

TO MEMBERS OF THE COUNCIL

Notice is hereby given that a meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Monday 11 April 2016 at 7.00 pm which meeting the Members of the Council are hereby summoned to attend.

Prayers

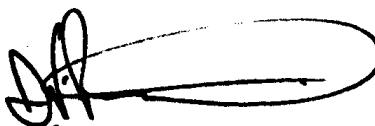
A G E N D A

- 1 Apologies for absence
- 2 Declarations of Interest
- 3 To confirm the Minutes of the meeting of the Council held on 22nd February 2016 (Pages 3 - 48)
- 4 Petitions
- 5 Questions from members of the public where notice has been given.
Questions must be received by 5pm on Tuesday 5th April 2016
- 6 Oral questions from Members of the Council.
- 7 Written questions from Members of the Council
- 8 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.
- 9 Budget Monitoring - Growth Fund and Earmarked Reserve (Pages 49 - 102)
(See additional information at item 15 on the part 2 agenda.)
- 10 Constitution Improvement Working Group - Fifth Report (Pages 103 - 112)
- 11 Policy Development and Scrutiny - Annual Report 2015/16 (Pages 113 - 144)
- 12 To consider Motions of which notice has been given.
- 13 The Mayor's announcements and communications
- 14 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed 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.

- | | | |
|----|---|---|
| 15 | Investment Proposal (Pages 145 - 152) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| 16 | Budget Monitoring - Part 2 (Pages 153 - 156)
(Part 2 information relating to agenda item 10) | Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority. |

.....



Chief Executive

**BROMLEY CIVIC CENTRE
BROMLEY BR1 3UH
Friday 1st April 2016
Vol.52 No.7**

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.

**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.

<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.

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.

<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.

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.

<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.

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.

<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.

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.

<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.

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.

Report No.
CSD16056

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 11 April 2016

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

Title: BUDGET MONITORING -
GROWTH FUND AND EARMARKED RESERVE

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: All

1. Reason for report

- 1.1 At its meeting on 23rd March 2016 the Executive considered the attached Budget Monitoring Report for 2015/16. A report with further details was also considered on the part 2 agenda. The Executive approved recommendation (i) that £6m of the underspend in Central Contingency and services be transferred to the Growth Fund as detailed in paragraph 3.11.3 of the report.
- 1.2 With regard to recommendation (j), following discussion at the meeting, it was agreed that the monies would not be set aside for the purpose detailed in in the report. The Director of Finance provided an update on various examples of uncertainty on business rate income which were not covered in the budget monitoring report. Members agreed to set aside a sum of £3m for a further general financial risk provision. This provision would cover potential changes relating to the awaited outcome of the backlog of outstanding valuation appeals and uncertainty relating to securing government funding to meet the loss of income arising from changes to small business rate relief and increasing the associated thresholds announced as part of the Chancellor's 2016 Budget.
-

2. **RECOMMENDATIONS**

- (1) That £6m of the underspend in Central Contingency and services be transferred to the Growth Fund.
- (2) That £3m be set aside in an earmarked reserve to provide a general provision to reflect the financial risks relating to the Council's share of business rate income.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not applicable
 4. Total current budget for this head: Not applicable
 5. Source of funding: Not applicable
-

Staff

1. Number of staff (current and additional): Not applicable
 2. If from existing staff resources, number of staff hours: Not applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision for the Council.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not applicable
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not applicable

Non-Applicable Sections:	Policy/Finance/Legal/Personnel
Background Documents: (Access via Contact Officer)	None

Decision Maker: Executive

Date: 23rd March 2016

Decision Type: Non-Urgent Executive Non-Key

Title: BUDGET MONITORING 2015/16

Contact Officer: James Mullender, Finance Manager
Tel: 020 8313 4292 E-mail: James.Mullender@bromley.gov.uk

Chief Officer: Director of Finance

Ward: (All Wards);

1. Reason for report

- 1.1. This report provides the third budget monitoring position for 2015/16 based on general expenditure and activity levels up to the end of December 2015, with more up-to-date projections included for key or volatile budgets. The report also highlights any significant variations which will impact on future years, as well as any early warnings that could impact on the final year end position.
-

2. RECOMMENDATIONS

2.1. Executive are requested to:

- (a) consider the latest financial position;
- (b) note that a projected net underspend on services of £4,373k is forecast;
- (c) consider the comments from the Education, Care and Health Services Department as detailed in section 3.2;
- (d) note that reports elsewhere on the agenda request the drawdown of a total of £312k from Central Contingency, as well as a carry forward of £123k of underspend to 2016/17 as detailed in paras 3.3.1 and 3.3.2;
- (e) note that a total of £2,598k grant income has been drawn down from Central Contingency as detailed in para 3.3.3;
- (f) note the Prior Year Adjustments totalling £1,006k as detailed in section 3.5;

- (g) note a projected increase to the General Fund balance of £185k as detailed in section 3.6;**
- (h) note the full year effect of £3.9m underspend as detailed in section 3.7;**
- (i) recommend to Council that £6m of the underspend in Central Contingency and services be transferred to the Growth Fund as detailed in para 3.11.3;**
- (j) recommend to Council to set aside £2.8m in an earmarked reserve to cover potential repayment of business rates as detailed in para 3.12.1;**
- (k) agree to set aside a total of £461k from underspends in an earmarked reserve for use during 2016/17 as detailed in section 3.13;**
- (l) identify any issues that should be referred to individual Portfolio Holders for further action.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Council Wide
 4. Total current budget for this head: £204m
 5. Source of funding: See Appendix 1 for overall funding of Council's budget
-

Staff

1. Number of staff (current and additional): 3,218 (per 2015/16 Budget), which includes 1,356 for delegated budgets to schools.
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2015/16 budget reflects the financial impact of the Council's strategies, service plans etc. which impact on all of the Council's customers (including council tax payers) and users of the services.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1. Summary of variations

3.1.1. The current projected outturn for 2015/16 is a total net underspend £1,855k, comprising £4,373k underspend on portfolio budgets, and £2,518k overspend on central items and general grants.

3.1.2. A summary of the overall 2015/16 Budget and the Projected Outturn is shown in the table below:

Portfolio	2015/16 Original Budget £'000	2015/16 Latest Budget £'000	2015/16 Projected Outturn £'000	2015/16 Variation £'000
Care Services	102,794	100,878	97,232	Cr 3,646
Education	5,124	5,593	5,913	320
Environment	32,095	33,105	32,966	Cr 139
Public Protection & Safety	2,120	2,120	2,085	Cr 35
Renewal & Recreation	9,214	9,395	9,160	Cr 235
Resources	37,869	39,162	38,524	Cr 638
Total Controllable Budgets	189,216	190,253	185,880	Cr 4,373
Capital Charges and Insurance	20,980	20,980	20,980	0
Non General Fund Recharges	Cr 793	Cr 852	Cr 852	0
Total Portfolio Budgets	20,187	20,128	20,128	0
Contingency Provision	14,003	7,445	2,708	Cr 4,737
Interest on General Fund Balances	Cr 2,741	Cr 2,741	Cr 3,741	Cr 1,000
Other Central Items	Cr 16,835	Cr 9,585	Cr 183	9,402
Prior Year Adjustments	0	0	Cr 1,006	Cr 1,006
General Government Grants	Cr 72,629	Cr 72,629	Cr 72,770	Cr 141
Collection Fund Surplus	Cr 2,300	Cr 2,300	Cr 2,300	0
Total Central Items	Cr 80,502	Cr 79,810	Cr 77,292	2,518
Total Variation	128,901	130,571	128,716	Cr 1,855

3.1.3. A detailed breakdown of the Latest Approved Budgets and Projected Outturn for each Portfolio, together with an analysis of variations, is shown in Appendix 2.

3.2. Comments from the Education Care and Health Services Department

Care Services Portfolio

3.2.1. Overall the current outlook in the Care Services Portfolio is positive with a £3,646k controllable budget underspend predicted for the financial year. Costs of placements in Adult Social Care are being contained and the budget is benefitting from further underspends in learning disabilities and mental health services. Containing costs continues to prove a challenge across all service areas.

3.2.2. Commissioning activity continues to secure value for money in placements and makes a significant contribution to ameliorating the pressures.

3.2.3. Housing continues to exert very considerable pressures on our budgets and although covered by contingencies following the very early recognition of these pressures, Members will note that we are not predicting any significant changes in pressures from those seeking

temporary accommodation and so it is important that Manorfields comes on stream at the earliest opportunity to help control these pressures.

- 3.2.4. Children's Social Care continues to see pressures from no recourse to public funds.
- 3.2.5. The Department will continue to closely monitor its activities and look to future years where the funding will become an even greater challenge.

Education Portfolio

- 3.2.6. Both officers and members are meeting with politicians and DfE officials in order to explore opportunities for relaxing/changing the criteria for use of DSG. SEN transport and education psychology are the two key areas under discussion. In addition DfE colleagues will be visiting Bromley in the near future to look in detail at the financial impact for the local authority of schools becoming academies.
- 3.2.7. The Youth Services full year savings of £506k for 2015/16 was not achievable due to the requirement to undertake a restructure of the service and consult with staff. The consultation is now complete and the new structure is in place, with a projected full year effect of £62k overspend in 2016/17. This projected overspend is as a result of unexpected loss of income. Management are working hard to identify new income streams for 2016/17 to address the shortfall. There is also a projected overspend in the Youth Offending Team; as a consequence of the outcome of the recent HMIP inspection, it has been necessary to delay the planned restructure of the service and employ additional staff. In addition there have been in year savings made to the Youth Justice Grant by the Ministry of Justice. The review of the existing service and interim measures required to address immediate operational delivery requirements will result in an overspend of £182k. Every effort will be made to reduce the overspends.

3.3. Central Contingency Sum

- 3.3.1. A drawdown of £132k is being requested elsewhere on the agenda to continue to employ staff to implement the required changes in adoption processes, support increases in adoption and fund special guardianship assessments. The grant for adoption reform activity has now ceased and this is the funding that will fund activity for 2016/17 only. Arrangements will need to be put in place for an exit strategy that does not put an additional burden on council resources going forward.
- 3.3.2. A report elsewhere on the agenda requests the drawdown of £180k SEN Implementation grant funding for 2016/17 from Central Contingency. The report also requests the carry forward to 2016/17 of underspends in the 2015/16 grant allocation totalling £123k.
- 3.3.3. Government provided funding of £1,848k to cover costs of the Care Act during the 2015/16 financial year. In addition, £750k was set aside from the Better Care Fund in 2015/16 to cover costs of the Care Act during the 2015/16 financial year. The Care Act impact has been seen across the piece in ECHS and this grant income has been drawn to cover costs associated with the implementation and development of the Care Act.
- 3.3.4. Due to the significant underspend of over £3.6m in ECHS, of which around £1.7m relates to early achievement of 2016/17 savings, it is assumed that some of the provision for risk and uncertainty along with the Care Act related expenditure in the Central Contingency is no longer required in the current year.
- 3.3.5. A prudent approach was adopted in considering the 2015/16 Central Contingency sum to reflect any inherent risks, the potential impact of any new burdens, population increases or

actions taken by other public bodies which could affect the Council. If the monies are not required then the general policy has been to use these for investment to generate additional income and provide a more sustainable financial position. It is therefore recommended that the underspend on the Central Contingency and service underspends are used to invest in economic growth to help generate additional business rate income as detailed in section 3.11.

3.4. Carry forwards from 2014/15 to 2015/16

3.4.1. At its meeting on 10th June, Executive approved the carry forward to 2015/16 of £1,186k underspend in 2014/15, to be allocated to contingency and drawn-down on the approval of the relevant Portfolio Holder, with £786k approved for draw-down to date. Additionally £484k was approved under delegated authority, bringing the total carried forward to £1,670k.

3.5. Prior Year Adjustments resulting in a Credit Provision in the Accounts of £1,006k

3.5.1. At the end of 2014/15 provision was made for a potential loss of Housing Benefit subsidy for Local Authority errors and administrative delay overpayments. This element of subsidy is based on the value of errors above a set threshold and it is prudent to allow for a reduction in subsidy as a result of any errors that might be picked up and extrapolated as part of the audit of the final subsidy claim and result in lower subsidy levels. The claim has now been audited, and in addition to the provision of £459k which is no longer required as previously reported, DWP has agreed an additional amount of £138k subsidy relating to the classification of overpayments.

3.5.2. A provision for termination costs relating to a transferred service has been held for some years now against the possibility of potential claims for redundancy, legal costs, compensation, etc at the ceasing of the contract. The likelihood is getting smaller that there will be any come back on this. It is proposed that £300k now be released as it will not be used.

3.5.3. Although there is some evidence of some additional unknown Learning Disabilities and Mental Health clients coming through, it is not on the same levels as previously seen. It is therefore proposed to reduce the provisions by £200k and £150k respectively to reflect this.

3.5.4. Following Skills Funding Agency scrutiny of the 2014/15 Adult Education outturn report submitted in October, notification has been received that there will be a clawback of £122k in 2015/16, mainly related to mandated ESOL funding and 24+ Advanced Learning Loans.

3.5.5. A credit of £225k relates to backdated Council Tax benefits adjustments, which under the new Council Tax Support Scheme does not result in a corresponding loss in subsidy.

3.5.6. There is a charge of £344k relating to a tax liability from previous years. Details are provided in the supplementary material for consideration in part 2 proceedings of the meeting.

3.6. General Fund Balances

3.6.1. The level of general reserves is currently projected to increase by £185k to £20.2m at 31st March 2016 as detailed below:

	2015/16 Projected Outturn £'000
General Fund Balance as at 1st April 2015	Cr 20,000
Total net variation on Services and Central Items (section 3.1)	Cr 1,855
Carry forwards (funded from 2014/15 underspends) (para 3.4.1)	1,670
General Fund Balance as at 31st March 2016	<u>Cr 20,185</u>

3.7. Impact on Future Years

3.7.1. The report identifies expenditure variations which could have an impact on future years. The main areas to be considered at this stage are summarised in the following table:

	2015/16 Budget £'000		2016/17 Impact £'000
Care Services Portfolio			
Assessment & Care Management	22,206	Cr	556
Learning Disabilities Care Management	3,758		186
Children's Social Care	27,921		5
Public Health	Cr 372	Cr	199
Savings achieved early			<u>Cr 2,388</u>
			<u>Cr 2,952</u>
Education Portfolio			
Youth Service	1,549		62
Blenheim & Community Vision Nurseries	0	Cr	81
Education Services Grant	Cr 2,128		<u>75</u>
			<u>56</u>
Environment Portfolio			
Markets	Cr 2	Cr	40
Waste	18,082	Cr	270
Highways (incl London Permit Scheme)	7,169		145
Parking	Cr 6,402	Cr	85
			<u>Cr 250</u>
Resources Portfolio			
Operational Property - planned	450		175
Customer Services	937		36
Investment & Non-Operational Property	390	Cr	185
Investment Income	Cr 7,393	Cr	<u>758</u>
			<u>Cr 732</u>
TOTAL			<u>Cr 3,878</u>

3.7.2. Given the significant financial savings that the council will need to make over the next four years, it is important that all future cost pressures are contained and that savings are identified early to mitigate these pressures.

3.7.3. Further details including action to be taken to contain these pressures are included in Appendix 4.

3.8. Interest on Balances

3.8.1. There is still no real sign of interest rates improving and an average rate of 1% was prudently assumed for interest on new fixed term deposits (lending to banks and other local authorities) in the 2015/16 revenue budget, in line with the estimates provided by the Council's external treasury advisers, Capita, and with officers' views. Capita now expect the base rate to begin to rise from early in 2017, but this could be later. There have been no

improvements to counterparty credit ratings, as a result of which the restricted investment opportunities that followed downgrades in recent years have still been in place. However, the Council has benefited from the increases in the limits for the two part-nationalised banks (Lloyds and RBS) approved by the Council in October 2014, higher rates from longer-term deals placed with other local authorities, higher average balances than anticipated and the strong performance of the CCLA Property Fund. It is currently forecast that the 2015/16 outturn will be around £3.74m compared to the budget of £2.74m; i.e. a surplus of £1.0m.

3.9. The Schools Budget

- 3.9.1. Expenditure on Schools is funded through the Dedicated Schools Grant (DSG) provided for by the Department for Education (DfE). DSG is ring fenced and can only be applied to meet expenditure properly included in the schools budget. Any overspend or underspend must be carried forward to the following years Schools Budget.
- 3.9.2. There is a total projected overspend of £543k on DSG funded services, as detailed in note 6 to Appendix 2B. Further details of the 2015/16 monitoring of the School's Budget will be reported to the Education Portfolio Holder.
- 3.9.3. At the meeting of the Education PDS on 19th January 2016, the Portfolio Holder for Education agreed the allocation of Dedicated Schools Grant funding for 2016/17. Due to considerable budget pressures from bulge classes and the growth in SEN, and despite considerable savings identified within central budgets, the 2016/17 budget required a total of £2.2m additional funding from the underspend carried forward. Along with the £3.5m distributed to schools in 2015/16, £4.8m for the purchase and refurbishment of Beacon House, and £1m growth fund in 2015/16, the accumulated underspend carried forward from previous years has been almost fully spent or committed.

3.10. Special Education Needs Transport

- 3.10.1. In considering the second quarter budget monitoring report, members requested further information on the SEN Transport overspend. Further details are provided in note 4 of appendix 2B.

3.11. Growth Fund

- 3.11.1. A key priority for the Council is economic development and inward investment which was reflected in the Local Plan report to Executive in February 2013. Supporting economic growth, new investment creates employment opportunities, potentially reduces the cost of council tax support and generates income through business rates, new homes bonus and other investment opportunities.
- 3.11.2. Members have previously approved the allocation of £10m to be ring-fenced for investments which support growth in Biggin Hill area (£3.5m), Cray Corridor (£3.5m) and Bromley Town Centre (£3m). There are further opportunities to support economic development and on 5th October the Chancellor set out plans to full devolve 100% of business rates to local government (includes GLA for London) by 2020. Although this change is expected to be cost neutral it will provide an opportunity to generate additional income through the uplift in business rate income arising from economic growth as the Council will retain a higher share of business rates. Generating additional income will be more critical as the Council will lose core government funding in the future.

- 3.11.3. It is proposed to increase the one off funding available in the growth fund by a further £6m to be met from monies not required in the current year from the Council's 2015/16 Central Contingency Sum and underspends in other areas.
- 3.11.4. The setting aside of this additional funding will also require the approval of Council, and any future release of these monies will be subject to a detailed report to Members for their approval.
- 3.11.5. There will be a report to the April meeting of the Executive to reflect the future options for the utilisation of the Growth Fund.

3.12. Business Rates Risk Reserve

- 3.12.1. Executive are requested to recommend that Council approve the transfer of £2.8m from underspends on services and central items in the current financial year to the Business Rates Risk Reserve. Further details are provided in the part 2 element of this report.

3.13. Utilisation of 2015/16 underspends for non-recurring expenditure in 2016/17

- 3.13.1. Should Members agree to enter into the Total Facilities Management contract as recommended elsewhere on the agenda, one-off funding of £309k will be required to meet the costs of mobilisation and due diligence work that will be carried out during a three month period. The works would include asset validation, full condition surveys on key sites and isolated IT costs.
- 3.13.2. In response to the failed HMIP inspection, Bromley recruited and employed an experienced interim Head of Service and seconded a YJB manager to push through the changes necessary to operate the service at the required standards. This has created financial pressure in 2015/16 which will continue in to 2016/17.
- 3.13.3. It is anticipated that the Youth Offending Service (YOS) will be re-inspected by HMIP in 2016/17 – most likely late summer 2016. LBB have been working closely with the YJB to prepare for re-inspection and also to satisfy Ministerial scrutiny that follows failed inspection. This strategy has been effective and after a slow start due to high levels of staff vacancies and our inability to attract good quality staff, the service is now starting to see solid improvements and the Head of Service is reporting that he anticipates a positive re-inspection outcome. To further help prepare for re-inspection, the YJB are conducting a 'mock' inspection in April 2016 by bringing an independent YJB officer team to scrutinise our case work and progress against the YOS Improvement Plan.
- 3.13.4. The service is in the process of being restructured in order to meet budget requirements and to cover the reduction in government grant for the YOS. This is balanced for 2017/18. However, the proposed establishment cannot be achieved in 2016/17 due to the additional costs of employing an Interim Head of Service, the additional half year costs of seconding a manager from the YJB and two additional unqualified posts necessary for this interim period. This amounts to £97k.
- 3.13.5. The Bromley Safeguarding Children's Board (BSCB) is an independent body hosted by Bromley Council. It has a budget which is made up of income from partner agencies and a small income from training. In recent years, despite careful management, expenditure has been greater than income for two to three years and this has resulted in all reserves being used up.
- 3.13.6. Increased expenditure has resulted because of the requirement to quality assure and audit multi-agency practice, additional costs for the provision of performance reports and training

coordination/support and the accumulation of increased costs, duties and inflation over a period of several years.

3.13.7. Member contributions were increased in 2015/16 when the four health agencies increased their contribution, but this is still not sufficient to be able to manage this service within the current funding envelope. The current shortfall for 2016/17 is estimated at £55k.

3.13.8. It is requested that the three amounts detailed above totalling £461k be set aside from underspends in 2015/16 in an Earmarked Reserve for use during 2016/17, to be drawdown on the approval of the relevant Portfolio Holder.

3.14. Section 106

3.14.1. An update on Section 106 balances as at 31st December 2015 is included in Appendix 5. Further details on the arrangements for utilising Section 106 monies was provided in the “Capital Programme Monitoring Q3 2015/16 & annual capital review 2016 to 2020” to Executive on 10th February 2016 and “Section 106 Update” report to E&R PDS on 16th March 2016.

4. POLICY IMPLICATIONS

4.1. The “Building a Better Bromley” objective of being an Excellent Council refers to the Council’s intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.

4.2. The “2015/16 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2015/16 to minimise the risk of compounding financial pressures in future years.

4.3. Chief Officer’s comments are included in section 3.2.

5. FINANCIAL IMPLICATIONS

5.1. These are contained within the body of the report with additional information provided in the appendices.

Non-Applicable Sections:	Legal Implications Personnel Implications
Background Documents: (Access via Contact Officer)	Request for draw down and carry forward of grant funds for SEN reforms – Executive 23 rd March 2016; Adoption Reform grant draw-down – Executive 23 rd March 2016; Commissioning – Proposed Total Facilities Management Contract – Executive 23 rd March 2016; Section 106 Update – E&R PDS 16 th March 2016; Capital Programme Monitoring Q3 2015/16 & annual capital review 2016 to 2020 – Executive 10 th February 2016; Provisional Final Accounts - Executive 10 th June 2015; 2015/16 Council Tax - Executive 11 th February 2015; Draft 2015/16 Budget and Update on Council’s Financial strategy 2016/17 to 2018/19 - Executive 14 th January 2015; Financial Mgt Budget Monitoring files across all Portfolios.

GENERAL FUND - PROJECTED OUTTURN FOR 2015/16

Portfolio	2015/16 Original Budget £'000	Budget Variations allocated in year # £'000	2015/16 Latest Approved Budget £'000	2015/16 Projected Outturn £'000	Variation £'000	Variation previously reported to Exec 02/12/15 £'000
Care Services	102,794	Cr 1,916	100,878	97,232	Cr 3,646	Cr 1,623
Education (incl. Schools' Budget)	5,124	469	5,593	5,913	320	529
Environment	32,095	1,010	33,105	32,966	Cr 139	Cr 146
Public Protection & Safety	2,120	0	2,120	2,085	Cr 35	Cr 20
Renewal and Recreation	9,214	181	9,395	9,160	Cr 235	Cr 135
Resources	37,869	1,293	39,162	38,524	Cr 638	Cr 316
Total Controllable Budgets	189,216	1,037	190,253	185,880	Cr 4,373	Cr 1,711
Capital and Insurances (see note 2)	20,980	0	20,980	20,980	0	0
Non General Fund Recharges	Cr 793	Cr 59	Cr 852	Cr 852	0	0
Total Portfolios (see note 1)	209,403	978	210,381	206,008	Cr 4,373	Cr 1,711
Central Items:						
Interest on General Fund Balances	Cr 2,741	0	Cr 2,741	Cr 3,741	Cr 1,000	Cr 600
Contingency Provision (see Appendix 3)	14,003	Cr 5,808	8,195	2,708	Cr 5,487	Cr 5,132
Other central items						
Reversal of Net Capital Charges (see note 2)	Cr 19,698	0	Cr 19,698	Cr 19,698	0	0
Contribution to Investment Fund and other Reserves	1,436	0	1,436	1,577	141	141
Contribution to Growth Fund (Executive 2nd December)	0	6,500	6,500	6,500	0	6,500
Contribution to One-off Member Initiatives Reserve (Council 22nd February)	0	0	0	750	750	0
Subject to Approval Executive 23rd March						
Contribution to Business Rates Risk Reserve	0	0	0	2,800	2,800	0
Contribution to Growth Fund	0	0	0	6,000	6,000	0
Contribution to Earmarked Reserve for utilisation of 2015/16 underspends for one-off spend in 2016/17				461	461	0
Levies	1,427	0	1,427	1,427	0	0
Total other central items	Cr 16,835	6,500	Cr 10,335	Cr 183	10,152	6,641
Prior Year Adjustments						
Housing Benefits	0	0	0	Cr 597	Cr 597	Cr 459
Adult Education grant clawback	0	0	0	122	122	0
Tax liability	0	0	0	344	344	0
Backdated Council Tax Benefit adjustments	0	0	0	Cr 225	Cr 225	0
Provision for redundancies re transferred services	0	0	0	Cr 300	Cr 300	Cr 300
Learning Disabilities	0	0	0	Cr 200	Cr 200	Cr 200
Mental Health	0	0	0	Cr 150	Cr 150	Cr 150
Total Prior Year Adjustments	0	0	0	Cr 1,006	Cr 1,006	Cr 1,109
Total All Central Items	Cr 5,573	692	Cr 4,881	Cr 2,222	2,659	Cr 200
Bromley's Requirement before balances	203,830	1,670	205,500	203,786	Cr 1,714	Cr 1,911
Carry Forwards from 2014/15 (see note 3)	0	Cr 1,186	Cr 1,186	0	1,186	1,186
Carry Forward from 2014/15 Delegated Authority - R&M	0	Cr 484	Cr 484	0	484	484
Adjustment to Balances	0	0	0	185	185	382
Revenue Support Grant	Cr 32,971	0	Cr 32,971	Cr 32,971	0	0
Business Rates Retention Top Up	Cr 9,950	0	Cr 9,950	Cr 9,950	0	0
Business Rates Retention	Cr 23,955	0	Cr 23,955	Cr 23,955	0	0
Section 31 Grants	Cr 504	0	Cr 504	Cr 504	0	0
New Homes Bonus	Cr 4,400	0	Cr 4,400	Cr 4,541	Cr 141	Cr 141
New Homes Bonus Top Slice	Cr 760	0	Cr 760	Cr 760	0	0
Local Services Support Grant	Cr 89	0	Cr 89	Cr 89	0	0
Collection Fund Surplus	Cr 2,300	0	Cr 2,300	Cr 2,300	0	0
Bromley's Requirement	128,901	0	128,901	128,901	0	0
GLA Precept	36,913	0	36,913	36,913	0	0
Council Tax Requirement	165,814	0	165,814	165,814	0	0

# Budget Variations allocated to portfolios in year consists of:	£'000
1) Carry forwards from 2014/15 (see note 3)	1,670
2) Allocations from the central contingency provision (see Appendix 3)	5,808
	7,478

1) **NOTES**

Portfolio Latest Approved Budgets analysed over Departments as follows:

	2015/16		Budget		2015/16		2015/16		Variation	
	Original		Variations		Latest		Projected		previously	
	Budget	year #	allocated in	year #	Approved	Outturn	Variation	Executive	reported to	Executive
	£'000		£'000		£'000	£'000	£'000	£'000	£'000	£'000
Education Care & Health Services	130,780	Cr	1,420		129,360	126,116	Cr	3,244	Cr	1,078
Environmental & Community Services	54,013		1,256		55,269	54,800	Cr	469	Cr	343
Chief Executive's Department	24,610		1,142		25,752	25,092	Cr	660	Cr	290
	209,403		978		210,381	206,008	Cr	4,373	Cr	1,711

2) Reversal of Net Capital Charges

This is to reflect the technical accounting requirements contained in CIPFA's Code of Practice for Local Authority Accounting and has no impact on the Council's General Fund.

3) Carry Forwards from 2014/15

Carry forwards from 2014/15 into 2015/16 totalling £1,670k were approved by the Executive and under the delegated authority of the Director of Finance. Full details were reported to the June meeting of the Executive in the "Provisional Final Accounts 2014/15" report.

Care Services Portfolio Budget Monitoring Summary

2014/15 Actuals £'000	Division Service Areas	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
EDUCATION CARE & HEALTH SERVICES DEPARTMENT								
Adult Social Care								
25,785	Assessment and Care Management	23,630	22,206	21,743	Cr 463	1	6	Cr 556
3,389	Direct Services	3,200	3,200	2,937	Cr 263	2	29	0
3,532	Learning Disabilities Care Management	3,879	3,758	3,739	Cr 19	3	41	186
1,949	Learning Disabilities Day and Short Breaks Service	1,953	982	910	Cr 72	4	0	0
1,326	Learning Disabilities Housing & Support	1,250	660	732	72		0	0
35,981		33,912	30,806	30,061	Cr 745		76	Cr 370
Operational Housing								
Cr 1	Enabling Activities	Cr 1	Cr 1	Cr 1	0		0	0
Cr 1,594	Housing Benefits	Cr 2,122	Cr 2,122	Cr 2,122	0		0	0
5,683	Housing Needs	5,638	6,312	6,362	50		0	254
	Housing funds held in contingency	0	0	0	0		0	Cr 254
4,088		3,515	4,189	4,239	50	5	0	0
Strategic and Business Support Service								
1,807	Strategic & Business Support	2,143	2,129	2,057	Cr 72	6	Cr 73	0
298	Learning & Development	305	271	231	Cr 40	6	Cr 40	0
2,105		2,448	2,400	2,288	Cr 112		Cr 113	0
Children's Social Care								
16,897	Care and Resources	17,358	17,221	17,093	Cr 128	7	182	153
1,783	Safeguarding and Quality Assurance	1,482	1,498	1,699	201		64	17
3,420	Safeguarding and Care Planning	5,520	5,597	5,644	47		Cr 16	0
3,583	Early Intervention and Family Support	1,149	1,149	1,169	20		15	0
2,101	Children's Disability Service	2,379	2,456	2,279	Cr 177		Cr 229	0
27,784		27,888	27,921	27,884	Cr 37		16	170
Commissioning								
3,101	Commissioning					8		
	- Net Expenditure	4,283	4,351	4,067	Cr 284		Cr 107	0
	- Recharge to Better Care Fund	Cr 1,535	Cr 1,535	Cr 1,352	183		30	0
1,199	Information & Early Intervention					9		
	- Net Expenditure	1,265	1,265	1,215	Cr 50		Cr 50	0
	- Recharge to Better Care Fund	Cr 1,265	Cr 1,265	Cr 1,215	50		50	0
24,054	Learning Disabilities	24,694	25,818	25,134	Cr 684	10	Cr 304	0
5,765	Mental Health Services	6,514	6,173	6,076	Cr 97	11	Cr 96	0
1,779	Supporting People	1,413	1,413	1,413	0	12	0	0
	Better Care Fund					13		
	- Expenditure	18,331	18,331	18,331	0		0	0
	- Income	Cr 18,482	Cr 19,232	Cr 19,232	0		0	0
	- Variation on Protection of Social Care	0	0	Cr 233	Cr 233		Cr 80	0
	NHS Support for Social Care					14		
11,078	- Expenditure	0	614	614	0		0	0
Cr 11,759	- Income	0	Cr 614	Cr 614	0		0	0
35,217		35,218	35,319	34,204	Cr 1,115		Cr 557	0
Public Health								
12,238	Public Health	12,582	14,483	13,746	Cr 737	14	Cr 644	Cr 1,118
	Management Action - Reduction in grant funding	0	0	Cr 182	Cr 182		Cr 277	0
Cr 12,601	Public Health - Grant Income	Cr 12,954	Cr 14,855	Cr 13,936	919		921	919
Cr 363		Cr 372	Cr 372	Cr 372	0		0	Cr 199
	Savings achieved early in 2015/16 for 2016/17	0	430	Cr 1,257	Cr 1,687	15	Cr 1,045	Cr 2,388
104,812	TOTAL CONTROLLABLE ECHS DEPT	102,609	100,693	97,047	Cr 3,646		Cr 1,623	Cr 2,787
1,375	TOTAL NON CONTROLLABLE	378	378	460	82		16	0
10,398	TOTAL EXCLUDED RECHARGES	9,404	9,431	9,431	0		0	0
116,585	TOTAL ECHS DEPARTMENT	112,391	110,502	106,938	Cr 3,564		Cr 1,607	Cr 2,787
Environmental Services Dept - Housing								
169	Housing Improvement	185	185	185	0		0	0
169	TOTAL CONTROLLABLE FOR ENV SVCES DEPT	185	185	185	0		0	0
104	TOTAL NON CONTROLLABLE	Cr 600	Cr 600	Cr 600	0		0	0
364	TOTAL EXCLUDED RECHARGES	329	329	329	0		0	0
637	TOTAL FOR ENVIRONMENTAL SVCES DEPT	Cr 86	Cr 86	Cr 86	0		0	0
117,222	TOTAL CARE SERVICES PORTFOLIO	112,305	110,416	106,852	Cr 3,564		Cr 1,607	Cr 2,787

Reconciliation of Latest Approved Budget	£'000
2015/16 Original Budget	112,305
Carry forwards:	
Social Care funding via the CCG under s256 (Invest to Save)	
<i>Dementia:</i>	
- expenditure	122
- income	Cr 122
<i>Physical Disabilities:</i>	
- expenditure	87
- income	Cr 87
<i>Impact of Care Bill</i>	
- expenditure	105
- income	Cr 105
<i>Integration Fund - Better Care Fund</i>	
- expenditure	300
- income	Cr 300
<i>Welfare Reform Grant</i>	
- expenditure	65
- income	Cr 65
<i>Helping People Home Grant</i>	
- expenditure	28
- income	Cr 28
<i>Winter Resilience</i>	
- expenditure	15
- income	Cr 15
<i>Adoption Reform Grant</i>	
- expenditure	285
- income	Cr 285
<i>Tackling Troubled Families Grant</i>	
- expenditure	887
- income	Cr 887
Other:	
Housing Regulations Grant	
- expenditure	3
- income	Cr 3
Social Care Innovation Grant	
- expenditure	100
- income	Cr 100
Youth on Remand (LASPO) Reduction in Grant	
- expenditure	Cr 18
- income	18
Transfer of Housing Strategy from R&R	51
ASC Early Intervention Service restructure	Cr 10
Deprivation of Liberty Safeguards Grant	
- expenditure	127
- income	Cr 127
Independent Living Fund Grant	
- expenditure	526
- income	Cr 526
Public Health Grant - Transfer of 0 - 5 years (Health Visitors)	
- expenditure	1,901
- income	Cr 1,901
Increase in Cost of Homelessness/Impact of Welfare Reforms	649
LD Certitude pensions costs	33
Post transferred to Corporate Services	Cr 14
Care Act Government Funding	Cr 1,848
Care Act Better Care Funding	Cr 750
	Cr 1,889
2015/16 Latest Approved Budget	110,416

REASONS FOR VARIATIONS

1. Assessment and Care Management - Cr £463k

The underspend in Assessment and Care Management can be analysed as follows:

	<u>Current</u> <u>Variation</u> £'000	<u>Previous</u> <u>Variation</u> £'000
<u>Physical Support / Sensory Support / Memory & Cognition</u>		
Services for 65 +		
- Placements	-725	-431
- Domiciliary Care / Direct Payments	-35	50
Services for 18 - 64		
- Placements	283	249
- Domiciliary Care / Direct Payments	11	98
Extra Care Housing	103	80
Staffing	-100	-40
	<u>-463</u>	<u>6</u>

As part of the budget setting process for 2015/16, the full year effects of the overspends in Adult Social Care during 2014/15 as reported in the January 2015 budget monitoring were fully funded. Savings of £250k were also included in the budget for the management of demand at first point of contact.

Services for 65+ - Cr £760k

Since the last report for August, residential placements for the 65+ age group have continued to reduce, with a further reduction of 8 clients and a reduction in spend of £294k. Domiciliary care and direct payments expenditure has also reduced during this period, reducing overall projected spend by a further £85k. The overall projected underspend to the end of December is £760k.

Services for 18 - 64 year olds - Dr £294k

Since the last report for August, placements for the 18 - 64 age group have increased by 3, increasing the overspend by a further £34k. Domiciliary care and direct payments expenditure has reduced during this period, reducing the overall projected spend by £87k. The overall projected overspend to the end of December is £294k. Officers continue to work towards reducing costs in these area, whilst maintaining appropriate levels of care.

Extra Care Housing - Dr £103k

The 3 external extra care housing schemes are showing a projected overspend of £103k. With the closure of the in-house scheme at Lubbock House in July 2015 and the need to move residents to alternative extra care accommodation, units in the external schemes were being kept vacant in preparation for these transfers. These however incur a weekly void cost equivalent to the rental price of the unit and the core costs of care staff, which Bromley has to pay for. These transfers have now taken place.

Staffing - Cr £100k

The projected underspend has increased by £60k since August, and is now expected to be in the region of £100k. This is due mainly to difficulties in staff recruitment to vacant posts.

Contract Savings

As part of a savings exercise £110k savings have been estimated to be able to be taken across the division as part of contract savings made in year. This will follow through as a full year effect in 2016/17. This element has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

2. Direct Services - Cr £263k

Extra Care Housing - Dr £35k

The projected overspend in the in-house ECH service is analysed as £593k overspend on staffing offset by £258k of additional income from service users. High levels of need amongst some service users has resulted in increased staffing requirements in the units and although these costs are chargeable to clients based on their individual assessments, the additional costs outweigh any additional income. Funding of £300k has been made available from the Better Care Fund to offset the cost pressure the service for 2015/16.

Reablement - Cr £98k

The in-house Reablement service is currently projecting an underspend of £98k. This is after allowing for the additional expenditure from the expected recruitment to 3 vacant facilitator posts this financial year. As this service generates savings for the council by reducing or preventing the need for domiciliary care packages, it is vital that vacant posts can be recruited to.

Carelink - Dr £51k

The overspend relates to the non-achievement of savings in the 2015/16 budget which was to reduce the overnight capacity. Officers are looking at how this can be resolved without impacting on the service provision. In addition, there has been reduced income from services provided to a housing association as the contract with them has been ended.

Transport - Cr £251k

The inhouse transport service was outsourced to GPS with effect from 1 December 2015. Initial indications indicate a higher saving than anticipated in the new service, however at this early stage this cannot be accurately quantified. Together with the expected underspend when the service was provided inhouse, no change's are being made to the projected outturn at this stage. £60k of this underspend has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

3. Learning Disabilities Care Management - Cr £19k

An underspend of £38k relates to the provision of domiciliary care services and direct payments for adults aged 18 and over with a learning disability. This has moved from a £24k overspend last reported.

Staffing costs in the care management teams are projected to overspend by £54k. This is as a result of a delay in the implementation of £100k savings in the 2015/16 budget, which has now been resolved.

The budget for staffing in the team that is responsible for the Shared Lives scheme is projected to underspend by £35k as a result of a vacant post.

4. Learning Disabilities Day and Short Breaks Service - Cr £0k

The LD In-house services are now provided externally and this should release a saving of £200k in 2016/17. The part year saving for 2015/16 is estimated to be £30k, the final figure will not be known until all final costs for the inhouse service have come through. This element has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

5. Operational Housing - Dr 50k

There is a projected overspend of £82k relating to increased furniture storage costs, partly offset by a £32k underspend relating to rent deposits.

No variation is currently projected for Temporary Accommodation budgets, following the approval of £649k draw down of funds held in contingency by Executive in December 2015. Increased client numbers (average increase of 14 per month for 2015/16 to date, inclusive of welfare reform) and rising unit costs are evident, and the projections assume the trend continues for the rest of the financial year.

These increases have been noticeable across all London Boroughs and are the result of the pressures of rent and mortgage arrears coupled with a reduction in the numbers of properties available for temporary accommodation. There are high levels of competition and evidence of 'out bidding' between London boroughs to secure properties and this has contributed towards the high costs of nightly paid accommodation.

In addition, by necessity there has been increasing use of non-self-contained accommodation outside of London. Although on the face of it this appears beneficial as the charges are lower, the housing benefit subsidy is capped at the Jan 2011 LHA rates (without the 90% + £40 admin formula that self contained accommodation attracts), thus often making these placements more costly than those in London, especially when the monitoring and furniture storage costs are factored in.

The full year effect of the projected overspend is currently anticipated to be a pressure of £254k in 2016/17. However, this only takes account of projected activity to the end of March 2016 and does not include any projected further growth in numbers beyond that point.

Although there is a full year effect overspend, it is assumed that this will be dealt with through the draw down of funding held in Central Contingency.

6. Strategic and Business Support - Cr £112k

There is an anticipated underspend of £112k on ECHS Strategic and Business Support Division, of which £72k relates to salaries budgets and £40k to training in Learning and Development.

7. Children's Social Care - Cr £37k

The current projected underspend in Children's Social Care is £37k, with the main areas of under / overspending being:

Care and Resources - Cr £128k

Placements - Cr £135k

The budget for children's placements is projected to underspend in the region of £386k this year. This figure includes assumptions around future placements, although the level of volatility around this budget makes predictions difficult. £250k of this underspend has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

Leaving Care - Cr £171k

The budget for the cost of clients leaving care continues to underspend for 16 and 17 year olds with a projected underspend of £321k. For the 18 plus client group there continues to be differences between the amount being paid in rent and the amount reclaimable as housing benefit, mainly due to the welfare reforms. The current overspend is projected at £150k.

Staying Put - Dr £21k

Costs relating to children staying on in foster care placements is projected to be £94k. This exceeds the grant allocation of £73k by £21k.

Virtual School - Cr £2k

The budget for the virtual school is projected to underspend by £77k this year. £75k of this underspend has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

Staffing - Dr £159k

Staffing budgets for the service are predicted to overspend by £159k, including additional costs relating to the Emergency Duty Team.

Safeguarding & Quality Assurance - Dr £201k

No Recourse to Public Funds - Dr £8k

The projected cost to Bromley for people with no recourse to public funding has increased slightly from the figure last reported and is now showing an overspend position on the previously reported underspend of £12k. Additional budget was moved into this area for 2015/16, and the latest figures show a projected underspend on the budget, moving from a previously reported overspend. This budget does however remain volatile.

Care Proceedings - Dr £190k

Costs in relation to care proceedings are currently expected to be £190k above the budget provision of £539k. The main areas of overspend are in independent social worker assessments and parenting residential assessments which are largely outside the control of the council. This is an increase of £114k on the figure last reported.

Safeguarding & Care Planning - Dr £47k

There is a small underspend on staffing budgets projected for the service.

Early Intervention and Family Support - Dr £20k

There is a small overspend on staffing budgets projected for the service.

Children's Disability Service - Cr £177k

The projected underspend is analysed as: (i) Staffing £114k, (ii) Short Breaks service £138k, (iii) direct payments £21k and (iv) floating outreach service £24k. The staffing saving has increased by £50k as some staffing costs are now funded from the Social Care Innovation Grant. £120k of this underspend has been removed as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

8. Commissioning - Cr £284k

The net underspend of £284k comprises:

	Variation
	£'000
Staffing and related budgets (net)	Cr 70
Taxicard	Cr 30
Contracts	Cr 314
Savings found early in 2015/16 relating to 2016/17	130
Net underspend	<u>Cr 284</u>

The net projected underspend on Commissioning staffing and related budgets of £70k arises from a combination of savings arising from vacant posts partly offset by the use of agency staff. As part of the contract award for LD former direct care services, funding was set aside for a contract monitoring post and other potential Commissioning costs. There was a delay in appointing to the contract monitoring post and Commissioning costs have been contained where possible and this is reflected in the underspend.

The projected underspend of £30k on Taxicard has arisen from current TfL data indicating that Bromley's take up will be lower than budgeted in 2015/16, resulting in a reduced charge to LBB. However this is based on the assumption that trip numbers remain the same as 2014/15 so may vary.

Commissioning contracts budgets are projected to be underspent by £314k and this relates to several different contracts. The Healthwatch contract is less than expected at the time the 2015/16 budget was prepared, efficiency savings have been achieved across a range of contracts and there is also a small projected underspend on the direct payments payroll contract. This contract varies according to volume and numbers are increasing so this element is a non-recurrent underspend. As the budget is currently predicted to underspend it will result in a reduced charge to the Better Care Fund. As the intention of this element of the Better Care Fund was to protect existing social care services it has been assumed that the amount of this underspend will be diverted to fund other costs within social care (see also ref 13 below).

As part of a savings exercise £130k savings have been estimated to be able to be taken across the division as part of contract savings made in year. This will follow through as a full year effect in 2016/17. This element has been removed and is detailed separately in the narrative under paragraph 15.

9. Information and Early Intervention - Cr & Dr £50k

This new service area was created in April 2014 under the new Adult Social Care SERCOP and it encompasses any adult social care-related service or support for which there is no test of eligibility and no requirement for review. It includes: information and advice; screening and signposting; prevention and low-level support; independent advocacy. The Local Reform and Community Voices Grant is accounted for here.

An underspend of £200k is currently anticipated which is largely a continuation of the pattern of spend in 2014/15 but also reflects savings on the mental health community wellbeing and independent complaints advocacy contracts. The underspend figure is net of minor overspends where a contract ceased as a result of a 2015/16 budget saving but where, because of contractual obligations, only a part year saving will be achieved in 2015/16.

Of this amount £150k has been identified as part of a savings exercise and is detailed separately in the narrative under paragraph 15.

The Information and Early Intervention budget is fully funded from the Better Care Fund in 2015/16. As the budget is currently predicted to underspend it will result in a reduced charge to the Better Care Fund. As the intention of this element of the Better Care Fund was to protect existing social care services it has been assumed that the amount of this underspend will be diverted to fund other costs within social care (see also ref 13 below).

10. Learning Disabilities - Cr £684k

The projected underspend on placements has increased from the previous reported position. There are many reasons for this movement but it can be largely attributed to a combination of deferring / removing previous assumptions from the forecast as a result of updated information, some clients at residential colleges being newly identified as funded from elsewhere and a client becoming the financial responsibility of another authority.

The projections still include some assumptions relating to uncertainties (e.g. increased needs, carer breakdowns, attrition, health funding, start dates etc). The reported position is based on the information currently available but this could still vary between now and year end.

In addition, there is a projected underspend reported on the revised arrangements for delivering the former in-house LD supported living, day care and respite services. A saving of £33k was anticipated in 2015/16 and the current likely saving is in the region of £47k, however this may vary as some uncertainties become clearer.

Savings arising from contract efficiencies and associated inflation (£260k in relation to Learning Disabilities) as well as other recurrent LD savings (placements and former in-house LD services contract) have been shown separately at paragraph 15 and will be used to contribute to budget savings required in 2016/17.

11. Mental Health - Cr £97k

Based on current client PSR classifications, an underspend is anticipated on Mental Health care packages. Similarly to Learning Disabilities above, at this stage the projections still include assumptions on future uncertainties (client moves, new placements, cost changes, health funding etc) and therefore may vary between now and the end of the financial year. Savings arising from contract efficiencies and associated inflation (£60k in relation to Mental Health) as well as recurrent savings on placements (£179k) have been shown separately at paragraph 15 and will be used to contribute to budget savings required in 2016/17.

There is a £44k saving anticipated on other mental health budgets and this arises mainly from the new arrangements for the Community Wellbeing service and a projected underspend on the s75 agreement with Oxleas. Again, the recurrent element of this has been shown separately at paragraph 15 and will be used to contribute to budget savings required in 2016/17.

12. Supporting People - Cr £0k

Activity relating to additional limiting of inflationary increases and the effect of re-tendering / extending contracts at a reduced cost have resulted in an underspend of £69k. This has been identified as an early saving for 2016/17 and is shown separately in paragraph 15. There were savings of £304k built in to the 2015/16 Supporting People budget and the £69k underspend is in excess of this.

13. Better Care Fund - Variation on Amount Earmarked to Protect Social Care - Cr £233k

An amount of funding from the Better Care Fund has been earmarked to protect social care. This contributes to a range of services across Adult Social Care and Commissioning Divisions. The amount allocated to Commissioning budgets is currently forecast to underspend by £450k and it is assumed that this will contribute to other existing budgets within Commissioning. Of this £217k has been separately identified as advance achievement of 2016/17 savings in paragraph 15.

14. Public Health - £0k

On the 4th June the Chancellor announced in year budget reductions for 2015/16 of £200m nationally that are to be made by the Department of Health targeted at Public Health budgets that are devolved to Local Authorities. The reduction is £919k. This reduction is ongoing for future years. This has been addressed by a combination of identified savings and further management action as follows:-

<u>Service Areas</u>	<u>Variation £'000</u>
General PH Staffing Teams	(44)
Sexual Health (incl Staff)	(198)
NHS Health Check Programme (incl Staff)	(212)
Health Protection	(7)
National Child Measurement Programme	(4)
Obesity	(20)
Substance Misuse	(256)

Smoking and Tobacco	(100)
Children 5-19 Public Health Programme	(12)
Misc Public Health Programme	(44)
General PH costs	(22)
Sub-Total (net of PH Grant)	<u>(919)</u>
Public Health Grant	919
Sub-Total (Controllable)	<u><u>0</u></u>

The savings in the service areas are in the main to do with staffing adjustments, contract variations, reductions in contract volumes across the services, and running expense reductions.

In order to balance the Public Health budget in year, management action has had to be taken. If there are any change's or these cannot be found then other management actions will have to be found to replace them.

15. Savings achieved early in 2015/16 for 2016/17 - Cr £1,687k

As part of the budget monitoring process a major savings exercise was carried out in Adult Social Care / Commissioning to identify potential savings in future years. Areas have been identified where savings can be found and can be taken early. The list below shows the in year benefit in 2015/16 and the savings that will accrue in a full year in 2016/17.

	2015/16	2016/17
	£'000	FYE £'000
<u>Service Areas</u>		
Adult Social Care / Commissioning - Contract negotiations resulting in lower contract costs than anticipated	(430)	(430)
Closure of Lubbock House ECH	0	(70)
Day Opportunities - invest to save	0	(100)
Transport Contract effective from December 2015	(60)	(243)
LD Direct Care Services contract effective from October 2015	(30)	(200)
Contract savings across Commissioning division	(130)	(130)
Mental Health - efficiencies with placements, planned moves and CCG	(179)	(179)
Supporting People - contract efficiencies obtained	(69)	(120)
Adult Learning Disabilities services	(174)	(301)
Additional recurring underspend - Commissioning	(20)	(20)
Early intervention and information- contract efficiencies obtained	(150)	(150)
Youth on Remand	(250)	(250)
Virtual School	(75)	(75)
Children with disabilities	(120)	(120)
Total	<u><u>(1,687)</u></u>	<u><u>(2,388)</u></u>

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub-Committee bi-annually.

Since the last report to the Executive, waivers were approved as follows:

- (a) There were 2 contract waiver's agreed for a contract valued at £118k each
- (b) There were 17 waiver's agreed for care placement's in both adults and children's services over £50k but less than £100k and 4 waiver's agreed for over £100k.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" are included in financial monitoring reports to the Portfolio Holder. Since the last report, one virement of £15k has been actioned for the transfer of funding from ECHS Strategic Support Division to Corporate IS Division. This is to fund short term IS-related work for a period of 6 months.

2014/15 Actuals £'000	Service Areas	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
EDUCATION CARE & HEALTH SERVICES DEPARTMENT								
Education Division								
Cr 355	Adult Education Centres	Cr 602	Cr 220	Cr 216	4	1	0	0
202	Alternative Education and Welfare Service	264	264	262	Cr 2	2	0	0
296	Schools and Early Years Commissioning & QA	396	396	255	Cr 141	3	Cr 107	Cr 81
4,633	SEN and Inclusion	4,833	4,833	5,076	243	4	274	0
218	Strategic Place Planning	216	227	227	0		0	0
36	Workforce Development & Governor Services	4	4	4	0		0	0
Cr 2,419	Education Services Grant	Cr 2,128	Cr 2,128	Cr 2,128	0	5	0	75
Cr 1,493	Schools Budgets	Cr 1,509	Cr 1,509	Cr 1,509	0	6	0	0
139	Other Strategic Functions	133	133	152	19	7	26	0
1,257		1,607	2,000	2,123	123		193	Cr 6
Children's Social Care								
2,315	Bromley Youth Support Programme	1,473	1,549	1,823	274	8	336	62
2,303	Early Intervention Services	2,044	2,044	1,967	Cr 77	9	0	0
4,618		3,517	3,593	3,790	197		336	62
5,875	TOTAL CONTROLLABLE FOR EDUCATION - ECHS	5,124	5,593	5,913	320		529	56
11,852	Total Non-Controllable	9,278	9,278	9,278	0		0	0
3,493	Total Excluded Recharges	3,987	3,987	3,987	0		0	0
21,220	TOTAL EDUCATION PORTFOLIO - ECHS	18,389	18,858	19,178	320		529	56
Memorandum Item								
Sold Services								
	Education Psychology Service (RSG Funded)	Cr 21	Cr 20	Cr 20	0	} 10	10	0
	Education Welfare Service (RSG Funded)	Cr 39	Cr 39	Cr 39	0		0	0
	Workforce Development (DSG/RSG Funded)	Cr 14	Cr 14	Cr 14	0		0	0
	Governor Services (DSG/RSG Funded)	Cr 8	Cr 8	Cr 8	0		0	0
	Community Vision Nursery (RSG Funded)	0	0	Cr 41	Cr 41		Cr 34	Cr 41
	Blenheim Nursery (RSG Funded)	0	0	Cr 40	Cr 40		Cr 40	Cr 40
	Business Partnerships (RSG Funded)	0	0	0	0		0	0
	Total Sold Services	Cr 82	Cr 81	Cr 162	Cr 81		Cr 64	Cr 81

Reconciliation of Latest Approved Budget

£'000

Original Budget 2015/16

18,389

SEND Reform/Implementation Grants (Exec March 2015) - expenditure	456
SEND Reform/Implementation Grants (Exec March 2015) - income	Cr 456
YOT Service Strategic Review carry forward	76
Review of Place Planning carry forward	11
Early Years Grant carry forward - expenditure	19
Early Years Grant carry forward - income	Cr 19
SEN Preparation for Employment carry forward - expenditure	46
SEN Preparation for Employment carry forward - income	Cr 46
SEND Regional Lead (ex-Pathfinder) grant - expenditure	62
SEND Regional Lead (ex-Pathfinder) grant - income	Cr 62
Adult Education Supplementary Estimate	382

Latest Approved Budget for 2015/16

18,858

REASONS FOR VARIATIONS

1. Adult Education - Dr £4k

As Members will be aware, there has been significant reduction in grant allocation from the Skills Funding Agency for the Adult Education Service in recent years. In addition, tuition fee income has been reducing, with a total income shortfall of £518k projected for 2015/16, prior to the £382k supplementary estimate allocation agreed by Executive in December 2015.

The service has now consulted on a restructure which should result in full year savings of £275k subject to further changes to future grant levels. The restructure was approved by Executive as its meeting on 10th February 2016.

There is a minor net overspend of £4k projected for the service.

2. Alternative Education and Welfare Service - Cr £2k

A minor overspend has arisen in staffing costs, offset by an increase in Penalty Charge Notice income collection, resulting in a projected net £2k underspend.

3. Schools and Early Years Commissioning and Quality Assurance - Cr £141k

The two in-house nurseries are projected to generate a total surplus of £81k. The trading accounts, set up in April 2013, are not on a full cost recovery basis, so this surplus doesn't cover the £185k recharges allocated. The service is currently undergoing a market testing exercise which might, depending on the level of rental income and concession fee agreed, result in a reduction of net income if delivered by an external provider.

An underspend of £41k is projected for Early Years, the restructure of which resulted in early achievement of the further £30k savings agreed for 2016/17 in addition to the £130k agreed for 2015/16.

There are also net underspends of £19k within the School Standards team, mainly as a result of staff vacancies.

	Variations	
	£'000	
Blenheim Nursery	Cr	40
Community Vision Nursery	Cr	41
Early Years	Cr	41
School Standards	Cr	19
	Cr	141

4. SEN and Inclusion - Dr £243k

To help authorities with the amount of work required to convert existing Statements of SEN to the new Education Health and Care (EHC) plans, and to implement the changes to working practices required, the Department for Education has created the SEN Implementation (New Burdens) Grant. LBB's allocation of this grant for 2015/16 is £177k, of which £148k was approved for drawdown by Executive in March 2015, in addition to the carry forward of £200k underspend from 2014/15.

The SEN Implementation and Preparation for Employment grants are expected to underspend by a total of £90k. Some of the expenditure planned against these grants is expected to occur in 2016/17, so these amounts will be requested for carry forward approval.

The Head of Service post is now being covered part time, and at a lower grade whilst the previous post holder is working solely on the reforms. This, plus temporary vacancies, and staff working reduced hours, as well as much reduced use of tribunal consultancy, has resulted in a projected £125k underspend in the SEN assessment and monitoring team, and £41k on the Head of Service.

SEN Transport

Although the travel training programme continues with success and has contributed to improved outcomes and helps address annual volume increases, SEN transport is currently projected to overspend by £499k. A significant part of this relates to the cost of the new contracts which commenced on 01/09/2015 with a revised pricing framework, which, with no provision for inflation over the life of the contracts, are assumed to have front-loaded inflationary increases.

As noted in the contract award report approved by Executive in March 2015, the impact of these inflationary increases is compounded by the pricing under the previous framework, awarded in 2010; the economic climate at that time and during much of the contract period had led to keen pricing with no increase to many of the prices.

It is estimated that travel training has resulting in around £200k saving for 2015/16; however a large amount of this will have to repay the Invest to Save scheme so won't be realised this finance year.

In addition, there are volume increases due to the increase in statutory age range to 0-25 years, which is also noticeably impacting on the DSG funded SEN placements/support and special school/special unit funding, as shown in note 6 below.

The projected overspend of £499k is an increase of £156k compared the second quarter projection, which was based on modelling using historic data which didn't reflect the impact of the transport route changes from September and the related recoupment income projections, and the full impact of the new contract pricing.

Since these projections, which were based on expenditure and activity as at the end of December 2015, the latest projections show a slight reduction of £12k to £487k.

	Variations	
	£'000	
SEN assessment & monitoring team	Cr	125
Head of Service	Cr	41
SEND Implementation Grant	Cr	80
SEND Preparation for Employment	Cr	10
SEN transport		499
		243

5. Education Services Grant - Cr £0k

Current projections for the Education Services Grant (ESG) allocation is £524k less than budget. The ESG allocation is re-calculated on a quarterly basis, so the grant reduces in-year as schools convert to academies. The current projection is based on the 4 conversions on 1st April, 7 on 1st September and a further 3 since then. No more are expected this financial year. The full year effect of these 14 conversions is £599k. It is currently assumed that the shortfall will be drawn-down from contingency to cover this, so no variation is being reported.

6. Schools Budgets (no impact on General Fund)

Expenditure on Schools is funded through the Dedicated Schools Grant (DSG) provided by the Department for Education (DfE). DSG is ring fenced and can only be applied to meet expenditure properly included in the Schools Budget. Any overspend or underspend must be carried forward to the following years Schools Budget.

The total projected net overspend of £0.5m will therefore reduce the £9.9m carried forward from 2014/15. Along with the £3.5m distributed as one-off funding to schools and £3m for the Beacon House refurbishment, £2.5m has been agreed for growth in 2016/17 to balance the budget, so the underspend has now been fully spent/allocated.

Staffing vacancies in the School Standards team and the redundant Head of Behaviour post have resulted in projected net underspends of £58k and £64k respectively.

SEN placements and support costs are projected to overspend by a total of £720k, mainly due to a significant projected increase in pupil numbers in independent and out-borough placements, including pupils aged 20-25 with EHC plans who wouldn't previously have been supported. There has also been an increase in the average level of matrix support provided to schools.

In addition, a total of £816k increase in funding has been agreed for Special Schools and Units. In general these have only been agreed to reduce the need for even more costly independent/out-borough placements.

The SEN support costs budget for students in further education is currently projected to underspend by £84k.

There is a total underspend of £133k in the Sensory Support Service and support in mainstream, mainly due to vacant posts and delays in recruitment, as well as specific posts linked to pupils for sensory support that are not currently required.

The Early Years SEN (Phoenix) and Specialist Support and Disability Services are currently projected to underspend by a total of £63k, mainly on staffing costs, and reduction in pre-school support. This budget was reduced for 2015/16 to help contain anticipated pressures in other areas of the Schools Budget.

The DSG funded element of SEN Transport is projected to underspend by £130k. The funding regulations do not permit this budget to be increased from the previous year, so it is kept at the current level in anticipation of further increased take up of lower cost in-borough placements in future years.

The underspends above are offset by a continued increase in the requirement for bulge classes, and for the first time, a need for them at secondary level, a year earlier than had been anticipated, resulting in an overspend of £1m on the £1.5m budget. This £1.5m included the additional £500k which was agreed to be added to the budget for two years, funded from the DSG carry forward. Schools Forum reviewed the future funding of bulge classes and decided not to make any changes for 2016/17, however this will be reviewed again for 2017/18, especially in light of the projected pressures across DSG as a whole. There is also a further £150k overspend projected relating to the rental of temporary modular classrooms for bulge classes.

An overspend of £70k relates to centrally held license for copyright, music licenses etc, due to notification from DfE that further licenses were to be held centrally by LA's after the budget had been set.

Finally, underspends are currently anticipated for Free Early Education funding, mainly due to a slowing of the increase in take-up seen in recent years.

	Variations	
		£'000
School Standards	Cr	58
Behaviour Service	Cr	64
Bulge Classes		1,067
- Modular classroom rentals		150
Consultancy etc		86
Special Schools/units		816
PSAG	Cr	20
MPAA,CLA etc licenses		70
Free Early Education - 2 year olds	Cr	544
Free Early Education - 3 & 4 year olds	Cr	520
Standards Fund Grant	Cr	745
SEN:		
- Placements		720
- Support in FE colleges	Cr	84
- Sensory support service	Cr	107
- Support in mainstream	Cr	26
- Pre-school service	Cr	63
- Transport	Cr	130
- Business Support	Cr	5
		543

7. Other Strategic Functions - Dr £19k

As part of the 2015/16 agreed savings, £60k was for management savings in Education. Some efficiencies have been identified to offset this, however £19k still remains to be met.

8. Youth Services - Dr £274k

The Youth Service has a projected overspend in year on salaries and some running costs during a period of restructure required to reconfigure the service to achieve the 2015-16 saving target of £506k whilst continuing to provide both universal and targeted youth support. The appropriate consultation processes have recently been completed and the revised structure is now in place.

There is also a projected overspend in the Youth Offending Team; as a consequence of the outcome of the recent HMIP inspection, it has been necessary to delay the planned restructure of the service. The review of the existing service and interim measures required to address immediate operational delivery requirements will result in an overspend of £153k. Additionally, there is an in-year reduction of £29k in the funding from the Youth Justice Board.

	Variations £'000
Youth Services	92
Youth Offending Team	182
	<hr/> 274 <hr/>

9. Early Intervention Services - Cr £77k

There is a £120k savings target in this service which will be met through cost efficiencies achieved by reducing the commissioning budget and providing in house run activities. During the year there have also been turnover savings which will contribute towards an underspend of £77k.

10. Sold Services (net budgets)

Services sold to schools are separately identified in this report to provide clarity in terms of what is being provided. These accounts are shown as memorandum items as the figures are included in the appropriate Service Area in the main report.

Waiver of Financial Regulations

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100k) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, no such waivers have been approved.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, one virements has been approved to transfer £100k from Free Early Education (PVI's) to maintained nurseries.

2014/15 Actuals £'000	Service Areas	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
77	Public Protection Emergency Planning	75	75	75	0		0	0
77		75	75	75	0		0	0
	Street Scene & Green Space							
4,115	Area Management/Street Cleansing	4,048	4,036	3,986	Cr 50	1	Cr 50	0
2,429	Highways	2,542	2,512	2,640	128	2	0	0
Cr 42	Markets	Cr 2	Cr 2	Cr 45	Cr 43	3	Cr 40	Cr 40
5,745	Parks and Green Space	5,676	5,830	5,852	22	4	0	0
467	Street Regulation	513	513	511	Cr 2	5	0	0
17,613	Waste Services	17,853	18,082	17,924	Cr 158	6	Cr 216	Cr 270
30,327		30,630	30,971	30,868	Cr 103		Cr 306	Cr 310
	Support Services							
545	Support Services	518	518	518	0		0	0
545		518	518	518	0		0	0
	Transport & Highways							
252	Depots	275	275	275	0		0	0
6,921	Highways incl London Permit Scheme	6,794	7,169	7,504	335	7	190	145
Cr 6,496	Parking	Cr 6,696	Cr 6,402	Cr 6,747	Cr 345	8-13	Cr 30	Cr 85
176	Traffic & Road Safety	157	157	157	0	14	0	0
327	Transport Support Services	342	342	316	Cr 26	15	0	0
1,180		872	1,541	1,505	Cr 36		160	60
32,129	TOTAL CONTROLLABLE	32,095	33,105	32,966	Cr 139		Cr 146	Cr 250
6,238	TOTAL NON-CONTROLLABLE	5,332	5,315	5,282	Cr 33	16	Cr 16	0
2,221	TOTAL EXCLUDED RECHARGES	2,290	2,290	2,290	0		0	0
40,588	PORTFOLIO TOTAL	39,717	40,710	40,538	Cr 172		Cr 162	Cr 250

Reconciliation of Latest Approved Budget

£'000

Original Budget 2015/16

39,717

Repairs and Maintenance - carry-forward from 2014/15	33
Keston Ponds Dam - carry-forward from 2014/15	20
Countryside & Woodland works - carry-forward from 2014/15	40
Waste - 3 split-bodied vehicles - carry-forward from 2014/15	558
Increase in contract costs re TLG pension contributions	23
Lead Local Flood Authorities Grant	213
Return to contingency - Waste 3 split-bodied vehicles underspend	Cr 200
Parking CCTV Equipment	306

Latest Approved Budget for 2015/16

40,710

REASONS FOR VARIATIONS

1. Area Management & Street Cleansing Cr £50k

Savings brought-forward as a result of the closure of public conveniences total £50k. There is a projected overspend of around £11k on fly-tipping, which is offset by savings on non-routine street cleansing Cr £11k, resulting in a net underspend of £50k.

2. Highways SSGS Dr £128k

There is a projected underspend on salaries of £17k due to vacancies partly offsets the additional monitoring carried out by the contractor of Dr £25k.

Due to the mild winter to date there is a projected underspend of around £14k on the Snow Friends budget.

Overspend on public rights of way of £13k due to works undertaken for overhanging vegetation.

There is an increase in income from Street traders licensing of £27k due to an increase in the number of license applications being received. Similarly income from Skip licenses is expected to be Cr £41k above budget due to an increase in requests.

Tree maintenance is projected to overspend by £120k due to a number of works that have had to be carried out relating to unpredictable emergency callouts, root pruning health and safety works and post 2013/14 storm remedial works.

Other net minor variations within running expenses total Dr £4k.

Summary of overall variations within Highways SS&GS		£'000
Employee costs	Cr	17
Agency/ Consultancy costs		25
Snow Friends	Cr	14
Tree maintenance		120
Public Rights of Way		13
Income from Street Traders Licence and skip licence fees	Cr	3
Minor variations across Supplies and Services		4
Total variation for Highways SS&GS		<u>128</u>

3. Markets Cr £43k

As a result of higher activity than budgeted, there is a projected over-achievement of income of £30k. Additionally, there is a projected net underspend of £13k across staffing and running expenses resulting in an overall underspend of £43k for the service.

4. Tree maintenance within parks Dr £22k

Post 2013/14 storm remedial works have had to be carried out on trees within parks and allotments, leading to an overspend of ££22k

5. Street Regulation Cr £2k

Underspend mainly relates to the part year effect of vacant posts as a result of the staffing review within this division.

6. Waste Services Cr £158k

Green garden waste disposal tonnages are projected to be 1,280 tonnes below budget mainly due to the weather, resulting in an underspend of £ to £57k. For information, the total projected tonnage of 14,540 tonnes is only 300 tonnes below the 2014/15 outturn.

Across the garden waste collection service, there is a projected underspend of £214k. This is a combination of a projected underspend of £40k within staffing and running expenses, the continuing sale of green garden waste stickers Cr £17k, and projected additional income for the garden waste subscription service of Cr £157k.

Disposal tonnages from increased trade waste delivered activity are projected to be 1,400 tonnes above budget resulting in an overspend of £200k. For information, there has been an additional 1050 tonnes at the Weighbridges for the first nine months of the year compared to the same period in 2014-15.

As a direct consequence of the extra tonnage described above, there is projected additional income within trade waste delivered of £230k. This more than offsets the disposal overspend from Weighbridge tonnage.

For other residual tonnages, there is a projected overspend of £58k. This is mainly due to the expected additional tonnage relating to the extra day for the leap year. This is more than offset by a reduction in detritus tonnage resulting in an underspend of £80k.

Other overspends include Dr £50k relating to the purchase of bins / containers, largely for trade waste customers and depot refurbishment works.

Within paper recycling income, there is a projected deficit of £66k. This relates largely to an issue with 2015-16 paper tonnages that have been adversely affected by wet weather over recent months, and have not been able to be recycled in the usual way.

Within other income streams, there is a projected net surplus of £8k income from trade waste collected income, textile collections and kitchen waste liners.

Savings of £250k were built into the 2015/16 waste services budget for the revision to the kerbside paper collection service. The report to the Environment Portfolio Holder on 18 February 2015 highlighted that after taking account of the one-off implementation costs, the savings expected to be delivered during 2015/16 would be below the target by £107k. The savings for future years would however be exceeded by £250k per annum.

The actual implementation of the changes began at the end of June, a month later than expected. However actual costs were far less than anticipated and the resulting level of savings is projected to be £267k in 2015/16, which is £17k above the target saving.

An underspend on the Coney Hill contract costs Cr £39k has partly offset additional disposal costs of Dr £47k associated with the disposal of incinerator ash tonnage.

Other minor variances total Dr £19k

The existing software had to be developed to include the waste and grounds maintenance contracts in order to improve the contract monitoring that will be carried out by the new contract support team within Street Scene and Green space. The development of the software will have the versatility to support the commissioning process providing an IT foundation for contract management beyond 2019 when the service contracts are due to be tendered, Dr £47k.

Summary of overall variations within Waste Services	Dec	£'000
Waste disposal tonnages - Green Garden Waste	Cr	57
Underspend from Green Garden Waste service	Cr	214
Waste disposal tonnages - Trade Waste Delivered		200
Trade waste delivered income	Cr	230
Waste disposal tonnages - other residual tonnage	Cr	22
Bins & weighbridge refurbishment		50
Paper recycling income		66
Trade waste collected and textile collection income	Cr	8
Impact of implementation of revised kerbside collection arrangements	Cr	17
Other minor variations across the waste service budget		19
Coney Hill and Incinerator ash		8
Contract monitoring software		47
Total variation for Waste Services	Cr	158

7. Highways (incl London Permit Scheme) Dr 335k

Within NRSWA income, there is a projected net deficit of £390k. This is partly the result of improving performance by utility companies in the area of defect notices, which has resulted in lower charges raised by the Council, and appears to be an on-going trend.

Additional highway maintenance has been carried out totalling £30k.

The winter service budgets are currently projected to be £85k underspent, essentially due to the relatively mild winter and lack of snowfall. The table below gives a breakdown of winter service budgets, final expenditure, and subsequent variances: -

Winter Service	Budget	Outturn	Variance
	£'000	£'000	£'000
Salt, gritting & snow clearance	164	120 Cr	44
Met Office Costs	26	22	-4
Vehicle / plant maintenance & repairs	111	106	-5
Standby / training / overtime and other costs	106	74	-32
Winter Service Totals	407	322 Cr	85

Summary of variations within Highways (incl London Permit Scheme)	£'000
NRSWA income	390
Highway maintenance	30
Winter maintenance	Cr 85
Total variation for Highways	335

8. Income from Bus Lane Contraventions Cr £450k

As a result of reinstating bus lane enforcement following completion of public realm works in Bromley North from March 2015, there is projected additional income of around £450k for 2015/16. This projection from Parking takes into account the likely drop off by the end of the financial year due to motorists' increased compliance and therefore the potential full year effect is only likely to be £40k.

9. Off Street Car Parking Cr 224k

Overall a surplus of £185k is projected for off street parking income. Cr £100k extra is expected from Village Way and the Civic Centre multi-storey car parks which is offset by a projected deficit of around £60k at the Hill MSCP. Additional income of £55k is projected from the Mitre Close surface car park. It should be noted that the average income at Mitre Close for April 2014 to February 2015 was £2k however in March 2015 this rose to £6k and has continued at this level from April to December 2015. This is because some spaces were being used by the Bromley North contractors during the period of works and therefore enforcement did not commence until March 2015. Other surface car parks show a projected net surplus of around £90k mainly in Beckenham, Chislehurst and West Wickham.

Additionally there is an underspend of £17k due to a one-off business rates rebate which is offset by additional rent of Dr £17k due to a backdated rent increase. Indigo car parking contract costs are projected to be underspent by £35k. There are various minor net variations across the service of Cr £4k.

Summary of variations within Off Street Car Parking	£'000
Business Rate rebate	Cr 17
Backdated rent increase	17
Third party payments- Indigo (formerly Vinci Park).	Cr 35
Off Street Car Parking income - multi-storey car parks	Cr 40
Off Street Car Parking income - other surface car parks	Cr 145
Minor variations	Cr 4
Total variations within Off Street Parking	Cr 224

10. On Street Parking Cr £60k

Due to the replacement of on street P&D machines with cashless parking there is a projected underspend on airways costs of £6k. There is a minor variation on Indigo contract costs of Cr £4k.

There is additional on street parking income projected of £50k. Major variations are on Chislehurst - Cr £15k, Petts Wood Cr £15k, Bromley TC Cr £13k and Penge Cr £10k, offset by variations across other areas Dr £3k.

Summary of variations within On Street Parking	£'000
P&D Airways costs	Cr 6
Indigo contract costs	Cr 4
On Street Parking income	Cr 50
Total variations within On Street Parking	Cr 60

11. Car Parking Enforcement Dr £489k

Salaries on CCTV staff are projected to be underspent by £41k, of which Cr £30k is due to a vacant post not filled and Cr £11k due to holiday/ sickness cover not being required. Indigo contract payments are likely to be underspent by £23k. Miscellaneous Supplies and Services variations are projected to be net Cr 6k.

Based on activity levels up to December 2015, there is a projected net surplus of £184k from PCNs issued by Vinci in the current year due to an increase in contraventions. There is also a projected surplus of Cr £80k for old year tickets issued by CEOs.

A net deficit of Dr £823k is projected for mobile and static cameras due to changes in legislation from April 2015.

Summary of variations within Car Parking Enforcement	£'000
CCTV Salary costs	Cr 41
Indigo contract costs	Cr 23
Supplies and Services (net)	Cr 6
PCNs issued by CEOs	Cr 264
PCNs issued by mobile & static cameras	823
Total variations within Car Parking Enforcement	<u>489</u>

12. Parking Shared Service Cr £14k

It is projected that the net variation on Parking Shared Service for Bromley 2015/16 will be Cr £14k, mainly due to vacant posts.

13. Permit and Disabled Parking Cr £86k

Based on income and expenditure to the end of December 2015, it is projected that there will be a net £86k additional income.

Summary of variations within Permit and Disabled Parking	£'000
Permit staff costs	Cr 3
Printing and Stationery	Cr 6
Permit Income	Cr 69
Disabled Parking contract costs	Cr 10
Disabled Parking Income	2
Total variations	<u>Cr 86</u>

Summary of overall variations within Parking:	Dec
	£'000
Bus Routes Enforcement	Cr 450
Off Street Car Parking	Cr 224
On Street Car Parking	Cr 60
Car Parking Enforcement	489
Parking Shared Service	Cr 14
Permit and Disabled Parking	<u>Cr 86</u>
Total variation for Parking	<u>Cr 345</u>

14. Traffic & Road Safety £0k

EARLY WARNING - Although no variation is projected for 2015/16, there is a potential loss of income of £100k from TfL for advertising on bus shelters should the current contract be terminated in July 2016. Officers are currently seeking legal advice on whether this can be challenged, the outcome of which will impact upon whether alternative savings will be required when setting the 2016/17 budget.

15. Transport Support Services Cr £26k

A reduction in the mail delivery service requirements across the Council has meant that there is a projected underspend on drivers and transport running costs of Cr £26k.

16. Non-controllable Cr £19k

Within property rental income budgets, there is projected surplus income of £16k. Property division are accountable for these variations.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, no waivers have been actioned:

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, the following virements have been actioned:

- 1) A virement of £50k has been actioned from on street parking to highway maintenance

Public Protection & Safety Budget Monitoring Summary

2014/15 Actuals £'000	Service Areas	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
311	Public Protection Community Safety	256	245	215	Cr 30	1	Cr 20	0
341	Mortuary & Coroners Service	353	353	353	0		0	0
1,607	Public Protection	1,511	1,522	1,517	Cr 5	2	0	0
2,259	TOTAL CONTROLLABLE	2,120	2,120	2,085	Cr 35		Cr 20	0
92	TOTAL NON CONTROLLABLE	6	6	6	0		0	0
9	TOTAL EXCLUDED RECHARGES	151	151	151	0		0	0
2,360	PORTFOLIO TOTAL	2,277	2,277	2,242	Cr 35		Cr 20	0

Reconciliation of Latest Approved Budget

£'000

Original Budget 2015/16

2,277

Domestic Abuse - Grant Related Expenditure

26

Domestic Abuse - Grant Related Income

Cr 26

Latest Approved Budget for 2015/16

2,277

REASONS FOR VARIATIONS

1. Community Safety Cr £30k

There is a projected underspend on salaries of £22k due to a combination of maternity leave and staff leaving earlier than budgeted as part of the savings options.

In addition there is a projected underspend on running expenses of Cr £8k.

2. Public Protection Cr £5k

An underspend of £19k is projected for employee costs, due to vacancies and some staff leaving earlier than budgeted as part of the savings options.

Premises costs are projected to be underspent by £10k due to a reduction in Laser electricity bills. There is a net Dr £7k on Transport costs mainly due to the purchase of ex-hire CCTV vehicles.

The number of dogs being kept in kennels and associated medical costs have been lower than previous years, partly helped by the mild winter to date. As a result of this and also due to changes to the kennelling charges there is a projected underspend of Cr £50k for 2015/16.

One-off costs of £60k have been incurred for concreting works undertaken at Wagtail Way to deter fly tipping.

There is a projected Dr £7k net deficit of income within Housing Enforcement.

Summary of variations within Public Protection:

	£'000
Variations within employee costs	Cr 19
Electricity costs	Cr 10
Net variations on Transport Related Costs	7
Stray dogs kennelling contract	Cr 50
Concreting works at Wagtail Way	60
Net deficit on income	7
Total variation for Public Protection	Cr 5

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, no waivers have been actioned:

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned:

Renewal and Recreation Budget Monitoring Summary

2014/15 Actuals £'000	Division Service Areas	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	R&R PORTFOLIO							
	Commissioning Fund							
13	Commissioning Fund - expenditure	86	86	86	0		0	0
Cr 13	Commissioning Fund - reserve income	Cr 86	Cr 86	Cr 86	0		0	0
0		0	0	0	0		0	0
	Planning							
Cr 27	Building Control	14	14	Cr 7	Cr 21	1	Cr 35	0
Cr 164	Land Charges	Cr 168	Cr 168	Cr 168	0	2	0	0
433	Planning	617	612	567	Cr 45	3	Cr 70	0
1,090	Renewal	1,825	1,830	1,687	Cr 143	4	Cr 30	0
1,332		2,288	2,288	2,079	Cr 209		Cr 135	0
	Recreation							
1,940	Culture	1,973	2,104	2,165	61	5	31	0
5,087	Libraries	4,734	4,709	4,648	Cr 61	6	Cr 31	0
255	Town Centre Management & Business Support	219	294	268	Cr 26	7	0	0
7,282		6,926	7,107	7,081	Cr 26		0	0
8,614	Total Controllable R&R Portfolio	9,214	9,395	9,160	Cr 235		Cr 135	0
11,630	TOTAL NON CONTROLLABLE	3,916	4,028	4,027	Cr 1	8	0	0
2,159	TOTAL EXCLUDED RECHARGES	2,469	2,395	2,395	0		0	0
22,403	PORTFOLIO TOTAL	15,599	15,818	15,582	Cr 236		Cr 135	0

Reconciliation of Latest Approved Budget

£'000

Original budget 2015/16

15,599

Repairs and Maintenance - carry-forward from 2014/15

112

Local Plan Implementation - carry-forward from 2014/15

60

Biggin Hill Air Noise Action Plan - carry-forward from 2014/15

40

Transfer of Housing budgets to Care Services Portfolio

Cr 44

Former Adventure Kingdom

Cr 55

Biggin Hill Memorial Museum

106

Latest Approved Budget for 2015/16

15,818

REASONS FOR VARIATIONS

1. Building Control Cr £21k

For the chargeable service, an income deficit of £160k is anticipated based on information to date. This is being offset by a projected underspend within salaries of £130k arising from reduced hours being worked and vacancies. In accordance with Building Account Regulations, the remaining net deficit of £30k will be met from the Building Control Charging account, thus reducing the cumulative surplus on that account from £130k to £100k.

Within the non-chargeable service there is a projected underspend of £21k, as a result of delays in appointing to vacant posts.

2. Land Charges Cr £0k

For the chargeable service, there is an income surplus of £5k projected based on information to date. Part year vacancies from staff leaving has resulted in an underspend of £24k and there is also a projected underspend of £5k on running expenses. In accordance with CIPFA guidance, the net surplus of £34k will be carried forward through the use of a reserve.

3. Planning Cr £45k

Income from non-major planning applications is £105k above budget for the first nine months of the year, and a surplus of £120k is projected for the year. For information, actual income received for the period April to December is £50k higher than that received for the same period last year.

For major applications, £289k has been received as at 31st December, which is £40k higher than for the same period in 2014/15. Planning officers within the majors team have provided a schedule of additional potential income that may be received in the coming months of around £200k. A surplus of £50k is projected from major applications at this stage of the year, allowing for delays in some of the income being received, as well as other items not being received at all.

Currently there is projected surplus income of £50k from pre-application meetings due to higher than budgeted activity levels. For information, £239k has been received for the first nine months of the year, this is in line with the income received for the same period in 2014/15.

Within income from street naming & numbering, a surplus of £35k is currently projected. For information, actual income received for the period April to December is £10k higher than that received for the same period last year.

There is a projected overspend within employee-related costs of £50k. This is due to the recruitment of two additional temporary planner staff in order to assist with the current increase in volumes of planning applications.

As a direct result of losing planning appeals, there is a projected overspend of £40k. There is also a projected overspend of £120k relating to the use of consultants to provide specialist advice and to undertake planning application work, particularly in the period before the division was fully staffed. It is anticipated that both of these additional costs will be more than offset by surplus income.

Summary of variations within Planning:

	£'000
Surplus income from major applications	Cr 50
Surplus income from non-major applications	Cr 120
Surplus pre-application income	Cr 50
Surplus street naming & numbering income	Cr 35
Overspend within employee related costs	50
Potential costs re lost appeals	40
Use of consultants to provide specialist advice & plan app work	120
Total variation for planning	Cr 45

4. Renewal Cr £143k

There is a projected net underspend across Renewal salaries of £83k due to part-year vacancies within the Regeneration and Planning Strategy & Projects teams. £20k of this underspend relates to staffing funded by the New Homes Bonus top slice.

Of the £60k carried-forward from 2014/15 for the Local Plan Implementation, it is likely that only £15k will be spent, and therefore a further carry-forward request will be made at year-end so that the costs of the Examination in Public can be met in 2016/17.

There is a potential underspend of £100k of the New Homes Bonus Top Slice funding (this includes the £20k for staffing), and therefore a carry-forward request will be made at year-end in order to enable outstanding works to be completed in 2016/17.

£34,680 of specialist consultancy work for the Noise Action Plan for Biggin Hill Airport has been met from the additional funding agreed by the Executive in Feb 2015 and June 2015. It is expected that further consultancy work of up to £65,320 will be required for the implementation of the Noise Action Plan during the next 15 months. The cumulative contract value for this work would total £100k. It is expected that at least £45k of this will need to be carried forward to 2016/17.

Summary of variations within Renewal:

	£'000
Underspend within employee related costs (excl NHB)	Cr 63
Local Plan Implementation (c/fwd request to be made to June Exec)	Cr 45
Underspend related to NHB top slice funded work (incl £20k staff)	Cr 100
Estimated costs relating to the noise action plan for Biggin Hill Airport	65
	Cr 143

5. Culture Dr £61k

Although savings were built into the 2015/16 budget in anticipation of the closure of the Priory Museum, an overspend of £31k is projected, as the museum will now be closing on 1st October, as detailed in an earlier Executive report.

Additional costs of £20k have been incurred for security grills to secure the Priory building in preparation for when it becomes empty. £10k has been spent on museum artefact conservation work in advance of the new exhibitions.

6. Libraries Cr £61k

Following a combination of strike action taken by a number of library staff in the period to August 2015, as well as staff vacancies, there is a projected underspend of £90k. Of this, £29k is being re-invested within the IT budget to replaced obsolete stock. The remaining balance of £61k is being used to offset the overspend within Culture, thus ensuring an overall balanced budget for the Recreation division.

7. Town centre management Cr £26k

Underspend relates to the two NHB top slice projects. A request will be submitted to the Executive to carry forward this amount in order to complete the specific projects which were to have been delivered over two years, subject to the GLA agreeing the re-profile of spend.

8. Non-controllable Cr £1k

Within property rental income budgets, there is projected surplus income of £16k. Property division are acc for these variations.

Waiver of Financial Regulations:

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, the following waivers over £50k have been actioned:

1. £65,320 for further consultancy work required for the implementation of the Noise Action Plan for Biggin Hill Airport, a cumulative contract value of £100k.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

Resources Portfolio Budget Monitoring Summary

2014/15 Actual £'000		2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	CHIEF EXECUTIVE'S DEPARTMENT							
	FINANCIAL SERVICES DIVISION							
	Financial Services & Procurement							
191	Director of Finance & Other	202	202	202	0		0	
6,507	Exchequer - Revenue & Benefits	6,389	6,399	6,397	Cr 2	1	Cr 1	
495	Financial Accounting	495	664	660	Cr 4	2	0	
1,179	Management Accounting	1,109	1,113	997	Cr 116	3	Cr 55	
8,372	Total Financial Services Division	8,195	8,378	8,256	Cr 122		Cr 56	0
	CORPORATE SERVICES DIVISION							
4,386	Information Systems & Telephony	4,394	4,530	4,504	Cr 26	4	Cr 10	
	Operational Property Services							
419	Operational Property	375	450	450	0	5	82	175
1,809	Repairs & Maintenance (All LBB)	1,920	2,279	2,084	Cr 195	6	0	
945	Customer Services (inc. Bromley Knowledge)	923	937	1,008	71	7	71	36
	Legal Services & Democracy							
685	Electoral	312	312	356	44	8	Cr 2	
1,450	Democratic Services	1,383	1,383	1,383	0		Cr 16	
Cr 106	Registration of Births, Deaths & Marriages	Cr 94	Cr 94	Cr 88	6	9	Cr 10	
1,447	Legal Services	1,548	1,578	1,610	32	10	0	
1,613	Admin. Buildings	1,613	1,616	1,604	Cr 12	11	Cr 6	
481	Facilities & Support	467	467	451	Cr 16	12	Cr 29	
166	Management and Other (Corporate Services)	148	148	168	20	13	20	
13,295	Total Corporate Services Division	12,989	13,606	13,530	Cr 76		100	211
	HR DIVISION							
1,481	Human Resources	1,543	1,545	1,481	Cr 64	14	0	
1,481	Total HR Division	1,543	1,545	1,481	Cr 64		0	0
	CHIEF EXECUTIVE'S DIVISION							
770	Audit	733	733	729	Cr 4	15	Cr 30	
379	Financial Systems	421	421	421	0		0	
427	Procurement	446	446	445	Cr 1	16	0	
1,726	Exchequer - Payments & Income	1,516	1,547	1,506	Cr 41	17	Cr 14	
201	Comms	213	213	192	Cr 21	18	Cr 31	
601	Management and Other (C. Exec)	786	786	748	Cr 38	19	Cr 25	
141	Mayoral	144	144	135	Cr 9	20	Cr 17	
4,245	Total Chief Executive's Division	4,259	4,290	4,176	Cr 114		Cr 117	0
	TRANSFORMATION & REGENERATION DIVISION							
	Strategic Property Services							
214	Investment & Non-Operational Property	390	390	252	Cr 138	21	Cr 157	Cr 185
550	Strategic Property Services	606	635	595	Cr 40	22	0	
Cr 5,630	Investment Income	Cr 7,393	Cr 7,396	Cr 7,527	Cr 131	23	Cr 86	Cr 758
Cr 833	Other Rental Income - Other Portfolios	Cr 824	Cr 824	Cr 777	47	24	0	
Cr 5,699	Total Transformation & Regeneration Division	Cr 7,221	Cr 7,195	Cr 7,457	Cr 262		Cr 243	Cr 943
21,694	Total Controllable Departmental Budgets	19,765	20,624	19,986	Cr 638		Cr 316	Cr 732
	CENTRAL ITEMS							
7,450	CDC & Non Distributed Costs (Past Deficit etc.)	7,542	7,542	7,542	0		0	
10,425	Concessionary Fares	10,562	10,996	10,996	0		0	
39,569	Total Controllable	37,869	39,162	38,524	Cr 638		Cr 316	Cr 732

2014/15 Actual £'000	Financial Summary	2015/16 Original Budget £'000	2015/16 Latest Approved £'000	2015/16 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
Cr 1,311	Total Non Controllable	3,367	3,367	3,367	0		0	
Cr 19,609	Total Excluded Recharges	Cr 19,424	Cr 19,435	Cr 19,435	0		0	
Cr 1,384	Less: R&M allocated across other Portfolios	Cr 1,522	Cr 1,617	Cr 1,617	0		0	
833	Less: Rent allocated across other Portfolios	824	824	776	Cr 48		0	
18,098	TOTAL CHIEF EXECUTIVE'S DEPARTMENT	21,114	22,301	21,615	Cr 686		Cr 316	Cr 732
18,098	TOTAL RESOURCES PORTFOLIO	21,114	22,301	21,615	Cr 686		Cr 316	Cr 732
	Memorandum Item					25		
	Sold Services							
31	Facilities (Caretaking) Schools Trading Account	12	12	46	34		33	
Cr 6	Reactive Maintenance Schools Trading Account	0	0	1	1		0	
25	Total Sold Services	12	12	47	35		33	0

Reconciliation of Final Budget **£'000**
Original budget 2015/16 **21,114**

Repairs and Maintenance carry forward from 2014-15 (delegated authority)	484
- Less R & M Cfwd allocated to ECS	Cr 145
Concessionary Fares	438
Liberata contract - Effect of updated Pension Contributions re HR, Finance, Fairer Charging / A & D	37
Adj. re Housing Strategy Service Excluded Recharges	Cr 7
Adj. re Adventure Kingdom Excluded Recharges	55
Adj. re Impower savings	10
Carry forwards from 2014-15	
- IER Grant - Related Expenditure	19
- IER Grant - Draw down from Grants Reserve	Cr 19
- Hardware for Disaster Recovery / Windows 7	122
- Legal Case Work system upgrade	30
- Transparency Agenda	29
Increase in credit/debit card charges (relating to £27m of transactions)	120
Individual Electoral Registration - Expenditure	97
Individual Electoral Registration - Grant Income	Cr 97
Smartphone Counter Fraud App - Expenditure	112
Smartphone Counter Fraud App - Grant Income	Cr 112
Post transferred from ECHS	14
Increase in Pension Contract	59
- Recharged to Pension Fund	Cr 59

Latest Approved Budget for 2015/16 22,301

REASONS FOR VARIATIONS

FINANCIAL SERVICES DIVISION

1 Exchequer - Revenue & Benefits - £2k Cr

A net underspend of £2k is projected relating to staffing vacancies and additional grant income offset by some increased contract costs.

2 Financial Accounting - £4k Cr

A projected net underspend of £4k relates mainly to staffing vacancies as a result of early achievement of 2016/17 savings.

3 Management Accounting - £116k Cr

An underspend of £116k Cr is projected for Management Accounting. This mainly relates to vacant posts as a result of early achievement of 2016/17 savings, plus additional income relating to management of the schools long term sickness scheme in 2014/15.

CORPORATE SERVICES DIVISION

4 Information Systems & Telephony - £26k Cr

An underspend of £26k Cr is projected for Information Systems. This mainly relates to employee costs as a result of staff vacancies.

5 Operational Property Services - £0k Dr

Following the virement of £75k from Repairs and Maintenance agreed by Executive on 22nd February, no variation is projected for Operational Property this year.

6 Repairs & Maintenance (All LBB) - £195k Cr

The current forecast for R & M is a £195k underspend relating to Anerley Business Centre which will be requested for carry forward to 2016/17. The latest approved budget includes the carry forward from 14-15 of £484k.

General note - The Property & Finance Sub-Committee, in December 2001, agreed that a carry forward could be made at the end of each financial year of revenue underspends on landlord building maintenance on the basis that Property will continue to seek to contain total expenditure within approved annual budgets.

EARLY WARNING

A problem has been identified with the tile cladding for the Central Library / Churchill Theatre. Various options are being considered, however the preferred option is estimated to cost £180k. This was not included in the plan for this year and could therefore result in an overspend if it proceeds. There is, however, the Infrastructure Investment Reserve which could potentially cover this expenditure as a last resort.

7 Customer Services (inc. Bromley Knowledge) - £71k Dr

The projection for Customer Services is an overspend of £71k Dr. Savings of £113k Cr were built into the budget, of which £47k Cr related to 14-15. The new savings for 15-16 (£66k Cr) have been achieved, however the £47k Cr Channel Shift savings identified for 14-15 have not been achieved to date. There are annual maintenance costs of £36k Dr associated with the maintenance of the Customer Services portal. The first years maintenance cost was funded from the Invest to Save scheme, however the ongoing funding for this has not yet been identified. This is resulting in a projected overspend of £27k Dr this year (with a full year on-going cost of £36k Dr). Other minor variations total £3k Cr.

EARLY WARNING

An Invest to Save scheme costing £330k was approved to invest in new technology for the Customer Services Centre. This sum was to be repaid from savings achieved following the transfer of services to the Centre. The 15-16 budget assumes savings of £75k will be achieved this year. Liberata are undertaking health check work to identify further savings. This is subject to final review at service level and includes work to improve debt recovery and negotiations around channel shift initiatives. So far this year, savings of £10k have been identified, however at this stage it is not possible to quantify the value of any further savings that might be achieved this year.

8 Electoral - £44k Dr

An overspend of £44k Dr is projected for Elections overall, mainly due to the introduction of Individual Electoral Registration and the requirement to send out an increased number of letters, forms and reminders.

9 Registration of Births, Deaths & Marriages - £6k Dr

An overspend of £6k is projected for Registrars which mainly relates to minor variations in supplies and services.

10 Legal Services - £32k Dr

An overspend of £32k is a result of maternity leave cover as well as the higher cost of temporary staff covering vacancies.

11 Admin. Buildings - £12k Cr

This variation mainly relates to staffing pending the outcome of a review of the service.

12 Facilities & Support - £16k Cr

This variation mainly relates to staffing pending the outcome of a review of the service.

13 Management and Other (Corporate Services) - £20k Dr

An overspend of £20k is projected relating to a saving included the 15-16 budget that has still to be identified.

HUMAN RESOURCES DIVISION

14 HR - £64k Cr

A net credit of £64k is projected for Human Resources, mainly as a result of staffing underspends and additional income from schools.

CHIEF EXECUTIVE'S DIVISION

15 Audit - £4k Cr

An net underspend of £4k Cr is projected for Audit as a result of a vacant post and additional income from admin. penalty charges, partly offset by increased external audit fees.

16 Procurement - £1k Cr

Various minor variations net out to a £1k underspend projected for Procurement.

17 Exchequer Services - Payments & Income - £41k Cr

An underspend of £41k Cr is projected for Payments & Income. £28k Cr relates to staffing, and £13k Cr relates to the contracts budget and other minor running expenses.

18 Comms - £21k Cr

An underspend of £21k Cr is projected for Comms, mainly relating to a vacant post.

19 Management & Other (Chief. Exec.) - £38k Cr

An underspend of £38k Cr is projected for Management & Other. This is mainly due to a reduction in employers pension fund contributions as a result of an employee no longer needing to contribute to the Pension Fund and reduction in subscription to London Councils.

20 Mayoral - £9k Cr

An underspend of £9k Cr is projected for Mayoral Services. This variation mainly relates to staffing.

TRANSFORMATION & REGENERATION DIVISION

21 Investment and Non-Operational Property (expenditure) - £138k Cr

The forecast for expenditure on Investment and Non Operational Property is an underspend of £138k Cr. This includes the following items:

	£k	Note
Sundry Properties		
- Rents	-6	
- Business Rates	<u>-14</u>	-20
Anerley Business Centre		
- Electricity	-9	
- Business Rates	-10	
- Other Hired & Contracted Services	14	
- Funding to Trust re upgrading IT	30	
- Other net variations	<u>5</u>	30
Surplus Properties		
- Business Rates	26	
- Utilities	6	
- Other minor variations	<u>9</u>	41

Investment Properties - Business Rates		-10		
Exchequer House (Bromley Old Town Hall)				
- Business Rates	-102			
- Other Hired Services	-29			
- Security Costs	-22			
- Premises	-26	-179	(a)	
Total		-138		

a) Exchequer House (Bromley Old Town Hall) is vacant and listed. The sale of this building is expected to be completed this financial year.

22 Strategic Property Services - £40k Cr

A variation of £40k is projected relating to vacant posts that won't be filled until 2016/17,

23 Investment Income - £131k Cr

A net surplus of £110k Cr is projected for Investment Income which takes into consideration the following issues :

a) There is a shortfall of income on Investment Fund Properties of £38k Dr.

Over the past few years contribution have been made to reserves to create an Investment Fund and a substantial part of this Fund has been used to buy Investment Properties. The capital spend to date for the purchase of these properties is £62.7m on which £28.5m relates to properties in Bromley High Street. The 2015-16 budget for the expected income is £3m and the income projected this year from the properties purchased to date is £2.9m. The full year income from these properties is projected at £3.6m.

Recently an additional two properties have been purchased (Newbury House and Unit G - Brentwood), which has an overall cost of £9.4m. The projected income in 2015-16 is now £38k Dr and a full year effect of £756k Cr. It does not seem likely that any further acquisition will happen before the end of the financial year. These income projections do not take into account any loss of interest earnings on general fund balances as a result of the capital spend.

b) the projection for The Glades Shopping Centre (INTU) rent share is a shortfall of £85k compared to budget. Accounts are supplied by INTU quarterly in arrears and this projection is based on information provide on the 19th October. It is difficult to provide precise forecasts as LBB income is determined by the rental income from the shops and the level of contributions to any minor works. The budget for the Glades is £2,026k.

c) Other variations in rental income net out to £254k Cr. This mainly relates to the additional income at Yeoman House from the NHS CCG with regards to the section 75 agreement of £68k Cr, although this may not be on-going beyond 2017/18.

24 Other Rental Income - Other Portfolios - £47k Dr

There is a shortfall of rental income of £88k relating to Banbury House which is currently vacant pending its sale. Other variations net out to £41k Cr.

EARLY WARNING

INTU have been granted planning approval for a proposed new development at The Glades Shopping Centre, which involves internal alterations and extending on to the roof to provide a Cinema and new restaurants. These works are currently estimated to cost approx. £14m. INTU are still working on their detailed proposals for this project and have not yet requested Bromley's consent as Landlord and approval for funding. It is assumed, however, that they will want to proceed with this scheme in due course and Bromley's contribution to the cost of these works under the existing leasing arrangements would be approx. £2.1m. A detailed report will be submitted to Members, including proposed funding arrangements, once INTU have made a formal request and provided the business case.

25 Sold Services (Net Budgets)

Services sold to schools are separately identified in this report to provide clarity in terms of what is being provided. These accounts are shown as memorandum items as the figures are included in the appropriate Service Area in the main report.

Waiver of Financial Regulations

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Sub committee bi-annually. Since the last report to the Executive, the following waivers have been actioned :

Exemption from tendering arrangements for IT managed hosting services for 2 years 3 months with a total contract value of £99k.

An extension to a MTC contract for air conditioning maintenance for one year with an estimated value of £57k.

An extension to a MTC contract for intruder alarm and CCTV maintenance for one year with an estimated value of £73k.

An extension to a MTC contract for general building maintenance for one year with an estimated value of £52k.

An extension to a MTC contract for roofing maintenance for one year with an estimated value of £64k.

Virements Approved to date under Director's Delegated Powers

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

Allocation of Contingency Provision for 2015/16

Item	Original Contingency Provision	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/Projected for Year	
	£	£	£	£	£	£
Environmental Services						
Street Environment contract	60,000			0	0	Cr 60,000
Renewal and Recreation						
Planning Appeals - change in legislation	60,000			0	0	Cr 60,000
Care Services						
Public Health						
Transfer of 0 - 5 years old Services (health visitors etc)	1,901,000	1,901,000		0	1,901,000	(6) 0
Government Funding to meet cost of service	Cr 1,901,000	Cr 1,901,000		0	Cr 1,901,000	0
Winter Resilience Funding (Bromley CCG)						
- expenditure				116,750	116,750	116,750
- income				Cr 116,750	Cr 116,750	Cr 116,750
Education						
Reduction in Education Services Grant	400,000			524,000	524,000	124,000
General						
Provision for unallocated inflation	2,508,000	213,000		241,000	454,000	(2) Cr 2,054,000
Provision for risk/uncertainty	2,193,000			193,000	193,000	Cr 2,000,000
Provision for cost pressures arising from variables	2,000,000			0	0	Cr 2,000,000
Provision for risk/uncertainty relating to volume and cost pressures	1,950,000			0	0	Cr 1,950,000
Increase in Cost of Homelessness/Impact of Welfare Reforms	1,100,000	649,000		451,000	1,100,000	(6) 0
Changes in Parking Enforcement	1,000,000	306,000		0	306,000	(6) Cr 694,000
Retained Welfare Fund	450,000			450,000	450,000	0
Freedom Passes	326,000	438,300		0	438,300	(2)&(6) 112,300
Deprivation of Liberty	314,000			0	0	Cr 314,000
Growth for Waste Services	300,000			0	0	Cr 300,000
Grants to Voluntary Organisations	275,000			0	0	Cr 275,000
Disabled Facilities Grant RCCO	232,000			0	0	Cr 232,000
Care Act - Revised Assessment Costs	2,876,000			0	0	Cr 2,876,000
Care Act - Funding from Better Care Fund	Cr 750,000	Cr 750,000		0	Cr 750,000	0
Care Act - Government Funding	Cr 1,848,000	Cr 1,848,000		0	Cr 1,848,000	0
Other Provisions	341,000			341,000	341,000	0
Civic Centre Development Strategy				57,500	57,500	(4) 57,500
Pension Investment Proposal				200,000	200,000	(6) 200,000
Residential Property Acquisition				50,000	50,000	(6) 50,000
Biggin Hill Memorial Museum		106,000		0	106,000	(6) 106,000
Adult Education Supplementary Estimate		382,000		0	382,000	(6) 382,000
	13,787,000	Cr 503,700	0	2,507,500	2,003,800	Cr 11,783,200
Grants included within Central Contingency Sum						
SEND Implementation Grant						
Grant related expenditure	176,819	148,343		28,476	176,819	(1) 0
Grant related income	Cr 176,819	Cr 148,343		Cr 28,476	Cr 176,819	0
Regional Lead for the SEND Reforms						
Grant related expenditure	62,000	61,924		0	61,924	(5) Cr 76
Grant related income	Cr 62,000	Cr 61,924		0	Cr 61,924	76
Lead Local Flood Authorities						
Grant related expenditure	216,000	213,000		0	213,000	(2) Cr 3,000
Adoption Reform						
Grant related expenditure	273,000			273,000	273,000	0
Grant related income	Cr 273,000			Cr 273,000	Cr 273,000	0
Tackling Troubled Families Grant						
Grant related expenditure	426,000			482,000	482,000	56,000
Grant related income	Cr 426,000			Cr 482,000	Cr 482,000	Cr 56,000
Transformation Challenge Award						
Grant related expenditure	344,000	195,000		0	195,000	(7) Cr 149,000
Grant related income	Cr 344,000	Cr 195,000		0	Cr 195,000	149,000
Individual Electoral Registration Process						
Grant related expenditure	102,000	97,000		5,000	102,000	0
Grant related income	Cr 102,000	Cr 97,000		Cr 5,000	Cr 102,000	0
Domestic Abuse						
Grant related expenditure		60,000		610	60,610	(3) 60,610
Grant related income		Cr 60,000		Cr 610	Cr 60,610	Cr 60,610
Deprivation of Liberty Safeguards						
Grant related expenditure		126,982		0	126,982	(5) Cr 126,982
Grant related income		126,982		0	126,982	126,982
Social Care innovation Grant						
Grant related expenditure		100,000		0	100,000	(2) 100,000
Grant related income		Cr 100,000		0	Cr 100,000	Cr 100,000
Housing Regulations						
Grant related expenditure		3,000		0	3,000	(2) 3,000
Grant related income		Cr 3,000		0	Cr 3,000	Cr 3,000

Item	Original Contingency Provision	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/ Projected for Year	
	£	£	£	£	£	£
Independent Living Fund						
Grant related expenditure		526,049		0	526,049	(6) 526,049
Grant related income		Cr 526,049		0	Cr 526,049	Cr 526,049
Helping People Home						
Grant related expenditure				40,000	40,000	40,000
Grant related income				Cr 40,000	Cr 40,000	Cr 40,000
Smartphone Counter Fraud App Grant						
Grant related expenditure		111,806		0	111,806	(6) 111,806
Grant related income		Cr 111,806		0	Cr 111,806	Cr 111,806
Temporary Accomodation Pressures Funding						
Grant related expenditure				200,000	200,000	200,000
Grant related income				Cr 200,000	Cr 200,000	Cr 200,000
Total Grants	216,000	213,000	0	0	213,000	Cr 3,000
TOTAL CARRIED FORWARD	14,003,000	Cr 290,700	0	2,507,500	2,216,800	Cr 11,786,200

Notes:

- (1) Approved by Executive 25th March 2015
- (2) Approved by Executive 15th July 2015
- (3) Approved by Executive 9th September 2015
- (4) Approved by Executive 17th September 2015
- (5) Approved by Executive 14th October 2015
- (6) Approved by Executive 2nd December 2015
- (7) Approved by Executive 13th January 2016

Allocation of Contingency Provision for 2015/16 (continued)

Item	Carried Forward from 2014/15	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/ Projected for Year	
	£	£	£	£	£	£
TOTAL BROUGHT FORWARD	14,003,000	Cr 290,700	0	2,507,500	2,216,800	Cr 11,786,200
Items Carried Forward from 2014/15						
Care Services						
Social Care Funding via the CCG under S256 agreements						
Invest to Save - Dementia and PD						
- expenditure	208,790	208,790		0	208,790	(2) 0
- income	Cr 208,790	Cr 208,790		0	Cr 208,790	0
Impact of Care Bill						
- expenditure	104,750	104,750		0	104,750	(2) 0
- income	Cr 104,750	Cr 104,750		0	Cr 104,750	0
Integration Funding - Better Care Fund						
- expenditure	300,000	300,000		0	300,000	(2) 0
- income	Cr 300,000	Cr 300,000		0	Cr 300,000	0
Helping People Home						
- expenditure	27,930	27,930		0	27,930	(2) 0
- income	Cr 27,930	Cr 27,930		0	Cr 27,930	0
Adoption Reform						
- expenditure	417,737	285,414		132,323	417,737	(2) 0
- income	Cr 417,737	Cr 285,414		Cr 132,323	Cr 417,737	0
Tackling Troubled Families						
- expenditure	1,260,151	886,660		373,491	1,260,151	(2)&(9) 0
- income	Cr 1,260,151	Cr 886,660		Cr 373,491	Cr 1,260,151	0
Step Up to Social Work						
- expenditure	72,159			72,159	72,159	0
- income	Cr 72,159			Cr 72,159	Cr 72,159	0
Public Health						
- expenditure	140,909			140,909	140,909	0
- income	Cr 140,909			Cr 140,909	Cr 140,909	0
Welfare Reform Funding for Housing						
- expenditure	65,063	65,063		0	65,063	(2) 0
- income	Cr 65,063	Cr 65,063		0	Cr 65,063	0
Chief Executive's						
Individual Electoral Registration						
- expenditure	19,000	19,000		0	19,000	(5) 0
- income	Cr 19,000	Cr 19,000		0	Cr 19,000	0
Education						
Early Years Grant						
- expenditure	18,808	18,808		0	18,808	(6) 0
- income	Cr 18,808	Cr 18,808		0	Cr 18,808	0
SEND Reform/Implementation						
- expenditure	307,357	307,357		0	307,357	(1) 0
- income	Cr 307,357	Cr 307,357		0	Cr 307,357	0
SEN Preparation for Employment						
- expenditure	45,941	45,941		0	45,941	(6) 0
- income	Cr 45,941	Cr 45,941		0	Cr 45,941	0
Public Protection & Safety						
Domestic Abuse						
- expenditure	26,570	26,570		0	26,570	(4) 0
- income	Cr 26,570	Cr 26,570			Cr 26,570	0
General						
YOT Service Strategy Review	76,500	76,500		0	76,500	(6) 0
Review of Placing Planning	11,000	11,000		0	11,000	(6) 0
Waste - 3 split bodied vehicles	558,000	558,000		0	558,000	(3) 0
- underspend to be returned to contingency		Cr 200,000		0	Cr 200,000	Cr 200,000
Countryside & Woodland Improvement Works	40,000	40,000		0	40,000	(3) 0
Keston Ponds Dam	20,000	20,000		0	20,000	(3) 0
Local Plan Implementation	60,000	60,000		0	60,000	(7) 0
Biggin Hill Airport - Noise Action Plan	40,000	40,000		0	40,000	(7) 0
IT Purchase of Hardware for Disaster Recovery/Windows	122,000	122,000		0	122,000	(5) 0
Legal Case Work System Upgrade	29,900	29,900		0	29,900	(5) 0
Transparency Agenda	29,000	29,000		0	29,000	(5) 0
Staff Merit Awards (held in Contingency)	200,000			200,000	200,000	0
	1,186,400	786,400	0	200,000	986,400	Cr 200,000

Item	Carried Forward from 2014/15	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/ Projected for Year	
Grants included within Central Contingency Sum	£	£	£	£	£	£
Winter Resilience Funding (Bromley CCG)						
- expenditure	366,480	15,002		351,478	366,480	(8) 0
- income	Cr 366,480	Cr 15,002		Cr 351,478	Cr 366,480	0
Total Grants	0	0	0	0	0	0
Total Carried Forward	1,186,400	786,400	0	200,000	986,400	Cr 200,000
GRAND TOTAL	15,189,400	495,700	0	2,707,500	3,203,200	Cr 11,986,200

Notes:

- (1) Approved by Executive 25th March 2015
- (2) Approved at Care Services PDS 23rd June 2015
- (3) Requested at Environment PDS 7th July 2015
- (4) Requested at Public Protection and Safety PDS 30th June 2015
- (5) Approved by Executive & Resources PDS 3rd June 2015
- (6) Requested at Education Budget Sub-Committee 30th June 2015
- (7) Approved at Renewal & Recreation PDS 24th June 2015
- (8) Approved by Executive 15th July 2015
- (9) Approved by Executive 2nd December 2015

Description	2015/16 Latest Approved Budget £'000	Variation To 2015/16 Budget £'000	Potential Impact in 2016/17
Education Services Grant	Cr 2,128	0	The Education Services Grant (ESG) is allocated on the basis of pupil numbers, and grant reduces in-year as schools convert to academies. The full year effect of the 14 conversions estimated to occur during 2015/16 is £599k, and is included in the financial forecast for the 2017/18 budget.
Adult Education	Cr 601	0	The current overspend for the Adult Education Service has continued from 2013/14, and is expected to continue into at least part of 2016/17. Some efficiency savings have been implemented to help contain this, however there is a total income shortfall of £518k, with only a net reduction of £136k on running costs to offset this. The consultation on the proposed restructure was released on 16/10/15, the outcome of which will be reported to members in due course. A supplementary estimate was approved for 2015/16, with the balance being returned to the contingency in future years for the impact of the restructure.
Blenheim & Community Vision Nurseries	0	Cr 81	An underspend of £81k is projected for 2015/16 on the nursery trading accounts, and this is currently expected to continue into 2016/17. The service is currently being market tested which could result in a future reduction in net income.
Youth Services	1,549	336	Pressure to achieve the 2015-16 savings will continue in to the following financial year with a full year effect of £40k overspend, with the main challenge being the achievement of the budgeted level of Letting Income. Once the new service structure has been running for a period of time the opportunities for the achievement of letting income will be clearer and the aim will be to review the budget to minimise any negative impact.
Housing Needs - Temporary Accommodation	6,313	0	Pressures in Temporary Accommodation (TA) (Bed and Breakfast) in 2015/16 are forecast to be spent to budget following the draw-down of £649k from central contingency agreed by Executive in December 2016. The full year effect of the pressures in 2015/16 is £254k overspent, and it should be noted that further growth is expected in 2016/17. However there is funding set aside in the central contingency to cover this, and it is assumed that this will be drawn down to reduce the overspend to a net zero.
Assessment and Care Management - Care Placements	19,654	Cr 466	The current full year effect on client projections is estimated as Cr £556k. This figure includes the reduction in costs of £250k as a result of the management of demand at first point of contact that was included as part of the 2015/16 budget savings.
Learning Disabilities Care Management	2,736	Cr 38	The full year effect on client projections is estimated at Dr £186k in relation to Domiciliary Care and Direct Payments budgets.

Description	2015/16 Latest Approved Budget £'000	Variation To 2015/16 Budget £'000	Potential Impact in 2016/17
Residential, Supported Living, Shared Lives - Learning Disabilities	25,818	Cr 858	Despite a current year projected underspend of Cr £858k, the full year effect is estimated at a smaller underspend of Cr £301k. This is because the forward assumptions are based on an increasing number of LD clients (clients placed in-year in 2015/16 will only have a part year cost in 2015/16 but a full year cost in 2016/17). In addition, the full year effect includes Cr £200k savings relating to the outsourcing of LD day care, supported living and short breaks services which has only a small part year effect in 2015/16. There are budget savings required in 2016/17 and this FYE underspend is advance achievement of this.
Residential, Supported Living, Flexible Support, Direct Payments - Mental Health	6,173	Cr 296	The full year impact of the current underspend is estimated at Cr £199k. However, as with LD above, this includes a number of assumptions so the figure may vary. Again, the FYE underspend is advance achievement of 2016/17 savings.
Supporting People	1,413	Cr 69	The full year effect of the current year's projected underspend is Cr £120k. This has arisen from limiting inflationary increases paid to providers and re-tendering / extending contracts at a reduced cost and is part achievement of budget savings required in 2016/17.
Protection of Existing Social Care Services - Better Care Fund	4,250	Cr 450	There is expected to be a full year underspend of £217k on existing social care services protected by Better Care Funding. The relates to contracts in the Information and Early Intervention and other Commissioning budgets and is early achievement of 2016/17 budget savings.
Commissioning - Contracts	432	Cr 164	The full year effect underspend of savings on Commissioning-related contracts (e.g. Healthwatch, direct payments) is £63k and, again, is early achievement of 2016/17 budget savings.
Children's Social Care	27,887	Cr 37	The current full year effect for CSC is estimated at Cr £274k. This can be analysed as Cr £152k on placements, Cr £75k for the virtual school, Dr £17k for no recourse to public funds clients, Dr £56k on leaving care clients and Cr £120k on services for children with disabilities. Cr £445k of this relates to early achievement of 2016/17 budget savings.
Lubbock House	150	0	The current full year effect impact for the closure of Lubbock House is Cr £70k. Lubbock house closed in 2015/16 and this is the recovery of the remaining in year costs.
Day Opportunities	944	0	The current full year effect is Cr £100k. The invest to save reorganising Day Opportunities and operating on a new business model. Savings have been taken in previous years and this is the remaining amount.
Contract savings across Adult Social Care and Commissioning	48,490	Cr 430	The current full year effect is Cr £430k. Contracts have been challenged in terms of pricing and have been reorganised or prices increases kept to a minimum

Description	2015/16 Latest Approved Budget £'000	Variation To 2015/16 Budget £'000	Potential Impact in 2016/17
Transport	1,852	Cr 311	The current full year effect is Cr £243k due to the tendering of the service. Demand appears to have fallen for transport services and the contract is based on a cost per trip and therefore a further reduction of £100k above the original saving of £143k has been estimated in the budget.
Public Health	Cr 372	0	The current full year effect is Cr £199k. The service has seen an in year reduction in grant funding and has had to reorganise to reflect this position.
Operational Property Services	450	0	An overspend of £67k Dr is forecast for the planned service in 15-16. In previous years, the 10% management fee recharged to Education capital schemes contributed towards the cost of the service's corporate work. Due to the number of academy conversions, the total recharge has reduced significantly over the past couple of years. Unlike other Council sold services, however, this was not matched by an increase in income, as the majority of academies opted not to buy in to this service. The shortfall is likely to get worse as the remaining schools convert to academy status, and the service cannot reduce staffing levels further without causing operational issues. The budget is historic and assumes funding of approx. £200k from school related works (10% charges on works of approx. £2M). The capital programme suggests that most of this work will fall out in 16-17 and consequently the shortfall is expected to increase to £164k in 16-17. In addition, a historic shortfall in caretaking income of £11k Dr is expected to continue.
Customer Services	937	71	There are annual maintenance costs of £36k Dr associated with the maintenance of the Customer Services portal. The first years maintenance cost was funded from the Invest to Save scheme, however the ongoing funding for this has not yet been identified.
Investment & Non-Operational Property	390	Cr 157	An ongoing underspend of £185k Cr is projected for Exchequer House (Bromley Old Town Hall). This building is vacant and listed. The sale of this building is expected to be completed this financial year.
Investment Income	Cr 7,393	Cr 86	For the past few years, contributions have been made to reserves to create an Investment Fund and a substantial part of this Fund has been used to buy Investment Properties. The capital spend to date on the purchase of these properties is £62.7m of which £28.6m relates to properties in Bromley High Street. The full year income from these properties is projected at £3.8m, resulting in a full year effect of 758k. Further acquisitions are being considered, which if successful would result in additional income. These income projections do not take into account any loss of interest earnings on general fund balances as a result of the capital spend.
Markets	Cr 2	Cr 43	The current year trends of projected surplus income of £30k due to higher than budgeted activity, as well as £10k of the £13k underspends across running expenses are expected to continue into 2016/17.

Description	2015/16 Latest Approved Budget £'000	Variation To 2015/16 Budget £'000	Potential Impact in 2016/17
Waste	18,082	Cr 158	The full year effect of Cr £270k largely relates to savings associated with revisions to the kerbside paper collection service, which took effect from June 2015.
Highways (incl London Permit Scheme)	7,169	335	There is an expected income deficit within NRSWA income of £145k for 2016/17, largely as a result of continuing improved performance from utility companies and therefore lower charges raised by the Council. Officers are investigating options for setting realistic income expectations as part of the budget-setting process.
Parking	Cr 6,402	Cr 345	£85k surplus parking income is anticipated for 2016/17 which will be used to contribute towards the Highways deficit as part of the budget setting process.

SECTION 106 RECEIPTS

Section 106 receipts are monies paid to the Council by developers as a result of the grant of planning permission where works are required to be carried out or new facilities provided as a result of that permission (e.g. provision of affordable housing, healthcare facilities & secondary school places). The sums are restricted to being spent only in accordance with the agreement concluded with the developer.

The major balances of Section 106 receipts held by the Council are as follows:

31 March 2015 £000	Service	Income £000	Expenditure £000	Transfers (to)/from Capital £000	Actual as at 31 Dec 2015 £000
					Revenue
680	Highway Improvement Works		11	- 295	374
45	Road Safety Schemes				45
121	Local Economy & Town Centres		3		118
53	Parking	21			74
847	Healthcare Services	293	35		1,105
11	Community Facilities (to be transferred to capital)		1		10
10	Other	-	-	-	10
1,767		314	50	(295)	1,736
					Capital
1,591	Education	995			2,586
4,856	Housing	927	5		5,778
0	Highway Improvement Works		100	295	195
6,447		1,922	105	295	8,559
8,214		2,236	155	0	10,295

Report No.
CSD16055

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 11 April 2016

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

Title: CONSTITUTION IMPROVEMENT WORKING GROUP -
FIFTH REPORT

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: All

1. Reason for report

- 1.1 The Constitution Working Group has produced its fifth report making recommendations on a number of issues – the trial of a “select committee” approach to be undertaken by the Education PDS Committee in 2016/17, some clarifications to the call in rules, appointment of a Contracts Sub-Committee and some other minor constitutional changes. The Working Group also concluded that no changes should be made to Councillor numbers. The report was referred to the General Purpose & Licensing Committee on 22nd March 2016, which deferred consideration, and the Executive on 23rd March 2016. The Executive referred the report to Council for decision.
- 1.2 Detailed changes are required to the wording of the Constitution and it is proposed that the Director of Corporate Services be authorised to prepare these for agreement at the Council’s annual meeting on 11th May 2016.
-

2. **RECOMMENDATIONS**

(1) That the recommendations in the Constitution Improvement Working Group’s Fifth Report be approved.

(2) That the Director of Corporate Services be authorised to prepare the detailed changes required to the Constitution for agreement at the annual meeting of the Council.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: Not Applicable
 5. Source of funding: Not Applicable
-

Staff

1. Number of staff (current and additional): Not Applicable
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The proposals affect all Councillors
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

Non-Applicable Sections:	Policy/Legal/Personnel/Finance
Background Documents: (Access via Contact Officer)	None



Constitution Improvement Working Group

Fifth Report February 2016

(General Purposes & Licensing Committee 22nd March 2016/
Executive 23rd March 2016/Council 11th April 2016)



Constitution Improvement Working Group - 5th Report

1. Introduction

- 1.1 The Constitution Improvement Working Group (CIWG) was originally established by the Council's General Purposes and Licensing Committee on 25th June 2008. Subsequently, the Working Group was made a sub-group of the Executive. The CIWG has produced 4 Reports and in addition various ad-hoc recommendations to the Council at its meetings on 19th January 2009 (1st Report), 16th March 2009 (2nd Report), 27th April 2009, 26th October 2009, 15th December 2009 (3rd Report), 29th March 2010, 28th June 2010, 26th March 2012, 12th November 2012 (4th Report) and 15th May 2013.
- 1.2 This, the 5th Report of the Working Group to Council, recommends a trial of a radical change to the way the Council develops policy and scrutinises the working of the Council.
- 1.3 Other recommendations are of a more minor nature and seek, in the main, to ensure that the constitution contains no anomalies and that procedures are improved.



Councillor Nicholas Bennett JP
Chairman, Constitution Improvement Working Group

2. Executive Summary – Recommendations

Scrutiny and Decision Making

- 2.1 That a trial of a “select committee” approach be undertaken by the Education PDS Committee in 2016/17.**
- 2.2 That, based on the outcome of the trial, further consideration be given to new scrutiny and decision making structures at the appropriate time.**
- 2.3 The procedures for referral for scrutiny set out in Section 5 of this report be agreed.**

Call-in

- 2.4 Where Executive decisions have been submitted for pre-decision scrutiny at full Council there should not be a further right of call-in provided the Executive decision accords with the views of Council.**
- 2.5 A Member who is party to the call-in shall not chair the PDS meeting considering the call-in.**
- 2.6 The relevant PDS Committee must meet to consider a call-in within ten working days of the call-in being received by the Proper Officer (including the day of the call-in and the day of the meeting) unless the parties agree to extend the date to the next ordinary meeting of the PDS Committee, if this is later.**
- 2.7 A decision which has been referred back to the Executive following a call-in must be considered within 20 working days of the call-in meeting, or it will fall.**

Minor Constitutional Changes

- 2.8 The Constitutional Conventions (Appendix 1 to the Constitution) should be deleted and key points incorporated into the main Constitution.**
- 2.9 Public questions to be put on the same basis as Member questions, i.e. all first questions to be taken then second and third questions.**
- 2.10 To enshrine in the Constitution the rule that if a Member is not present for all of an item they are unable to vote on it.**
- 2.11 That evening meetings should normally start at 7.00 p.m. – this should be written into the Constitution.**

- 2.12 Executive Members should only to be able to substitute for other Executive Members at regulatory and general Committees.**
- 2.13 A recorded vote will be taken where five Members rising in their seats indicate their support.**

Contracts Sub-Committee

- 2.14 That a Contracts Sub-Committee be established in 2016/17 by Executive and Resources PDS Committee with scope to examine contracts and commissioning issues across the Council.**

Councillor Numbers

- 2.15 No changes be made to Councillor numbers at present.**

3. Scrutiny and Decision Making

- 3.1 Until 2002, the Council decision making structure was based on a system of committees covering the different areas of the Council's operations. This was replaced by the Leader and Executive structure in 2002 and the creation of six Policy Development and Review (PDR), later Policy Development and Scrutiny (PDS), Committees. In addition, separate meetings were held in public on a regular cycle for Portfolio Holders to consider recommendations for their executive decision. The need for these regular meetings, which seldom lasted more than a few minutes and which very few people attended, was often limited. This approach was discontinued in 2009 following the first report of the CIWG which introduced the current pre-decision scrutiny sessions at the PDS committees. Since then there have been very few 'call ins' of decisions for further scrutiny. Minor amendments to the system were introduced subsequently to enable a Portfolio Holder to circulate to members by email a 'minded to' proposed decision on relatively minor matters, whereby if members have no objection the decision is implemented after five days. This has been used for such items such as the appointment of school governors and minor revisions to the highway.
- 3.2 The Working Group has considered extending this system to allow scrutiny members to focus on a "select committee" approach. Subject to safeguards, we propose that this is introduced on a pilot basis in 2016/17 to one of the PDS Committees (Education PDS Committee) and potentially, after that, to all scrutiny committees. This will save considerable time and paper at meetings - experience has shown that most recommendations for decision by Portfolio Holders are approved with little or no debate.
- 3.3 We recognise that the policy making structure needs revision. With a number of notable exceptions most policy development has not emanated from the PDS committees but has come about through initiatives led by the Executive and the Portfolio Holders. We have considered how backbench members can still contribute to the development of policy through the new ways of working. The role of scrutiny is essential to any organisation, but particularly in a democratically elected and accountable one like the Council. Through the 'call for evidence' proposal for the select committee it is hoped that the residents of the Borough may make a contribution to the process with their expertise and knowledge. Such "select committee" scrutiny will not only help to ensure that the Council and its contractors are more efficient, economic and effective in the provision of services but will also play keep role in suggesting improvements and policy changes to the Executive.

4. Portfolio Holder Decision Making

- 4.1 Portfolio Holders can make decisions without the need to call a formal meeting advertised under the "Access to Information" rules. Pre-decision scrutiny is a local rather than a legal requirement. Therefore, there is flexibility to revise the Constitution to streamline Portfolio Holder decision making at Bromley.

- 4.2 The following structures could be used for Portfolio Holder decision going forward, and on a trial basis in 2016/17 for Education Portfolio decisions, to allow space for the PDS Committee to concentrate on taking a “select committee” approach, with most decisions taking the route in column 1 below, rather than column 4 as happens now:

PORTFOLIO HOLDER DECISION MAKING

Portfolio Holder and Director agree forthcoming decisions and produce a Forward Plan



Director produces report and draft decision



Portfolio Holder considers, revises decision if necessary and either -

1. Circulates a ‘minded to’ decision	1. Refers to the Executive for decision	1. Decides to take decision at public meeting	1. Refers to Select Committee for pre-decision scrutiny
2. The report is circulated to all Members. A 5 day period for referral for scrutiny is allowed, except in cases of urgency, where agreed, by PDS Chairman and Leader. PDS Chairman, Group Leader and one other Member, any 5 Members or, where a matter affects one Ward, all Ward Councillors (except Darwin where it is the Ward Councillor and one other Member) may refer the decision in for pre-decision scrutiny. Items referred for scrutiny shall be heard within 10 working days.	2. No change to present procedure	2. No change to present procedure	2. No change to present procedure

5. Referral for Scrutiny

- 5.1 If the revised decision making arrangements set out above are adopted, then there will be a need to establish clear procedures. To distinguish this from call-in, which will still remain, we propose to name this process “referral for scrutiny.” The process for the referral for scrutiny could be as follows –

- 5.2 A referral for scrutiny can be triggered by –

- The Chairman of the relevant Select Committee;

- A group leader and one other Member;
- Where a decision affects a particular ward, all ward members (or the ward member plus one other member in the case of Darwin Ward);
- Any 5 members.

5.3 Except in cases of urgency, Members will be given 5 days to refer a decision for scrutiny.

5.4 The referral for scrutiny must be heard by the relevant PDS Committee within 10 working days of the decision being referred.

6. Call-in

6.1 Members considered the call-in process and propose four changes that will overcome recent concerns and clarify the timings in the Constitution. These are -

- As has happened occasionally, Executive decisions have been submitted for pre-decision scrutiny before full Council and in these cases it is considered that there should not be a further right of call-in.
- A Member who is party to the call-in shall not chair the PDS meeting considering the call-in.
- The relevant PDS Committee must meet to consider a call-in within ten working days of the call-in being received by the Proper Officer (including the day of the call-in and the day of the meeting) unless the parties agree to extend the dates to the next ordinary meeting of the PDS Committee, if this is later.
- A decision which has been referred back to the Executive following a call-in must be considered within 20 working days of the call-in meeting, or it will fall.

7. Minor Constitutional Changes

7.1 The Constitutional Conventions (Appendix 1 to the Constitution) should be deleted and key points incorporated into the main Constitution – Reason: to reduce the potential for conflict between documents and to shorten the Constitution.

7.2 Public questions to be put on the same basis as Member questions, i.e. all first questions to be taken then second and third questions – Reason: to maximise the opportunity for different residents to have their question put.

7.3 To enshrine in the Constitution the rule that if a Member is not present for all of an item they are unable to vote on it – Reason: to support proper decision making processes.

- 7.4 The Council agreed at its meeting on March 26th 2012 a recommendation from the General Purposes and Licensing Committee on March 14th 2012 that evening meetings should normally start at 7.00 p.m. – this should be written into the Constitution.
- 7.5 Executive Members should only to be able to substitute for other Executive Members at regulatory and general Committees – Reason: to remove an anomaly in the Constitution and prevent two Executive Members serving by substitution.
- 7.6 The Council Procedure Rules currently allow for a recorded vote (effectively, a roll-call) when one third of Members present request it. We considered whether the requirement for one third of Members present was too high, and concluded that it should only be necessary for five Members to indicate support for a recorded vote by rising in their seats.

8. Contracts Sub-Committee

- 8.1 A Contracts Working Group was established by Executive and Resources PDS Committee in 2015. We consider that there is a need for this Working Group to be formalised for 206/17 as a Sub-Committee of the Executive and Resources PDS Committee with scope to examine issues relating to contracts and commissioning across the Council.

9. Councillor Numbers

- 9.1 No changes are proposed to the number of councillors.
- 9.2 The Working Group has considered this matter in depth. On the basis that Bromley already has the largest number of electors per councillor in London, and the future responsibilities that might be imposed on the Council, we have decided that this would not be the right to time to reduce councillor numbers.

Report No.
CSD16054

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 11 April 2016

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

Title: POLICY DEVELOPMENT AND SCRUTINY -
ANNUAL REPORT 2015/16

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: All

1. Reason for report

- 1.1 The Council's Constitution requires that a report is made each year to full Council summarising the work carried out by PDS Committees. The report for 2015/16 includes contributions from all the PDS Chairmen on the work of their respective Committees, and was approved for submission to full Council by Executive and Resources PDS Committee on 16th March 2015, subject to Chairmen having a final opportunity to update their reports prior to publication. The report for 2015/16 is attached.

2. **RECOMMENDATION**

That Council receives the Annual Policy Development and Scrutiny Report for 2015/16.

Corporate Policy

1. Policy Status: Existing Policy: Section 6.03 (d) of the Constitution sets out the requirement for an annual PDS report
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Recurring Cost:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £326,980
 5. Source of funding: 2015/16 revenue budget
-

Staff

1. Number of staff (current and additional): 8 (7.27fte)
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All members of the Council and interested members of the public
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not applicable

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the London Borough of Bromley, Article 6 Previous Annual PDS Reports



THE LONDON BOROUGH

Policy Development & Scrutiny Annual Report 2015/16

For submission to Full Council on 11th April 2016

Contents

	Page
1. Foreword	3
2. Policy Development & Scrutiny Committee Chairmen	4
3 Policy Development and Scrutiny in Bromley	5
Reports from PDS Committees –	
4. Executive and Resources	7
5. Care Services	9
6 Education	11
7. Environment	15
8. Public Protection and Safety	21
9. Renewal & Recreation	25

1. Foreword

- 1.1 On behalf of all my colleagues who are engaged in Policy Development and Scrutiny Committees in the London Borough of Bromley, I have pleasure in presenting our Annual Report for 2015/2016, which summarises the work that has been carried out by the Committees during the Council year.
- 1.2. The continuing Government reductions in funding support for local councils and the ongoing cost pressures faced by Bromley Council leave a funding gap of ~£27 million, before the savings included in the 2016/17 Budget, which has to be closed by 2019/20. The total savings needed by 2019/20 equates to ~£50 million. Thanks to the lobbying of Cllrs Carr and Arthur as well as Mr Turner, an additional £4 Million of one off transitional funding has been secured in recognition of the pressures faced by Councils such as Bromley. The Government will also allow Bromley to retain the business rates it collects (subject to equalisation) to fund council services - the aim is for this to be in place by 2018/19. This will offer an opportunity as well as challenges as new business rates can be retained by Bromley Council. Over the next few years this will mean that the Growth fund will be very important to drive additional revenue.
- 1.3. Against this tough fiscal background 2016/17, cost savings have been achieved which have allowed the Council to formulate a balanced budget, without significantly impairing the delivery of frontline services. However, in light of the looming budget gap, the Council has increased Council Tax this year by a Bromley element of 3.99%, including the 2% increase to fund social care. The net increase is 1.67% including the Mayoral precept.
- 1.4. The Council is undergoing significant change, both in organizational terms and in its ability to continue to provide services expected by residents. The Council has over 1,300 statutory obligations to discharge, which cost several millions of pounds per annum; these take priority over discretionary spending. The funding gap cannot be closed without taking some difficult decisions and halting some services altogether. Due to its prudent financial management, Bromley Council is able to deal with these challenges but needs to ensure that early decisions are taken and adequate reserves are retained and where appropriate invested to maintain sustainable finances.
- 1.5. In addition to the financial challenges ahead and the need to become a different organisation with fewer resources, the Council should grasp opportunities for wider integration across public services including health and local government. The Council will need to identify new investment opportunities to help protect key services. Scrutiny will remain key to ensure that there is adequate control and stability.
- 1.6. The PDS Committees will have an increasingly important role over the coming years to formulate acceptable solutions for the reduction in service provision, which has to come, whilst continuing to deliver quality services to the residents of Bromley.
- 1.7. Finally, I would like to thank all Committee Chairmen, members, and the Council's officers for their diligence and hard work during last year in finding practical solutions, which have ensured that Bromley Council could formulate a balanced budget and is able to continue to provide essential services next year, which are important to our residents.

Cllr. Simon Fawthrop
Chairman, Executive and Resources PDS Committee

2. Policy Development and Scrutiny Chairmen 2015/16



Cllr Simon Fawthrop
Executive & Resources



Cllr Judi Ellis
Care Services



Cllr Nicholas Bennett JP
Education



Cllr William Huntington-Thresher
Environment



Cllr Alexa Michael
Public Protection and Safety



Cllr Ian F. Payne
Renewal & Recreation

3. Policy Development and Scrutiny in Bromley

Introduction

- 3.1 Six Policy Development and Scrutiny (PDS) Committees at Bromley discharge the overview and scrutiny functions conferred by sections 21 and 32 of the Local Government Act 2000 and successive legislation. The Executive and Resources PDS Committee has an over-arching, co-ordinating role on behalf of the other five PDS Committees and is required by the Council's Constitution to present Full Council with an Annual Report "on the Policy Development and Scrutiny functions and PDS budget, and amended working methods if appropriate" (Article 6, Section 6.03 (d) of the Constitution).
- 3.2 The PDS Committees mirror the Council's executive portfolios:
- Executive and Resources
(covering both the Resources Portfolio and the Executive)
 - Care Services
 - Education
 - Environment
 - Public Protection and Safety
 - Renewal and Recreation
- 3.3 In addition to these Committees there are two PDS Sub-Committees:
- Education Budget Sub-Committee
 - Health Scrutiny Sub-Committee
- 3.4 Although they have no decision-making powers, PDS Committees and Sub-Committees have key roles in contributing to policy development and scrutinising the decisions of the Executive and individual Portfolio Holders.

Policy Reviews

- 3.5 PDS Committees advise Portfolio Holders, the Executive and full Council on policies, budgets and service delivery. PDS Committees can commission groups of Councillors to review an issue or policy, so assisting a Portfolio Holder or the Executive to improve a service or function affecting local people. This can be linked to a forthcoming decision by a Portfolio Holder or the Executive or to assist in formulating fresh, new policy. In each case detailed, evidence-based assessments are carried out and recommendations made in a report. In the process, Councillors can speak to a broad range of people to help gather information for their evidence-based reports.

One-Off Reviews

- 3.6 In addition to in-depth policy reviews, PDS Committees can also review a topical issue at Committee with comments and recommendations referred on to the Portfolio Holder. These reviews are often based around a presentation or an evidence-giving session with expert witnesses.

Performance and Budget Monitoring

- 3.7 PDS Committees monitor the performance of services, functions and contracts within their remit, assessing performance against key performance indicators and policy objectives. Concerns are reported to a Portfolio Holder who can then, if necessary, be called to a PDS Committee meeting to account for the performance of his or her Portfolio.
- 3.8 PDS Committees are also involved in the budget setting process and provide considered comment and recommendations for the Executive to take account of when formulating the Council's annual budget. Similarly, PDS Committees also monitor in-year spend of budgets and raise concerns where there is any possibility of overspend or other issues affecting spending priorities.

Call-in

- 3.9 The call-in process is a key means by which PDS Committees can hold the Executive to account. Any five Councillors can call in a decision and prevent it from taking immediate effect until it has been re-considered by a PDS Committee. The Committee can then interview the Portfolio Holder and officers and consider whether the decision was appropriate, within the Council's policy framework, and whether it should be reconsidered. If the Committee feels that the decision should be reversed or altered, it can make a recommendation to the Executive, which then has to reconsider the matter.
- 3.10 At the time of writing, only one call-in has been made during 2015/16. This continued low level of call-in reflects an emphasis given to pre-decision scrutiny leading to better and more robust decisions which are less likely to be challenged.

4. Report from Executive & Resources PDS Committee

Chairman: Cllr. Simon Fawthrop
Vice-Chairman: Cllr. Stephen Wells

Introduction

- 4.1 In 2015/16 the Committee held 9 scheduled meetings and 1 Call in. The regular meetings included the scrutiny of items to be decided at the Executive's meetings, in addition to matters reported to the Committee. The Committee also set up a Contracts Working Group, chaired by Cllr Wells, which has undertaken some very useful work in coordinating the end to end contract scrutiny process and analysing gaps in the processes.

Scrutiny of the Executive and the Resources Portfolio Holder

- 4.2 The Committee's principal role is to scrutinize the decisions of the Executive and to hold the Leader of the Council, the Chief Executive Officer and the Resources Portfolio Holder to account. This Committee has discharged its responsibilities diligently and competently during the year. I would like to thank all the above for their valuable contributions. I would also like to thank the PDS Chairmen for their regular reports and contributions.

Review of Council Activities

- 4.3 The Committee has been very conscious of the need to reduce costs and has diligently scrutinized budget and capital programme reports and measures to bring costs under control. The Committee has monitored, the provision of contract provision for insurance services, the performance of the revenue, housing and council tax benefit services managed by Liberata, the contracts register and the disposal of various surplus assets. The Committee scrutinized the performance of the Council Tax support scheme and issues concerning homelessness and temporary accommodation. Part of this was the Special Purchase Vehicle (Mears scheme) to invest in reducing homeless costs and bolster the pension scheme assets at the conclusion of the 40 year term. The Committee also scrutinised various invest-to-save projects, as well as details on the growth fund initiatives.

Outlook

- 4.4 The Government's cost reductions have continued to impact on the Council's finances. The task to find the savings necessary to balance the Council's budget has been the dominant challenge this year. It is pleasing to report that the Council has managed to remain within budget in 2015/2016 with a slight overall underspend and has produced a balanced budget for 2016/2017. However, closing the funding gap of ~£50 million by 2019/20, remains a big challenge.

Conclusions

- 4.5 The Council is at undergoing significant change, both in organizational terms and in its ability to continue to provide services expected by residents. The era of streamlining, re-organizing and cost cutting, whilst continuing to provide services “as usual” is coming to an end and difficult decisions will now have to be taken about reducing certain service provision. Statutory obligations will have to take precedence over providing discretionary support.
- 4.6 The challenges for Bromley Council in the coming years are the need to make the wider public fully aware of the Council’s financial position of balancing on-going service pressures against a backdrop of less Government support year on year and to ensure that planning is in place for dealing with the budget gap in future years.

Councillor Simon Fawthrop
Chairman, Executive & Resources PDS Committee

5. Report from Care Services PDS Committee

Chairman: Cllr. Judi Ellis
Vice-Chairman: Cllr. Pauline Tunnicliffe

Care Services PDS Committee

- 5.1 Care Services PDS Committee met six times in 2015/16, with one joint meeting with the Education and Public Protection PDS Committees to look at the findings of the Youth Offending Service inspection and the proposed service improvement plan.
- 5.2 There have been a number of contractual issues requiring attention, both to review their value and to realign in order to obtain optimum benefit and realise any financial savings. This is due to the budget pressures faced by the whole Council and the need to prioritise and maintain services for the most vulnerable in our community.
- 5.3 The Committee has looked at adoption and fostering with a high regard for safeguarding across the board, as well as issues affecting the elderly, both at home and in residential care, with special emphasis on dementia sufferers and their carers. The Committee has also looked at extra care housing and mutual carers.
- 5.4 Homelessness and the affordability of housing in Bromley has been regularly monitored with investment made to keep families, where possible, in the Borough whilst resident in temporary housing, and work has been ongoing with social and private landlords to provide adequate accommodation .

Health Scrutiny Sub-Committee

- 5.5 The Health Scrutiny Sub-Committee has met three times in 2015/16 and has continued to monitor the outstanding financial, operational and quality issues affecting the Princess Royal University Hospital; many improvements have been achieved but there is still a deficit needing a financial recovery plan.
- 5.6 Quality issues focused on included patient discharge, Accident and Emergency and Urgent Care services, and shared information and patient communication issues.
- 5.7 The South East London Boroughs have joined together to form a joint Health Overview and Scrutiny Committee. This Committee has met twice and has scrutinised proposed changes in maternity, community based care, planned surgery, Accident and Emergency and urgent care, children and young people's services, and the treatment of cancer. There are two representatives from each Borough on the Committee, with one of the Southwark representatives elected Chairman and myself elected as Vice-Chairman.

Conclusions

- 5.8 The Care Services PDS Committee and Health Scrutiny Sub-Committee are made up of Members and voluntary sector representatives and have scrutinised a wide range of services through written reports, visits and presentations. We have received a number of questions for either the scrutiny committee or the Portfolio Holder from members of the public, which have highlighted areas for scrutiny and we would like to thank them for

their involvement. We would also thank the officers from Bromley, the Bromley Clinical Commissioning Group and the King's College Hospital NHS Foundation Trust for their speedy delivery of additional information and explanation.

Councillor Judi Ellis
Chairman, Care Services PDS Committee

6. Report from Education PDS Committee

Chairman: Cllr. Nicholas Bennett JP
Vice-Chairman: Cllr. Neil Reddin

Introduction

- 6.1 The Committee welcomed Cllr Peter Fortune who has taken over from Cllr Stephen Wells as Portfolio Holder for Education. We thank Cllr Wells for his service and close co-operation with the committee over the past three years and thank Cllr Fortune for his thoughtful and co-operative approach since his appointment.

Overall Objectives

- 6.2 The Education PDS Committee decided that the overall objectives of their work should remain those established previously.

Select Committee hearing on key objectives

- 6.3 At the first meeting of the year the Committee held a Select Committee style hearing on a variety of key issues, the most important of which was the pressure on school places as a result of the increase in pupil numbers. Cllr Peter Dean, the Chairman of the Development Control Committee and Cllr Colin Smith, the Deputy Leader of the Council (in the absence of the Leader who was abroad) appeared before the committee. Members generally agreed that the Planning Service should be involved in all discussions around potential new schools and expansions of existing schools to resolve planning issues at an early stage. There was also a need to identify education sites for development in the Local Plan to meet future demand for school places, and the Chairman of Development Control Committee emphasised that this was likely to include Green Belt land.

Improving pupil, school and governance performance.

- 6.4 The Committee's key objective is improving pupil, school and governance performance. The Committee considered, at each of its five meetings, a report on *Ofsted* inspections and, where necessary, the steps being taken by schools to respond to matters highlighted in the inspections. The Governor Approval Panel consisting of Cllr Peter Fortune, Cllr Nicholas Bennett and Mr Rob Northcott, the former head teacher of Langley Park School for Boys, met throughout the year to interview and approve prospective LA governors. The Committee, as in 2014-5, is to consider reports on *Elective Home Education* and an update on those young people '*Not in Education, Training or Employment*' (NEETS) at its March meeting.

Progress towards all schools becoming academies

- 6.5 Our second key objective is:

To encourage all Bromley schools to become academies.

- 6.6 The Committee's Academies Working Group met on 28th January 2016 and will meet again in March. The Working Group noted that the majority of the remaining schools still

under Local Authority control were now in the process of becoming academies or taking active steps towards that end. One of the central issues which the Portfolio Holder was taking forward with government was the fact that Bromley was now third in the country for the number of schools which had converted and that it was becoming increasingly uneconomic to run a traditional Education Department with so few schools still under LA control and that a 'tipping point' has been met which should lead to all schools converting.

- 6.7 During the coming year it is proposed that the Committee should examine what the education function of the LA would look like once operational control of schools disappears.

Extending provision and diversity of choice

- 6.8 The continued rise in pupil numbers required several meetings of the *School Places Working Group* under the Chairmanship of Councillor Judi Ellis. The Committee continues to be concerned about the ability of the Authority to meet its' statutory responsibilities. A number of applications for school expansions have not received planning permission. The Portfolio Holder, together with Cllr Philpott his Executive Assistant, have commissioned data packs showing the pressures on school places in each ward.

Commissioning of services

- 6.9 Plans to commission education services were discontinued following market testing as the bids did not provide sufficient benefit to the Council. An appraisal is being carried out to establish whether there are other options for the delivery of individual and/or groups of service, for example shared services with other local authorities, social enterprise/ mutual options etc.

Education Budget

- 6.10 The Committee's work had been greatly assisted by Councillor Neil Reddin's chairmanship of the *Education Budget Sub-Committee* which has undertaken an in-depth examination of the savings required to meet the Council's balanced budget for 2016-7.

Adult Education

- 6.11 We reported last year on the deficit in the Adult Education Budget largely as a result of reductions in government grant. Following a full examination of the service and a comprehensive consultation with staff and students, the Portfolio Holder recommended the closure of the Widmore Road centre and the transfer of courses to other centres. The Committee added three recommendations to the report which were subsequently agreed by the Council's Executive.
- 6.12 The Committee will be receiving further reports setting out the criteria to be used in developing the 2016/17 curriculum and the implementation of the Impact Assessment Action Plan,

SEN Transport

- 6.13 The Committee supported changes to the SEN Transport policy to operate from September 1st 2015. The new policy includes trialling muster points for some students.

Youth Offending Service

- 6.14 A joint meeting was held on 22nd July 2015 with members of the Care Services and Public Protection PDS Committees examining the performance of the Youth Offending Service.
- 6.15 The Committee took evidence from Doug Patterson, Chief Executive, Kay Weiss, the Assistant Director Safeguarding, and the then interim Head of the Service. The meeting was called to consider a report from HM Inspectorate of Probation which found the Service to be poor. Members of the three committees cross-examined the witnesses on how the Council had failed to recognise that the service was seriously underperforming. The meeting received firm assurances that as a result of the inspection an Improvement Plan had been put in place which was being overseen by a newly created Youth Offending Services Management Board chaired by the Chief Executive. Having considered the evidence the meeting agreed that the Education PDS Committee would have a standing item at each of its meetings to monitor progress.
- 6.16 A report has been presented at each of the subsequent Education PDS meetings by the new Interim Head of Service, Mr Brennen. Progress is being made, albeit slowly in some areas, to address the issues raised by the Inspection.

Regional Schools' Commissioner

- 6.17 Dominic Herrington, the Regional Schools' Commissioner for the South East of England attended the Committee's meeting in January 2016 and gave a presentation on his role. Mr Herrington is responsible for the academies and free schools in 22 local authority areas stretching from Bromley to the Isle of Wight and Hampshire. The main responsibilities of the RSC are:
- *To take action when an academy is underperforming;*
 - *Decide on the development of new academies;*
 - *Address underperformance in maintained schools through sponsored academies;*
 - *Make recommendations to ministers about free school applications;*
 - *Encourage organisations to become academy sponsors;*
 - *Approve changes to open academies*

- 6.18 Amongst the issues discussed with Mr Herrington were: the need for a local authority governor on academy governors to maintain the link with the local authority; the importance of Multi-academy Trusts (MATs) and, the role of free schools in the new education landscape.

2016-17 Select Committee Structure

- 6.19 It has been agreed by the *Constitution Improvement Working Group* that the Education PDS should act as a prototype for a new way of working. From May the Education PDS Committee will be transformed into the Education Select Committee. The Portfolio Holder will still face public questions and give an update at each meeting and take

questions from the committee but pre-decision scrutiny of the Portfolio Holder decisions will be restricted to those called in.

6.20 The Select Committee will select issues for in depth examination and a call for evidence will be published. The sessions will follow the pattern already established by the PDS Committee in its examination of safeguarding and the inquiry into the performance of the Youth Offending Service.

Thanks

6.21 This brings to an end my fourth report on the work of the Committee. I should like to pay tribute to all the members of the Committee for their hard work and co-operation. I also thank Councillor Neil Reddin for his support as Vice Chairman and Chairman of the Education Budget Sub-Committee, and to Cllr Judi Ellis who chaired the School Working Group. Tony Wright-Jones, the Secondary School's representative left the committee part way through the year on the reconstitution of St Olave's Governing Body. Tony was a valued member of the PDS and he is much missed. The Committee also places on record, the work of Jane Bailey, Director of Education, and all her staff. During the year Kerry Nicholls our long serving committee clerk transferred to service other committees and her place was taken by Philippa Gibbs who has returned to Bromley after working for Sevenoaks District Council. We are delighted that Philippa has the same hard working and efficient attributes as Kerry and we have enjoyed a seamless transition of regime.

Cllr Nicholas Bennett JP
Chairman Education PDS Committee

7. Report from Environment PDS Committee

Chairman: Cllr. William Huntington-Thresher
Vice-Chairman: Cllr. Sarah Phillips

Introduction

- 7.1 The services provided within the Environment Portfolio affect every resident of Bromley. Clean streets, traffic congestion, road safety, the condition of highways and pavements, waste & recycling services, parking facilities, and the provision of parks & greenspaces, are all considered very important by residents.

Scrutiny of the Portfolio Holder and Executive

- 7.2 The Committee seeks to fulfil this role through:
- Scrutiny of the draft Environment Portfolio Plan, followed by a mid-year review of progress.
 - Regular monitoring of service performance.
 - Pre-decision scrutiny of relevant Portfolio Holder and Executive decisions.
 - Budget monitoring and scrutiny of budget proposals.
 - Policy Development

Development and Review of the Environment Portfolio Plan

- 7.3 The Committee considers the Portfolio Plan to be an important document, highlighting to residents the importance of environmental services and showing how value for money is delivered. The Committee contributes to the Plan as part of its policy development role, ensuring that recommendations from the Committee itself and its working groups are taken forward. During 2015/16 these included:
- 7.4 The Committee combines scrutiny of the Portfolio Holder and the Portfolio Plan at the mid-year and end-of year review points, focusing on progress in implementing the Plan. Specific issues were discussed with the Environment Portfolio Holder.

Budget Monitoring

- 7.5 During the year the Committee identified/monitored a number of priority budget issues.
- Regulatory changes resulted in significant changes to CCTV enforcement of parking offences. This had knock-on effects to the cost effectiveness of the existing processes for Bus Lane enforcement. This was a topic addressed in the September PDS meeting
 - The cost of disposal of increasing volumes of household waste and clearing fly-tipping continues to offer a challenge to the Council finances. After years of declining general household waste, the past couple of years have seen residents producing increased volumes of waste. This would appear to be linked to the

improving economic circumstances. The previous issues related to recycled paper appear to have stabilised in the latter part of the year and a UK paper mill now takes Bromley paper for recycling. This has addressed the reduction in income experienced earlier in the year. It is clear that waste and recycling will remain an area for scrutiny.

Major topics addressed by the Committee during the year

- 7.6 The PDS Committee devotes significant time to pre-decision scrutiny of major decisions.

On-Street Enforcement

- 7.7 The Committee has kept under review the effectiveness and viability of the extended pilot enforcement service serving fixed penalty notices (FPNs) for littering offences. The integration of the FPN service with the Parks Security Contract now delivers a cost neutral service to reduce litter in our borough. The successful pilot was reviewed together with amendments to ensure it remains viable and cost neutral for the remainder of the Park Security contract.

Friends Annual Report

- 7.8 The Committee was updated on work carried out by the Council in partnership with Friends Groups. The Committee recorded its thanks to Friends Groups for their contribution; and acknowledged the significant difference that their work makes to the borough.

Highway Maintenance

- 7.9 The Committee re-reviewed the cost effectiveness of methodologies for carriage way replacement and re-confirmed that the current methodologies remain the best financial choice for the available investment. The prices in the Council contract are very cost-effective compared to the alternative options being explored by other Councils. This could represent a financial risk when the contract is due for renewal. The Committee reviewed the programme for Planned Highway Maintenance for 2015/16.

London Permit Scheme for Road and Street works

- 7.10 The deregulation of the previous permit scheme for Road and Street Works meant that Bromley as Highway Authority needed to formally adopt a scheme to manage works on the Highways in the Borough. The Committee reviewed the scheme to ensure it resulted in the minimum of disruption when works are necessary.

Spend on Consultants

- 7.11 The Committee reviewed the Department's historic and expected future spend on consultants.

Road Safety

Traffic Schemes

- 7.12 The Committee regularly reviews traffic schemes before implementation. Some schemes address local safety or parking issues; others contribute to the Council's

priority of reducing traffic congestion in the borough. Review by the PDS Committee ensures that a consistent approach to these issues is taken across the borough.

LIP Submission

- 7.13 The Committee reviewed the LIP submission for 2016/17. The submission was the third year of the 3 year LIP delivery plan agreed with TFL in 2013. The expected income remained at roughly the same level as 15/16 and represented a reduction of almost 20% compared to historic levels.

Policy Development

Impact of deregulation act on CCTV enforcement of Parking and Bus Lane Enforcement

- 7.14 The regulatory changes significantly reduced the number of parking infringements that could be enforced by CCTV. CCTV could only be used to enforce parking outside schools and at bus-stops. This resulted in a significant reduction in the number of offences for which the service could issue Penalty Charge Notices (PCNs). The service, which also encompassed Bus Lane enforcement, was no-longer cost effective unless it was reformed. The expenditure of income from parking PCNs is regulated by statute and cannot be diverted to the general fund. The committee agreed that a capital investment was required to replace existing cameras and place fixed cameras points outside schools. Cameras would be scheduled to move between schools to limit the financial outlay. The new cameras would feature automatic number plate recognition, so officer involvement would be limited to confirming that an infringement had occurred. The Committee agreed that the revised service offered the best compromise for enforcement in the financial circumstances.

Parking Appeals Policy

- 7.15 The Committee considered amendments to the Parking Appeals Policy to address recently occurring issues which had resulted in adverse comments to an otherwise broadly accepted Parking Enforcement Policy. It was agreed (i) that where a car owner had a credible claim that a PCN was not on the vehicle when they returned, that the offer for a discount for prompt payment would be (re)offered and (ii) that in a CPZ one PCN per-year could be waived for genuine mistakes where a resident parked a car registered to them outside their property forgetting that it was a CPZ. For example this might occur if a resident who normally commutes by car was off work due to illness.

Parks and Green Space

- 7.16 Following the commissioning of the Parks and Greenspace service to The Landscape Group (TLG) in 14/15 a number of strategies required development. TLG were required to develop these strategic plans for review by stakeholders and the PDS. The first two strategies, (i) Parks, Greenspace and Countryside and (ii) Events and Activities were scrutinised by the PDS Committee and various comments/observations were provided to TLG.

Bromley Cycling Strategy

- 7.17 The Committee scrutinised the results of the consultation of the draft strategy with regard to aims and projects. The strategy looked to encourage cycling through various

projects and initiatives rather than through inconveniencing car usage or walking. Projects and initiatives, for example, included the development of quiet ways, cycle hubs, cycle parking and cycle confidence. Increased cycle use should reduce congestion on Bromley's roads as well as having health benefits. Projects would in general be funded externally through bids into TfL programmes and it was suggested through 106 payments from car free developments. At the current time many projects are unfunded.

Income Generation

Street Advertising

7.18 In addition to retendering the contract for managing Bromley's free-standing poster sites, the Committee also agreed that new advertising opportunities should be pursued. Tenders were sought from interested parties to offer proposals for concessions on the Borough's estate for advertising opportunities.

Concessions in Parks, Recreation Grounds and Greenspace

7.19 The Committee reviewed the gateway report prior to the invitation for expressions of interest from third parties for concessions in parks, recreation grounds etc. The committee considered that concessions such as cafes could add vibrancy to the Borough's greenspaces. The committee did not want to see damage occur to the Borough's environment but was keen to explore opportunities to both

2016/17 Budget and Budget Consultation

7.20 The budget pressures on the Council were a continuing issue for the PDS throughout the Council year. During the year the Committee proposed a number of recommendations to reduce costs, increase income and modify service provision to cover costs.

- The Committee reviewed the waste service and recommended:
 - A reduction in Green Garden Waste Satellite Sites
 - Changes to Street Enforcement to provide a cost neutral FPN service.
- The committee reviewed service changes to the issuing of PCNs following regulatory changes.
- The Committee reviewed income generation opportunities

7.21 Further service changes were included in the 2016/17 budget proposals. The Committee reviewed the proposals and provided comments to the executive. Scrutiny of the detailed implementation of future service changes will be items on future PDS agendas.

Partner Scrutiny

Waste

7.22 The Committee will be scrutinising the Council's waste collection and disposal contractor in the March PDS meeting.

Thanks

7.23 I would like to thank members of the Committee for their diligence and commitment to the committee and its working groups in delivering policy development and scrutiny of Environmental Services in Bromley. I would also like to acknowledge the enthusiastic support of the Portfolio Holder, officers, partners and contractors who have all helped the Committee deliver its work programme over the past year.

Councillor William Huntington-Thresher
Chairman, Environment PDS Committee

8. Report from Public Protection and Safety PDS Committee

Chairman: Cllr. Alexa Michael
Vice-Chairman: Cllr. Chris Pierce

- 8.1 The Public Protection & Safety Policy Development and Scrutiny (PDS) Committee has met seven times during the 2015-16 Council year. This included one joint meeting with the General Purposes & Licensing Committee on 14 July 2015 to determine the Council's licencing policy and one meeting held jointly with the Education and Care Services PDS Committees on 22 July 2015 to look at Youth Offending Services.

Portfolio Priorities and PDS Reports

- 8.2 At the first meeting held on 30 June 2015, the Public Protection & Safety Portfolio Holder, Cllr Kate Lymer, gave a detailed outline of the outcomes for the Public Protection and Safety Draft Portfolio Plan for 2015-16. These were: Keeping Bromley Safe; Protecting Consumers; Regulating Food Safety; and Protecting the Environment. The PDS agreed that the Portfolio Plan be adopted with these outcomes as the policy priorities for the year.
- 8.3 In line with agreed policy priorities, during the course of the year Members received detailed written and / or verbal reports on:
- Anti-Social Behaviour and Operation Crystal (a MOPAC funded anti-social behaviour initiative to tackle crime locally);
 - The Counter Terrorism and Security Act 2015 (plus update);
 - CCTV (the CCTV control room is scheduled to be refurbished by the end of March 2016 following a period of delay);
 - Gangs Update;
 - Safer Bromley Partnership Strategic Group Update;
 - The Stray and Abandoned Dog Service;
 - Review of the Food Safety Service which reviewed the role and performance of the Food Safety Service, and set out the Council's legal (statutory) roles and responsibilities under both domestic and European law;
 - Update report on the work on Trading Standards, whose current priorities are: doorstep crime and mass marketing fraud; under-age sales; product safety; and unfair trading.
- 8.4 The Chairman initiated an item on Drug Misuse in Bromley, to which Members from the Social Care PDS were invited to join in. The intention was to provide members with information on drug misuse in Bromley. Members were asked to consider and comment on the issues that this raised.

Police Scrutiny

- 8.5 All Public Protection & Safety PDS meetings (barring those held with other committees) included a comprehensive Police Update presented by the Bromley Borough Commander or Deputy Commander, allowing Members to scrutinise the work of the

Police and to raise questions. Each Police Update included an analysis of the MOPAC 7 crimes (burglary, violence with injury, robbery, theft from motor vehicles, theft of motor vehicles, theft from the person and criminal damage). The majority of MOPAC 7 crimes are falling.

- 8.6 During the year, Members were informed of the likely changes to the local policing structure from Borough-based to a Basic Command Unit (BCU). Members also questioned the Police on a wide range of issues from Police response times, neighbourhood policing, police numbers and gang activity in the Borough. During the course of the year, both the Police and the Portfolio Holder also provided comprehensive updates on how the different agencies are working together to combat gang activity in the Borough.

Funding

- 8.7 Given that the cross-cutting department had already seen the largest Council reductions in funding in proportion to its budget (for example, the Environmental Protection Team had already been reduced by four staff), it was agreed not to make any further financial savings in this area. However, Council staff would be expected to “work smarter”, for example, by harnessing new technologies to work more efficiently wherever possible.

Presentations

- 8.8 The PDS received several presentations from various groups engaged in public protection and safety (or whose work impinges on them), namely:
- Neighbourhood Watch;
 - Victim Support;
 - South London and Maudsley (SLaM) NHS Trust;
 - Bromley Young Council, who gave a review of their “Youth on the Move” public transport project.

Member Visits

- 8.9 A number of Member visits were arranged during 2015-16, including the newly refurbished Orpington Fire Station in July (plus the official opening in February), and the Community Rehabilitation Company in Orpington in September. Two Members also visited a Women’s Refuge in October. These visits gave Members the opportunity to find out more about the services offered and to ask questions. The Chairman also observed a test purchasing exercise of sales of fireworks to under-age young people in late October. The Chairman and Portfolio Holder also observed proceedings around the Emergency Planning Exercise that took place in Bromley on 21 June.

Safer Neighbourhood Board

- 8.10 Both the Chairman and Vice Chairman took part in meetings of the Safer Neighbourhood Board (SNB), which scrutinises the Police and helps to choose various bids to help fight crime. They also attended SNB public meetings, including the annual Crime Summit held on 19 September. On 23 May, the Chairman joined SNB members to canvass the public in Bromley High Street about crime concerns locally. Both the Chairman and the Vice Chairman helped to staff the SNB crime stall at the Big O

Festival on 4 July where they asked people to complete a questionnaire about crime priorities.

Councillor Alexa Michael
Chairman, Public Protection and Safety PDS Committee

9. Report from Renewal and Recreation PDS Committee

Chairman: Councillor Ian F. Payne
Vice-Chairman: Councillor Michael Rutherford

Introduction

- 9.1 The Committee have met 4 times this municipal year. Each meeting has scrutinised the reports for decision by the Renewal and Recreation Portfolio Holder and considered policy development of key areas of the Portfolio. Alongside the elected Members on the PDS Committee we were also pleased to welcome a co-opted member from the Bromley Youth Council, Anna Bagley. Through this past year the R&R PDS Committee has considered the contribution to the savings required in the overall council budget of approx. £60m.
- 9.2 The committee have monitored performance against the Renewal and Recreation Department's Building a Better Bromley priorities, namely –
- Vibrant, thriving town centres
 - Protection, conservation and enhancement of the natural and built environment
 - Enhanced opportunities for leisure, recreation and the arts, and employment and Skills
- 9.3 Areas that the PDS Scrutiny Committee have focused on are:

Bromley Town Centre Housing Zone

The Expression of Interest bid for Housing Zone status has been approved by the Greater London Council (GLA). The Council's bid sought funding of £27.1m, consisting of a mixture of direct grant and soft developer loans, to facilitate the delivery of development schemes in Bromley Town Centre, including Opportunity Site G West of the High Street and Former Opportunity Site A Bromley North Station.

Business Support Programme, A legal grant agreement was currently being drawn up to cover a period of two years for the delivery by the Business Improvement District (Orpington 1st) of the New Homes Bonus scheme. Payment would only be made upon delivery of the agreed milestones.

Business Growth Corridors A number of posts had been recruited to develop the business investment and development plans for Biggin Hill and the Cray Business Corridor.

Community Infrastructure Levy (CIL), The additional income expected from the Bromley CIL was not quantifiable as payment would be driven by applications of size and scale. As with Section 106 Agreements, CIL reports would be submitted for consideration by E&R PDS Members.

Planning Regulatory Functions – The pre-application process required applicants to submit information in accordance with a detailed checklist. In some cases, the requested information was omitted or officers required clarification and amendments

which led to delays in determination. Other applications related to the determination of applications such as advertising, prior notifications, Certificates of Law and change of use etc. It was agreed that whilst the report indicated the percentage of applications determined on target, future reports should also include response times for the remaining 40%. It was also agreed that targets and achieved percentage rates for responding to TPO requests, Listed Building Orders and general enquiries be included in the Business Plan report.

Enhance the Borough's Leisure Facilities, – A 25 year management contract for the operation and management of the Churchill Theatre had been awarded to Qdos with a saving of £340kPA from previous contract.

- 9.4 Town Centre Management Update Reports were presented at each of the committee meetings giving a full and comprehensive report of the ongoing work and results of the towns in the borough.

Library Service

- 9.5 The Renewal & Recreation Policy Development and Scrutiny Committee and Portfolio Holder agreed that officers should commence a procurement exercise to identify community management arrangements for the borough's six community libraries:

- Burnt Ash Library
- Hayes Library
- Mottingham Library
- Shortlands Library
- Southborough Library
- St Paul's Cray Library

- 9.6 Community management may offer a way of retaining library services in these community locations whilst reducing operating costs to avoid making closures. As community libraries are the smallest in the borough, make the lowest number of issues and have the lowest number of visits, it was agreed that there was an opportunity to try and secure community management arrangements that make these libraries work more effectively for the very communities that they serve

Site G: West of the High Street

- 9.7 Feedback from the soft market testing exercise to assess the market appetite for a revised residential led first phase redevelopment of Opportunity Site G has been positive. Officers are now preparing the necessary marketing documentation required to procure a development partner.

Site A: Bromley North Station

- 9.8 A revised planning policy for Opportunity Site A is currently being consulted on via the Local Plan review. In support of this review the Council is currently undertaking a massing and viability assessment of the development site. It is proposed that this assessment will include a development workshop with stakeholders including site

owners, transport providers. The result of this work will be used to inform the emerging policy review.

Site C: The Old Town Hall

9.9 Planning permission has been granted for the Old Town Hall and adjacent residential scheme.

Bromley Central Area High Street Improvements

9.10 The following design principles have been developed in consultation with stakeholders:

- Introduce a hierarchy of public spaces where people can dwell.
- Green the High Street.
- Create shelter within the High Street for year round enjoyment.
- Create better links to Bromley's greenspace.
- Encourage street activity & enhance pedestrian experience.

9.11 A key feature of the emerging design is the reordering of spaces in the High Street to create a new public square in the southern pedestrianised area. It is also proposed that the existing market is reorganised and relocated along the High Street.

Site A: Bromley North

9.12 Ongoing working with the Council to prepare, publish, consult upon and promote a new policy for the OSA site. It is proposed that this be dealt with in the Local Plan, as it is at an appropriate stage of development. Work had now been completed on the planned public realm improvements to Bromley North Village.

Site B: Tweedy Rd

9.13 This prominent plot of land was a designated residential site for up to 70 units and would be marketed as such. A development brief would be drafted outlining what would be acceptable and appropriate to build. Members agreed that the site was an important gateway into Bromley and in this regard, recommended that the AAP stipulate the requirement for the design to be of good architectural merit.

Site C: Town Hall

9.14 Site allocated for a development comprising Hotel. Planning has now been submitted with the Council based on their proposal to convert the Town Hall to a hotel, conference centre and associated restaurants. They aim to open the hotel and conference centre in the Spring of 2016.

Site G: West of High Street

9.15 Major site in the AAP, officers are continuing to work with Developments on agreeing a viable scheme proposal and partnering arrangements that will deliver the Council's objectives.

Site K: Westmoreland Road car park

- 9.16 The development that is well under construction includes a multiscreen cinema, 200 residential units, 130 bedroom hotel, restaurants and cafes, plus associated parking and public realm enhancements.

Site L: Former DHSS

- 9.17 Telereal Trillium, the owners of the Crown Buildings have sold the site to the Education Funding Agency.

Economic Development

- 9.18 With the Government financial incentives impacting on the way Local Government will be funded in the future. It has introduced reforms to the collection and spending of business rates, with a focus on local retention (30%) to incentivise local authorities to financially bolster their economy and business rates base. In response to this and wider Planning issues the council has aimed both at creating employment and economic growth in three growth areas are **Bromley Town Centre, Biggin Hill and the Cray Business Corridor**. The Homes Bonus for 2014/15 would total £1.74m for the Borough and would be used to fund projects for Penge Town Centre/Crystal Palace, place making at the Walnuts Centre and Orpington business enabling and support, Biggin Hill Aviation Technology and Enterprise Centre, and Lagoon Road Industrial Estate redevelopment.

Orpington Town Centre

- 9.19 The owners of the Walnuts are on track to implement a comprehensive improvement programme for the Walnuts Shopping Centre which will see Crown Buildings redeveloped for additional retail floorspace and a cinema, which recently opened.

The Priory

- 9.20 After a number of development work undertaken , which included a number of surveys and investigations (including a full condition survey) revealed that there were a number of backlog maintenance issues affecting the total project cost of the work. As a result, project work has been delayed to enable a full range of options for the future of the Priory site to be considered and the business case for each of these to be reviewed so that a fully informed decision may be given full and proper consideration.

Beckenham Town Centre

- 9.21 Transport for London(TfL) had approved the Beckenham Initial Scheme Design bid and funding was allocated to cover Design and Development costs. This funding was to be used to cover the costs of undertaking survey work and producing and consulting on an outline scheme design. This initial funding allocation also included the costs of working up a detailed design to contract stage drawings.

Bromley Business Improvement District

- 9.22 A Business Improvement District (BID) was successful by ballot within Bromley Town Centre and will commence in the spring of 2016.
- 9.23 Finally I wish to thank all the members of the Committee for an excellent year, a lot of work has been carried out, including lot of conversation and passion within this area of the Council. Also I would like to thank all the officers in the R&R Department, for not just their tireless work at the committee meetings, but the ongoing day to day work being carried out at a time of great pressure and economic challenge - you are all to be congratulated.

Councillor Ian F. Payne
Chairman, Renewal and Recreation PDS Committee

This page is left intentionally blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is left intentionally blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is left intentionally blank

By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is left intentionally blank