council
DHR	(3) Authorise the release of statutory minimum redundancy payment and basic pension to eligible staff as provided for under redundancy payments legislation and the LGPS Regulations.	Council
Departmental Structures and Job Grade Reviews		
All	(4) (i) Authorise departmental restructurings and grading reviews in consultation with the Director of Human Resources, provided that these are in line with the overall strategic direction of the Council and do not involve redundancies or early retirement and are self financing.	Council/Leader
Chief Executive	(ii) Authorise reorganisations and restructurings involving redundancies and /or early retirement after consultation with the Leader, relevant Director(s) and Portfolio Holder(s) on the service and financial implications where there is funding available to meet the associated costs.	Leader

## Conditions of Service

All	(5)	Approve payment of, in accordance with procedures laid down from time to time:-  Leased cars; Car allowances; Car purchase loans; Removal expenses for new staff; Telephone installation and rental charges; Travelling and subsistence expenses; Excess travelling expenses for transferred staff for up to 4 years; Interest free loans for annual season tickets.	Council
All	(6)	Permit, as appropriate, staff to undertake activities such as the giving of lectures or instruction associated with professional or analogous training which may fall partly within office hours.	Council/Leader
DHR	(7)	Determine variations to local conditions of service in exceptional individual employee cases in consultation with the departmental Chief Officer and with the Director of Finance when direct costs are incurred.	Council
Early Retirement			
All and DHR	(8)	Authority to agree applications for early retirement outside the redundancy policy where this will lead to compensatory staff savings, and act as a member of the Chief Officer Early Retirement Panel to determine applications for early/flexible retirement under the Local Government Pension Scheme Regulations.	Council
DHR	(9)	Make all necessary arrangements for implementation of the Council's long service awards.	Council
Leave			
All	(10)	Grant annual and special leave in accordance with the Council's policy.	Council
Superannuation etc			
DF	(11)	Determine and apply the provisions of the Local Government Pension Scheme Regulations excluding matters relating to ill-health, as applicable to employees, pensioners, dependents and estates. Determine and apply the provisions of the Social Security Acts and Occupational Pension Scheme Regulations to leavers,	Council

pensioners, dependants and transfer values.

DHR	(12)	The determination and application of all matters relating to ill-health retirement under the Local Government Pension Scheme Regulations.	Council
DF and DHR	(13)	Authority to determine future applications for early payment of deferred benefits under the Local Government Pension Scheme Regulations.	Council
DCS, DHR and DF	(14)	To undertake the role of “nominated person” under the Internal Dispute Resolution Procedures of the Local Government Pension Scheme and the Teacher’s Pension Scheme	Council
DF and DHR	(15)	To implement the Council’s schemes for gratuities and severance payments.	Council
DF and DHR	(16)	With regard to automatic enrolment under the Pensions Act 2008 authority to -  (i) use postponement for workers on short-term contracts and in circumstances where it aids administrative processes; and  (ii) take all necessary action to ensure that the Council’s responsibilities under the requirements of automatic enrolment are met.	Council

#### Implementation of Awards etc

DF	(17)	Implement payment of salary and wage awards by the Council.	Council
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#### Ex Gratia Payments

All	(18)	Authorise, in consultation with the Director of Finance,, ex gratia payments not exceeding £500 in any one case to persons in the employment of the Council in respect of loss of or damage to personal property sustained during the course of duty when reimbursement for such loss or damage is not recoverable from any other source.	Council
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#### Industrial Injuries Scheme

DHR	(19)	Determine, in consultation with the Executive Director of Education, Care and Health Services so far as teachers are concerned, all applications under Paragraph 8 of the Greater London Whitley Council Industrial Injuries Scheme as at 31 March 2013.	Council
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## Honoraria

All (20) Authorise the payment of honoraria to employees in accordance with conditions of service and the Council's scheme. Council

DHR (21) Determine any individual variations to the Council's scheme for the payment of honoraria to management grade staff. Review periodically the basis of the honoraria in the light of pay awards and any other relevant factors and revise the honoraria amounts accordingly. Council

Essential Car users – Car Loan Council

DF/DHR (22) Authority to carry out an annual review of the maximum sum the Authority is prepared to make available in the form of a loan to "essential car users" for the purpose of purchasing a car and to agree an increase in the maximum loan as necessary to reflect any increase in the cost of new cars, subject to an individual not being permitted to borrow more than 50% of their annual salary. Council

DCS (23) Determine the area over which rights alone should be acquired in respect of the Bromley Town Centre redevelopment. Leader

## Benchmark Lease Cars

DECS/DF (24) The Executive Director of Environment and Community Services, in consultation with the Director of Finance, be authorised to revise benchmark lease car contributions as and when manufacturers vary prices during the course of the year. Council

DHR/DF (25) The Director of Human Resources, in consultation with the Director of Finance, be authorised to vary the mileage rates payable to leased car users. Council

## Mortgages

DCS (26) Seal: Council

- (a) vacating receipts and discharges of mortgages;
- (b) mortgages where the advances are made by instalments;
- (c) mortgages to secure the external borrowing of money.

CE/DCS (27) Sign receipt on mortgages and discharges of registered charges where the Council's seal is not required. Council

DCS	(28)	Approve advances for the connection of houses to public sewers.	
DCS	(29)	Approve applications for the consent of the Council as mortgagee to:  (i) the grant of rights of way and other easements, and licences;  (ii) the carrying out of alterations and/or improvements to the mortgaged properties;  subject in each case to being satisfied that the Council's security will not be adversely affected.	Leader
DCS	(30)	Authorise and institute proceedings for the recovery of arrears and/or possession of the property where mortgagors under the Council's Housing Act Advance Scheme have made default in payment of sums secured by the mortgage.	Leader
DCS	(31)	Authorise and give permission for short-term lettings of mortgaged property by mortgagors.	Leader
DECHS	(32)	Approve Housing Act advances in accordance with the scheme and criteria approved by the Executive.	Leader
DF	(33)	Approve increases or reductions in mortgage periods.	Leader
DCS/DF	(34)	Approve applications for the transfer of mortgages from the husband and/or wife to husband and/or wife subject to normal income limits.	Leader
DCS	(35)	Endorse extensions of mortgages executed by the Council in connection with external loans.	Leader
Private Street Works Charges, etc.			
DCS/DF	(36)	Approve the suspension of repayment of the principal element of private street works charges and loans for house connections to sewers for such period as the applicant is in receipt of Social Security income support	Leader
Loans			
DF	(37)	To make all necessary arrangements for efficient debt and cash management in accordance with any statutory requirements and the Treasury Policy Statement approved by the Council. In particular to:	Council/Leader

		(i) arrange loans, as required, on terms appropriate to market conditions in order to finance new capital expenditure or refinance maturing loans;	
		(ii) raise temporary loans and invest surplus cash:	
		(iii) arrange leasing finance as appropriate.	
DECH	(38)	Authority to approve maturity loans applications.	Leader
Rates of Interest			
DCS	(39)	Determine rates of interest of (a) local bonds and mortgages and (b) Housing Act mortgage advances, subject to referral to Committee of any proposal to vary existing practice in the relative treatment of pre- and post-1980 Act mortgages.	Council/Leader
Local Taxes			
DF	(40)	Authority to act on behalf of the Council in all matters concerning the administration, collection, recovery or community charges, Council Tax and non-domestic rates (including authority to authorise bailiffs to levy distress on behalf of the Council) and the administration of community charge and Council Tax benefits (including, for the avoidance of doubt, the consideration of any complaint or appeal by a Council tax payer).	Council/Leader
Value Added Tax			
DF	(41)	To take any necessary action to “opt to tax” exempt supplies where the third party is VAT registered.	Leader
Contractors Bonds			
All	(42)	Allow contractors to obtain their own bonds for due performance of any proposed contract, subject to the nominated bondsman being acceptable to the Director of Finance and to any additional cost being met by the contractor.	Leader
Carry Forward of Budgets			
DF	(43)	Authorise spending officers to carry forward from one financial year to the next any unspent General Fund or Housing Revenue Account budget provision, provided that the goods were ordered or the work was started in the expectation that the order would be completed by 31 <sup>st</sup> March.	Council/Leader

DF	(44)	The Director of Finance shall be the Chief Finance Officer for the purposes of Section 114 of the Local Government Finance Act 1988.	Council
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DF	(45)	In respect of benefit fraud, impose or request administration penalties as appropriate.	Leader
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Management of The Glades

DRT	(46)	Following, where appropriate, consultations with the Director of Corporate Services to take decisions concerning the management of The Glades shopping centre so as to maintain the Council's overall interests.	Leader
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Property

DCS/DRT	(47)	<p>Authority to:-</p> <ul style="list-style-type: none"> <li>(i) approve purchases of properties in pursuance of confirmed compulsory purchase orders, on terms recommended and endorsed, when necessary, by the District Valuer;</li> <li>(ii) To approve the terms of any property transaction where there has been a decision of the Council, Executive, Executive Portfolio Holder, Committee or Sub-Committee, to acquire or dispose subject to a capital value less than £500,000 or rental value less than £50,000pa;</li> <li>(iii) To sell land not required for operational purposes with an area less than 500 sq. meters and value less than £10,000;</li> <li>(iv) To sell property or purchase it by private treaty when such action was included in the Asset Management Plan, subject to the financial limits set out in (ii) above;</li> <li>(v) Carry out all functions relating to the leasing and management of property, including landlords' consent, unless they fall outside the financial limits detailed in (ii) above, or the matter is particularly referred by Members to the Executive or Portfolio Holder;</li> <li>(vi) To take action on all London Residuary Body matters, subject to the financial limits set out in (ii) above.</li> </ul>	<p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p>
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- (vii) authorise the making of a Home Loss Payment in any case in which such a payment is appropriate;
- (viii) grant leases to public utility undertakings for land required for the erection of sub-stations or other similar purposes; Leader
- (ix) grant leases of Council land or properties not immediately required for the purposes for which they were originally acquired or are currently held, provided such leases are Leader
  - (a) for a period not exceeding seven years; or
  - (b) where the premium does not exceed £5,000 or the annual rent £500;
- (x) consent to the assignment of leases and tenancies of Council properties; Leader
- (xi) negotiate and agree terms in respect of easements, wayleaves, consents and licences affecting land and property; Leader
- (xii) approve applications for the consent of the Council, as landlord, for minor alterations or improvements to buildings; Leader
- (xiii) determine rent reviews and agree changes in use of commercial properties in Council ownership where the Council is acting as landlord and agree rent reviews in the case of properties where the Council is the tenant; Leader
- (xiv) on terms determined in accordance with provisions of the Act, approve sales or the extension of leases under the Leasehold Reform Act 1967, as amended by the Housing Act 1980, where appropriate claims have been accepted as being legally valid and without grounds for counter-claim; Leader
- (xv) enter into an agreement, or agreements under Section 1 of the Local Authorities (Goods and Services) Act 1975, on such terms as he considers appropriate: Council/Leader
  - (1) with the London Fire and Emergency Planning Authority, to act on its behalf in respect of the sale of Beckenham Fire



Station and any other property owned by that body; and

(2) with any other public body which may request such service.

(xvi) Agree terms, in consultation with the Leader of the Council, for the disposal of the Council's reversionary interest in small areas of non-housing land and buildings on the former GLC Seaside and Country Home estates, subject to an upper price limit of £200,000. Leader

(xvii) Decisions on former London Residuary Board matters which do not involve expenditure by the Council and are not of a controversial or sensitive nature. Leader

(xviii) Approve transactions when the name of the purchaser or transferee changes, or the purchaser wishes the transfer to proceed in the name of another company within the same group or the purchaser wishes to include another family member as purchaser but all other terms and conditions remain as originally approved; Leader

(xix) Dispose of small areas of former highway land not exceeding 500 square metres which have been declared surplus to the requirements of the Council and upon which highway rights have been extinguished subject to consultation with Ward Members. Leader

#### Energy Contracts

DF (48) In consultation with the DECH and relevant Executive Portfolio Holders, to accept energy tenders for gas and electricity for those schools which have opted into a corporate contract (in accordance with the decision of the Executive on 21<sup>st</sup> July 2008). Leader

DF (49) To accept energy tenders for gas and electricity for the remainder of the Council (in accordance with the decision of the Executive on 21<sup>st</sup> July 2008). Leader

#### Registration Service

DCS (50) Be "Proper Officer" in respect of the Births Deaths and Marriages Registration Service. Council

**CARE SERVICES PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

<b>Officer(s) Authorised</b>	<b>Authority to:-</b>	<b>Responsibility delegated from</b>
DECH/ DECS(1)	Ensure that the powers and duties to provide for the social care of elderly people, people with a disability and/or chronic sicknesses are met in accordance with statutory requirements and Council policy.	Council/Leader
DECH (2)	Exercise the statutory functions (including under the Mental Health Acts and Mental Capacity Act 2005) to safeguard the welfare of people suffering from a mental illness.	Leader
DECH (3)	Arrange burials and cremations in cases where no other suitable arrangements have been made.	Leader
DECH/ (4) DRT/DECS	Consider the conditions and housing needs of the Borough.	Leader
DECH (5)	Assess and arrange rehousing for homeless applicants in accordance with statutory requirements and Council policy.	Leader
DECH (6)	Nominate applicants to Housing Associations.	Leader
DECH/DRT (7)	Monitor the performance of Housing Associations and arrange for collection and production of statistical information.	Leader
DECH/DRT (8)	Consult with and provide advice to Housing Associations and other housing organisations on the housing needs of the Borough.	Leader
DECH (9)	Manage and provide temporary accommodation for homeless people and in cases of emergencies.	Leader
DECH (10)	Agree the terms and conditions for block booking arrangements for temporary accommodation.	Leader
DECH/DRT (11)	Manage the Council funded development programme in line with Council policy.	Leader
DECH (12)	Undertake the general supervision and management of social work support services	Leader

provided under the Local Authority Social Services Act 1970 (and any other enactment) not generally covered elsewhere in this scheme of delegation.

DECH	(13)	Ensure that reasonable costs are recovered for certain services in line with statutory regulations and Council policy.	Leader
DECH	(14)	Discharge the Council's transport functions in accordance with statutory requirements.	Council/Leader
DECH	(15)	Dispose of small plots of land which are surplus to requirements and which do not exceed 200 square metres in area, subject to consultation with local Ward Members.	Leader
DECH	(16)	Waive or abate charges and to take further action in relation to recovery of charges.	Leader
DECH	(17)	Approve applications for joint financing of less than £50,000.	Leader
DECH	(18)	Authority to allocate Housing Association Programme funds in accordance with the criteria contained in Social Services and Housing Committee Minute 232(g) (21 <sup>st</sup> July 1997).	Leader
DRT	(19)	Determine and pay claims for "well maintained" payments following directions given by the Secretary of State for the Environment.	Leader
DRT	(20)	Negotiate with owners and accept tenancies of properties in compulsory purchase orders awaiting confirmation by the Secretary of State and from which immediate rehousing is considered necessary.	Leader
DRT	(21)	Deal with the day-to-day management of all maisonettes associated with shop premises.	Leader
DF	(22)	Authorise payment of disturbance claims.	
DECS	(23)	Approve all renovation, disabled facilities and other housing grants and loans in accordance with the schemes approved by the Executive Portfolio Holder.	Leader
DECS	(24)	Require and enforce repayment of housing and disabled facilities grants in accordance with the	Leader

practice of the Executive. Approve the waiving of repayments where financial hardship to the owner would arise.

DECS	(25)	Carry out the Council's functions relating to private sector housing in connection with hazard rating, disrepair, provision of amenity, means of escape in the case of fire, overcrowding, energy efficiency, empty property, management and control.	Leader
DECS	(26)	Institute enforcement action and, subject to the Director of Corporate Services being satisfied with the evidence in each case, legal proceedings, and hearings in respect of (25) above.	Leader
DECS	(27)	Authorise the carrying out of work in default in appropriate cases of non-compliance.	Leader
DECS/CP	(28)	Arrange for the demolition of properties for redevelopment purposes.	Leader
DF	(29)	Determine the amounts of rent rebates to be allowed under approved scheme.	Leader
DECH	(30)	Authorise the approval of discretionary disabled facilities grants in exceptional circumstances.	Leader
DECH	(31)	Authority to approve Social Workers' warrant cards.	Leader
DECH	(32)	Ensure that the powers and duties to provide for the welfare and protection of children and young people are carried out in accordance with statutory requirements and Council policy.	Leader
DECH	(33)	Provide preventative services and support for the care of mothers and young children.	Leader
DECH	(34)	As Head of the Adoption Agency set up by the Local authority, ensure that the agency and the Adoption Panel functions in accordance with statutory requirements, save that this does not include a power to increase fostering allowances which exceed inflation.	Leader

DECH	(35)	Direct the Authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children and the Local Authority's functions for children and young people leaving care.	Leader
DECH	(36)	Direct any health-related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999, insofar as they relate to children.	Leader
DECH	(37)	Direct the new functions of the Children's Services Authority set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation.	Council/Leader
DECH	(38)	Make and sustain arrangements to promote co-operation between the Authority and its partner organisations to improve the well-being of children in the Authority's area.	Leader
DECH	(39)	Maintain the database of basic information on all children in the Authority	Leader
DECH	(40)	Maintain the Local Safeguarding Children Board (LSCB) to co-ordinate and ensure the effectiveness of board members' activities for the purpose of safeguarding and promoting the welfare of children in the Authority's area.	Leader
DECH	(41)	Prepare and publish a Children and Young People's Plan (CYPP) to set out the Authority's strategy for discharging their functions in relation to children and young people,	Leader
DECH	(42)	Co-ordinate statements of proposed action in light of a Joint Area Review report, in consultation with partners. The DECH will also exercise a key role in monitoring and evaluating implementation of the proposed action.	Leader
DECH	(43)	Second at least one children's social worker and at least one education professional to the Youth Ofending Team.	Leader
DECH	(44)	Promote the educational achievement of looked after children.	Leader

DECH	(45)	Provide the Secretary of State, if he so directs the authority, with information on individual children.	Leader
DECH	(46)	In consultation with the Portfolio Holder and the Director of Corporate Services, approve Section 106 funding under formal grant arrangements for individual health proposals up to £250,000.	Leader

**RENEWAL AND RECREATION PORTFOLIO/  
RELEVANT REGULATORY COMMITTEE(S)**

<b>Officer(s) Authorised</b>	<b>Authority to:</b>	<b>Responsibility delegated from</b>
Libraries		
DECS	(1) Select and purchase books and other library and museum materials and arrange loan exhibitions.	Leader
DECS	(2) Amend list of purchased periodicals, such amendments to be reported to the Portfolio Holder annually.	Leader
DECS	(3) Publish book lists.	Leader
DECS	(4) Decide on the closure of libraries at Christmas, Easter and public holidays.	Leader
DECS	(5) Decide on occasional variation of library opening hours.	Leader
DECS	(6) Deal with the letting of library halls.	Leader
DECS	(7) Carry out the Council's functions and duties under the Public Libraries and Museums Act 1964 and any amendments.	Leader
DECS	(8) Approve the secondment of trainee librarians for training, subject to the following:  (a) such trainees to sign the usual undertaking in respect of staying in the Council's service for two years after completion of their studies; and  (b) financial provision being agreed in the revenue budget annually.	Council
Local Land Charge Searches		
DRT	(9) Deal with local land charge searches.	Leader

**Legislation enforced by Bromley Public Protection Division**  
(Public Protection and Safety Portfolio – Delegations 7 to 12)

**PRIMARY LEGISLATION**

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Accommodation Agencies Act 1953</b>	To perform functions and investigate offences related to the practices of accommodation agencies
<b>Administration of Justice Act 1970</b>	To perform functions and investigate offences related to the harassment of debtors
<b>Animal Welfare Act 2006</b>	Powers relating to the control of animal welfare
<b>Animal Health Act 1981</b>	Provisions for welfare of farm animals in transit, on the farm and at market
<b>Animal Boarding Establishments Act 1963</b>	Provisions relating to the commercial boarding of animals
<b>Agriculture Act 1970</b>	67(1) Duty Of local authority to enforce part IV of the Act in respect of fertilisers and animal feeding stuffs.67(4) Power to grant consent for inspectors of another enforcement authority to exercise powers within the London Borough of Bromley;67(3) Power to appoint agricultural analyst and deputies; to perform functions and investigate offences related to fertilisers and animal feeding stuffs;75(2) Power to require information and documentation; 76 – Power to enter premises and take samples
<b>Advanced Television Services Regulations 1996</b>	Provisions relating to supply & construction of television equipment.
<b>Aerosol Dispensers (EEC Requirements) Regs 1977</b>	Re marking, inspecting, testing and content of aerosols
<b>Anti-Social Behaviour Act 2003</b>	To perform functions and investigate offences related to the sale of aerosol paint to persons under age.
<b>Architects Act 1997</b>	To perform functions and investigate offences related to unregistered architects
<b>Breeding and sale of dogs (welfare) Act 1999</b>	Provisions to control the activities of commercial dog breeders
<b>Breeding of dogs Act 1973 &amp; 1991</b>	Provisions to control the activities of commercial dog breeders
<b>Building Act 1984</b>	Provisions relating to adequate water supply, drainage and sanitary ware repair/improvement, in dwellings and emergency abatement of certain statutory nuisances.



<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Business Names Act 1985</b>	Provisions relating to ownership details on premises and stationery.
<b>Cancer Act 1939</b>	To perform functions and investigate offences connected to advertisements relating to the treatment of cancer
<b>Caravan Sites and Control of Development Act 1960</b>	Provisions for granting licences to caravan sites, attachment of conditions and the provision of caravan sites.
<b>Charities Act 1992</b>	To perform functions and investigate offences connected with information to be provided, and false statements made by, professional fund raisers.
<b>Charities Act 2006</b>	To perform functions and investigate offences connected with unauthorised use of badges certificates and articles and of false statements made, in respect of charitable appeals.
<b>Children &amp; Young Persons Act 1933</b>	To perform functions and investigate offences connected with the sale of tobacco and cigarette papers to persons under age and in respect of tobacco vending machines.
<b>Children &amp; Young Persons (Protection Tobacco) Act 1991</b>	Duty of local authority to consider a programme of enforcement action in respect of the sale of tobacco to persons under age.
<b>Children &amp; Young Persons (Protection Tobacco) Act 1991</b>	To perform functions and investigate offences connected with the sale of single cigarettes [3(1)] and in respect of tobacco warning notices [4(1) & 4(2)]
<b>Cinemas Act 1985</b>	The provisions relating to the regulation of cinemas and film exhibitions
<b>Clean Air Act 1993</b>	Provisions relating to control of smoke from chimneys and the chimney height; smoke grit and fumes from furnaces and the height of the furnace; the control of appliances and fuels in smoke control areas; controls over cable burning and the power to publish information thereof. Duty to enforce regulations concerning the composition and content of motor fuel [30(4)] and the sulphur content of oil fuel [31(4)] To perform functions and investigate offences connected to regulations made under section 30 & 31 related to the composition and content of motor fuel and fuel oil. To exercise powers of entry, inspection, seizure and test purchase in respect of motor fuel and fuel oil
<b>Copyright, Designs &amp; Patents Act 1988</b>	To perform functions and investigate offences related to making or dealing with infringing articles etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test purchase etc To perform functions and investigate offences related to making dealing with or using illicit recordings etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test

ACT/REGULATION	DESCRIPTION OF DELEGATION
	purchase etc
<b>Companies Act 2006</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to the display and disclosure of company names [Part 5], fraudulent trading [part 29], display and disclosure of business names [part 41].
<b>Consumer Credit Act 1974</b>	Duty of enforcement by local weights and measures authority Powers of authorised officers related to entry[including making application for warrants], inspection, seizure etc [162] and test purchase [164]
<b>Consumer Protection Act 1987</b>	Duty of enforcement by local weights and measures authority of safety provisions [part II of Act] Power of authorised officers to issue suspension notices in respect of goods suspected of contravening safety provisions and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of goods contravening safety provisions. Powers of authorised officers to make test purchases [28(1)], of entry inspection & seizure etc [29], to apply for warrants of entry [30(2)], to request information & assistance [32(1)], to request information & assistance from Commissioners of Customs & Excise [37(1)].
<b>Control of Pollution (Amendment) Act 1989</b>	Powers relating to control of waste carriers and power to seize vehicles.
<b>Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991</b>	Power to require information in relation to waste carriers.
<b>Control of Pollution Act 1974</b>	Provisions relating to the control of certain paints and treatments; noise and vibration from building sites; noise in the streets; noise abatement zones and the carrying out of certain works by the Council.
<b>Criminal Justice and Public Order Act 1994</b>	Power to remove unauthorised traveller encampments
<b>Criminal Justice and Police Act 2001</b>	Closure of certain classifications of premises
<b>Criminal Attempts Act 1981</b>	To perform functions and investigate offences connected to attempts to commit an indictable offence, where relevant to other authorised functions.
<b>Criminal Justice Act 1988</b>	To perform functions and investigate offences connected to the supply of offensive weapons [141] and the sale of knives etc. to underage persons [141A]
<b>Criminal Law Act 1977</b>	To perform functions and investigate matters connected to conspiracy to commit offences where relevant to other authorised functions.

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Crossbows Act 1987</b>	To perform functions and investigate matters connected to– the supply of crossbows to persons underage.
<b>Dangerous Wild Animals Act 1976</b>	Provisions relating to control of dangerous wild animals and power to seize dangerous wild animals.
<b>Dangerous Dogs Act 1991</b>	Provisions relating to breeding, supply, control and abandonment of dangerous dogs.
<b>Development of Tourism Act 1969 See also schedule of secondary legislation [orders &amp; regulations]</b>	To perform functions and investigate matters connected to the notification of pricing of accommodation.
<b>Deer Act 1991</b>	The provisions relating to control of the sale of deer and associated record keeping
<b>Eggs (Marketing Standards) Regs 1995</b>	Control provisions for quality, marking and grading of eggs
<b>Education Reform Act 1988</b>	To perform functions and investigate offences connected to unrecognised degrees Duty of local weights and measures authority to enforce provisions of section 214 Trading Standards List 2 Powers of authorised officers in respect of premise entry, inspection search & seizure etc [215(2), 215(6)], to apply for warrants of entry [215(4)].
<b>Enterprise Act 2002</b>	Designation and power of local weights and measures authority to act as a general enforcer in respect of certain consumer legislation. Power of authorised officers to seek undertakings in respect of domestic and community infringements. Power of authorised officers to give notice requiring that information be provided Duty of local weights and measures authority to give notice of intended proceedings under specified enactments or legislation. Power to disclose specified information To investigate offences in respect of disclosure of specified information
<b>Energy Act 1976 See also schedule of secondary legislation [orders &amp; regulations]</b>	Enforcement of orders relating to passenger car fuel consumption
<b>Energy Conservation Act 1981</b>	Power of local weights and measures authority to enforce provisions concerning the design, construction and operation of energy consuming appliances. Powers of authorised officers in respect of entry, inspection, seizure & detention etc [20(2),20(3),20(7) and warrants of entry [20(5)]
<b>Environment Act 1985</b>	Provisions imposing certain requirements and provision of controls relating to the control of air quality in the Borough
<b>Environmental Protection Act 1990</b>	Duty of Local authority to inspect its area for nuisance and to investigate all complaints of statutory nuisance. Power of entry, power to require works, power to carry out works and powers to recover costs in relation to said

ACT/REGULATION	DESCRIPTION OF DELEGATION
	statutory nuisance.
<b>Estate Agents Act 1979</b>	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers in respect of entry, inspection, seizure & detention etc and warrants of entry.
<b>European Communities Act 1972</b> Refer to schedule of secondary legislation [orders and regulations].	Enforcement of <i>any</i> orders, regulations or other instruments made there under or relating thereto, or having effect by virtue of the Act, in as far as they relate to consumer protection, fair trading, weights and measures and any other matters considered to be trading standards functions.
<b>Explosives Act 1875 to 1976</b>	To perform functions and investigate offences connected to the sale of gunpowder [30,32] and the sale of gunpowder to persons under age [31].
<b>Fair Trading Act 1973</b>	Duty of local weights and measures authority to enforce orders made under section 22 of the Act Power to make test purchases [28]. Powers of entry, inspection, seizure & detention etc 7 warrants of entry [29]
<b>Farm &amp; Garden Chemicals Act 1967</b>	To perform functions and investigate offences connected to transactions in unlabelled products
<b>Financial Services &amp; Markets Act 2000</b> Refer to schedule of secondary legislation [orders and regulations].	To exercise the functions of a 'relevant officer' under the Money Laundering Regulations 2007
<b>Fire Safety &amp; Safety of Places of Sport Act 1987</b>	Provisions relating to the safety of sports grounds
<b>Fertilisers Regulations 1991</b>	Provisions for labelling and sampling controls of fertilisers
<b>Fireworks Act 2003</b>	Duty of local weights and measures authority to enforce provisions in respect of firework regulations Powers of entry and inspection etc [by reference to the Consumer Protection Act 1987]
<b>Firearms Act 1968</b>	To perform functions and investigate offences connected to the supply of air weapons to persons under age.
<b>Feeding Stuffs Regs 1991 &amp; 1995</b>	
<b>Food Act 1984</b>	
<b>Food &amp; Environment Protection Act 1985</b>	Duty of local weights and measures authority to enforce regulations relating to the sale, labelling and advertising of pesticides Exercise of enforcement powers by authorised officers

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Forgery &amp; Counterfeiting Act 1981</b>	To perform functions and investigate offences connected to forgery and false instruments where relevant to other authorised functions.
<b>Fraud Act 2006</b>	To perform functions and investigate offences where relevant to other authorised functions.
<b>Food Safety Act 1990</b>	To perform functions in relation to food safety
<b>Gaming Act 1968</b>	Provisions for controls over gaming machines
<b>Gambling Act 1985</b>	Provisions for controls over gambling activities
<b>Game Licences Act 1970</b>	Provisions for licensing dealers in game, sale and purchase of game and the keeping of records
<b>Game Acts 1831 &amp; 1970</b>	Provisions for licensing dealers in game, sale and purchase of game and the keeping of records
<b>Greater London (General Powers) 1984</b>	To exercise powers in respect of the registration of premises used for sales by way of competitive bidding Powers of entry and inspection in connection with sales by way of competitive bidding
<b>Greater London (General Powers) 1978</b>	Licensing of places concerned with entertainment
<b>Greater London (General Powers) 1967</b>	Licensing of places concerned with hairdressers and barbers
<b>Greater London (General Powers) 1966</b>	Licensing of places concerned with exhibitions
<b>Guard Dogs Act 1975</b>	Provisions for control of the use of guard dogs on premises.
<b>Hallmarking Act 1973</b>	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers in respect of test purchasing, entry and inspection etc
<b>Housing Act 2004</b>	Duty of local weights and measures authority to enforce sections 155 to 159 inclusive and 167(4) [provisions related to home information packs]. Powers of authorised officers to require production of home information packs Powers of authorised officers to issue penalty charge notices in connection with breaches of 155 to 159 inclusive, 167(4), 172(1) Powers to confirm or withdraw a penalty charge notice. Powers to extend the period for complying with a penalty charge notice requirement. Duty to investigate, obtain information, inspect and take action in relation to housing conditions, houses in multiple occupation and empty property as set out in parts 1-1V and all associated schedules.

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Housing Act 1985</b>	Section 17 in relation to compulsory purchase
<b>Housing Grants, Construction and Renovation Act 1996</b>	Whole Act
<b>Health Act 2006</b>	
<b>Health and Safety at Work etc Act 1974</b>	Section 18(4) of Act – duty of local authority to enforce relevant provisions. Appointment of inspectors Authority to exercise power of inspector
<b>Home Energy Conservation Act 1974</b>	The provisions requiring local authorities to adopt a strategy for improving energy efficiency
<b>Insurance Brokers [Registration] Act 1977</b>	To perform functions and investigate offences connected to false registration
<b>Intoxicating Substances [Supply] Act 1985</b>	To perform functions and investigate offences connected to the sale of solvent based products to persons under age.
<b>Knives Act 1997</b>	To perform functions and investigate offences connected to the unlawful marketing of knives and the publication of associated material.
<b>Legal Services Act 2007</b>	To perform functions and investigate offences connected to carrying on restricted legal activities when not entitled [14] or carrying on those activities through persons not entitled [16] Powers of authorised officers to enter premises, powers to require production or take copies of documents, to request information . Power to apply for warrants of entry [198(6)]. To perform functions and investigate offences connected to obstruction and failing to provide information etc
<b>Licensing Act 1964</b>	To comment on applications for licences and permits
<b>Licensing Act 2003</b>	All I Authority Licensing functions including the duty of local weights and measures authority to enforce the provisions of section 146, 147, 147A in respect of the sale of alcohol to persons under age. To issue a closure notice in respect of persistently selling alcohol to persons under age To request a person under age to buy or attempt to buy alcohol To perform functions and investigate offences connected to the sale of liqueur confectionery to persons under age
<b>Local Government (Miscellaneous Provisions) Act 1982</b>	Powers relating to the protection of unoccupied buildings
<b>Local Government (Miscellaneous Provisions) Act 1976</b>	Power to require information

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>London Local Authorities Act 1996</b>	The provisions relating to licensing premises where occasional sales take place
<b>London Local Authorities Act 1995</b>	The provisions relating to licensing of door supervisors
<b>London Local Authorities Act 1991</b>	The provisions relating to licensing premises where special treatments are carried out and provision for the control of burglar alarms
<b>London Local Authorities Act 1990</b>	To enforce provisions in respect of street trading licences including the power to require production of a licence by a licence holder Powers in respect of the removal of receptacles Enforcement of provisions in respect of unlicensed street trading including seizure of relevant articles and things Powers of entry and inspection of authorised officers in connection with occasional sales Power to institute legal proceedings if a relevant person fails to furnish an authorised Officer with a name, provides a false name or false address
<b>London Local Authorities Act 2004 Part 4</b>	Administration of accounts for Fixed Penalty Notices, use of surplus, report to Secretary of State Power to enforce provisions including the Issuing of Fixed Penalty Notices in respect of contraventions of section 34(1 – 4) and 38(1) of Local Authorities Act 1990
<b>Plastic materials &amp; Articles in Contact with Food Regulations 1992</b>	The provisions relating to plastic materials that are to be in contact with food
<b>Magistrates Courts Act 1980</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to the aiding, abetting, counselling or procuring the commission of offences.
<b>Malicious Communications Act 1988</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to sending letters etc. with intent to cause distress or anxiety
<b>Materials &amp; Articles in Contact with Food Regulations 1987</b>	The provisions relating to materials that are to be in contact with food
<b>Medicines Act 1968</b>	Powers of authorised officers related to inspection, premise entry, taking of samples, seizure & detention etc related to medicated animal feed stuffs.
<b>Motor Cycle Noise Act 1987</b>	To perform functions and investigate offences related to the supply of motorcycle silencers and exhaust systems.
<b>National Assistance Act 1948</b>	Power of entry to inspect property
<b>Noise &amp; Statutory Nuisance Act 1993</b>	Provisions for powers in relation to noise and nuisance in the street, control of alarms and recovery of costs

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Noise Act 1996</b>	Power to issue warning notices and fixed penalty notices for noise and the power to enter premises and seize equipment
<b>Natural Mineral Water, spring water and bottled drinking water Regs 1999</b>	Provisions for the control of the bottling, supply and quality for natural mineral water
<b>National Lottery Act 1993</b>	To perform functions and investigate offences related to the supply of lottery tickets etc to persons under age
<b>Olive Oil (Marketing Standards) Regulations 1987</b>	Provisions for the control of the bottling, supply and quality for olive oils
<b>Olympic Symbol etc (Protection) Act 1995</b>	Power of local weights and measures authority to enforce provisions relating to relevant goods
<b>Olympic Symbol etc (Protection) Act 1995</b>	Powers of test purchase, entry, inspection & seizure of authorised officers
<b>Pet Animals Act 1951 &amp; 1983</b>	Provisions for the control of sale of pet animals
<b>Personal Protective Equipment (EC Directive) Regs 1992</b>	Provisions for the control of the supply and quality of Personal Protective Equipment
<b>Performing Animals (Regulation) Act 1925</b>	Provisions for the control of the training or exhibition of performing animals
<b>Poisons Act 1972</b>	Provisions for the control of the supply and sale of poisons and the registration of sellers of poisons.
<b>Prices Acts 1974 &amp; 1975</b>	Duty of local weights and measures authority to enforce orders made under sections 2, 4 & 5 in respect of the prices of goods. Powers of entry, inspection, seizure etc of authorised officers
<b>Prevention of Damage by Pests Act 1949</b>	Powers to enter premises for the control of rodents, to require treatments and to carry out works.
<b>Protection of Animals Act 1911</b>	Provisions relating to animal welfare
<b>Proceeds of Crime Act 2002</b>	Matters in relation to the investigation and charging of money laundering offences
<b>Property Mis-descriptions Act 1991</b>	Duty of local weights and measures authority to enforce the provisions of the Act Powers of inspection, seizure, to request the production etc of goods and documents Power of authorised officers to enter premises [paragraph 4(1)] and to apply for warrant of entry [paragraph 4(2)]
<b>Protection From Harassment Act 1997</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to harassment and putting people in fear of violence
<b>Public Health (Control of Diseases ) Act 1984</b>	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease



<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Public Health Act 1961</b>	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health
<b>Public Health Act 1936</b>	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health
<b>Recreational Craft Regs 1996</b>	The obligations placed upon, and provisions empowering local authorities with regard to the supply of recreational craft
<b>Restriction of Offensive Weapons Act 1959</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to the sale and supply of knives and other dangerous weapons.
<b>Riding Establishments Act 1964 - 1970</b>	Provisions relating to licensing of horse riding establishments
<b>Road Traffic (Foreign vehicles) Act 1972</b>	Provisions relating to the powers of authorised persons to prohibit overloaded vehicles
<b>Road Traffic Act 1988</b>	To perform functions and investigate offences related to the sale of motorcycle helmets To perform functions and investigate offences related to the supply of unroadworthy vehicles [75] and the fitting or supply of defective or unsuitable vehicle parts [76].
<b>Scotch Whiskey Act 1988</b>	Provisions relating to the supply and sale of products described as scotch whiskey.
<b>Safety of Sports Grounds Act 1975</b>	The provisions relating to the safety of sports grounds
<b>Solicitors Act 1974</b>	To perform functions and investigate offences related to pretending to be a solicitor and engaging in various practices when unqualified Powers of inspection, entry, seizure & detention, application for a warrant of entry of authorised officers
<b>Sunday Trading Act 1994</b>	Controls over hours of opening on Sundays and Easter for large shops.
<b>Scrap Metal Dealers Act 1964</b>	The provisions relating to the registration of scrap metal dealers
<b>Solicitors Act 1974</b>	The provisions relating to the preparation of certain instruments by unqualified persons
<b>Telecommunications Act 1984</b>	To perform functions and investigate offences related to the marking and labelling of telecommunications apparatus and information contained in advertisements for telecommunications apparatus.
<b>Tattooing of minors act 1969</b>	The provisions relating to the tattooing of young persons
<b>Theft Act 1968</b>	Where relevant to other authorised functions, to perform functions and investigate offences related to false accounting [17] and going equipped to cheat [25].

ACT/REGULATION	DESCRIPTION OF DELEGATION
<b>Timeshare Act 1992</b>	Duty of local weights and measures authority to enforce the provisions of the Act. Power of authorised officers to request information and seize documents
<b>Tobacco Advertising and Promotion Act 2002</b>	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers to enter premises, perform inspections, seize items, apply for warrants of entry etc.
<b>Trade Descriptions Act 1968</b>	Duty of local weights and measures authority to enforce the provisions of the Act Power of authorised officers to make test purchases Power of authorised officers to enter premises, inspect goods, of seizure and detention, to apply for warrants of entry etc.
<b>Trade Marks Act 1994</b>	Duty of local weights and measures authority to enforce provisions of section 92 (unauthorised use of trade mark, etc. in relation to goods). Powers of authorised officers to inspect goods and enter premises etc, of seizure and detention, to apply for warrants of entry etc. Power to apply for forfeiture of goods To perform functions and investigate offences related to the falsification of the trademarks register etc [94] and falsely representing a trade mark as registered [95].
<b>Trading Representations (Disabled Persons) Acts 1958 and 1972</b>	To perform functions and investigate offences related to registration of sellers of goods made by persons with disabilities
<b>Unsolicited Goods and Services Act 1971 &amp; 1975</b>	To perform functions and investigate offences related to unsolicited demand for payment etc
<b>Veterinary Surgeons Act 1966</b>	To perform functions and investigate offences related to the carrying out of veterinary practices by unqualified persons and the use of practitioners titles when unqualified.
<b>Video Recordings Act 1984</b>	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers to make test purchases, to enter premises, carry out inspections, powers of seizure & detention and to apply for warrants of entry etc To investigate outside of Bromley, offences suspected of being linked to or suspected to have been committed within the borough. To give consent to officers from other local authorities to investigate within Bromley, offences suspected of being linked to that other authority or suspected to have been committed within it.
<b>Water Industry Act 1991</b>	The provisions relating to the control of water to premises, including sufficiency, wholesomeness, and contamination; the control of waste water and duties placed upon the local authority.
<b>Weights and Measures Act 1985</b>	Designation of the London Borough of Bromley as a local weights and measures authority. <i>Power to provide consumer advice</i> Delegation of Chief Inspector of weights and measures To authorise an inspector to act as Deputy

ACT/REGULATION	DESCRIPTION OF DELEGATION
	<p>Chief Inspector of weights and measures To appoint inspectors of weights and measures To act as Deputy Chief Inspector of weights and measures To perform functions related to passing weighing &amp; measuring equipment as fit for use for trade To issue certificates to operate public weighing and measuring equipment Powers of inspector in connection to certain goods [38] and certain documents [39], goods on road vehicles [40] and check weighing of certain road vehicles [41]. <i>Power to make test purchases</i> General powers of inspector to enter, inspect, seize &amp; detain &amp; to apply for warrants of entry etc</p>
<b>Public Protection - General</b>	<p>All other legislation or parts thereof considered to be relevant to the Public Protection Division that may be in force from time to time including amendments and additions to existing legislation.</p>

## SECONDARY LEGISLATION

ACT/REGULATION	DESCRIPTION OF DELEGATION
<b>Secondary legislation made under the European Communities Act 1972</b>	
<b>Aerosol Dispensers (EEC Requirements Regulations 1977)</b>	<p>Powers of authorised officers related to entry (including making application for warrants), inspection, 'testing' etc... To perform functions and investigate offences/breaches under the Regulations</p>
<b>Boiler (Efficiency) Regulations 1993</b>	<p>Duty of local weights and measures authority to enforce the provisions of the Regulations.</p>
<b>Business Protection from Misleading Marketing Regulations 2007</b>	<p>Duty of local weights and measures authority to enforce the provisions of the Regulations Power to request information by notice in writing. Power to make test purchases and enter into an agreement to secure the provision of a service. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.</p>
<b>Chemical (Hazard Information &amp; Packaging for Supply)</b>	<p>Duty of the local weights and measures authority to enforce where the supply is from any form of retail outlet</p>

ACT/REGULATION	DESCRIPTION OF DELEGATION
<b>Regulations 2002</b>	and to enforce the provisions relating to the control of advertising (Reg 6) and child resistant packaging (Reg 11) Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Construction Products Regulations 1991</b>	Duty of the local weights and measures authority to enforce the provisions of Part II of the Regulations (requirements relating to construction products). Power of authorised officers to issue suspension notices in respect of products suspected of contravening the regulations and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of products contravening the Regulations Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry, to request information & assistance.
<b>Consumer Protection from Unfair Trading Regulations 2007</b>	Duty of local weights and measures authority to enforce the Regulations. Power to carry out test purchases or enter into arrangements to purchase products. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.
<b>Control of Misleading Advertisements Regulations 1988</b>	To perform functions and investigate breaches under the Regulations
<b>Consumer Protection (Cancellation of Contracts made in a consumers home or place of work etc) Regulations 2008</b>	Duty of local weights and measures authority to enforce the provisions of regulations (offence relating to the failure to provide cancellation rights). Power of authorised officers to request production of documents and to seize documents.
<b>Consumer Protection (Distance Selling) Regulations 2000</b>	Duty of local weights and measures authority to consider complaints made to it about a breach. To perform functions and investigate offences/breaches under the Regulations
<b>Cosmetic Products (Safety) Regulations 2004</b>	To perform functions and investigate offences under the Regulations
<b>Crystal Glass (Descriptions) Regulations 1973</b>	Duty of local weights and measures authority to enforce Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc , to apply for warrants of entry
<b>Electromagnetic Compatibility Regulations 2006</b>	Duty of local weights and measures authority to enforce the Regulations (except the provisions relating to electricity water meters). Powers of authorised officers to make test purchases, of entry inspection & seizure etc), to apply for warrants of entry, to issue compliance and suspension notices and to request information & assistance.

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Electro-medical Equipment (EEC Requirements) Regulations 1988</b>	Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry Power to make test purchases, enter premises and inspect and seize goods and entry by warrant.
<b>Energy Efficiency (Ballasts for Fluorescent Lighting) Regulations 2001</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (Washing Machines) Regs 1996</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (Household Air Conditioners) Regs 2005</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (Combined washer driers) Regs 1997</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (Dishwashers) Regs 1999</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (Household electric ovens) Regs 2003</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
<b>Energy Information (Household refrigerators and freezers) Regs 2004</b>	Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (lamps) Regs 1999</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
<b>Energy Information (tumble dryers) Regs 1996</b>	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
<b>The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007</b>	Duty of local weights and measures authority to enforce regulations 5(2), 5(5), 6(2), 9(2), 10, 16(2), 21(1), 23, 24 and 39(4). Powers to request copies of documents to issue a penalty charge notice
<b>Financial Services (Distance Marketing) Regulations 2004</b>	Duty of local weights and measures authority to consider complaints about a breach of the Regulations To perform functions and investigate breaches/offences under the Regulations

<b>ACT/REGULATION</b>	<b>DESCRIPTION OF DELEGATION</b>
<b>Footwear (Indication of Composition) Labelling Regulations 1995</b>	Duty of local weights and measures authority to enforce the Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry.
<b>General Product Safety Regulations 2005</b>	Duty of local authority to enforce the provisions of the Regulations. Power to issue suspension notices, require to 'mark,' require to warn, issue a withdrawal notice, issue a recall notice, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Manufacture and Storage of Explosives regulations 2005</b>	Inspection of premises in relation to storage of explosives
<b>Measuring Container Bottles (EEC Requirements) Regulations 1977</b>	To perform functions and investigate offences related to the Regulations. Power of inspection, entry and testing.
<b>Measuring Instruments (Automatic Discontinuous Totalisers) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Automatic Rail-weighbridges) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Automatic Catchweighers) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Gravimetric Filling Instruments) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations
	Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Beltweighers) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Capacity Serving Measures) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Liquid Fuel and Lubricants) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Liquid Fuel Delivered from Road Tankers) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry,

ACT/REGULATION	DESCRIPTION OF DELEGATION
	inspection testing and search by warrant
<b>Measuring Instruments (Material Measures of Length) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (Cold-water Meters) Regs 2006</b>	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
<b>Measuring Instruments (EEC Requirements) Regulations 1988</b>	To perform functions and investigate offences related to the Regulations. Power to entry, inspection testing and search by warrant.
<b>Medical Devices Regulations 2002</b>	Powers of forfeiture, issue suspension notices, enter premises and seize goods and entry by warrant. Duty of local weights and measures authority to enforce these regulations in relation to devices that are consumer goods.
<b>Medicines (Advertising) Regulations 1994</b>	To perform functions and investigate breaches under the Regulations
<b>Non-Automatic Weighing Instruments (EEC Requirements) Regulations 2000</b>	To perform functions and investigate offences related to the Regulations. Only local weights and measures authority can institute proceedings. Powers of entry, inspection, testing and entry by warrant.
<b>Packaging (Essential Requirements) Regulations 2003</b>	Duty of local weights and measures authority to enforce the Regulations. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Packaged Goods Regulations 2006</b>	Duty of local weights and measures authority to enforce the Regulations. Powers of entry, inspection, testing and search by warrant.
<b>Passenger Car (Fuel Consumption &amp; CO2 Emissions Information) Regulations 2001 and The Passenger Car (Fuel Consumption) Order 1983.</b>	Duty of local weights and measures authority to enforce the Regulations. Power to enter premises to request production to seize a certificate of conformity. Power to search by warrant.
<b>Personal Protective Equipment (EC Directive) Regulations 2002</b>	Duty of local weights and measures authority to enforce the Regulations Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Package Travel, Package Holidays and Package Tours Regulations 1992</b>	Duty of local weights and measures authority to enforce the Regulations for the purposes of regs 5, 7, 8, 16 & 22. Powers of entry, seizure, production of documents and entry by warrant.
<b>Pressure Equipment Regulations 1999</b>	Duty of local weights and measures authority to enforce the Regulations in relation to pressure equipment or assemblies for private use or consumption. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc...

ACT/REGULATION	DESCRIPTION OF DELEGATION
	and obtain search warrants
<b>Radio Equipment &amp; Telecommunications Terminal Equipment Regulations 2000</b>	Duty of local authority to enforce the Regulations. Power to serve enforcement notice. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Recreational Craft Regulations 2004</b>	Duty of local weights and measures authority to enforce the Regulations. Power to service compliance notice. Power to issue suspension notices, apply for forfeiture and obtain information.
<b>Simple Pressure Vessels (Safety) Regulations 1991</b>	Duty of local weights and measures authority to enforce the Regulations where they relate to vessels and relevant assemblies as consumer goods. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Supply of Machinery (Safety) Regulations 1992</b>	Duty of local weights and measures authority to enforce where it relates to relevant machinery as goods for private use or consumption Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
<b>Unfair terms in consumer contracts Regs 1999</b>	Enforcement of unfair terms in consumer contracts
<b>Secondary legislation made under the Development of Tourism Act 1969</b>	
<b>Tourism (Sleeping Accommodation Price Display) Order 1977</b>	Power of entry and inspection.
<b>Secondary legislation made under the Financial Services &amp; Markets Act 2000</b>	
<b>Money Laundering Regulations 2007</b>	Pursuant to arrangements made with the Office of Fair Trading (reg. 40) Power to request information, records and attendance of persons to answer questions. Powers of entry, inspection, take copies of documents and entry by warrant. Upon failure by a person to provide information, power (pursuant to arrangements made with the Office of Fair Trading) to make an application to the courts requesting person to take certain action.



**Legislation enforced by Bromley Public Protection Division**  
(Public Protection and Safety Portfolio – Delegation (26))

Public Health (Control of Disease) Act 1984  
as amended by Health and Social Care Act 2008

Section	Power
45M	Apply for orders under part 2A
46	Duty of the La to bury or cremate a body where no other arrangements made
48	Power to apply to Court for an order removing a body to a mortuary
61	Power of entry for appointed 'Proper Officer'
62	Supplementary powers as to entry
64	Power to prosecute

The Health Protection (Local Authority Powers) Regulations 2010

Section /Regulation	Power
2	To serve / review vary or revoke a notice to keep a child away from school when a child is or may be infected or contaminated
3	To serve notice on a head teacher of school to provide names addresses and contact numbers of pupils
4	To disinfect or decontaminate things at the request of the owner and charge for the service
5	To disinfect or decontaminate things at the request of a person with custody or control of the things and charge for the service
6	To disinfect or decontaminate premises at the request of the owner and charge for the service
7	To disinfect or decontaminate things at the request of the tenant and charge for the service

8	Power to serve notice on a person or groups requesting co-operation for health protection purposes. Offer compensation
9	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting contact with the body
10	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting entry to the room in which the body is located
11	To relocate or cause to be relocated a dead body

#### Health Protection (Notification) Regulations 2010

Section / Regulation	Power
	Appointment of the 'Proper Officer' for the receipt of information and notifications
Regulation 6	Duty of the Proper Officer to disclose a notification to the Health Protection Agency and or Proper Officer of another LA or Port Authority

#### Health Protection (Part 2A Order) Regulations 2010

Regulation 7	Power to charge in connection with Part 2A orders relating to things and premises
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Report No.  
CSD15054

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** 13<sup>th</sup> May 2015

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

**Title:** COUNCILLOR ATTENDANCE 2014/15

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743    E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

- 1.1 One of the recommendations of the Constitution Improvement Working Group, endorsed by Council on 15<sup>th</sup> December 2009, was that details of Councillor attendance at meetings be published at the end of each Council year. The data for 2014/15 is set out in this report. The data covers formal meetings of the Council, the Executive, Committees and Sub-Committees, plus at the request of the Constitution Improvement Working Group various other meetings including executive and non-executive working groups. Even with this additional information, this report does not purport to give an exhaustive account of Councillor activity.
- 

2. **RECOMMENDATION**

**Council is asked to note the Councillor attendance data for 2014/15 and agree that, subject to inclusion of data from any outstanding meetings and any minor corrections identified by Members, this be published on the Council website.**

### 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 Representation
  4. Total current budget for this head: £1,055,820
  5. Source of funding: 2014/15 Revenue budget
- 

### Staff

1. Number of staff (current and additional): 0
  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
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is provided for the benefit of Councillors and to assist in providing transparency about the work of Councillors.
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### 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 Constitution Improvement Working Group in its third report, presented to full Council on 15<sup>th</sup> December 2009, recommended that information about Councillor attendance at meetings should be recorded and published annually. This information has always been published through the minutes of meetings, but was not previously been brought together in one document. The recommendation (set out below) was adopted by Council -

*“That attendance information be routinely collected and that it be published annually at the end of the Municipal Year including details of apologies for absence and the appointment of substitutes.”*

3.2 The meetings covered are listed in appendix 1; these are all Council, Committee, Sub-Committee and Executive/Portfolio Holder meetings during the Council year 2014/15, plus a variety of other meetings and working groups. These meetings total 219 for the 2014/15 Council year, a reduction from 235 in 2013/14. A schedule covering attendance of individual members will be circulated “to follow” as soon as it is available as appendix 2.

3.3 The data in appendix 2 will not include attendance at a variety of more informal meetings, pre-meetings and callovers, partnership meetings, official engagements carried out by the Mayor and Deputy Mayor, or any of the wide range of ward-related activities carried out by Councillors throughout the year. The Constitution Improvement Working Group also suggested that individual Members be offered the opportunity to add any further notes or comments that take into account any other meetings not already covered – this will be included in appendix 2.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Minutes of meetings in 2014/15 (except those held in private.)

<b>Meeting Name</b>	<b>Number of Meetings in 2014/15</b>
<b>Council, Committees &amp; Sub-Committees (76)</b>	
Council	6
General Purposes & Licensing	6
Appeals Sub-Committee	0
Audit Sub-Committee	3
Industrial Relations Sub-Committee	1
Licensing Sub-Committee	20
Local Joint Consultative Committee	3
Pensions Investment Sub-Committee	4
Rights of Way Sub-Committee	1
Development Control Committee	5
Plans Sub-Committees (x4)	24
Appointment Panel	0
Standards Committee	0
Urgency Committee	3
<b>PDS Committees and Sub-Committees (45)</b>	
Care Services PDS Committee	8
Education PDS Committee	6
Environment PDS Committee	5
Executive & Resources PDS Committee	8
Public Protection & Safety PDS Committee	5
Renewal & Recreation PDS Committee	5
Education Budget PDS Sub-Committee	5
Health Scrutiny PDS Sub-Committee	3
<b>Executive meetings (19)</b>	
Executive	14
Portfolio Holder Meetings	5
<b>Other Meetings (49)</b>	
Health & Wellbeing Board	4
SACRE	3
Economic Partnership	4
Safer Bromley Partnership	4
Adoption Panel	13
Foster Panel	17
Crystal Palace Park Executive Project Board	4
<b>Executive Working Groups (22)</b>	
Biggin Hill Heritage Centre WG	0
Constitution Improvement WG	2
Children's Board	8
Child Safeguarding & Corporate Parenting WG	2
Local Development Framework Advisory Panel	8
Special Educational Needs WG	2
<b>PDS Working Groups (8)</b>	
Beckenham Town Centre WG	4
Parking WG	1
Waste WG	1
School Places WG	1
Children's Centres WG	1
<b>TOTAL</b>	<b>219</b>

Report No.  
CSD15055

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** 13<sup>th</sup> May 2015

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

**Title:** **REPORTS FROM COUNCILLORS APPOINTED TO OUTSIDE BODIES 2014/15**

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743    E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

- 1.1 One of the recommendations of the Constitution Improvement Working Group, endorsed by Council on 15<sup>th</sup> December 2009, was that Councillors appointed to serve on outside bodies with a significant role and budget should be required to provide a short written statement to full Council at the end of each Council year.
- 

2. **RECOMMENDATION**

**Council is asked to note the reports from Councillors appointed to outside bodies (appendix 1).**

### 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 Representation
  4. Total current budget for this head: £1,055,820
  5. Source of funding: 2014/15 revenue budget
- 

### Staff

1. Number of staff (current and additional): 0
  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): This report is provided for the benefit of Members of the Council and to provide transparency
- 

### 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 Constitution Improvement Working Group in its third report, presented to full Council on 15<sup>th</sup> December 2009, recommended -

“That the Members appointed as the Council’s representatives on outside organisations with a significant role and budget, should be required to provide a short annual written report to the final Council meeting or PDS in each Municipal Year.”

3.2 This recommendation was duly approved by full Council, and reports have been requested from a number of Members who have served as the Council’s representatives during 2014/15 on outside bodies with significant roles and budgets -

Affinity Sutton - London Regional Scrutiny Board (Cllrs Nicholas Bennett & Chris Pierce)  
Mytime Active Board (Cllrs Nicholas Bennett & Tim Stevens)  
Bromley Youth Music Trust Board of Directors (Cllr Kate Lymer)  
Community Links Bromley (Cllrs Peter Fortune and Ellie Harmer)

3.3 Representation on Affinity Sutton has been split, with Cllr Nicholas Bennett resigning early in the year and Cllr Chris Pierce appointed in his place half way through the year. The Bromley Healthcare Council of Governors has featured in previous versions of this report, but was dissolved in the summer of 2014 and is therefore no longer included. Reports will be attached in **Appendix 1** as and when they become available.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	None



**Affinity Sutton Housing Association London and East Regional Scrutiny Board –  
Cllr Chris Pierce**

The Board is one of a number of established Regional Scrutiny Boards comprising representatives from Affinity Sutton, tenants and local authorities. Cllr William Huntingdon-Thresher sits on the Board as a nominee of the Housing Association. The Board continues to receive comments from Resident Area Panels (RAPs) which enable tenants in smaller areas within the region to voice their opinions. The National Residents Council (NRC) was held in Daventry on 14th and 15th November.

I was appointed to the Board as the LBB local authority representative in late 2014 and therefore could not attend the meeting on 10th December due to existing commitments.

I attended the subsequent meeting on 11th March at 6 More London Place.

The next meeting is to be held on 24th June when I am on holiday.

In 2014/15 scrutiny was completed on the 'repairs to vulnerable residents' service and an action plan was developed to deal with the findings.

Scrutiny subjects for 2015/16 are to be selected from

- Estate management
- Planned investment
- Communications
- Service charges
- Development re-lets
- Tenancy support/youth engagement.

On 7th May it is planned that Affinity Sutton Repairs (ASR) will take over maintenance and repairs for the 18,000 properties in London and Kent, effectively bringing the service back 'in house' at the expiry of the Osbourne contract.

**Report on representation on Bromley Youth Music Trust Board of Directors –  
Cllr Kate Lymer**

Bromley Youth Music Trust continues to have a very high coverage, now delivering provision in 100% of primary schools and secondary schools in the borough. BYMT is now also providing various forms of instrumental tuition in one Kent primary school and in two Croydon secondary schools. Highlights of the last year include:

- 9,000 children received instrumental and vocal tuition
- 77,222 hours of high quality music lesson delivered
- 36 regular ensembles involving over 1,200 children
- 2,661 children performed at the Bromley Schools' Prom
- 120 major concert performances
- New initiatives including the opening of BYMT Rock School
- Bromley Youth Concert Band "National Award Winners" at National Festival of Music for Youth
- 4 BYMT musicians are now members of the National Youth Orchestra of Great Britain
- Pre-school music offer now established with Monkey Music, Baby Ukulele and Crescendo

- SEN (Journey Project) in place for 2015 to enhance collaborative work between BYMT and our Special Needs Schools
- High quality CPD now in place termly for all BYMT staff, primary school music teachers and secondary school music teachers

The development of a comprehensive fundraising strategy is a priority for 2015/2016, and a robust plan is being put together in order to maintain arguably the best music service in the UK.