

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 22 February 2016

Present:

**The Worshipful the Mayor
Councillor Kim Botting**

**The Deputy Mayor
Councillor Alan Collins**

Councillors

Vanessa Allen
Graham Arthur
Douglas Auld
Teresa Ball
Kathy Bance MBE
Julian Benington
Nicholas Bennett J.P.
Ruth Bennett
Katy Boughey
Kevin Brooks
Lydia Buttinger
Stephen Carr
David Cartwright
Mary Cooke
Peter Dean
Ian Dunn
Judi Ellis
Robert Evans
Simon Fawthrop
Peter Fookes

Peter Fortune
Hannah Gray
Ellie Harmer
Samaris Huntington-
Thresher
William Huntington-
Thresher
David Jefferys
Charles Joel
David Livett
Kate Lymer
Russell Mellor
Alexa Michael
Peter Morgan
Terence Nathan
Keith Onslow
Tony Owen
Angela Page
Ian F. Payne
Sarah Phillips

Tom Philpott
Chris Pierce
Neil Reddin FCCA
Catherine Rideout
Charles Rideout QPM CVO
Michael Rutherford
Richard Scoates
Colin Smith
Diane Smith
Melanie Stevens
Tim Stevens J.P.
Michael Tickner
Pauline Tunncliffe
Michael Turner
Stephen Wells
Angela Wilkins
Richard Williams

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kim Botting

148 Apologies for absence

Apologies for absence were received from Councillors Eric Bosshard, Nicky Dykes and Will Harmer.

149 Declarations of Interest

The following declarations of interest were made –

- Councillor Peter Fookes, as a trustee of Penge and Anerley Age Concern.
- Councillor Peter Morgan, whose daughter was a director of Kier.
- Councillor Michael Turner, who was in receipt of a pension from the London Pension Fund Authority.

150 To confirm the Minutes of the meeting of the Council held on 14th December 2015

The minutes of the meeting held on 14th December 2015 were confirmed.

151 Petitions
Report CSD16033

A petition had been received from the Knoll Residents Association asking the Council to designate part of Petts Wood and Knoll Ward as an Area of Special Residential Character (ASRC). The petition contained in excess of 900 signatures.

The Chairman of the Knoll Residents Association, Mr Paul Savage, addressed the Council in support of the petition, explaining that ASRC status would help to preserve this well-established residential area from overdevelopment.

A motion that the petition be referred to the Development Control Committee and the Executive to be considered under the Local Plan process was moved by Councillor Peter Morgan and seconded by Cllr Peter Dean and **CARRIED**.

152 Questions from members of the public where notice has been given

Seven questions for oral reply and two questions for written reply had been received from members of the public. The questions and replies are set out in Appendix A to these minutes.

153 Oral questions from Members of the Council where notice has been given

Twelve questions had been received from Members of the Council for oral reply. The questions and replies are set out in Appendix B to these minutes.

154 Written questions from Members of the Council where notice has been given

Eighteen questions had been received from Members of the Council for oral reply. The questions and replies are set out in Appendix C to these minutes.

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

No statements were made.

156 Budget (Revenue and Capital) and Council Tax Setting - to consider the recommendations of the Executive from the meeting on 10th February 2016

(A) 2016/17 Council Tax
Report FSD16017

The Director of Finance circulated supplementary information and amended recommendations which were received and accepted by the meeting -

“There were no changes to the final Mayoral precept accepted by the London Assembly on 22nd February 2016.

There were no changes required to the amount included for levies following receipt of written confirmation.

On 11th February 2016 the Department of Health published the public health allocations for 2016/17. Bromley’s allocation is £15,478k compared to £15,836k assumed in the draft budget (a reduction of £358k). The 2016/17 central contingency already includes a provision of £347k to reflect the expected reduction in public health funding and the additional £11k can be met from the remaining provision for further reductions in grant funding also held in the central contingency.

Indicative allocations for 2017/18 were also published and the Department of Health will publish confirmation of these and the conditions that will apply in due course. Bromley’s indicative allocation is £15,096k compared to £15,114k assumed in the financial forecast.

The above changes will require the following proposed amendments to be made to the recommendations of the Executive:

Amended Recommendation (2.1)

- (b) approve the draft revenue budgets for 2016/17 with the following amendment:

- (iii) £358k be allocated from the central contingency to the Care Services Portfolio to reflect the public health grant allocation for 2016/17.
- (f) approve the following provisions for levies to include in the budget for 2016/17:

	£'000
London Pension Fund Authority	464
London Boroughs Grant Committee	320
Environment Agency (Flood defence etc)	238
Lee Valley Regional Park	362
Total	1,384

- (g) approve a revised Central Contingency sum of £14,983k to reflect the changes in (b) and (f);
- (i) set a 3.99% increase in Bromley's council tax for 2016/17 (1.99% general increase plus 2% Adult Social Care Precept) compared with 2015/16 and a 6.4% reduction in the GLA precept;
- (j) note the final position on the GLA precept, as accepted by the London Assembly on 22nd February 2016.

Amended Recommendation (2.2)

Council Tax 2016/17 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

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

	2015/16 £	2016/17 £	Increase/ decrease (-) %
Bromley (general)	1,030.14	1,050.67	1.99
Bromley (ASC precept)		20.60	2.00
Bromley (total)	1,030.14	1,071.27	3.99
GLA	295.00	276.00	-6.44
Total	1,325.14	1,347.27	1.67

Amended Recommendation (2.3):

- (iii) that the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

- (a) £537,282k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
- (b) £401,599k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (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."

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

"The following changes be made to the recommended budget for 2016/17:

Amended Recommendation (2.1):

- (b) approve the draft revenue budgets for 2016/17 with the following amendments:
 - (iv) in view of the late timing of the transitional funding and, in recognition of the non-recurring nature of the funding, agree that the total sum of £4.1m payable in 2016/17 and 2017/18 be set aside as an earmarked reserve to provide funding for pump-priming and other transitional arrangements in key service provision;
 - (v) note that the proposed utilisation of the transitional funding earmarked reserve will be reported to a future meeting of the Executive;
 - (vi) agree not to proceed with the saving of £30k relating to the green garden waste wheelie bin service for 3 years on the basis that freezing the existing price will encourage a greater take up of this service to promote the wider environmental and recycling benefits. The charges are expected to be reviewed for 2019/20. The funding of £90k will be met from the transitional funding earmarked reserve set out above.

Additional Recommendation (2.1):

- (n) (i) set aside funding totalling £750k as an earmarked reserve from underspends in 2015/16 for planned one-off Member initiatives as detailed below:

- (a) £250k to enhance our environment, particularly to help with the maintenance of trees and replacing those that have been lost;
 - (b) £250k to attack the scourge of environmental crime, especially fly tipping;
 - (c) £250k to enhance and improve local shopping parades which has been so popular over the last year or two.
- (ii) note that the detailed arrangements for these initiatives will be reported to the Executive.

Amended Recommendation (2.3):

- (iii) that the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
- (a) £537,252k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £401,569k 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 above was moved by Councillor Stephen Carr and seconded by Cllr Colin Smith.

The following amendment was moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn, and two appendices were circulated comprising a spreadsheet setting out cuts to be negated and a proposal for use of the Growth Fund –

“The following changes be made to the recommended budget for 2016/17:

Amended Recommendation (2.1):

- (b) approve the draft revenue budgets for 2016/17 with the following amendments:
- (iv) agree not to proceed with savings totalling £1,907k in 2016/17 (£3,539k in a full year) as set out in appendix 1;
 - (v) agree that no further savings be required in 2017/18 and 2018/19 to meet the projected budget gap;
 - (vi) agree that the New Homes Bonus of £7,402k in 2016/17, £6,500k in 2017/18 and £3,250k in 2018/19 be set aside to support the revenue budget;
 - (vii) agree that the uncommitted balance on the investment fund (£6,002k) be set aside to support the revenue budget;

- (viii) note a loss of interest earnings arising from these proposals of £562k in 2016/17 rising to £1,016k in 2017/18 and £1,380k in 2018/19;
- (ix) agree that the transitional funding of £2,068k in 2016/17 and £2,052k in 2017/18 be utilised to offset the impact of (iv) and (viii) above;

A summary of these proposals is shown in the table below:

	2016/17 £'000	2017/18 £'000	2018/19 £'000	Total £'000
Savings to be negated (appendix 1)	1,907	3,539	3,539	8,985
Projected Budget Gap	0	8,949	12,540	21,489
Loss of Interest Earnings	562	1,016	1,380	2,958
Total Budget to Fund	2,469	13,504	17,459	33,432
Utilisation of Transitional Funding	(2,068)	(2,052)	0	(4,120)
New Homes Bonus	(7,402)	(6,500)	(3,250)	(17,152)
Release of Investment Fund Balance (uncommitted)	(6,002)	0	0	(6,002)
Net Position on Budget	(13,003)	4,952	14,209	6,158
Set Aside 2016/17 "underspend" to fund Future Years	13,003	(4,952)	(8,051)	0
Balance to be met from Contingency	0	0	6,158	6,158

- (c) agree the utilisation of the transitional funding from central Government of £2,068k in 2016/17 and £2,052k in 2017/18 as set out in (b) above.

Additional Recommendation (2.1):

- (n) agree that any overall underspends in 2015/16 and future years (prior to 2019/20) be set aside to reduce the budget gap in 2019/20;
- (o) agree to earmark a sum of £10m of the Council's existing growth fund for low cost housing development with the aim to provide at least 400 new dwellings over four sites as set out in appendix 2;
- (p) agree to set aside £2.5m of the Council's existing growth fund for new/start-up business development as set out in appendix 2.

Amended Recommendation (2.3):

- (iii) that the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £536,520k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.

- (b) £400,837k 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 -

“The following changes be made to the recommended budget for 2016/17:

Amended Recommendation (2.1):

- (b) approve the draft revenue budgets for 2016/17 with the following amendments:
- (iv) agree to consider options to not proceed with savings of £3,000k, with priority given to savings not yet implemented, the details of which will be reported back to the next meeting of the Executive;
 - (v) agree to utilise the transition grant of £2,068k in 2016/17 to freeze the general element of council tax resulting in a net shortfall of £524k. This will provide a 2% council tax increase relating to the Adult Social Care Precept only;
 - (vi) amend the submitted budget to reflect the cessation of investment in properties outside the borough. Property investment, if necessary, should be made within the borough or for the direct benefit of residents of the borough. This will result in a reduction in income of £600k in 2016/17 and £1,100k in a full year arising from a net loss of interest on investment income;
 - (vii) the costs of (iv) to (vi) above, totalling £4,124k in 2016/17, will be met by a reduction in the proposed central contingency sum as follows:

	£'000
Delete general provision for risk / uncertainty	2,193
Delete remaining provision for other assumed grant reductions	189
Reduce provision for unallocated inflation	318
Reduce impact of Chancellor's Summer Budget 2015 on future costs	837
Reduce provision for increased costs of homelessness / impact of welfare reforms	587
Total	4,124

- (g) approve a revised Central Contingency sum of £10,859k to reflect the changes in (b) and (f);
- (i) set a 2% increase in Bromley's council tax for 2016/17 (zero general increase and 2% Adult Social Care Precept) compared with 2015/16 and a 6.4% reduction in the GLA Precept;

Amended Recommendation (2.2):

Council Tax 2016/17 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

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

	2015/16 £	2016/17 £	Increase/ decrease (-) %
Bromley (general)	1,030.14	1,030.14	0.00
Bromley (ASC precept)		20.60	2.00
Bromley (total)	1,030.14	1,050.74	2.00
GLA	295.00	276.00	-6.44
Total	1,325.14	1,326.74	0.12

Amended Recommendation (2.3):

- (ii) the Council Tax requirement for the Council's own purposes for 2016/17 be calculated as £133,082k;
- (iii) that the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £534,081k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act;
 - (b) £400,999k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - (c) £133,082k 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) £1,050.74 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 2016/17 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
£	£	£	£	£	£	£	£
700.49	817.24	933.99	1,050.74	1,284.24	1,517.73	1,751.23	2,101.48

GREATER LONDON AUTHORITY

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
184.00	214.67	245.33	276.00	337.33	398.67	460.00	552.00

AGGREGATE OF COUNCIL TAX REQUIREMENTS

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
884.49	1,031.91	1,179.32	1,326.74	1,621.57	1,916.40	2,211.23	2,653.48

- (vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2016/17, which reflects a 2.00% increase relating to the Adult Social Care Precept, is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2016/17 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2016/17. 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) on the basis of two further schools having converted to Academy Status, approves a revised schools budget of £83.7 million which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;**

- (b) approves the draft revenue budgets for 2016/17 (as at Appendix 2 to Report FSD16017) including the following updated changes -**
- (i) reduction in Independent Living Fund (ILF) Grant from £701k estimated in the draft budget to £666k (the proposed methodology for the value of the grant and the allocation of the funding is subject to consultation which ends on 22nd March 2016);**
 - (ii) increase in SEND Implementation Grant from £177k to £201k (£24k increase) with a corresponding increase in expenditure held in central contingency;**
 - (iii) £358k be allocated from the central contingency to the Care Services Portfolio to reflect the public health grant allocation for 2016/17.**
 - (iv) in view of the late timing of the transitional funding and, in recognition of the non-recurring nature of the funding, agrees that the total sum of £4.1m payable in 2016/17 and 2017/18 be set aside as an earmarked reserve to provide funding for pump-priming and other transitional arrangements in key service provision;**
 - (v) notes that the proposed utilisation of the transitional funding earmarked reserve will be reported to a future meeting of the Executive;**
 - (vi) agrees not to proceed with the saving of £30k relating to the green garden waste wheelie bin service for 3 years on the basis that freezing the existing price will encourage a greater take up of this service to promote the wider environmental and recycling benefits. The charges are expected to be reviewed for 2019/20. The funding of £90k will be met from the transitional funding earmarked reserve set out above.**
- (c) agrees the utilisation of the transitional funding from central Government of £2,068k in 2016/17 and £2,052k in 2017/18 as set out in (b) above;**
- (d) sets aside a sum of £3,100k in 2015/16 as an earmarked reserve related to the continuation of various joint schemes and pump priming investment as detailed in the further supplementary paper to Report FSD16017;**
- (e) agrees that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise**

any proposed savings reported to the Executive's previous meeting on 13th January 2016;

- (f) approves the following provisions for levies to include in the budget for 2016/17:

	£'000
London Pension Fund Authority	464
London Boroughs Grant Committee	320
Environment Agency (Flood defence etc)	238
Lee Valley Regional Park	362
Total	1,384

- (g) approves a revised Central Contingency sum of £14,983k to reflect the changes in (b) and (f);
- (h) approves the revised draft 2016/17 revenue budgets to reflect the changes detailed above;
- (i) sets a 3.99% increase in Bromley's council tax for 2016/17 (1.99% general increase plus 2% Adult Social Care Precept) compared with 2015/16 and a 6.4% reduction in the GLA precept;
- (j) notes the final position on the GLA precept, as accepted by the London Assembly on 22nd February 2016.
- (k) approves the approach to reserves outlined by the Director of Finance (Appendix 4 to Report FSD16017);
- (l) notes that Executive considered the four year funding offer (Section 16 of Report FSD16017);
- (m) receives any further changes from the Director of Finance;
- (n) (i) sets aside funding totalling £750k as an earmarked reserve from underspends in 2015/16 for planned one-off Member initiatives as detailed below:
- (a) £250k to enhance our environment, particularly to help with the maintenance of trees and replacing those that have been lost;
 - (b) £250k to attack the scourge of environmental crime, especially fly tipping;

- (c) £250k to enhance and improve local shopping parades which has been so popular over the last year or two.

(ii) notes that the detailed arrangements for these initiatives will be reported to the Executive.

(2) Council Tax 2016/17 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

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

	2015/16 £	2016/17 £	Increase/ decrease (-) %
Bromley (general)	1,030.14	1,050.67	1.99
Bromley (ASC precept)		20.60	2.00
Bromley (total)	1,030.14	1,071.27	3.99
GLA	295.00	276.00	-6.44
Total	1,325.14	1,347.27	1.67

(3) Council formally resolves as follows -

(i) the Council Tax Base for 2016/17 be noted as 126,656 'Band D' equivalent properties;

(ii) the Council Tax requirement for the Council's own purposes for 2016/17 be calculated as £135,683k;

(iii) that the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £537,252k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.

(b) £401,569k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £135,683k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year.

(d) £1,071.27 being the amount at 3(c) above, divided by (1) 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 2016/17 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
£	£	£	£	£	£	£	£
714.18	833.21	952.24	1,071.27	1,309.33	1,547.39	1,785.45	2,142.54

GREATER LONDON AUTHORITY

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
184.00	214.67	245.33	276.00	337.33	398.67	460.00	552.00

AGGREGATE OF COUNCIL TAX REQUIREMENTS

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
898.18	1,047.88	1,197.57	1,347.27	1,646.66	1,946.06	2,245.45	2,694.54

(vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2016/17, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2016/17 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2016/17. 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.

The following Members voted in favour of the motion –

Councillors Graham Arthur, Douglas Auld, Teresa Ball, Julian Benington, Nicholas Bennett, Ruth Bennett, 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, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, Kate Lymer, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Ian F. 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 Members voted against the motion -

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

(B) Capital Programme
Report FSD16018

A motion to approve the recommendations of the Executive was moved by Councillor Stephen Carr and seconded by Councillor Colin Smith and **CARRIED** as follows -

(1) Report FSD16018 be noted, including the re-phasing of a total of £5,456k from 2015/16 into 2016/17 (paragraph 3.3.6 of Report FSD16018) and a revised Capital Programme be agreed;

(2) The following amendments to the Capital Programme be approved -

(i) an increase of £79k in 2015/16 to reflect revised grant support from Transport for London for Highways and Traffic schemes (paragraph 3.3.1 of Report FSD16018);

(ii) a net reduction of £6,347k in 2015/16 for the Council's Property Investment Fund scheme to reflect the latest update on successful property acquisitions (paragraph 3.3.2 of Report FSD16018);

(iii) deletion of £13k residual balance on The Hill Multi-Storey Car Park and Bromley Town Centre Car Parking capacity schemes, which have both reached completion (paragraph 3.3.3 of Report FSD16018);

(iv) the remaining Highways Section 106 balance of £6k be allocated to the relevant schemes - Gosshill Road (£4k) and Orpington Railway Station scheme (£2k) (paragraph 3.3.4 of Report FSD16018);

(v) **Section 106 receipts from developers - net increase of £283k to reflect the funding available, and the remaining unallocated balance (paragraph 3.3.5 of Report FSD16018); and**

(3) The inclusion of the new scheme proposals listed at Appendix C to Report FSD16018 in the Capital Programme (paragraphs 3.4 and 3.5 of Report FSD16018) be agreed.

157 Proposal for the Council's Public Health Budget 2016/17 and 2017/18
Report CS16002

A motion to accept the recommendations of the Executive regarding the Public Health Budget 2016/17 and 2017/18 was moved by Councillor Robert Evans and seconded by Cllr Stephen Carr.

An amendment was moved by Cllr Ian Dunn and seconded by Cllr Richard Williams to delete the second bullet point in the second recommendation from the Executive and replace it with the words – “seek alternative funding to support these services, including health related earmarked reserves.”

This amendment was **LOST** and the substantive motion was **CARRIED**.

158 Treasury Management - Annual Investment Strategy 2016/17
Report CSD16034

A motion to agree and adopt the Treasury Management Statement and Annual Investment Strategy for 2016/17 including the prudential indicators and the Minimum Revenue Provision (MRP) policy statement was moved by Cllr Graham Arthur, seconded by Cllr Stephen Carr and **CARRIED**.

159 2016/17 Pay Award
Report CSD16030

A motion to agree the recommendations of the General Purposes and Licensing Committee to approve a flat rate 1.2% pay increase for all staff (excluding teachers) and reject Trade Union claims was moved by Councillor Tim Stevens, seconded by Cllr Diane Smith and **CARRIED**.

160 Pay Policy Statement 2016/17
Report CSD16031

A motion to agree the recommendation of the General Purposes and Licensing Committee to approve the 2016/17 Pay Policy Statement was moved by Councillor Tim Stevens, seconded by Cllr Diane Smith and **CARRIED**.

161 Members' Allowances Scheme 2016/17
Report CSD16032

A motion to agree the recommendations of the General Purposes and Licensing Committee to approve the 2016/17 Members Allowances Scheme, to retain the Mayoral Allowance for 2016/17 at £15,698 and to increase the Deputy Mayor's Allowance for 2016/17 to £3,575 was moved by Councillor Tim Stevens, seconded by Cllr Diane Smith and **CARRIED**.

A motion to extend the meeting beyond three hours was moved by Councillor Stephen Carr, seconded by Councillor Simon Fawthrop and **CARRIED**.

162 To consider Motions of which notice has been given.

The following motion was moved by Councillor David Livett and seconded by Councillor Terence Nathan –

European Union

“This Council agrees that the negative impacts that the European Union has upon the efficiency and costs of Bromley Council activities mean Bromley Council would be better off if Britain was out of the European Union.”

The motion was **CARRIED**.

Councillors Simon Fawthrop, David Livett and Terence Nathan requested that their votes in support of the motion be recorded.

163 The Mayor's announcements and communications.

The Mayor thanked everyone who had attended the Parkside Restaurant on 28th January which had raised £900 and the quiz evening on 19th February which raised £1,800. The Mayor particularly thanked Councillor Ian Payne for acting as quizmaster.

The Mayor encouraged Members to attend the charity preview of “Far from the Madding Crowd” at the Bromley Little Theatre on 10th March 2016, and the end of year dinner dance at the Bromley Court Hotel on 23rd April.

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

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

Council
22 February 2016

**The following summary
refers to matters
involving exempt information**

**165 Treasury Management - Annual Investment Strategy 2016/17 -
Supplementary Report**
Report CSD16035

A motion to accept the recommendations in the report was moved by Councillor Graham Arthur, seconded by Cllr Stephen Carr and **CARRIED**.

The Meeting ended at 10.40 pm

Mayor

COUNCIL MEETING

22nd FEBRUARY 2016

(A) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

- (1) **From Tom Crispin to the Environment Portfolio Holder** (Mr Crispin did not attend the meeting so a written reply was sent)

Winn Road is in three London Boroughs: Bromley, Greenwich and Lewisham. The road is maintained by Lewisham, but all three boroughs have a responsibility for the safety of road users.

Following recent incidents on the road, what pressure will Bromley assert on Lewisham to review the signage and traffic calming measures on Winn Road including at the entrance to Hadlow College in Bromley and Horn Park in Greenwich?

Reply:

Lewisham Council remain the Highway Authority with sole responsibility for road safety along Winn Road.

LBB Officers did offer on 15th January to pass your concerns on to Lewisham, but you did not respond to their offer at that time.

I would be happy to request Bromley officers to still do this for you now, should you find it helpful.

If you could please clarify what aspect(s) of signage, if any, give you cause for concern approaching the entrance to Hadlow College from the Mottingham Hall direction, LBB officers will very pleased to fully investigate that enquiry for you as well.

- (2) **From Robert Pattullo to the Renewal and Recreation Portfolio Holder**

The proposed installation of a GPS at the southern end of the 03 runway and NAP at a cost of £3M to BHAL is for the sole benefit of the Airport. Why are you saying it is for residents benefit when it increases the sale value for BHAL?

Reply:

The proposal to install GPS at the southern end of the runway will mean an immediate fall in the numbers of aircraft arriving over Farnborough and the Hospital of at least 30%. Biggin Hill Airport have indicated that the figure may be closer to 40% as the new procedure will encourage more pilots to use the new Runway 03 approach than is currently the case. Also, to note that is likely to result in a reduction in noise from individual aircraft using this approach. BHAL point out that the new procedure has been designed, flight tested and submitted to the regulatory authorities by means of a formal 7 step Airspace Change Proposal (ACP). The

program is currently at stage 4 of the 6 stages required prior to its full implementation. The project is indicated as being on track for autumn 2016 implementation, subject to CAA approval.

(3) From Robert Pattullo to the Renewal and Recreation Portfolio Holder

Why has the opinion of the Council's Senior Solicitor (expressed in 2000 and 2011 in regard to Clause 2.11 of the Lease) been ignored by Councillors in the 25th November decision?

Reply:

Without further information from the questioner to identify the specific advice he is referring to it is not possible to comment on the specific point. However, if you can provide that information we can engage in further correspondence with you on that point. However, Members make their decisions based on the information provided in the reports before them, and in this case (25th November decision) the report contained all relevant advice.

(4) From Robert Pattullo to the Renewal and Recreation Portfolio Holder

Has the Council yet prepared a business case for the infrastructure costs required to support all the improvements necessary to access the Airport, the Hotel and the College such as CPO's, roads, services etc.?

Reply:

Any future development proposals from the Airport or anyone else which require Council approval will have to demonstrate their necessary infrastructure requirements. Proposals will be considered on their merits in the normal way including where appropriate the funding of necessary infrastructure improvements. Developers are expected to contribute towards infrastructure as part of the planning approval process, through Section 106 payments and through the Community Infrastructure Levy.

Supplementary Question:

Mr Pattullo asked where, if developers provided some of the funds for infrastructure, the remainder of the funding would come from?

Reply:

The Portfolio Holder responded that as far as he was concerned all the funding would be from developers.

(5) From David Clapham to the Renewal and Recreation Portfolio Holder

The BHAL Lease currently allows home based aircraft to use the 'shoulder hours'. A whistleblower provided recordings of 9 planes which had taken off or landed outside the 'normal' hours. I provided the detail to the Councils Solicitor on 6th November and have sought specific details about these instances on four occasions and have been told there is nothing 'untoward'. I asked at the Executive Council meeting on the 13th January 2016 if LBB had a list of home based aircraft and was told it doesn't.

I request the individual specific details of these apparent contraventions of the BHAL Lease in writing please.

In addition, Mr Clapham referred to a list of out of hours flights he had received, with the designation "home base" alongside a number of these planes. He had investigated these "home base" claims and found two of them appeared to be false. He asked whether the Portfolio Holder agreed these claims were indeed false.

Reply:

Cllr Morgan responded that he had seen the correspondence and he was as concerned as Mr Clapham. He stated that the Council was investigating this as a matter of urgency and would do whatever it took to rectify the matter.

Supplementary Question:

If these are proven to be falsehoods, does the Portfolio Holder agree that this will be a contravention of the lease between the Council and the Airport?

Reply:

Yes, I do.

(6) From David Clapham to the Renewal and Recreation Portfolio Holder

It is claimed that the noise will not be higher than 50% of the UDP map. Do Councillors realise that this actually means a 50% increase compared to the current levels by 2020?

Reply:

The Noise Action Plan (NAP) identifies that absolute noise, as defined by the 57dB contours, is forecast to increase in 2020 compared to the current low levels, with the mapping showing that the increase in noise will be largely over uninhabited fields. The contour does not extend as far as Farnborough and Petts Wood. Whilst the 50% reduction in noise compared to the UDP lines is welcome, the reality of the UDP contour was that this was to guide development rather than as a noise limit with which Airport had to comply, with none of this in the operating criteria. For the first time, we will have an absolute limit set out which will be set out in the operating criteria, with the lease as it stands allowing 125,000 movements at substantially higher noise levels than anything we can imagine. That will now be significantly reduced.

(7) From David Clapham to the Renewal and Recreation Portfolio Holder

At the Executive meeting on the 10th February, the Leader said that he had met Sir Lister a few times to obtain a commitment by the GLA to invest funds in the SOLDC. What business case did the Leader present to Sir Lister to justify the expense of taxpayers' money predominantly into a small private enterprise?

Reply:

It is my belief that the Leader did not present a business case himself but simply put the case (lobbied on behalf of Local Residents) for the very real potential that

investment could provide for the Borough. It is then for the GLA and their officers to pursue new investment opportunities based on a proper business case at that time.

(B) QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

(1) From Mrs Andrea Stevens, planning representative for the Petts Wood & District Residents' Association (PWDRA) to the Chairman of Development Control Committee

Does Bromley Council's Planning department send out notifications about non-householder appeals that have been made following refusal of planning permission, and when and to whom are such notifications sent? What quality assurance checks are made to ensure that all interested parties are notified?

Reply:

The Council's Planning service sends out notifications of all appeals received following refusal of planning application in line with national requirements.

The planning inspectorate issue a start letter following validation of the appeal documents received. The appeals team receive the start letter and have either 5 days for a householder appeal or 7 working days for all other appeals to notify residents of the appeal.

A list of residents to be notified about the appeal is generated using the same notification list as the planning application and in addition, other parties that send in a representation about the planning application.

Quality assurance is provided by the working methods (e.g. starting from the same list of neighbour notifications for the planning application and appeals) and by office practices.

(2) From Callie Foster to the Environment Portfolio Holder

Following a productive meeting between residents of Moorfield Road, Orpington and Council representatives held on 16 November 2015 we, the residents, have been waiting for a response from the Council in relation to our petition requesting a residents parking scheme. Please could the Council update us on progress made and the next steps required to move this process forward?

Reply:

I can confirm that this request is currently advancing within a queue for such works and that an outline proposition will be placed before local residents early in the new financial year.

COUNCIL MEETING

22 FEBRUARY 2016

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Tony Owen to the Chairman of Development Control Committee

Why does 16/00192/FULL1, an application to put chairs and tables outside 5 Station Square Petts Wood, appear on the planning list?

Reply:

In this case, following a previous refusal (Ref:09/00616), planning permission was granted (Ref:10/00972) for the change of use of the unit from A1 (retail) to A3 (restaurant). The applicant then sought a non-material amendment to this permission (Ref: 10/00972/AMD) to allow outside seating and this was refused on the grounds that it will represent a material change of use and the applicant was advised that full planning permission would be required which will be dealt with on its own merits. This application has now been made.

Supplementary Question:

Cllr Owen asked what the Chairman saw as planning and what he saw as environmental services, because the Council granted licences for tables and chairs to go on forecourts.

Reply:

Rather than speculate I will get clarification from the Chief Planner and respond direct to Cllr Owen.

2. From Cllr Angela Wilkins to the Care Services Portfolio Holder

The Executive on 10th February approved recommendations contained in Report DR16/023 (Agenda Item 10) regarding works necessary to minimise what had been identified as a high risk of legionella at various Council properties, including Astley & Bertha James Day Centres, Melvin Hall and Duke's Youth Centre. Given that the "Risk Assessment and Water Hygiene Survey Reports" carried out at these properties identified a high risk of infection from legionella, is the Portfolio Holder confident that there will not be an outbreak of the disease at any of these centres and that their continued use is safe for the public?

When will the necessary works be carried out to these centres?

Given that the total cost of repairs to these properties is £152k, can the Portfolio Holder assure members that funding to support the existing uses of each of these four buildings is accounted for in the four year budget plans being proposed later this evening?

Reply:

I can confirm that the Council has a specialist Water Hygiene contractor engaged who is undertaking continuous monitoring of the systems within the sites, meeting all regulatory requirements.

With these continuing control measures in place, closure of the sites is not warranted and we have a good early warning system in place. The necessary works will be prioritised and scheduled in an orderly way.

Our services are continually developing to meet the assessed needs of the local population and to make the best use of the available resources, so it is difficult to give any unqualified assurance about the future funding of buildings or building based services.

Supplementary Question:

Cllr Wilkins asked whether there was any idea when the works would be carried out?

Reply:

Cllr Evans responded that the works would be done in an ordered and prioritised way but he did not have a timetable. He could let Cllr Wilkins have a timetable at some point in the future.

3. From Cllr Kathy Bance to the Care Services Portfolio Holder

Due to pressure on the supply of affordable homes, rising demand, and benefit cuts the London Borough of Bromley is on record as having the biggest increase in court evictions from rented properties outside central London, with an increase of 308% last year. Does the Portfolio Holder agree that the London Borough of Bromley does not seem to support a significant boost to housing supply as required by the National Planning Policy Framework, but is content to meet minimum requirements, and does not seek to address the needs of the people being affected by the evictions?

This leaves more of our vulnerable residents facing eviction and spending exceptionally long periods in temporary housing, with many of them being forced out of our Borough.

Reply:

The London Borough of Bromley has supported a significant boost to housing supply as required by the National Planning Policy Framework, from 500 per year in the past to 641 per year in the future as set out in the Council's draft Local Plan. The Council's performance on housing completions in previous years also shows that the results very often exceed the minimum.

The Council also works closely with developers and housing associations to secure the provision of 35% affordable housing units on all applicable sites. We are doing what we can as a Council to cope with the rising demand for affordable homes.

Supplementary Question:

Cllr Bance stated that there were at least four serious cases in her ward of housing benefit claims where the timeframe for decision and/or serious errors made by Liberata had been unacceptable. These families were under threat of eviction; what

could the Portfolio Holder do to ensure that Liberata adequately liaised with these landlords, as they had not done so to date.

Reply:

Councillor Evans asked Cllr Bance to let him have details of these cases and he would follow them up with the Department.

(4) From Cllr Nicholas Bennett to the Resources Portfolio Holder

What has been the cumulative percentage pay rise for Bromley staff since local pay and conditions was introduced and what would have been the cumulative percentage rise had Bromley adhered to the National Pay and Conditions?

Reply:

Since coming out of the national pay arrangement Bromley staff on non Management Grades they have received up to 4.6% pay increase whilst their Local Government colleagues have received up to 3.1% in the same period. If the recommended 1.2% pay award for 2016/17 is agreed by Full Council tonight it will be higher than the 1% being offered at the national level. More importantly, Bromley pay increases have been agreed in time, consistent with one of the main objectives of adopting a localised pay and conditions of employment framework.

Therefore, staff are better off by between £300 and £500 plus a £200 one-off payment. 356 of our staff have shared a third of a million pounds in merit payments addition to this.

(5) From Cllr Lydia Buttinger to the Environment Portfolio Holder

How does the Council propose to support the Big Lunch and Queens 90th Birthday celebrations this year?

Reply:

As recently as last week the Council wrote to every Residents Association and Friends group registered across the Borough, encouraging as many people as possible to join this unique celebration by holding Street parties across as many of our neighbourhoods as possible. You will hopefully be seeing this message replicated in this week's local press too.

To encourage as high a take up as possible, we have also announced that all associated road closure fees will be waived on this occasion, for applications received prior to 1st April.

I believe this initiative fits in extremely well with the Borough's well deserved reputation for community engagement and voluntary service and would therefore encourage everyone in this Chamber with an interest in such matters, which I trust includes every single one of us, to engage fully with their residents over coming weeks to ensure that this special day is long remembered for all the right reasons.

(6) From Cllr Peter Fookes to the Care Services Portfolio Holder

What is the rent that each of the day centres for senior citizens pay each year?

Reply:

The rents reflect the size and location of the individual premises.

Melvin Hall	£22,690 per annum
Bertha James	£70,135 per annum
Saxon Centre	£37,130 per annum
12A Croydon Rd, Beckenham	£13,800 per annum

Supplementary Question:

Councillor Fookes asked whether the Portfolio Holder thought it was fair that charities providing much needed services should pay commercial rents for hiring Council properties.

Reply:

Councillor Evans responded that he did. In the previous regime, the rent was often rolled up in the block purchases and grants that we made. However, two and a half years ago the providers were told, and did agree, that we would go into a situation where the Council did not provide block grants and book block places, but it would be done on an individual basis. At that time of re-negotiation, the rents were agreed and signed for by all of those organisations. We went as far as tapering the situation so that the immediate impact of the rents, and the difference of having individual placements paid for, was tapered down so that the organisations could more easily deal with the situation. It is important that these organisations stand on their own two feet. They provide a good service, but times change.

(7) From Cllr Tony Owen to the Chairman of General Purposes and Licensing Committee

What do you see as the future of Bromley Council's pension fund?

Reply:

There have been considerable changes in the local government pension world over the past few years and general updates are reported to the Pensions Investment Sub-Committee with the minutes reported to my General Purposes and Licensing Sub-Committee. There was also a recent Member seminar on 11th January that provided an update on the local government pension situation.

The latest proposal from Government is the requirement for the pooling of pension fund investments within three years to reduce fund management fees whilst administering authorities such as Bromley will still retain decisions on Investment strategy and asset allocation as well as retaining funding responsibilities for current and past deficit costs. Details of this were reported to Pensions Investment Sub-Committee on 11th February 2016 and a final decision on the investment pool will be made in the summer.

There have been press reports and comments from George Osborne about the use of local government pension funds to invest in infrastructure funds. Proposals to change the existing pension regulations could result in the Secretary of State directing to invest in particular areas including infrastructure. This Council would strongly oppose any such intervention by Government as this could potentially be detrimental to longer term investment returns but could also increase costs which would have to be met by the local council tax payer.

The Council's view is that the Local Government Pension Scheme is not an affordable and sustainable scheme. There were changes effective from 2014 which did not significantly improve the affordability of the scheme. We also consider that the current regulations result in the scheme having a detrimental impact on the Council's ability to transfer work to external providers. Our views have been expressed clearly to Government about the need for a fundamental review of the scheme to reduce the strain on pension funds, with resultant reductions in costs for council tax payers, whilst supporting the required transformation agenda.

Whilst retaining an administering authority role we would want to retain the freedom to invest in areas which benefit members of the pension fund and keep costs to council tax payers low. We would not want to be forced to invest in infrastructure.

I would hope that the need for fundamental changes to this national scheme to improve its affordability is addressed but there are no indications from Central Government at this time. That does not mean that further changes will not happen and we will continue to press for the required changes and to emphasise the importance of local investment decisions which have historically enabled Bromley to have one of the best performing pension funds (our solvency level is above average and our medium and longer term investment returns are in the top quartile of the local authority universe).

Supplementary Question:

Given that we have changes to contracting out rates, talk of the Chancellor using our pension fund as a sovereign wealth fund, and there's also talk of the tax-free lump sum being abolished and a flat rate tax being introduced, what is he going to do to protect our staff pensions from the kleptomaniac tendencies of the Chancellor?

Reply:

Obviously the Pensions Investment Sub-Committee will look at these issues and come to their decisions. We have made our position very clear that we do not approve of the pension funds being robbed by the Chancellor and being told what we have got to spend it on. We believe that locally we are the best at making decisions that affect our employees and we want to be able to continue to do that.

(8) From Cllr Angela Wilkins to the Renewal & Recreation Portfolio Holder

What action is the Council taking to commemorate the life and achievements of the late David Bowie and in particular his connections with the Borough?

Reply:

The Portfolio Holder stated that he was not particularly familiar with David Bowie – he was not there between Beethoven and Brahms in his record collection. However, he understood that he was worthy of commemorating.

The Renewal team is currently considering various proposals for a memorial to commemorate the life and achievements of David Bowie within the Beckenham Town Centre Improvement Scheme and these proposals will ultimately be put before the stakeholders of the Beckenham Town Centre Working Group for consideration before being implemented as part of the programme.

The Council is also working Chris O'Shaughnessy of the Penge Town Team towards the production of a heritage trail and the implementation of pavement mounted

heritage plaques in Penge Town Centre. One of these plaques, which is proposed to be located in Arpley Square will commemorate Mr Bowie with a reference to his quote: 'You can walk around in New York while you sleep in Penge'. Whether that is a compliment to New York or Penge is unclear.

Supplementary Question:

Cllr Wilkins stated that she would be happy to adopt either one of two David Bowie songs as the Labour Group's theme tune – "Rebel Rebel" or "Suffragette City." Given the Executive's desire to privatise all possible services would the Portfolio Holder be happy to adopt "The Man Who Sold the World" or would he have a better suggestion?

Reply:

The Portfolio Holder stated that he would bow to Cllr Wilkin's superior knowledge of the music of David Bowie as he was not an expert.

Additional Supplementary Question:

Cllr Simon Fawthrop commented that it did not matter as long the Council did not end up as "The Laughing Gnome."

Additional Supplementary Question:

Cllr Julian Benington reminded Members that David Bowie's first public appearance as "David Jones and the Konrads" was in the WI Hall in Aperfield Road in Biggin Hill. If we are doing a trail, maybe it could be made a long-distance trail to Biggin Hill as well as Beckenham and Penge?

Additional Supplementary Question:

Cllr Tony Owen asked whether the Portfolio Holder was aware that a plaque for David Bowie was on the agenda for the old General Purposes Committee some ten or fifteen years ago? He had proposed him and Will Wyman every year, unfortunately they were not allowed as they were not dead. He argued that it would be nicer to change the plaque rules so that we could honour people while they were alive. Having not got his way with a plaque for Bill Wyman and David Bowie, the best he could achieve was a plaque for Thomas Crapper.

(9) From Cllr Nicholas Bennett to the Environment Portfolio Holder

If he will make a statement on the latest position regarding the plans by TfL for the extension of the Bakerloo Line from the Elephant and Castle and the Council's proposal for transport links from Bromley to east London.

Reply:

As many will by now be aware, TfL issued a press release in early December which I have asked to be tabled this evening (see [appendix 1.](#))

Fundamentally, this represents very good news on one level for Bromley residents, given the extra travel options this new connection will provide effectively on our Borough's doorstep.

As soon as the Mayoral Elections are completed in early May, the Council intends to re-open our conversations with whoever emerges victorious from that process, to resurrect our enduring and as yet sadly still unanswered question concerning better rail or light rail connectivity to Bromley Town Centre.

Supplementary Question:

Cllr Bennett asked whether the Portfolio Holder welcomed that the extension from Lewisham to Hayes appeared to be on the back burner and it would be more sensible that we concentrate any public money that there is on the extension to East London. Will he, when he is talking to the new Mayor after May not only push the case for an extension to the DLR, but if that is seen to be too expensive, the less expensive option of the overground extension from New Cross to Bromley.

Reply:

The Portfolio Holder stated that this point had been spoken of before. He would personally prefer the DLR, but if that was deemed too expensive the loop from New Cross would be the perfect substitute.

(10) From Cllr Peter Fookes to the Care Services Portfolio Holder

Who was actually consulted on the proposal to charge clients of day centres £15 a day in transport costs?

Reply:

In short, the answer is all transport users. A report with the proposed changes to transport to day centres was presented to the Council's Care Services PDS on 12/1/16, which also sought agreement for us to engage with our transport users. The report outlining the feedback from the engagement, which ends on 25th February, will go to Care Services PDS on the 10th March 2016, after which a decision will be made.

In the engagement, we sent letters to all our transport users, and hand delivered them to day centres used by our LD and Older People services.

Supplementary Question:

Cllr Fookes asked whether, given that most people could probably get a cab for less than £15 a day, was the Council effectively saying to people do not bother us and forget about us providing any transport?

Reply:

In terms of who uses the service, I am minded that when we make a decision it will be inside our policy – that is, it will be means tested and that therefore it will not cost the full amount to everyone. If people prefer to go by taxi then fine. One of our driving issues is to increase independence and choice and if their choice is to use a taxi then that is fine.

(11) From Cllr Nicholas Bennett to the Chairman of the General Purposes and Licensing Committee

(i) How many Member appeal hearing decisions (including non-employment appeal hearings) have reversed a decision by a Chief Officer in the past 10 years?

(ii) How many employment cases have been lost by the Council at Employment Tribunals in the same period?

Reply:

(i) Only 1 grievance appeal has been upheld by Members. No disciplinary or sickness dismissal appeals have been upheld by Members in the same period.

(ii) The Council has never lost any individual tribunal cases in respect of the above employment processes or discrimination cases in the same period.

Supplementary Question:

Cllr Bennett asked, as the appeal to Members was the third stage, how much did each appeal cost?

Reply:

The Chairman responded that it was roughly £3,000.

(12) From Cllr Peter Fookes to the Care Services Portfolio Holder

What is he going to do to stop day centres from closing?

Reply:

The Council's role is to ensure that there is a sustainable and diverse range of care and support providers in the Borough to ensure quality, choice and cost-effective outcomes for people who need care and support. The demand for particular services is regulated by the choices people make and the outcomes they are seeking. If organisations do wish to withdraw from providing services the Council works closely with them to minimise the impact of any reduction in supply in terms of timing and choice in the context of the overall supply and choice available.

I certainly value the work done in the Day Centres, and Cllr Fookes has done sterling work in terms of Melvyn Hall. However, times change and the choices made by individuals change. We are keen to help Day Centres to develop to meet these new challenges, and we are doing just this.

Supplementary Question:

Cllr Fookes stated that, as Cllr Evans was aware, there had been meetings held behind the scenes with each of the organisations running the three main day centres, and the reality was that, because of the financial situation, each of them was already on their knees and probably closing soon. In effect, you have got your way, but I was hoping that there might be some kind of hope for the Day Centres because they provide fantastic service, mainly from volunteers. I am very disappointed in Cllr Evans because a lot of people in this borough are going to be very upset because basically he has abdicated this responsibility.

Reply:

The Portfolio Holder responded that it was correct that the Council had been talking to the Day Centres to encourage them in their role. It is all about choice, and things that have been going successfully for years and years are sometimes a little outmoded. The situation in Bromley is that the people who wish to go to Day Centres are a very tiny minority in the age range of people who are qualified to do that. We will work and continue to work to sustain the day centres as far as we can but they must stand on their own two feet.

QUESTION 9 – TFL PRESS RELEASE

PN-368

17 December 2015

Bakerloo line extension to radically improve transport links in south London by 2030, say Mayor and TfL

- Extension to Lewisham via Old Kent Road could be open by 2030 and support the building of 25,000 new homes
- Extension would enable 65,000 new trips in each direction from Old Kent Road, New Cross Gate and Lewisham into central London each weekday morning
- Potential to extend beyond to Lewisham in future and for a new Thameslink station at Camberwell

Transport for London (TfL) has confirmed it will be taking the next vital steps on the proposed new Bakerloo line extension and will begin the detailed technical work in 2016 to build a case for extending the line from Elephant and Castle to Lewisham via Old Kent Road.

This would allow TfL to seek permission from Government to start the construction of the extension by 2020. If the project is given the green light, construction is expected to start around 2024. By terminating at Lewisham, an extension could be open by 2030, delivering significant benefits across south east London.

Passengers travelling to central London from Lewisham, New Cross and the Old Kent Road would benefit from more frequent services and faster journey times with the Bakerloo Line extension, delivering capacity for 65,000 new trips in each direction.

With the Capital's population growing to 10m by 2030 from 8.6m today, extending the Bakerloo line is vital in helping support the anticipated growth in south London by providing improved transport infrastructure and enabling regeneration in a number of the Mayor of London's key Opportunity Areas including Elephant and Castle, the Old Kent Road, New Cross Gate and Lewisham.

TfL carried out an initial public consultation in Autumn 2014 on route options for extending the line south of Elephant & Castle. More than 15,000 people responded, with 96 per cent in favour of an extension. Since then, further work has been carried out to assess a number of possible routes and stations, including options serving over 200 alternative destinations that were suggested during the consultation.

TfL has today published a summary report of how the various options have been assessed against their potential to unlock new homes and improve transport provision in south east London. The report indicates that a route to Lewisham via Old Kent Road has the strongest case, with potential to support the building of 25,000 new homes by improving transport accessibility and capacity along the route.

Mayor of London, Boris Johnson MP, said: “The extension of the Bakerloo line will provide a vital new transport link for people living and working in south London. It will help to spur the delivery of jobs, homes and regeneration in this part of the capital and provide much-needed new capacity on a key underground line. The case for a route to Lewisham via Old Kent Road is strong and TfL will now be working closely with the boroughs to fine tune our plans to the next important stage. We’re now firmly on track to get construction on this major project underway by 2024 and have it up and running by 2030.”

Further work is also underway to look at the wider rail network to ensure that it gets the vital investment it needs to support growth in London and the South East. Beyond Lewisham, TfL is working closely with Network Rail and the DfT to develop improvements to the rail network, such as capacity enhancements to allow for more frequent trains, which will complement and add to the Bakerloo line extension.

The Mayor and TfL will be working closely with Network Rail and Southwark Council on plans for a new Thameslink station at Camberwell. This new station would reduce journey times into central London by up to 20 minutes, and by providing connections to the Underground and Crossrail, will improve access from Camberwell to locations across London.

Richard de Cani, TfL’s Managing Director for Planning, said: “Following a comprehensive assessment of route options for extending the Bakerloo line, a route to Lewisham via Old Kent Road and New Cross Gate provides the greatest opportunity to support growth with the potential to unlock 25,000 new homes whilst improving access to jobs in Central London. Together, these two proposals would unlock growth across a wider area and help improve transport accessibility for people in the Camberwell and Old Kent Road areas”

“No final decisions have been made and next year more detailed work will be carried out before we undertake another public consultation. We will also continue to work closely with the London Boroughs of Lewisham and Southwark, Network Rail and other key stakeholders as we develop our plans.”

Funding options for the extension are being considered. There is potential to look at similar funding mechanisms as that being used for the Northern line extension, seeking contributions from new residential and commercial developments along the proposed extension.

Subject to funding and securing powers the extension could be completed by 2030.

COUNCIL MEETING

22 FEBRUARY 2016

QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Ian Dunn to the Environment Portfolio Holder

Can the Portfolio Holder provide an updated timetable for the procurement of Parking Services based on the Gate Paper which went to the Environment PDS on 17 March 2015? Can the Portfolio Holder confirm that he will do everything possible to ensure this procurement remains on track to meet the required start date of 1 October 2016?

Reply:

I take a more relaxed view as to the “required” start date than Cllr Dunn.

Getting any procurement right and reaching the best long term arrangements, is far more important than ‘doing it quickly’ to meet arbitrary dates in my opinion.

As such, we will be seeking to publish the OJEU notice in March 2016, which will ultimately lead to a contract start date of February 2017.

2. From Cllr Ian Dunn to the Resources Portfolio Holder

Can the Portfolio Holder provide a report on the power cut and subsequent IT outage which began on 4 February, explaining why it took until well into the following week for services to be fully restored?

Reply:

I have commissioned a full investigation into the recent incident. Whilst this is being completed I can provide the following interim information .

The incident started with a loss of mains power at~ 07:30 on Thursday 4th February which affected multiple premises in Bromley including the LBB Civic Centre. The LBB Stockwell Data Centre (SDC) has a dedicated Uninterruptable Power Supply (UPS) comprising a battery with capacity for between 20-30 minutes which is supplemented by the site diesel generator with sufficient fuel for several days providing failover contingency in the event of a loss of mains power.

The UPS switched to battery mode maintaining power to the SDC. The generator should also have started automatically once it had detected the initial mains power loss. Unfortunately, this did not happen and after the UPS battery had exhausted its capacity there was a hard stop for the whole SDC infrastructure

The root cause of the mains power loss and the failure of the generator to operate correctly is under investigation, however initial investigations have shown that there appears to have been a mains power grid failure and subsequent switch over which

caused a massive power spike overwhelming the surge protection provided by the Power converters and UPS. This then subsequently caused irreparable damage to several key components in the SDC.

The initial focus was on the recovery of the incoming power and UPS and an assessment of the potential damage to ICT infrastructure components. The site generator was started manually and following an inspection and diagnosis by the UPS company it was determined that the main controller board had been damaged and required replacement, however the parts were not available until the next day along with a suitably qualified engineer to fit them. During the engineer visit he had mentioned that they were extremely busy as there had been many fault calls logged due to power problems, .

To prevent delay in the recovery, the UPS was placed into bypass mode and Stockwell block was run on the generator to provide a stable power as there was no guarantee that the mains would be stable or not suffer another outage.

The recovery process started at approximately 13:00 when we were satisfied we had a stable power supply and backup. During the initial recovery process Thursday afternoon, evening and early hours of Friday morning, Council and contractor staff were on site throughout this period. Multiple hardware component failures were identified:

- Multiple Blade enclosure cooling fans
- 3 * Blade enclosure power supplies
- 2 * SAN Controllers on the HP 8400 EVA
- 4 * Fibre Channel cards across 3 blade enclosures.

The hardware support suppliers were engaged when a hardware failure had been identified to provide replacements and these were supplied and fitted during Thursday evening and Friday as the component failures became apparent. Most of the servers, SAN and systems were online by Friday.

In parallel to the hardware recovery Thursday & Friday ISD began to coordinate the application recovery test plan. This addressed all the applications and associated databases to begin when the hardware was online. Whilst none of the SAN disks had been damaged the loss of both SAN controllers meant that it was possible that any data in the cache at the time of their failure would not have been written to the disk and may have caused database corruption.

Unfortunately, several servers subsequently lost connectivity to the SAN on Friday night which were traced to further hardware component failures, including several server interface modules and 1 Blade chassis motherboard. The replacements for these additional hardware components were ordered from suppliers and were replaced during Saturday and work continued until 3am on Sunday morning along with initial testing, allowing all hardware and associated applications to be available by Sunday morning for full systems testing..

During testing on Sunday it became apparent that several databases had been corrupted and required restoring from backup. Many of these were recovered and tested that day as and when testers were available, however due to a key supplier

being unavailable at the weekend some major systems could not be recovered & tested until Monday 06:00. This affected Carefirst / FIS and uniform. Unfortunately, once testing had commenced it was found that one of the cluster servers had become corrupted and needed to be rebuilt. The databases were moved onto the other servers and the systems were then recovered and tested. Testing on all systems continued during Monday and Tuesday.

During testing it was found that the Sharepoint database was corrupt and required extensive liaison direct with Microsoft to resolve, this was the last system to be recovered, but was working by Thursday 11th .

Many services were available on Friday, most by the Monday and all services were restored by Thursday morning.

Bromley has made significant investment in resiliency within the environment and indeed we have had unexpected hard shutdowns before and have always been able to recover without dataloss within 24hours. Unfortunately, in this case, the power spike had damaged a significant part of the infrastructure & resiliency resulting in a much longer and complex restore process. Work is already underway to replace the older SAN's which suffered the failure however further investigation is ongoing on the incoming power issue which caused the problems.

3. From Cllr Ian Dunn to the Education Portfolio Holder

The Secondary School Development Plan which was considered by the Education PDS in January shows that even with two new six form entry secondary schools in Bromley, there will be a deficit in secondary places in Bromley of over 300 in 2019/20. It also shows that 32% of primary school children in Clock House Ward transferred to an out of borough secondary school. What assurance can the Portfolio Holder give parents in Clock House and neighbouring wards that the Council is doing everything in its power to ensure that a site is found for a six form entry Beckenham Academy, so that it can be opened as soon as possible?

Reply:

The Secondary School Development Plan which was considered by the Education PDS in January shows that even with two new six form entry secondary schools in Bromley, there will be a deficit in secondary places in Bromley of over 300 in 2019/20. It also shows that 32% of primary school children in Clock House Ward transferred to an out of borough secondary school. What assurance can the Portfolio Holder give parents in Clock House and neighbouring wards that the Council is doing everything in its power to ensure that a site is found for a six form entry Beckenham Academy, so that it can be opened as soon as possible?

The Council takes its responsibility to provide sufficient school places seriously. Over the next 7 years there is projected to be a significant increase in the number of secondary school places needed, with up to 34 additional forms of entry required by 2022/23.

Across London there are significant cross borough movements of children attending school, especially at secondary age. Statistics released by London Councils this month show that 136,000 pupils educated in the capital are being taught at a school

outside of the local authority they live in, 13 per cent of the total. In Bromley the figure is 21% at admission to secondary school at Year 7 and data suggests we import slightly more pupils than we export. The Council recognises that there is currently a particular issue with regards demand for secondary school places in the north west of the borough. In September 2015 we opened bulge classes in 3 of our existing secondary schools to ensure there were sufficient places.

Our strategy to providing sufficient secondary school places as need increases is a combination of expanding existing schools and supporting new Free Schools to open where they meet demonstrable need. Local authorities cannot open new schools so we have been working with the Education Funding Agency (EFA) to ensure that any Free School proposal targets are areas of need.

The EFA has currently approved two mainstream secondary Free Schools in Bromley, the Beckenham Academy due to open this September and Bullers Wood School for Boys that has been deferred until 2017. The Beckenham academy in particular will help in ensuring that there are sufficient school places in north west Bromley. As a Free School the EFA is responsible for the site search and plans to locate the Beckenham Academy on Balmoral Avenue, Eden Park, a site it has purchased, subject to planning consent. The school plans to open temporarily on The Ravensbourne Academy site in September 2016 with a nodal point in its admissions policy at Kent House Station in its first year of opening to ensure that pupils in this area of high need can access a place at the new academy.

In addition, we currently have a planning application awaiting determination that would expand Bishop Justus School from 6 to 8 Forms of Entry, are discussing plans for expansion with other secondary schools and are in conversations with the EFA about our needs beyond 2017.

4. From Cllr Angela Wilkins to the Resources Portfolio Holder

For each of the following please provide a list of dates and times over the last year when IT systems have not been functioning properly for a period in excess of 2 hours:

1. council's email systems
2. planning portal
3. My Bromley service
4. Benefits Service

Please give an estimation of how many staff hours have been lost as a consequence of these failures.

Please give details of what compensation sums have or will be agreed with Capita.

Reply:

1. Council's e-mail system

Service Provided by	Capita
Dates Unavailable	Based on server availability: 04/02/2016 – 05/02/2016 – approximately half of the staff 04/02/2016 – 08/02/2016 – remaining staff Based on individual calls logged: Various dates & times total 13.9 hours with 2 incidents lasting over 2 hours.
Impact to staff	Staff would not have been unable to access e-mails until the server was available. The impact to staff is impossible to quantify as people do not use e-mails all day therefore there is no way to gain meaningful metrics.
Costs	The only costs we can recover is as per the KPI's. The KPI for system availability is 99%. Based on the previous 3 quarters then availability has been 99.4%

2. Planning Portal

Service Provided by	Capita / Idox
Dates Unavailable	Thursday 4 th – Monday 8 th due to power outage issues
Impact to staff	None. The service is automated as part of an integrated solution therefore there is no staff involvement.
Cost	None

3. My Bromley Service

Service Provided by	Bluesky / Liberata
Dates Unavailable	29/9/15 for 9 hours 21/1/16 for 2 hours
Impact to staff	None, Website is automated with no staff involvement
Cost	None

4. Benefits Service

Service Provided by	Liberata (hosted solution)
Dates Unavailable	<p>6/8/2015 – 02:26 – 6 users affected</p> <p>26/8/2015 – 03:13 - 30+ users</p> <p>28/09/2015 – 04:13 – 30+ users (forced downtime)</p> <p>28/09/2015 – 02:56 – 30 + users (restricted access)</p> <p>09/12/2015 – 04:45 – 30+ users (recover checkpoint)</p> <p>11/01/2016 – 08:50 – 6 users (barrow connectivity issues)</p> <p>15/02/2016 – 09:00 – 6 users (desktop issue after upgrade)</p> <p>The above is for liberata and LBB staff.</p>
Impact to staff	Limited access to system.
Cost	The head of service was consulted for the staffing costs and his response was that its difficult to produce accurate figures as officers adjust their workload if the system is unavailable, nobody is solely reliant on the system for their full work.

5. From Cllr Angela Wilkins to the Resources Portfolio Holder

What penalties have or will be imposed on Liberata for failing over the last two years to meet contract KPIs for both their Customer Services and Benefits contracts?
 What was the cost per annum of these two 'core' contracts at their commencement?
 What is the cost of both 'core' (ie excluding additions and major variations) contracts for 2015/16?

Reply:

Benefits

A penalty of £30,155 was levied against Liberata on 22 December 2015 for failure to meet KPI in respect of Housing Benefit overpayment recovery in 2013/14.

The core contract cost in 2011/12 (date current contract commenced) £2,683,504pa
 Expected cost for 2015/16 - £2,955,384

Note: Benefits is part of the Revenues and Benefit core contract and the above figures relate the cost of the Benefits service only)

Customer Services & Bromley Knowledge

No penalties have been imposed in respect of Customer Services

Core contract cost at transfer of service to Liberata (1/11/13) - £878,100pa

Expected cost for 2015/16 - £836,210

6. From Cllr Angela Wilkins to the Renewal & Recreation Portfolio Holder

How many statutory duties does the Renewal & Recreation Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

<http://www.communities.gov.uk/documents/localgovernment/xls/18927821.xls>

<http://www.communities.gov.uk/documents/localgovernment/xls/18927851.xls>

There are also legal duties which are linked to other functions and powers and ultimately the extent of a statutory duty will ultimately only be determined by the courts Although the budget process and various service reviews give careful consideration to what is mandatory and what isn't the budget is not broken down by reference to the costs of fulfilling statutory duties.

7. From Cllr Kathy Bance to the Education Portfolio Holder

How many statutory duties does the Education Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

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

£125,000 was cut from the CAMHS budget in 2015/16 with the justification for this being the redesign of the service.

(i) How has this reduction in funding been absorbed and has it impacted on the day to day service for young people with mental health issues in Bromley?

(ii) What was the average waiting time with CAMHS from referral to first appointment with a therapist/counsellor in 2015 and how does this compare to 2014?

Reply:

(i) Efficiencies were achieved in the budget for services for the emotional wellbeing of children and young people as a result of service redesign and the tendering process. The new Bromley Community Wellbeing Service for children and young people, commissioned by the Council at a cost of £449k, has extended the availability of all levels of intervention to all children and young people from 0 to 18 and up to the age of 25 for those who have an Education Health and Care Plan, whereas previously elements of the service were for 11-18 year olds only. Within the new service there has been an improvement in the response to children and young people in terms of time to initial contact and of the quality and appropriateness of intervention they receive. This is borne out by feedback from children and parents/carers.

(ii) For 95% of children/ young people, the time from referral to initial contact by the Community Wellbeing Service is 72 hours. Direct comparisons to previous data on waiting times cannot be provided as this was a total service reconfiguration and therefore the data is not comparable. Currently for children and young people who require a short term intervention from the Community Wellbeing Service the waiting time is a maximum of six weeks from initial contact. This is achieved in 90% of cases. The remainder which fall outside of this timeframe do so due to cancellations (by the young person or their parents/carers) or non-attendance. The performance in both of these elements of service represents a significant improvement compared to the performance of the previous service.

For children and young people who require more specialist intervention they will be referred to the CAMHS service provided by Oxleas or to Bromley Healthcare as appropriate. These specialist services are commissioned by Bromley Clinical Commissioning Group which sets and monitors their own response standards and who should be able to provide Councillor Bance with any information she requires.

9. From Cllr Kevin Brooks to the Care Services Portfolio Holder

How many statutory duties does the Care Services Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

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consideration to what is mandatory and what isn't the budget is not broken down by reference to the costs of fulfilling statutory duties.

10. From Cllr Kevin Brooks to the Environment Portfolio Holder

How many statutory duties does the Environment Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

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There are also legal duties which are linked to other functions and powers and ultimately the extent of a statutory duty will ultimately only be determined by the courts Although the budget process and various service reviews give careful consideration to what is mandatory and what isn't the budget is not broken down by reference to the costs of fulfilling statutory duties.

11. From Cllr Richard Williams to the Public Protection & Safety Portfolio Holder

How many statutory duties does the Public Protection Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

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There are also legal duties which are linked to other functions and powers and ultimately the extent of a statutory duty will ultimately only be determined by the courts Although the budget process and various service reviews give careful consideration to what is mandatory and what isn't the budget is not broken down by reference to the costs of fulfilling statutory duties.

12. From Cllr Richard Williams to the Public Protection & Safety Portfolio Holder

INTU was subject to an evacuation on 11 December 2015 following the discovery of a suspicious package in a car park. Furthermore there was a gang related affray in the centre on 26 December which caused panic amongst the public.

- Is there a time target for evacuation of INTU in such situations and if so, what is it?
- Is the portfolio holder satisfied INTU and associated retail outlets have robust evacuation procedures and security measures in place to protect the public in such situations?

Reply:

INTU has very robust evacuation procedures necessary for a large shopping centre. They regularly exercise and test these procedures and work with the emergency services and Emergency Planning at the LA on this. Timings for evacuation will have been determined at construction in conjunction with Building Control and London Fire Brigade and will be standard for that type of building. However all incidents are different and will in reality be totally dependent on the nature of incident, the number of people in the shopping centre. The local authority's Emergency Planning Manager has been involved in subsequent review meetings.

In terms of the evacuation procedures for the retail outlets in the shopping centre, they will be part of the larger evacuation procedure for the centre. This is something that the local authority does not deal with as it will be part of the fire risk assessment of the site conducted by the Fire Authority.

13. From Cllr Vanessa Allen to the Resources Portfolio Holder

How many statutory duties does the Resources Portfolio have and how much of the 2016/17 Portfolio Budget relates to the fulfilment of these duties?

Reply:

The council has in excess of 1000 statutory duties.

By way of example please see the attached lists produced in 2011 which between them runs to over 100 pages.

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<http://www.communities.gov.uk/documents/localgovernment/xls/18927851.xls>

There are also legal duties which are linked to other functions and powers and ultimately the extent of a statutory duty will ultimately only be determined by the courts. Although the budget process and various service reviews give careful consideration to what is mandatory and what isn't the budget is not broken down by reference to the costs of fulfilling statutory duties.

14. From Cllr Nicholas Bennett to the Chairman of the Executive and Resources PDS Committee

If he will list the policy changes which been implemented as a result of recommendations from Policy Development and Scrutiny Committees since they were established in 2002?

Reply:

It has not been possible to review the hundreds of recommendations made by PDS Working Groups, or the thousands of recommendations made at PDS Committee meetings, within the time available. Many of the issues considered at PDS meetings concern specific issues rather than policies and it is difficult to identify particular recommendations that lead precisely to specific policy changes.

One recent example where a PDS recommendation was accepted by the Executive concerns the sale of small unused plots of Council land for garden extensions. The Council's policy used to be that these plots would not be sold unless it was clearly in the Council's interest to do so. The Executive and Resources PDS Committee in June 2015 suggested that this policy should be removed. The Executive accepted this, reversed the policy and decided that small plots of unused land should be disposed of wherever possible.

15. From Cllr Nicholas Bennett to the Leader of the Council

What statutory requirements does the Council have when an application is made by a lessee to amend a lease or one of the schedules?

Reply:

A lease is a legal contract between landlord and tenant. When considering requests from a tenant to amend a lease, the landlord is bound by the contractual terms of the lease, while also taking into account the extensive history of judicial decisions on the interpretation of leases and the obligations on landlords. In some specific areas the contractual relationship between landlord and tenant is affected by statutory requirements but there are none that relate specifically to consideration by a landlord of a request to vary the terms of a lease.

16. From Cllr Nicholas Bennett to the Environment Portfolio Holder

If he will list the date and location of fly tipping incidents in West Wickham ward in each of the past three years and the estimated cost of each removal?

Reply:

West Wickham - fly tips cleared by LBB:

2013: 27 incidences of dumped rubbish

2014: 29 incidences of dumped rubbish

2015: 39 incidences of dumped rubbish

Total: 95 incidences of dumped rubbish

In terms of cost fly tipping clearance is part of the whole Street Cleansing cost and there is not a cost per each removal.

However there are 15 incidences which required out of hours signage and guarding at approximately £110 each. There were also 7 incidences which required the hiab which would have averaged a call out of £110 each.

This does not include disposal charges however (£140 per ton) which if averaged at 0.25 ton per fly tip would equate to £35 disposal cost per flytip.

17. From Cllr Colin Smith to the Resources Portfolio Holder

(i) Would the Portfolio Holder please detail the savings made to the Council's revenue budget on a year by year basis since 2010/11 to date, including this years proposed savings within the list?

(ii) Would the Portfolio Holder please advise us of the overall cumulative total of these savings over the same period?

Reply:

Ongoing annual savings of £93m have been included in the Council's revenue budgets between 2010/11 and 2016/17 compared to the 2009/10 baseline. Cumulatively, this would provide total savings of some £360m over the same period. Cost pressures within the annual budget and medium term financial strategy arise from a number of factors including inflation, additional cost and demographic pressures including new burdens and the impact of significant government funding reductions. Some of the savings identified were required to offset such cost increases within the overall net budget. A summary of the annual and cumulative savings is shown in the table below:

Financial Year	Ongoing Annual Savings £'000	Cumulative Savings (01/04/10 to 31/03/17) £'000
2010/11	6,368	44,576
2011/12	15,645	93,870
2012/13	22,879	114,395
2013/14	13,108	52,432
2014/15	7,292	21,876
2015/06	8,766	17,532
2016/17 *	18,867	18,867
Total	92,925	363,548

**as reported to Executive 10th February 2016*

18. From Cllr Colin Smith to the Resources Portfolio Holder

Would the Portfolio Holder please provide us with a year by year summary of the extra costs this Authority would have had to bear, had it passed the 'alternative budget' proposals of the Labour Party opposition since 2002/3 to date, summarising:

(i) The financial effect such action would have had on the current level of the Council's useable reserves, accruing the extra deficit incurred (or gained) each year at the 'Base Rate' of that time.

(ii) The financial effect such action would have had on the Council's current budget deficit, ahead of debating this evening's budget proposals.

Reply:

A year by year summary of the Labour Party alternative budget proposals from 2003/04 is shown in the table below. It has not been possible to provide the information for 2002/03 as records are unavailable.

Financial Year (Budget Proposals)	Impact of Council Tax Changes £'000	Impact of Cost and Savings Adjustments £'000	Use of Reserves £'000	Notes
2003/04	(428)	1,730	1,302	
2004/05	0	300	1,300	
2005/06	0	1,000	1,000	
2006/07	0	980	1,830	
2007/08	0	0	0	(*)
2008/09	(240)	740	1,000	
2009/10	0	365	365	
2010/11	1,626	(34)	1,592	
2011/12	0	2,719	1,301	
2012/13	0	0	2,719	
2013/14	0	0	0	(*)
2014/15	0	0	0	(*)
2015/16	0	3,580	3,580	
Total	958	11,380	15,989	

* no alternative recommendations

(i) Assuming the use of balances for one year only, general and earmarked reserves would have reduced by £15.9m (£19.9m including foregone interest earnings using LBB average rates).

In view of the legal requirement to set a balanced budget, if no alternative options were identified to offset the annual adjustments in successive years and reserves were required to meet the cumulative impact, there would have been a total reduction in reserves of £75.5m (£87.8m including foregone interest earnings using LBB average rates).

- (ii) The proposals would have resulted in an ongoing budget gap (further savings to be identified) of £12.34m made up of £0.96m in reduced council tax income and £11.38m arising from increased costs and/or reduced savings options.

Budget decisions are made on an annual basis and the cumulative effect (had previous years' proposals been agreed) would have influenced alternative proposals in future years. It is not possible to identify the extent to which annual resolutions would have changed had previous proposals been implemented. However, it does illustrate that we would have a significant budget gap and significantly depleted reserves.