



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 8 March 2016

To: Members of the

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

Councillor Simon Fawthrop (Chairman)  
Councillor Stephen Wells (Vice-Chairman)  
Councillors Nicholas Bennett J.P., Ian Dunn, Nicky Dykes, Judi Ellis, Ellie Harmer,  
William Huntington-Thresher, David Livett, Russell Mellor, Alexa Michael,  
Keith Onslow, Tony Owen, Ian F. Payne and Angela Wilkins

A meeting of the Executive and Resources Policy Development and Scrutiny  
Committee will be held at Bromley Civic Centre on **WEDNESDAY 16 MARCH 2016**  
**AT 7.00 PM**

MARK BOWEN  
Director of Corporate Services

*Copies of the documents referred to below can be obtained from*  
<http://cds.bromley.gov.uk/>

**PART 1 AGENDA**

**Note for Members:** Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

**STANDARD ITEMS**

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC  
ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to the Chairman of this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 10<sup>th</sup> March 2016.

- 4 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETING  
HELD ON 3RD FEBRUARY 2016 (EXCLUDING EXEMPT ITEMS) (Pages 5 - 12)**

**5 MATTERS ARISING FROM PREVIOUS MEETINGS (Pages 13 - 16)**

**6 FORWARD PLAN OF KEY DECISIONS (Pages 17 - 20)**

### **HOLDING THE RESOURCES PORTFOLIO HOLDER TO ACCOUNT**

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

In accordance with the Council's Constitution, questions to the Resources Portfolio Holder must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 10<sup>th</sup> March 2016.

**8 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY**

The Resources Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where he is minded to make decisions.

**a CAPITAL PROGRAMME MONITORING Q3 2015/16 & ANNUAL CAPITAL REVIEW 2016 TO 2020 (Pages 21 - 28)**

**b INSURANCE RENEWALS 2016/17 - UPDATE ON AWARD OF CONTRACTS (Pages 29 - 34)**

**c SITE OF FORMER SMALL CIVIC HALLS, YORK RISE, ORPINGTON (Pages 35 - 40)**

Farnborough & Crofton Ward  
(See report in Part 2)

### **HOLDING THE EXECUTIVE TO ACCOUNT**

**9 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS (Pages 41 - 44)**

Members of the Committee are requested to bring their copy of the agenda for the Executive meeting on 23rd March 2016.

### **POLICY DEVELOPMENT AND OTHER ITEMS**

**10 SECTION 106 AGREEMENTS: UPDATE (Pages 45 - 64)**  
(See Appendix 5 in Part 2)

**11 ANNUAL POLICY DEVELOPMENT & SCRUTINY REPORT 2015/16 (Pages 65 - 98)**

**12 WORK PROGRAMME 2015/16 (Pages 99 - 104)**

## **PART 2 AGENDA**

### **13 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.

#### **Items of Business**

#### **Schedule 12A Description**

### **14 EXEMPT MINUTES OF THE MEETING HELD ON 3RD FEBRUARY 2016 (Pages 105 - 106)**

### **15 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS**

#### **a SITE OF FORMER SMALL CIVIC HALLS, YORK RISE, ORPINGTON (Pages 107 - 112)**

Farnborough & Crofton Ward  
(See report in Part 1)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

### **16 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS**

### **17 SECTION 106 AGREEMENTS: UPDATE - APPENDIX 5 (Pages 113 - 118) (See report in Part 1)**

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

Minutes of the meeting held at 7.00 pm on 3 February 2016

### **Present:**

Councillor Simon Fawthrop (Chairman)  
Stephen Wells (Vice-Chairman)  
Councillors Douglas Auld, Nicholas Bennett J.P.,  
Ian Dunn, Judi Ellis, Ellie Harmer, William Huntington-  
Thresher, David Livett, Russell Mellor, Alexa Michael,  
Tony Owen, Michael Rutherford and Angela Wilkins

### **Also Present:**

Councillor Graham Arthur, Councillor Stephen Carr and  
Councillor Robert Evans

### **261 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Nicky Dykes, Keith Onslow (replaced by Councillor Douglas Auld), and Ian Payne (replaced by Councillor Michael Rutherford). Councillor Nicholas Bennett also sent apologies for arriving late.

### **262 DECLARATIONS OF INTEREST**

Councillor Simon Fawthrop declared an interest as an employee of British Telecom.

### **263 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

### **264 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETINGS HELD ON 5<sup>th</sup> and 6<sup>th</sup> JANUARY 2016 (EXCLUDING EXEMPT ITEMS)**

**RESOLVED** that the minutes of the meetings held on 5<sup>th</sup> and 6<sup>th</sup> January 2016 (excluding exempt information) be confirmed.

### **265 MATTERS ARISING FROM PREVIOUS MEETINGS** Report CSD16019

The Committee received an update on matters arising from previous meetings. It was noted that the further information on call-centre staff

requested under minute 252 had not yet been provided – this would be followed up.

**266 FORWARD PLAN OF KEY DECISIONS**

The Committee noted the Forward Plan of private and key executive decisions as published on 12<sup>th</sup> January 2016.

**267 CORPORATE CONTRACTS REGISTER**

The Committee reviewed the Corporate Contracts Register. Members commented that it was essential that officers used the Register to ensure that contracts were re-tendered, or extensions or waivers were sought, in good time. It was also important that all PDS Committees reviewed their contracts using the Register, and Finance Officers had been requested to ensure that they had the opportunity to do this. Cllr Stephen Wells reported that he had asked for the Contracts Register to be considered at the next meeting of the Contracts Working Group.

The Parking Contract had been considered at Audit Sub-Committee in December when Members had been assured that the re-tendering process was on-track. The tender was flagged as amber on the Register, indicating that there was concern about the process meeting deadlines, but although the tenders were now late it was still possible that they could be met.

The Register contained a number of maintenance contracts related to the Total Facilities Management contract, which was due to be reported to the Executive in March. Most of these contracts were due to end at the end of October 2016, but there was some flexibility as both the Council and any new contractor would not be bound to use these maintenance contracts.

Councillor Judi Ellis commented that it was important that the Council did not undermine providers or damage their finances by leaving re-tendering too late. She emphasised how good providers and their staff in the social care field could suffer if processes were delayed.

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

No questions had been received.

**269 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY**

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

**269.1 TREASURY MANAGEMENT - PERFORMANCE Q3 2015/16**  
Report FSD16013

The report summarised treasury management activity during the period ending on 31<sup>st</sup> December 2015 and updated Members on the Council's investment with the Heritable Bank. The report ensured that the Council was implementing best practice in accordance with the CIPFA Treasury Code of Good Practice for Treasury Management. Investments as at 31<sup>st</sup> December 2015 totalled £301.9m (excluding the balance of the Heritable investment) and there was no external borrowing.

A Member asked how safe it was to lend to other authorities. The Director of Finance responded that although local authorities were not usually rated they did represent a secure investment that in practice the government would have to underwrite.

**RESOLVED that the contents of the report be noted, and in particular that three month's notice to terminate the contract with Tradition UK was given in December 2015.**

**269.2 TREASURY MANAGEMENT - ANNUAL INVESTMENT STRATEGY 2016/17**  
Report FSD16012

The CIPFA Code of Practice for Treasury Management in the Public Services required that Council approve the Treasury Management Strategy and Annual Investment Strategy for 2016/17, including the prudential indicators and the Minimum Revenue Provision (MRP) Policy Statement. As the Council did not need to borrow to finance its capital expenditure many of the indicators had no real significance for the Council.

Members questioned whether permitted lending should be extended to include BBB investment grade funds, and questioned why the Council had no money in corporate bonds. The Director of Finance responded that the question of including investment grade funds would be kept under review and corporate bonds would be used where a suitable return could be obtained.

A Member commented that the Diversified Growth Fund was no longer providing the excellent returns that it had initially, and that suggested that the high returns on property reflected high levels of risk. The Director of Finance advised that Diversified Growth Fund was less volatile than equities but would deliver good returns over the long term. Property provided an asset that could be sold and good income – currently around £13m per annum.

An urgent supplementary report was considered in part 2 of the meeting relating to proposals to include Mears as a permitted investment.

**RESOLVED that Council be recommended to adopt the Treasury Management Statement and the Annual Investment Strategy for 2016/17**

**(Appendix 1 to the report) including the prudential indicators and the Minimum Revenue Provision (MRP) policy statement.**

**269.3 Plaistow Cemetery Lodge, 132 Burnt Ash Lane, Bromley  
BR1 5AF**  
Report DRR16/013

It was proposed that Plaistow Cemetery Lodge be declared surplus to Council requirements and offered for sale on the open market. Conditions would be placed on any sale to prevent obstruction of the shared access-way leading to Plaistow Cemetery. In order to allow a prospective purchaser to proceed without delay, it was proposed that authority to accept a suitable offer be delegated to the Director of Regeneration and Transformation, including above the normal £500k delegation limit. Further information on the potential value of the property was contained in a part 2 report.

**RESOLVED that the Resources Portfolio Holder be recommended to declare Plaistow Cemetery Lodge surplus to Council requirements and agree that it be offered for sale on the open market, and to agree that authority to accept an offer for this property be delegated to the Director of Regeneration and Transformation, in consultation with the Resources Portfolio Holder, to enable the sale to be progressed quickly.**

**270 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**  
Report CSD16020

The Committee considered the following reports on the part 1 agenda for the Executive's meeting on 10<sup>th</sup> February 2016.

**(5) 2016/17 Council Tax**  
Report FSD16017

The Committee received the report identifying the final issues affecting the 2016/17 revenue budget and seeking approval from full Council of the level of the Bromley element of the 2016/17 Council Tax and the "schools budget." Confirmation of the final GLA precept would be reported to the Council meeting on 22<sup>nd</sup> February. The approach taken in the report was to achieve a legal and financially balanced budget in 2016/17 but to have measures in place to deal with the medium term financial position.

**RESOLVED that the recommendations be supported.**

**(6) Capital Programme Monitoring Q3 2015/16 & Annual Capital Review  
2016 to 2020**  
Report FSD1616018

The report summarised the current position on capital expenditure and receipts following the third quarter of 2015/16 and presented a revised Capital Programme.



**RESOLVED that the recommendations be supported.**

**(10) Gateway Review 0, 1 & 2 Approval of 2016/17 Operational Building Maintenance Budgets, Planned Maintenance Programme and Preferred Procurement Option**  
Report DRR16/023

The Committee considered a report setting out the proposed planned maintenance programme for 2016/17, setting out the criteria used to assemble the programme, the strategic and business justification for the programme and the preferred procurement option for completing the programme. There was currently a high number of high priority projects that needed to be funded. Members were assured that these were issues that had been building up in recent years, and not the result of over-zealous inspections. The recommendations included proposals to address the overspend in 2015/16 and a shortfall in funding for 2016/17 by viring money allocated to the Anerley Business Centre which would probably not now be required and by drawing down from the Infrastructure Investment Fund. It was confirmed that the funding expectations for Anerley Business Centre were subject to a final inspection of subsidence issues by structural engineers due to take place this month, and that the Infrastructure Investment Fund was not a capital fund.

The Chairman requested that a schedule of the statutory requirements underpinning the programme and the inspection regimes be circulated.

A Member questioned whether expenditure on the Civic Centre buildings was justified given the uncertain future use of the site. Officers confirmed that the expenditure was necessary to keep the buildings in safe use for the short term, and no unnecessary expenditure was being proposed.

Expenditure was proposed for the Astley Centre and a Member questioned whether this was an effective use of the limited budget. However, the Care Services Portfolio Holder confirmed that there were no plans to close the centre.

The Committee discussed whether there was an appropriate balance between planned and reactive work in the proposed programme. Officers advised that increasing planned maintenance would lead to a risk of overspend.

**RESOLVED that the recommendations be supported, with an additional recommendation that if spend is less than expected the proposed drawdown from the Infrastructure Investment Fund earmarked reserve should not take place.**

**271 SCRUTINY OF THE LEADER OF THE COUNCIL**

The Leader of the Council, Cllr Stephen Carr, summarised the issues on which he was focussing, in particular the budget for 2016/17 and the local government finance settlement announced on 18<sup>th</sup> December and

subsequently corrected on 23<sup>rd</sup> December following an error at the DCLG. Efforts were continuing to seek a fairer settlement for Bromley, with assistance from the borough's MPs and in conjunction with other outer London authorities. The Government had offered the possibility of a four year financial settlement – the Leader felt that this would offer some certainty in budgeting and help staff to feel more secure. It was important to continue to seek further efficiencies as the Council moved towards becoming self-sufficient in its finances.

The Mears proposals were progressing well, including meetings with potential investors. Homelessness was a major issue for the Council, and the proposals would help homeless people and reduce pressure on homelessness budgets, along with the development of Bellegrove and Manorfields and efforts to support private landlords and private tenancies.

The Leader was keen to press ahead with integration of health and social care, creating a new model of local care, providing service benefits and efficiencies, and not just following the Manchester model. Greg Clark MP had offered to instigate a meeting with the Health Secretary.

Other important issues were the Youth Service, where although there were challenges he was confident that Members and officers were delivering improvements; use of the Growth Fund to generate additional business rates and the developments at Bromley South and in the street environment in Beckenham town centre.

Members of the Committee raised the following issues –

**Business Rates:** The Leader agreed that the lack of certainty on when the baseline was, and how much would be lost central government under equalisation measures. This problem had been raised with the Government.

**Business Improvement Districts (BIDs):** The Leader confirmed that the Council would continue to work with BID companies to ensure that there was coordination and all worked together.

**London Councils:** Asked whether the Council should consider leaving London Councils, the Leader commented that there were considerable costs associated with leaving.

**Ring-fenced grants:** The leader was working with Greg Clark MP and Jo Johnson MP to discuss education funding.

**Growth Fund:** A member asked whether the Council had the right in-house expertise to make the most of the Growth Fund. The Leader responded that it was important to have staff with the right skills in a changing environment. In some cases this might mean buying in specialist expertise, such as Colliers advising on property.

Grant reductions: The Leader was asked whether there was recognition from Ministers that there was a limit to the cuts that Councils could make. He commented that the Council was still moving towards becoming self-sufficient, but he agreed that there was a different tone in Whitehall under the new Secretary of State, and the suggestion that if special need could be demonstrated there might be scope for assistance on business rate retention.

Working with the CCG: A Member commented on slow progress working with the CCG on a particular project and how this had a detrimental impact on the plans of a voluntary organisation. The Leader offered to discuss this outside the meeting with the Care Services Portfolio Holder.

The Chairman thanked the Leader for attending and answering committee members' questions.

**272           WORK PROGRAMME**  
Report CSD16021

The Committee considered its work programme for 2015/16, and noted that several of the working groups listed in Appendix 2 had either finished their work or had not needed to meet, including the Accommodation with Care Working Group, the School Places Working Group, the School Improvement Panel (now called the Academies Working Group) and the Environment Budget Pressures Working Group.

Councillor Angela Wilkins repeated her request for a report on the Growth Fund – it was intended that this would be provided in the spring.

Members discussed how they could anticipate when Gate reports could be expected. These would normally be flagged up in the Contracts Register and the Forward Plan of Key Decisions. It was noted that work was continuing on the Contract Summaries with the aim of circulating these in March.

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

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

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

**274 EXEMPT MINUTES OF THE MEETING HELD ON 6th JANUARY 2016**

The exempt minutes of the meeting held on 6<sup>th</sup> January 2016 were confirmed, subject to a minor amendment.

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

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

**275.1 PLAISTOW CEMETERY LODGE, 132 BURNT ASH LANE, BROMLEY BR1 5AF**  
Report DRR16/014

The Committee noted details of the estimated value of Plaistow Cemetery Lodge.

**275.2 TREASURY MANAGEMENT - INVESTMENT STRATEGY: SUPPLEMENTARY PAPER**

The Committee agreed to consider an urgent part 2 supplementary report about including Mears as a permitted investment on the grounds that the proposals needed to be scrutinised before they went to full Council for decision.

The Meeting ended at 9.10 pm

Chairman

## London Borough of Bromley

Report No.  
CSD16041

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE AND RESOURCES  
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 16<sup>th</sup> March 2016

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

**Title:** MATTERS ARISING FROM PREVIOUS MEETINGS AND  
UPDATES FROM OTHER PDS COMMITTEES

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

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

**Ward:** N/A

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1. Reason for report

- 1.1 Appendix 1 to this report updates Members on matters arising from previous meetings which continue to be "live." Four matters are listed.
- 1.2 At its first meeting in the Council year, the Committee agreed that short written updates from PDS Chairmen covering key points only should in future be received alongside matters arising from previous meetings. Briefings are expected for the following meetings –

Public Protection & Safety PDS Committee – 2<sup>nd</sup> March 2016  
Education PDS Committee – 8<sup>th</sup> March 2016  
Care Services PDS Committee – 10<sup>th</sup> March 2016  
Environment PDS Committee – 15<sup>th</sup> March 2016

(Renewal & Recreation PDS Committee does not meet until 6<sup>th</sup> April 2016.)

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2. **RECOMMENDATIONS**

**The Committee is invited to consider progress on matters arising from previous meetings.**

## Corporate Policy

1. Policy Status:
  2. BBB Priority: Excellent Council
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## Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £326,980
  5. Source of funding: 2015/16 Revenue Budget
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## Staff

1. Number of staff (current and additional): 8 posts (7.27fte)
  2. If from existing staff resources, number of staff hours: Monitoring the Committee's matters arising takes a few hours between each meeting.
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## Legal

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

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of members of the Committee.
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## Ward Councillor Views

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

<b>Non-Applicable Sections:</b>	Policy/Finance/Legal/Personnel
Background Documents: (Access via Contact Officer)	Minutes of previous meetings

<b>Minute Number/ Title/Date</b>	<b>PDS Request</b>	<b>Update</b>	<b>Action By</b>	<b>Completion Date</b>
174 <b>Matters Arising – Contracts Working Group</b> 9 <sup>th</sup> July 2015	Committee established a Contracts Working Group comprising Cllrs Wells, Fawthrop, William Huntington-Thresher, Onslow and Wilkins.	The Working Group has met 5 times and is due to meet on –  8 <sup>th</sup> March 2016 19 <sup>th</sup> April 2016  Members have requested that the Working Group be established as a Sub-Committee.	Democratic Services Manager	May 2016
252 <b>Customer Services Monitoring Report</b> 6 <sup>th</sup> January 2016	Cllr Dunn requested information on (i) the percentage of time call-centre staff spent on the phone, and (ii) for actual numbers of transactions for the services listed in appendix 4.	(i) Information on time spent talking to customers on the phone has been supplied by Liberata as follows - <ul style="list-style-type: none"> <li>• 43% - Talk Time</li> <li>• 10% - Hold Time</li> <li>• 4% - Post Call Work Time</li> <li>• 21% - Waiting for calls (used for admin/emails etc)</li> <li>• 22% - Administration</li> </ul> (ii) An updated version of Appendix 4 was sent to Cllr Dunn on 3 <sup>rd</sup> March.	Head of Customer Services	March 2016
255 <b>Benefits Service Monitoring Report</b> 6 <sup>th</sup> January 2016	Committee requested that, for the next report, information be provided on speed of processing for outer London authorities.	The information requested will be provided for the next report in July.	Head of Revenues and Benefits	July 2016
272 <b>Work Programme</b> 3 February 2016	Cllr Wilkins had requested a report on the Growth Fund	An update is being prepared.	Head of Renewal	April 2016

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LONDON BOROUGH OF BROMLEY

FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS PUBLISHED ON: 23<sup>rd</sup> February 2016

PERIOD COVERED: 23<sup>rd</sup> February 2016 – 30<sup>th</sup> June 2016

DATE FOR PUBLISHING NEXT FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS: 19<sup>th</sup> April 2016

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
<b>COUNCIL</b>						
<b>EXECUTIVE</b>						
BASIC NEED PROGRAMME UPDATE AND INTERIM PROCUREMENT STRATEGY	Executive	23 March 2016  Executive and Resources PDS Committee	Meeting	Contact Officer:  Robert Bollen Tel: 020 8313 4697 <a href="mailto:Robert.Bollen@bromley.gov.uk">Robert.Bollen@bromley.gov.uk</a>	<u>Public meeting</u>	Report and relevant background documents
DEMENTIA POST DIAGNOSIS SUPPORT SERVICE	Executive	Not before 23 March 2016  Care Services PDS Committee and Executive and Resources PDS Committee	Meetings	Contact Officer:  Andy Crawford Tel: 020 8461 7446 <a href="mailto:Andy.Crawford@bromley.gov.uk">Andy.Crawford@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential
INSURANCE RENEWALS 2016/17 - AWARD OF CONTRACT	Executive (possibly)	23 March 2016  Executive and Resources PDS Committee	Meeting	Contact Officer:  Martin Reeves Tel: 020 8313 4291 <a href="mailto:martin.reeves@bromley.gov.uk">martin.reeves@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
EXEMPTION FROM TENDERING - AWARD OF CONTRACT FOR POINT OF CARE TESTING SERVICE AND LABORATORY TESTING FOR SEXUALLY TRANSMITTED INFECTION	Executive	23 March 2016  Care Services PDS Committee and Executive and Resources PDS Committee	Meetings	Contact Officer:  Mimi Morris-Cotterill Tel: 020 8461 7779 <a href="mailto:mimi.morris-cotterill@bromley.gov.uk">mimi.morris-cotterill@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential
GLADES SHOPPING CENTRE - CAR PARK IMPROVEMENTS	Executive	23 March 2016  Executive and Resources PDS Committee	Meeting	Contact Officer:  Neil Thompson Tel: 020 8313 4603 <a href="mailto:neil.thompson@bromley.gov.uk">neil.thompson@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential
AUTHORISATION FOR AWARD OF CONTRACT FOR SPECIAL SCHOOL PLACES (BURWOOD SCHOOL)	Executive	23 March 2016  Education PDS Committee and Executive and Resources PDS Committee	Meetings	Contact Officer:  Jane Bailey Tel: 020 8313 4146 <a href="mailto:jane.bailey@bromley.gov.uk">jane.bailey@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
COMMISSIONING - PROPOSED TOTAL FACILITY MANAGEMENT CONTRACT	Executive	23 March 2016  Executive and Resources PDS Committee	Meeting	Contact Officer:  Colin Brand Tel: 0208 313 4107 <a href="mailto:colin.brand@bromley.gov.uk">colin.brand@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential
AUTHORISATION TO ENTER INTO DYNAMIC PURCHASING AGREEMENT WITH THE SOUTH LONDON CONSORTIUM FOR THE PURCHASING OF INDEPENDENT SPECIALIST SEN PLACEMENTS	Executive	23 March 2016  Education PDS Committee and Executive and Resources PDS Committee	Meetings	Contact Officer:  Mary Cava Tel: 020 8461 7633 <a href="mailto:Mary.Cava@bromley.gov.uk">Mary.Cava@bromley.gov.uk</a>	<u>Public meeting</u>	Report and relevant background documents
AWARD OF CONTRACT FOR CAPITAL WORKS AT ST GEORGE'S C.E. PRIMARY SCHOOL	Executive	Not before 23 March 2016  Executive and Resources PDS Committee	Meeting	Contact Officer:  Robert Bollen Tel: 020 8313 4697 <a href="mailto:Robert.Bollen@bromley.gov.uk">Robert.Bollen@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
HOUSING INFORMATION SYSTEMS	Executive	18 May 2016  Care Services PDS Committee and Executive and Resources PDS Committee	Meetings	Contact Officer:  Wendy Norman Tel: 020 8313 4212 <a href="mailto:Wendy.Norman@bromley.gov.uk">Wendy.Norman@bromley.gov.uk</a>	<u>Private meeting - Exempt information - Financial/business affairs of a person or body</u>	Part 2 report - confidential
<b>CARE SERVICES PORTFOLIO</b>						
<b>EDUCATION PORTFOLIO</b>						
<b>ENVIRONMENT PORTFOLIO</b>						
<b>PUBLIC PROTECTION AND SAFETY PORTFOLIO</b>						
<b>RENEWAL AND RECREATION PORTFOLIO</b>						
<b>RESOURCES PORTFOLIO</b>						

London Borough of Bromley: 020 8464 3333 [www.bromley.gov.uk](http://www.bromley.gov.uk)

Contact Officer: Keith Pringle, Chief Executive's Department: 020 8313 4508, [keith.pringle@bromley.gov.uk](mailto:keith.pringle@bromley.gov.uk)

Report No.  
FSD16028

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** RESOURCES PORTFOLIO HOLDER

**Date:** For pre-decision scrutiny by the Executive & Resources PDS Committee on 16th March 2016

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

**Title:** CAPITAL PROGRAMME MONITORING - 3<sup>ND</sup> QUARTER 2015/16 & ANNUAL CAPITAL REVIEW 2016 TO 2020

**Contact Officer:** Martin Reeves, Principal Accountant  
Tel: 020 8313 4291    E-mail: martin.reeves@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** (All Wards);

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1. Reason for report

On 10th February 2016, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2015/16 and presenting for approval the new capital schemes in the annual capital review process. The Executive agreed a revised Capital Programme for the five year period 2015/16 to 2019/20. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Resources Portfolio. The revised programme for this portfolio is set out in Appendix A and detailed comments on individual schemes are included at Appendix B.

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2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 10<sup>th</sup> February 2016.

## Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring and review is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Effective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. The Council continuously reviews its property assets and service users are regularly asked to justify their continued use of the property. For each of our portfolios and service priorities, we review our main aims and outcomes through the AMP process and identify those that require the use of capital assets. Our primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Building a Better Bromley". The capital review process requires Council Directors to ensure that bids for capital investment provide value for money and match Council plans and priorities.
  2. BBB Priority: Excellent Council; Supporting Independence
- 

## Financial

1. Cost of proposal: Total reduction of £6.3m to reflect latest updates on investment property acquisitions
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: Capital Programme
  4. Total current budget for this head: £51.2m for the Resources Portfolio over five years 2015/16 to 2019/20
  5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
- 

## Staff

1. Number of staff (current and additional): 1 fte
  2. If from existing staff resources, number of staff hours: 36 hours per week
- 

## Legal

1. Legal Requirement: Non-Statutory - Government Guidance
  2. Call-in: Not Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### Capital Expenditure

3.1 A revised Capital Programme was approved by the Executive on 10th February, following a detailed monitoring exercise carried out after the 3<sup>rd</sup> quarter of 2015/16. The Executive also considered and approved new capital schemes in the annual capital review process. This report identifies changes relating to the Resources Portfolio and the table in paragraph 3.2 summarises the overall position following the Executive meeting.

#### Capital Monitoring – variations agreed by the Executive on 10th February 2016

3.2 The base position prior to the 3<sup>rd</sup> quarter's monitoring exercise was the revised programme approved by the Executive on 2<sup>nd</sup> December 2015, as amended by variations approved at subsequent Executive meetings. Changes to the Resources Portfolio Programme approved by the Executive in February are shown in the table below and further details are included in paragraphs 3.3 to 3.6. The revised Programme for the Resources Portfolio is attached as Appendix A and detailed comments on individual schemes are included at Appendix B.

	2015/16	2016/17	2017/18	2018/19	2019/20	TOTAL 2015/16 to 2019/20
	£000	£000	£000	£000	£000	£000
Programme approved by Executive 02/12/15	29,987	17,986	30	30	0	48,033
Property Investment Fund						
- additional acquisition (Exec 15/12/15)	9,411	0	0	0	0	9,411
Approved Programme prior to Q3 Monitoring	39,398	17,986	30	30	0	57,444
<u>Variations approved by Executive 10/02/16</u>						
Property Investment Fund (see para 3.3)						
- acquisition not progressing / reduced costs	-6,347	0	0	0	0	-6,347
Schemes rephased from 2015/16 into 2016/17 (see para 3.4)	-1,307	1,307	0	0	0	0
Total Q3 Monitoring variations	-7,654	1,307	0	0	0	-6,347
Review of Corporate Customer Service I.T System (Exec 10/02/16)	0	100	0	0	0	100
<b>Revised Resources Capital Programme</b>	<b>31,744</b>	<b>19,393</b>	<b>30</b>	<b>30</b>	<b>0</b>	<b>51,197</b>

#### 3.3 Property Investment Fund (£6,347k reduction in 2015/16):

In February, the Executive agreed a net reduction of £6,347k on the Property Investment Fund scheme. This was due to lower associated costs than expected on the acquisition of two properties (£78k) and a reduction of £6,269k as a planned acquisition approved by the Executive on 7th August 2015 is not progressing now. Several issues related to the tenant's covenant, planning permission and repairs have come to light during the due diligence process and a decision was taken to withdraw from the acquisition.

#### 3.4 Schemes rephased from 2015/16 into 2016/17

As part of the 3<sup>rd</sup> quarter monitoring exercise, £1,307k has been rephased from 2015/16 into 2016/17 to reflect revised estimates of when expenditure on Resources schemes is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. Further details and comments are provided in Appendix B.

Capital Expenditure – Rephasing in Q3 monitoring	2015/16	2016/17
	£000	£000
Emergency Works on Surplus Sites	-40	40
Performance Management/Children's Services - information technology	-132	132
Replacement of MD110 telephone switch	-193	193
Replacement of Storage Area Networks	40	-40
Rollout of Windows 7 and Office 2010	-104	104
SharePoint Productivity Platform upgrade/replacement	-339	339
Upgrade of Core Network Hardware	-129	129
Windows Server 2003 replacement program	-410	410
<b>Total Resources Programme rephasing</b>	<b>-1,307</b>	<b>1,307</b>

## Annual Capital Review – new scheme proposals

- 3.5 In recent years, we have steadily scaled down new capital expenditure plans and have transferred all of the rolling maintenance programmes to the revenue budget. Our general (un-earmarked) reserves, established from the disposal of our housing stock and the Glades Site, have been gradually spent and have fallen from £131m in 1997 to £48.9m (including unapplied capital receipts) as at 31<sup>st</sup> March 2015. Our asset disposal programme has diminished and any new capital spending will effectively have to be met from our remaining revenue reserves.
- 3.6 As part of the normal annual review of the Capital Programme, Chief Officers were invited to come forward with bids for new capital investment. Apart from the regular annual capital bids (Devolved Formula Capital grant to schools, DSG-funded schools access initiative, TfL-funded Highway and Traffic schemes and feasibility studies), no additional bids were submitted. Invest to Save bids were particularly encouraged, but none were received, and it is assumed that any such bids will be submitted in due course through the earmarked reserve that was created in 2011.

## Post-Completion Reports

- 3.7 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in recent years, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. Post-completion reports on the following schemes are currently due for the Resources Portfolio before the end of the 2015/16 monitoring cycle:

- Former Chartwell Business Centre – improvement works
- Increasing Network Security
- Civic Centre Cabling Renewal

This quarterly report will monitor the future position and will highlight any further reports required.

## 4. POLICY IMPLICATIONS

- 4.1 Capital Programme monitoring and review is part of the planning and review process for all services. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.



## 5. FINANCIAL IMPLICATIONS

5.1 These were reported in full to the Executive on 10<sup>th</sup> February 2016. Changes agreed by the Executive for the Resources Portfolio Capital Programme are set out in paragraph 3.2.

<b>Non-Applicable Sections:</b>	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 02/12/15). Capital Q3 monitoring report (Executive 10/02/16).

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# Appendix A

RESOURCES PORTFOLIO - APPROVED CAPITAL PROGRAMME 10 FEBRUARY 2016										
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.15	Estimate 2015/16	Estimate 2016/17	Estimate 2017/18	Estimate 2018/19	Estimate 2019/20	Responsible Officer	Remarks
		£'000's	£'000's	£'000's	£'000's	£'000's	£'000's	£'000's		
	<b>PROPERTY DIVISION</b>									
939445	Former Chartwell Business Centre, Central Depot - improvement works	870	859	0	11	0	0	0	Cathy Pimm	Invest to Save (Executive £300k 20/7/11); £418k from planned maintenance in 11/12; addl funding £152k agreed by Executive 07/03/12 (Block Capital) Essential to maximise capital receipts
939320	Emergency Works on Surplus Sites	312	174	8	70	30	30	0	Heather Hosking	
917246	Carbon Management Programme (Invest to Save funding)	803	664	139	0	0	0	0	Alastair Ballie	Revenue savings (schemes to be worked up); £250k funded by Salix
936408	Civic Centre for the Future	50	0	50	0	0	0	0	Cathy Pimm	Approved by Executive 24/03/15 - met from Investment Fund
936407	Property Investment Fund	77,724	32,485	30,239	15,000	0	0	0	Marc Hume	Various High Street property acquisitions - met from Property Investment Fund and Capital Receipts
	<b>TOTAL - PROPERTY DIVISION</b>	<b>79,759</b>	<b>34,182</b>	<b>30,436</b>	<b>15,081</b>	<b>30</b>	<b>30</b>	<b>0</b>		
	<b>RESOURCES DIRECTORATE</b>									
936432	Financial systems upgrade/replacement of unsupported software	982	981	1	0	0	0	0	Neil Graham	Essential replacement to enable continued financial management
936443	Server Virtualisation	300	286	14	0	0	0	0	Stuart Elsey	Invest to Save - Multi-Functional Devices
936444	Digital Print Strategy	125	75	25	25	0	0	0	Dave Starling	
936448	Upgrade of Core Network Hardware	1,050	421	0	629	0	0	0	Stuart Elsey	Invest to Save scheme - £142k agreed by Executive 01/09/10
936451	Joint Web platform	240	235	5	0	0	0	0	Duncan Bridgewater	
936452	Performance Management/Children's Services - information technology	500	368	0	132	0	0	0	Kay Weiss	Approved by Executive 16/06/10
936454	Replacement of Storage Area Networks	1,780	115	705	960	0	0	0	Stuart Elsey	Business continuity - need to keep data secure and accessible
936455	Rollout of Windows 7 and Office 2010	763	373	286	104	0	0	0	Stuart Elsey	Upgrade of all desktops and laptops
936456	Replacement of MD110 telephone switch	760	507	60	193	0	0	0	Stuart Elsey	Essential replacement of switch that was installed in 1999 and will not be maintained after 2015
936457	SharePoint Productivity Platform upgrade/replacement	1,500	19	172	1,309	0	0	0	Stuart Elsey	Approved by Executive 11/02/15
936458	Windows Server 2003 replacement program	900	0	40	860	0	0	0	Stuart Elsey	
936459	Review of Corporate Customer I.T System	100	0	0	100	0	0	0	Duncan Bridgewater	Approved by Executive 10/02/16
	<b>TOTAL RESOURCES DIRECTORATE</b>	<b>9,000</b>	<b>3,380</b>	<b>1,308</b>	<b>4,312</b>	<b>0</b>	<b>0</b>	<b>0</b>		
	<b>TOTAL RESOURCES PORTFOLIO</b>	<b>88,759</b>	<b>37,562</b>	<b>31,744</b>	<b>19,393</b>	<b>30</b>	<b>30</b>	<b>0</b>		

# Appendix B

RESOURCES PORTFOLIO - APPROVED CAPITAL PROGRAMME 10 FEBRUARY 2016						
Code	Capital Scheme/Project	Actual to 31.03.15	Revised Estimate Dec 2015	Actual 17.02.16	Revised Estimate Feb 2016	Remarks
		£'000's	£'000's	£'000's	£'000's	
<b>PROPERTY DIVISION</b>						
939445	Former Chartwell Business Centre, Central Depot - improvement works	859	0	0	0	Latent defect appears to have been resolved, but situation is still being monitored. The remaining balance was rephased into 16/17 in Qtr 2 monitoring
939320	Emergency Works on Surplus Sites	174	48	0	8	(Block Capital) Essential to maximise capital receipts - To prepare surplus sites for disposal and to cover any emergency works. At the moment, we are not aware of any required expenditure in 15/16, however by their nature, the works are unexpected. Rephased £40k into 16/17, and retained £8k in 15/16 to cover any unexpected works that may occur in Qtr 4.
917246	Carbon Management Programme (Invest to Save funding)	664	139	-24	139	Canteen lighting project has been commissioned. On the Multi-story car park lighting project, tenders was received in Qtr2 15/16 and we aim to commission in Qtr4 15/16
936408	Civic Centre for the Future	0	50	49	50	Approved by Executive 24/03/15. The Development Strategy has been completed.
936407	Property Investment Fund	32,485	27,175	30,085	30,239	Purchase to date cost £62.6m, further acquisition was approved in Exec 07/08/15, however several issues then arose during due diligence relating to tenant's covenant, planning permission and repairs, and a decision was taken to withdraw from the purchase (reduction of £6,269K). Further acquisitions (£9,411k) were approved in Exec 15/12/15 - contracts exchanged and completed in early January 2016. The actual associated cost for completed acquisition (Tilgate and Old Christchurch Rd) were lower than budget, mainly due to legal fee (reduction of £78k).
<b>TOTAL - PROPERTY DIVISION</b>		<b>34,182</b>	<b>27,412</b>	<b>30,110</b>	<b>30,436</b>	
<b>RESOURCES DIRECTORATE</b>						
936432	Financial systems upgrade/replacement of unsupported software	981	1	1	1	Executive 15/07/15 approved £43k virement between Financial system upgrade and Window & rollout. Scheme completed
936443	Server Virtualisation	286	14	14	14	The POC (Proof of Concept) with Microsoft proved to be extremely useful and we have built new virtualization platform based on Hyper-V. Project completed
936444	Digital Print Strategy	75	25	0	25	This scheme relates to the implementation of Multi-Functional Devices. We have rephased £25k from 15/16 to 16/17 (in Qtr 2 monitoring), align with the TFM proposals being considered, and to reflect when we anticipate the expenditure to occur.
936448	Upgrade of Core Network Hardware	421	129	-53	0	The additional hardware has been purchased and is being configured to meet the needs of London Public Service Network, Direct access, Citrix and reverse proxy application servers. Due to changes on the service provider, we do not anticipate the project to be completed in this financial year. Rephased £129k into 16/17.
936451	Joint Web platform	235	5	3	5	The project is completed and pending final invoices.
936452	Performance Management/Children's Services - information technology	368	132	-2	0	The Care First upgrade to Eclipse is in progress. All capital funding will be needed to be carried forward for identified expenditure. Rephased £132k into 16/17.
936454	Replacement of Storage Area Networks	115	665	569	705	The major SAN replacement project was previously postponed due to conflicts with other major projects. We have proceeded with some parts of the project in preparation and that are required for the replacement Extranet and Hyper-V platform. We anticipate to spend £705k this year which includes purchase of equipment / hardware (14 servers), and works on net. app from Capita. Rephased £40k back from 16/17 to 15/16 to reflect the anticipated expenditure.
936455	Rollout of Windows 7 and Office 2010	373	390	212	286	Executive 15/07/15 approved £43k virement between Financial system upgrade and Window & rollout - Work is progressing and has been re-baselined. There has been a new plan for the rollout due to the problems experienced at other councils. We are at the final stage of the scheme, however we are holding back payment until the milestones has been achieved. We anticipate £286k of works will be completed by end of March, and rephased £104k into 16/17.
936456	Replacement of MD110 telephone switch	507	253	1	60	Certain telephone lines will remain with Damovo until the gateway review of telephony circuits & minutes has been finalised. Works on the Lync voice recorder system, Anerley Business Centre and Yeoman House are completed. The scheme should be completed soon, however due to change to specification and delay in achieving the milestone, we are holding the payment back. We anticipate £60k of works to completed by end of March and rephased £193k into 16/17.
936457	SharePoint Productivity Platform upgrade/replacement	19	511	45	172	Initial consultancy work has been awarded and is progressing well. We intend to fund a host to help with the project work. Consultancy work due to finish soon, £146k job in Confirm relates to the works done by AI company. The workshop has taken longer than anticipated. We have received the draft reports, and the final reports are expected in Feb/Mar. Rephased £339k into 16/17.
936458	Windows Server 2003 replacement program	0	450	41	40	Approved by Executive 11/02/15. This scheme is linked with various other schemes including Replacement of Storage Area Networks and Upgrade of Core Network Hardware. There are around 230 servers that will be replaced/updated. Due to delays, it is unlikely that the work will be completed in 15/16. Phrase 1 & 2 have been sign off and paid. Phrase 3 & 4 (moving the services) by B.T - not likely to start until the next FY. Rephased £410k into 16/17.
<b>TOTAL RESOURCES DIRECTORATE</b>		<b>3,380</b>	<b>2,575</b>	<b>831</b>	<b>1,308</b>	
<b>TOTAL RESOURCES PORTFOLIO</b>		<b>37,562</b>	<b>29,987</b>	<b>30,941</b>	<b>31,744</b>	

Report No.  
FSD16025

London Borough of Bromley

Agenda  
Item No.

## PART 1 - PUBLIC

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**Decision Maker:** Resources Portfolio Holder

**Date:** For pre-decision scrutiny by Executive and Resources PDS Committee on 16th March 2016

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

**Title:** **INSURANCE RENEWALS 2016/17 - UPDATE ON AWARD OF CONTRACTS**

**Contact Officer:** Martin Reeves, Principal Accountant  
Tel: 020 8313 4291 E-mail: martin.reeves@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** All

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### 1. Reason for report

Following the approval of the Resources Portfolio Holder in October 2015 to tender action for all Council insurance policies with the exception of casualty/liability insurance (i.e. property, motor, fidelity guarantee, personal accident, school journey, minibuses, shops blanket and engineering inspections) through the Crown Commercial Services Framework, this report updates Members on recent developments that have resulted in the tender process being discontinued. It recommends that existing insurance contracts be extended for 3 months and that the tender process be re-run using the new Crown Commercial Services (CCS) Framework.

### 2. RECOMMENDATION(S)

Following consideration by the PDS Committee, the Resources Portfolio Holder is recommended to note the update report and agree that:

- The insurance tender process for property, motor, fidelity guarantee, personal accident, school journey, minibuses, shops blanket and engineering inspections be re-run;
- Existing insurance contracts, currently due to expire on 30<sup>th</sup> April 2016, be extended for three months to 31<sup>st</sup> July 2016.

### Corporate Policy

1. Policy Status: Existing policy. To maintain appropriate levels of insurance cover to ensure adequate cover for Council properties, assets and services.
  2. BBB Priority: Excellent Council.
- 

### Financial

1. Cost of proposal: Estimated cost Not known until tender process is completed
  2. Ongoing costs: Recurring cost. Current annual premium for services to be tendered £290,000 (including increase in Insurance Premium Tax (IPT) from 1st November 2015)
  3. Budget head/performance centre: Insurance Fund
  4. Total current budget for this head: £290,000 (including increase in Insurance Premium Tax (IPT) from 1st November 2015)
  5. Source of funding: Insurance Fund
- 

### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: Insurance claims are handled under a shared services arrangement with the Royal Borough of Greenwich
- 

### Legal

1. Legal Requirement: No statutory requirement or Government guidance.
  2. Call-in: Call-in is applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Between 400 and 450 claims are received each year across all insurance covers.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 The Council's casualty insurance (comprising public liability, employers' liability, officials' indemnity and professional indemnity) was tendered in 2014 and a contract was awarded to Zurich Municipal (ZM) from 17<sup>th</sup> June 2014 on a three year long-term agreement (LTA) with an option to extend for a further two years (which was agreed by the Resources Portfolio Holder on 8<sup>th</sup> October 2015). All other Council insurance policies (property, motor, fidelity guarantee, personal accident, school journey, minibuses, engineering, leasehold/commercial property and mortgaged properties) are due to expire on 30<sup>th</sup> April 2016 and, following scrutiny by this Committee on 8<sup>th</sup> October 2015, these were all tendered through the Crown Commercial Services Framework with a start date of 1<sup>st</sup> May 2016. This report updates Members on last-minute events (after the tender process had been run) that have invalidated the whole process, as a result of which it is recommended that existing contracts be extended for a period of three months to enable the process to be re-run.
- 3.2 An external broker, JLT Specialty Ltd, is engaged to assist in the management of the tender exercise, which comprised six individual lots for the various types of insurance cover: property (including leasehold/commercial), fidelity guarantee, motor fleet (including minibuses), engineering inspections, personal accident/school journey and terrorism. The Invitation to Tender went out to the market on 7<sup>th</sup> January 2016 and bidders were requested to respond by 1<sup>st</sup> February. There followed a period of clarifications (both by the bidders and by JLT) and evaluation by JLT, after which JLT presented their final evaluation report to the Council on 25<sup>th</sup> February. On the same day, the Council was notified that the CCS Framework used for the tender process (reference RM958) was expiring, as a result of which any awards under that framework had to be made by the end of that day. Given the requirement for Member consideration and Portfolio Holder approval and the fact that a standstill period of 10 days would have to elapse before formal decision letters could be issued, that was clearly not an option so we reverted to JLT for an explanation as to why/how this had happened at the last minute and, going forward, an options appraisal and a risk assessment as to the best way to proceed.
- 3.3 JLT advise that, whilst it was known in the market that the CCS Framework had a limited life span and that a new framework would become operational sometime during 2016, the decision of CCS to "expire" call-offs under the old framework came as a complete surprise. They would have expected CCS to allow the completion of tenders underway when the old framework ceased to exist, but this was not the case, as CCS said that any tender started before 25<sup>th</sup> February had to be fully completed and awarded by that date. Had we and JLT known that, we would not have gone down that route. We are not the only authority to be caught by this, as JLT advise there are at least two other public bodies in a similar position.
- 3.4 The original framework was awarded/completed under the 2006 Procurement Regulations while the new framework has been concluded under the 2015 Regulations. The new regulations tighten up the arrangements around the operation and call-off from contracts and the responsibilities of the contracting parties and framework owners.
- 3.5 Going forward, potential options included:
- Continue under the current timetable and award the contract under the old Framework RM958 – while it is possible that CCS would never know that we had made an award after the framework expired, awards made under the old framework could still be deemed unlawful. Although all of the providers that submitted bids have confirmed that they would not use this as a basis for challenge, we could still be exposed to challenge by potential bidders that are on the new framework but that weren't on the old one;
  - Abandon the current tender process and re-tender under the new framework (RM3731), using the existing tender list with a quick turnaround on tender submissions, when it is up

and running (on 1<sup>st</sup> March) using an accelerated procedure with the aim of completing the whole process in line with the original timetable (i.e. tender award report to this meeting and inception date of 1<sup>st</sup> May 2016) – this option would result in a significantly greater risk of challenge from potential new bidders because they could argue they were disadvantaged by the extremely short timescale to submit bids;

- Abandon the current tender process, secure an extension from existing insurers and re-tender using the new framework – this is the safest option and is perhaps the only way we can proceed to award contracts without the possibility of a challenge.

3.6 Having agreed that the third option (abandon the current process, extend existing contracts and re-tender under the new framework) was the safest and preferred route, the existing insurers were approached and all have confirmed that they are happy to agree an extension under existing terms. Officers have agreed a revised timetable with JLT and this is attached at Appendix 1. In summary, this works back from a revised inception date of 1<sup>st</sup> August 2016 (following a three-month extension to current insurance contracts) and a revised reporting date of 8<sup>th</sup> June (the current draft meeting date for this PDS Committee). This allows sufficient time for a full tender process under the new framework.

3.7 JLT have written to bidders in the initial tender process informing them that the tender process has been discontinued and have reissued the Invitation to Tenders under the new CCS framework. They have also confirmed in writing that there will be no additional costs as a result of the tender being re-run.

#### **4. POLICY IMPLICATIONS**

4.1 To maintain appropriate levels of insurance cover to ensure adequate cover for Council properties, assets and services.

#### **5. FINANCIAL IMPLICATIONS**

5.1 The current budget for the insurances to be tendered is £290,000 (including an increase of 3.5% in IPT from 1<sup>st</sup> November 2015) and a three month extension has been agreed from 1<sup>st</sup> May 2016 to 31<sup>st</sup> July 2016 with the current insurers on existing terms at a cost of £72,500. At current prices, the total cost of contracts for two years plus one would be around £870,000. JLT have advised that any costs arising from a re-run of the tender process will be contained within their original fee quote (£2,500). Recommendations on contract awards will be brought to this scrutiny committee in June and, (if over £1m in total value over the life of the contracts), to the Executive.

#### **6. PERSONNEL IMPLICATIONS**

6.1 None. An insurance claims handling service is provided by staff from the Royal Borough of Greenwich under a shared services arrangement.

#### **7. PROCUREMENT IMPLICATIONS**

7.1 The contracting strategy has been agreed with the authority's Head of Procurement and with its external insurance broker. The Council will use the Crown Commercial Services Framework for Insurance and the process will be handled by the Council's external insurance broker, JLT Specialty Ltd. The framework will enable us to reach an acceptable spread of suppliers whilst still giving us the flexibility to determine our own specification. The processes to be used are designed to ensure the completion of the tender process in a fair and transparent manner and to provide protection from potential claims which might arise from any unsuccessful bidders around the completion of the contracting process.



## 8. LEGAL IMPLICATIONS

- 8.1 Clause 72 (5) of the Public Contracts Regulations 2015 permits modifications to contracts during their term provided the value of the modification (in this case a three month extension worth £72,500) is below 10% of the total contract value (current premium charge £290,000 per annum; total “whole life” value of contracts to be tendered £1,081,000, including previous extensions), provided that the modifications do not alter the nature of those contracts in any way.

## 9. MARKET CONSIDERATIONS

- 9.1 The local authority insurance market is very limited and there are currently only three key “players” in the field: ZM (who currently provide most of the Council’s insurance covers), Travelers and Risk Management Partners. The framework will, however, enable other interested parties to submit tenders if they wish.

## 10. OUTLINE CONTRACTING PROPOSALS & PROCUREMENT STRATEGY

- 10.1 The tender process will be handled by the Council’s external broker, JLT Specialty Ltd, under the Crown Commercial Services Framework for Insurance, which will give us access to all the main players in the local authority insurance field, whilst still giving us the ability to write our own specification. This was produced by Council officers in collaboration with officers from the Royal Borough of Greenwich and does not need to be changed for the re-run of the tender process. Greenwich are locked into long-term agreements for their main insurances until 2019 and the possibility of a joint tender with Greenwich will be fully explored then.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Current policies with various existing insurers (held by Martin Reeves, S209). Renewal of Casualty and Motor insurance cover - Resources Portfolio meeting 31 <sup>st</sup> March 2009. Renewal of Property insurance cover – E&R PDS Committee 25 <sup>th</sup> January 2012. Renewal of Casualty insurance cover – E&R PDS Committee 5 <sup>th</sup> June 2014. Extensions to Property and Motor insurance cover – Resources Portfolio holder decision 28 <sup>th</sup> April 2014. Formal consultation on outline service proposals and procurement strategy – insurance renewals 2016/17 – E&R PDS Committee 8 <sup>th</sup> October 2015.

**LONDON BOROUGH OF BROMLEY – TENDER TIMETABLE  
CCS FRAMEWORK – INCEPTION DATE 1<sup>ST</sup> AUGUST 2016**

	Date	Who	Status
Confirm cover extensions with existing insurers	1 <sup>st</sup> March 2016	JLT	COMPLETED
Request updated claims experience from insurers	7 <sup>th</sup> March 2016	JLT	
Complete review of fact find, original ITT and clarifications with Authority	By 15 <sup>th</sup> March 2016	ALL	
Review tender objectives and evaluation criteria with client	By 15 <sup>th</sup> March 2016	ALL	
Submit Tender to Council for review and final approval	23 <sup>rd</sup> March 2016	JLT	
Tender to market – in the market for 30 days	25 <sup>th</sup> March 2016	JLT	
Last date for bidders questions	15 <sup>th</sup> April 2016	INSURERS	
Tenders back	25 <sup>th</sup> April 2016	INSURERS	
Evaluate Tenders	25 <sup>th</sup> April to 16 <sup>th</sup> May 2016	JLT	
Meeting to discuss any points of clarification	27 <sup>th</sup> April 2016	ALL	
Evaluation Report presented to Council	16 <sup>th</sup> May 2016	JLT	
LB of Bromley Commissioning Board meeting	23 <sup>rd</sup> May 2016	LBB	
LB of Bromley Scrutiny meeting agenda deadline	31 <sup>st</sup> May 2016	LBB	
LB of Bromley Scrutiny Committee meeting	8 <sup>th</sup> June 2016	LBB	
Final Decision received from Council	23 <sup>rd</sup> June 2016	LBB	
Award decision letters issued (10 day standstill period)	24 <sup>th</sup> June 2016	JLT	
Award Contract	5 <sup>th</sup> July 2016	JLT	
Post award details on Contracts Finder	5 <sup>th</sup> July 2016	LBB	
Protocol Meeting with New Insurers	11 <sup>th</sup> July 2016 onwards	ALL	
Cover Incepted	1 <sup>st</sup> August 2016		

Report No.  
DRR16/030

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Resources Portfolio Holder

**Date:** **For Pre-Decision Scrutiny by the Executive and Resources Policy Development and Scrutiny Committee on Wednesday 16 March 2016**

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

**Title:**                      **SITE OF FORMER SMALL CIVIC HALLS, YORK RISE, ORPINGTON**

**Contact Officer:** Heather Hosking, Head of Strategic Property  
Tel: 020 8313 4421    E-mail: heather.hosking@bromley.gov.uk

**Chief Officer:** Director of Regeneration & Transformation

**Ward:** Farnborough and Crofton;

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1. Reason for report

A decision is sought on whether this site should be retained and used as a public car park or whether it should be sold for development. The report on this site on Part 2 of the agenda of this meeting contains the financial information.

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2. **RECOMMENDATION(S)**

**The Portfolio Holder's views are sought on whether the site of the Former Small Civic Halls, York Rise, Orpington, should be retained and adapted for use as a public car park, or whether it should be offered for sale.**

### Corporate Policy

1. Policy Status: Existing Policy: Maximising the Council's assets.
  2. BBB Priority: Excellent Council:
- 

### Financial

1. Cost of proposal: Estimated Cost: See Part 2 report
  2. Ongoing costs: Recurring Cost: See Part 2 report
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: N/A
  5. Source of funding N/A
- 

### Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement: S123 of the 1974 Local Government Act
  2. Call-in: Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Depending on use, up to 58 car parking spaces could be provided, or residential development providing housing, subject to the grant of planning permission.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: Comments received will be reported at the meeting.

### 3. COMMENTARY

The Resources Portfolio Holder considered a report on this site on 13<sup>th</sup> April 2013 when it was agreed that the buildings on the site should be demolished. It was also agreed that future Council uses for the site should be investigated and that, if no further Council use was identified, the site should be declared surplus to requirements and advertised for sale.

Work to demolish the buildings was completed in September 2014 and alternative uses for the site were considered, including its use for public parking. There is a demand for parking in this area, although the impact of the second tier added fairly recently to Orpington Station car park is not fully known yet. The local roads are still full of commuter parking for the station, so although it has not been proved that these drivers would be willing to pay for the convenience of parking closer to the station, it is believed by officers that there is demand for parking locally. Initially it was decided not to pursue the use of the site as a car park and work was started on the preparation of the sales particulars. However, the Environment Portfolio Holder requested that the use for car parking be reconsidered and business plans have been prepared by the Director of Environment and Community Services which provide three options;

#### i) Option 1 Use of Existing Surface

This option would provide approximately 47 spaces and would require minor repairs and lighting improvements but would not include resurfacing the area. The parking bays would not be marked out. Payment would be via mobile telephone and so there would be no installation of payment machines or collection of cash. This is only seen as a very temporary, short-term option because of the condition of the surface. It is estimated that the initial investment could be recovered in less than a year of operation but that maintenance costs could be incurred if the use was proposed for anything other than the short term..

#### ii) Option 2 Improved Surface

This option would involve a limited investment in improving the parking surface, which should provide an acceptable surface for four to five years. A thin surface coat of blacktop surfacing would be applied, together with the installation of lighting and associated works. The car park would be operated on a payment by telephone only system and so there would be no costs in installing ticket machines or in collecting cash from the site. It is estimated that the investment would be recovered in 3.6 years of operation.

#### iii) Option 3 Higher Grade Car Park

This option would involve the resurfacing of the area to a higher standard than Option ii), requiring a more comprehensive reconstruction, offering a period for use of 20 years before significant work to the surface would be required. This would provide 58 spaces, as it would include work to incorporate an area which is at a lower level than the rest of the surface, which is the footprint of one of the buildings which has been demolished. It is estimated that the initial outlay could be recovered in 7.8 years of operation. As with the other options, payment would be by mobile telephone and so there would be no need to install ticket machines or for the collection of cash from the site.

#### Potential Sale

As an alternative to the retention of this site for public parking the site could be offered for sale for development. It is likely to be attractive to residential developers because of its excellent location next to Orpington Station. It is anticipated that a development of flats on the site could be a viable scheme which could generate a good capital receipt for the Council and assist in the delivery of the Council's housing targets. The site has an area of 1.16 acres, but this includes

parts of the site that are banked/steeply sloping. The site is also known to have had stability problems in the past, with land slips occurring in the 1970's and the need for a concrete retaining structure to be erected along part of the western boundary of the site. There are also underground air raid shelters under most of the site, the locations of which are known. These issues will impact on the value of the site for development, but it is considered that, despite the abnormal costs that will arise, the site would still be valuable for residential development.

#### **4. POLICY IMPLICATIONS**

The Council's policies include being an Authority which manages its assets well.

#### **5. FINANCIAL IMPLICATIONS**

There is currently no budget provision for any capital works that would be required to convert the site for use as a public car park.

A sale of the site would generate a capital receipt which could be invested in an income earning opportunity.

#### **6. LEGAL IMPLICATIONS**

Section 123 of the Local Government Act 1972 requires a local authority to secure the best consideration reasonably obtainable when it disposes of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of State. This property would be marketed to ensure compliance with this requirement.



<b>Non-Applicable Sections:</b>	Personnel Implications
Background Documents: (Access via Contact Officer)	

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Report No.  
CSD16042

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE AND RESOURCES  
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 16<sup>th</sup> March 2016

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

**Title:** PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

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

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

**Ward:** N/A

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1. Reason for report

- 1.1 This report draws the Committee's attention to reports on the draft agenda for the next meeting of the Executive on 23<sup>rd</sup> March 2016. Members are requested to bring a copy of their Executive agenda to the PDS Committee's meeting.
- 

2. RECOMMENDATION

**The Committee is recommended to select priority issues from the Executive agenda for pre-decision scrutiny.**

### Corporate Policy

1. Policy Status: Existing Policy: One of the major roles of PDS Committees is to scrutinise proposals coming before executive bodies for decision. This supports the “Excellent Council” BBB priority.
  2. BBB Priority: Excellent Council:
- 

### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  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 (7.27 fte)
  2. If from existing staff resources, number of staff hours: Preparing this report takes less than one hour of staff time.
- 

### Legal

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of Members of the Committee.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

3.1 At each meeting, Members of this Committee have the opportunity to carry out pre-decision scrutiny of items for decision at forthcoming Executive meetings. This report identifies the reports expected for the next meeting of the Executive on 23<sup>rd</sup> March 2016 to enable the Committee to prioritise which reports should be scrutinised. At the time of writing, this is the draft list of expected reports but it is likely that list may be changed before the agenda is published on Thursday 10<sup>th</sup> March 2016.

#### **Part 1**

Budget Monitoring 2015/16 1  
Dementia Post Diagnosis Support Service 2 4  
Gateway Review of Tenancy Support Services 4  
Gateway Review of Health Visiting, Family Nurse Partnership, & national Child measurement Programme 4  
Gateway Review of Sexual Health Services 4  
Adoption Reform Grant Draw-Down 4  
Request for Draw-down and Carry Forward of Grant Funds for SEND Reforms 3  
South East London Consortium for Purchasing of Independent Specialist SEN Places 2 3  
Basic Need Programme Update & Interim Procurement Strategy 2  
Development Site G – Revised Site Boundary  
Glades Shopping Centre – Car Park Improvements 1 2  
Commissioning – Proposed Total Facility Management Contract 1 2  
Report from the Constitution Improvement Working Group 1  
Petition – Petts Wood ASRC

#### **Part 2**

Dementia Post Diagnosis Support Service 2 4  
Exemption from Tendering: Award of Contract for Point of Care Testing Service & Laboratory Testing for Sexually Transmitted Infection 2 4  
Award of Contract for special School Places (Burwood School) 2  
Commissioning – Proposed Total Facility Management Contract 1 2

Key –

- 1 Reports recommended for pre-decision scrutiny by this PDS Cttee;
- 2 Reports which are key or private decisions;
- 3 Reports due to be scrutinised at Education PDS Committee on 8<sup>th</sup> March 2016
- 4 Reports due to be scrutinised at Care Services PDS Committee on 10<sup>th</sup> March 2016

3.2 Under the Council's arrangements for decision making by individual executive portfolio holders, reports covering the Resources Portfolio Holder's proposed decisions are set out under separate headings on this agenda.

<b>Non-Applicable Sections:</b>	Policy/Finance/Legal/Personnel
Background Documents: (Access via Contact Officer)	Forward Plan as published 23 <sup>rd</sup> February 2016

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Report No.  
DRR16/027

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Executive and Resources PDS

**Date:** 16 March 2016

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

**Title:** SECTION 106 AGREEMENTS: UPDATE

**Contact Officer:** Jim Kehoe, Chief Planner & Claire Martin, Head of Finance  
Tel: 020 8313 4554 020 8313 4286 E-mail: jim.kehoe@bromley.gov.uk  
claire.martin@bromley.gov.uk

**Chief Officer:** Marc Hume, Director of Renewal and Transformation

**Ward:** Boroughwide

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1. Reason for report

This report provides an update on Section 106 Agreements.

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2. **RECOMMENDATION(S)**

2.1 **The Executive and Resources PDS are asked to note the report and the contents of the attached Appendices 1-5.**

### Corporate Policy

1. Policy Status: Existing Policy: IMP1 of the Unitary Development Plan
  2. BBB Priority: Safer Bromley: Plus Children and Young People, Vibrant and thriving Town Centres and Quality Environment
- 

### Financial

1. Cost of proposal: Estimated Cost Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: S106 Deposits
  4. Total current budget for this head: £5,273,416
  5. Source of funding: S106 Deposits
- 

### Staff

1. Number of staff (current and additional): 2ftes
  2. If from existing staff resources, number of staff hours: from existing staff resources
- 

### Legal

1. Legal Requirement: Statutory Requirement: S106 of the Town and Country Planning Act enables the Local Authority to make agreements with applicants to secure benefits relating to the granting of planning permission. This is reflected in Policy IMP1 of the Unitary Development Plan which relates to planning obligations.
  2. Call-in: Not Applicable: This report does not involve an executive decision
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Section 106 agreements are made with the applicant for the benefit of the future occupants of new developments and also for the benefit of existing residents in the vicinity of a new development
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

3.1 This is an update following the last report that was submitted to Executive and Resources PDS Committee in June 2015.

#### **Background information**

- 3.2 The detail of every S106 agreement is stored in at least one of Appendices 1, 2 and 3.
- 3.3 Appendix 1 records the 'negative/restrictive obligations' and include developments that are restricted by the S106 either by use, limitations on development within the curtilage or an obligation not to implement a previous permission.
- 3.4 Appendix 2 records the 'positive non-financial' contributions. These agreements form the larger proportion of planning obligations gained through Section 106. Mostly they relate to the provision of affordable housing units.
- 3.5 Appendix 3 records 'positive financial' contributions. There are 7 main service areas where monies are received through the use of S106 obligations: Local Economy, Community or Town Centre use, Highways/Traffic (including Transport for London), Education, Healthcare, Land (which records payments for landscaping), Affordable (which records payments in lieu of affordable housing) and Other (which records payments for any other contributions which do not fall into one of the above categories). The full Appendix 3 also shows that since March 2003 a wide variety of contributions have been negotiated through S106 agreements including funds for the education provision, travel plans, traffic calming/crossings, town centre improvement funding, public footpath maintenance, CCTV schemes and woodland management schemes. The Council uses the NHS London Healthy Urban Development Unit (HUDU) model, which gauges the impact that residential developments have on the capacity of health services. This formula produces a health contribution per unit.
- 3.6 Appendix 4 has been compiled from and updated using information from the Oracle accounting system and the Council's Public Register and Contribution record, which is held with the Public Register along with copies of all S106 legal agreements dating back to 1998.
- 3.7 Appendix 5 in the Part 2 agenda, provides an update on the progress of financial contributions received to date that are outstanding together with target spend dates. The relevant Lead Officers listed in para 4.12 below have provided the information for the table.
- 3.8 If a S106 includes obligations from more than one category the details are recorded in each of the relevant appendices.
- 3.9 The full Appendices cover the period from March 2003 to date with details of over 356 sealed legal agreements. Copies of these documents are available to view in the Members Room.
- 3.10 The Committee may note that there can be considerable time delay between the issuing of a Section 106 grant of permission and subsequent implementation of development (up to 5 years) when the obligation becomes due. There is always a possibility that a development will not go ahead at all where a developer feels the development is no longer viable.
- 3.11 All S106 legal agreements are registered as a Land Charge against the property and are registered at the Land Registry with the title deeds of a property or piece of land.

## Section 106 Agreements: Update

- 3.12 Appendices 1 to 3 of this report provide details of 8 new agreements since the last update in June 2015.
- 3.13 Appendix 1 shows a table with 4 'negative' S106 legal agreements.
- 3.14 Appendix 2 shows a table with 1 new 'positive non-financial' S106 legal agreements. The total net affordable housing gain since June 2015 amounts to 11 units. The full Appendix 2 table shows that since March 2003 the Council sealed legal agreements that will potentially net 1,518 new affordable housing units.
- 3.15 As can be seen from the tables LBB will not necessarily receive all of these housing units unless they are built and handed over but the agreements are in place. In terms of revenue as a non-stockholding authority the Council does not gain direct asset value through Section 106 of the 1990 Town and Country Planning Act. All housing assets acquired are held by our partners RSLs.
- 3.16 Appendix 3 shows 4 new agreements of specific 'positive financial gain to the Council.
- 3.17 Members should note that the detailed description of the agreement terms in Appendix 3 gives an indication of any time limitations on spend together with whether interest is accrued to the contributions.
- 3.18 Appendix 4 gives the details of the current balances the Council holds for S106 agreements, split by service area category mentioned in 3.5 above and by revenue/capital classification and the time limit for spending monies. The precise implications of the 'time limit' are set out in the individual planning agreements. The level of 'Commitments' in Appendix 4 has increased substantially in the last 24 months. This is mainly due to commitments to additional school and health projects, for example a grant agreement with the local NHS Clinical Commissioning Group. Lead officers who can provide further details in each of the service areas are shown in paragraph 4.12 below.
- 3.19 A complete set of Appendices 1, 2 and 3 has been left in the Members Room.
- 3.20 'Significant' new agreements are listed in the table below, with full details included in the appendices:-



Ref 353	57 Albemarle Road, Beckenham,	Affordable housing contribution £351,230.05 Education Contribution £80,099.95 Health Contribution £18,670
Ref 355	165 Masons Hill Bromley BR2 9HW	11 Affordable Housing units Education contribution £154,431.62 Health Contribution £57,996
Ref 357	Old Town Hall, 30 Tweedy Road, Bromley, Kent and Land Known as the Former South Street Car Park Site, Bromley, Kent	Car Club Space – £4,000 Health Contribution – £56,062 for new facilities and/or improvement of existing facilities at Dysart Surgery. Education Contribution – <ul style="list-style-type: none"> <li>• Total £116, 368.12 for the following new facilities and/or the improvement of existing facilities:</li> <li>• (i) £51, 151.63 at St George’s School, Tylney Road;</li> <li>• (ii) £38,329.82 at Ravensbourne School, Hayes Lane;</li> <li>• (iii) £26,886.67 at Beacon House, Holmesdale Road</li> </ul> Highway Works Contribution – £3,000 to relocate disabled parking bays in Court Street and coach pick-up/drop-off parking bay in South Street. Paid prior commencement of hotel;  Stopping Up Order Contribution – £3,000 Contract for hotel shall be let and work commenced prior to commencement of residential development Landscaping scheme on TfL land adjacent to residential and hotel parts of the development to be approved prior to commencement and implemented prior to first occupation

#### 4. POLICY IMPLICATIONS

- 4.1 Development Plan policies play a crucial role in securing appropriate planning obligations. Policy IMP1 of the Unitary Development Plan (saved policies 2004) sets out the Council’s approach to Section 106 agreements. There are implications also for the objectives of ‘Building A Better Bromley’ including, Safer Communities, A Quality Environment and Ensuring that all children and young people have opportunities to achieve their potential.
- 4.2 The sustainability of vibrant town centres is also one of the Council’s key priorities and Section 106 funding, where appropriate, can make a significant contribution in achieving one of the Council’s main aims.
- 4.3 The Government sets out criteria for when planning obligations are sought in the National Planning Policy Framework (NPPF) paras 204 and 205, and full operational use guidance details are now found in the National Planning Practice Guidance (NPPG) document paras 1-23. These documents replace Planning Obligations Circular 05/2005.
- 4.4 The London Plan (Policy 8.2: Planning Obligations) requires boroughs to give priority to affordable housing, public transport improvements, tackling climate change, learning and skills, health facilities, childcare provision and the provision of small shops and have clear local policies to these ends.
- 4.5 A Supplementary Planning Document (SPD) on Planning Obligations was adopted by the Council in December 2010. The SPD provides non-statutory guidance on the Council’s general approach to planning obligations, and where possible the requirements, and mechanisms for infrastructure contributions.
- 4.6 The SPD also incorporates the implication of CIL regulations which came into force on 6<sup>th</sup> April 2010. CIL regulation 122 places into law three statutory tests, explained under ‘Legal Implications’ below.

- a) necessary to make development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 4.7 From 6<sup>th</sup> April 2015, Regulation 123 came into effect regarding scaling back of the ‘pooling’ mechanism for planning obligations; this will ensure that the use of s106 and CIL (regarding projects that will, when CIL is introduced in Bromley, appear on a published CIL 123 project list) do not overlap.
- 4.8 As an interim arrangement, until a local CIL is in place, when the Council will need to seek specific financial contributions from developers (e.g. ‘£x’ for the provision of a new classroom at ‘y’ primary school or in the ‘z’ ward), rather than the historic/generic approach of seeking generic contributions (e.g. ‘£x for Education provision’) and to comply with the regulations that only a maximum of five contributions are spent for such a specific item of infrastructure. The introduction of this part of Reg 123 does not affect s278 Highways obligations nor apply to affordable housing contributions. These interim arrangements are expected to last until a local CIL is in place, due in early 2017.
- 4.9 In those cases where Affordable Housing Policy has not been met due to financial viability and subsequently there have been difficulties in the implementation of a specific project, the Council will consider whether the sum should be used instead for Affordable Housing.
- 4.10 The addendum to the SPD, to explain changes to unit threshold, and the pooling of s106’s was approved by Executive in June 2015.
- 4.11 Mayoral Community Infrastructure Levy (CIL) was introduced on 1<sup>st</sup> April 2012 (London Plan Policy 8.3). Bromley acts as a collecting authority on behalf of the Mayor. Mayoral CIL is collected on new development (as defined under regulations) at a rate of £35 per square metre in Bromley (subject to periodic inflation increases).
- 4.12 Members should note that Lead Officers have been identified for each of the service areas for which S106 contributions are received as follows:

Highways, Road safety and Parking – Angus Culverwell  
 Local Economy – Kevin Munnelly  
 Landscaping – Dan Jones  
 Housing – Sara Bowrey  
 Education – Rob Bollen  
 Healthcare/CCG – Richard Hills  
 Community Facilities – Colin Brand  
 CCTV – Jim McGowan

## 5. FINANCIAL IMPLICATIONS

- 5.1 The table below summarises the complete Appendix 3 (in the Member’s room), giving a breakdown across the service areas of all S106 obligations agreed within the last 13.5 years and details of whether the sums are confirmed (eg development has started) or provisional (S106 obligation agreed but development not started): -

Area	S106 Sums Confirmed £	S106 Sums Provisional £	Total £
Local Economy, Town Centre, Community Use	2,957,050	4,346,736	7,303,786
Highways/Traffic/Parking	1,408,793	22,500	1,431,293
Education	5,000,817	2,376,523	7,377,340
Healthcare/CCG	1,634,875	290,658	1,925,533
Landscape	222,500	65,000	287,500
Housing	10,039,469	3,036,230	13,075,699
Other	318,000	0	318,000
	<b>21,581,504</b>	<b>10,137,647</b>	<b>31,719,151</b>

5.2 Of the £21.581m confirmed sums, £18.164m has been received and £7.876m has been spent, leaving an unspent balance of £10.288m, excluding interest accrued of £7.8k.

5.3 The summarised financial position of the unspent balances across the service areas (detailed in Appendix 4) is as follows: -

Area	Balance as at 31.1.16 £	Current Outstanding Commitments £	Latest Balance as at 31.1.16 £
<b>Revenue</b>			
Local Economy, Town Centre, Community Use	118,000	73,000	45,000
Highways/Traffic/Parking	493,088	50,000	443,088
Health/Primary Care Trust	1,105,063	683,057	422,006
Landscape	0	0	0
Other	20,000	0	20,000
<b>Total Revenue Balance</b>	<b>1,736,151</b>	<b>806,057</b>	<b>930,094</b>
<b>Capital</b>			
Housing	5,778,676	3,771,043	2,007,633
Education	2,585,689	250,000	2,335,689
Highways/Traffic/Parking	194,736	194,736	0
<b>Total Capital Balance</b>	<b>8,559,101</b>	<b>4,215,779</b>	<b>4,343,322</b>
<b>Total Section 106 Balance</b>	<b>10,295,252</b>	<b>5,021,836</b>	<b>5,273,416</b>

5.4 The balance above includes interest that has accrued to three of the S106 agreements within the revenue balances, totalling £1,481 and two agreements within the capital balances, totalling £6,311.

5.5 On 2 April 2014, Executive agreed to set aside £192,500 from S106 monies in an earmarked reserve for the future maintenance of Cheyne Woods and Cyphers Gate open space, in accordance with the criteria set out in the specific agreements. There is also a sum of £183,534 held in an earmarked reserve for the management and maintenance of Langley Waterside Nature Reserve from the Glaxo site development. The table below provides Members with an update on the use of these monies: -

Earmarked Reserves	Current Balance £	Actual Spend £	Outstanding Commitments £	Latest Balance £
Management of Cyphers Gate Open Space	151,908	0	11,408	140,500
Management of Cheyne Woods	35,000	9,054	5,196	20,750
Management of Langley Waterside Nature Reserve	178,956	0	18,975	159,981
	<b>365,864</b>	<b>9,054</b>	<b>35,579</b>	<b>321,231</b>

5.6 As mentioned above, Appendix 5 provides an update on the progress of financial contributions received to date together with target spend dates.

## 6. LEGAL IMPLICATIONS

- 6.1 The power of a Local Planning Authority to enter into a Planning Obligation with anyone having an interest in land in their area is contained in section 106 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Planning and Compensation Act 1991). Planning Obligations made under section 106 comprise both obligations and unilateral undertakings. Government advice on the use of section 106 is contained within NPPG paras 1-23.
- 6.2 A Planning Obligation may only be created by a person with an interest in the relevant land, and may be created either by means of an agreement with the Local Planning Authority or by means of a unilateral undertaking. An Obligation may restrict development or the use of land, need specific works to take place or need a financial contribution towards a work or service of public benefit.
- 6.3 The main features of a Planning Obligation are:
- It applies to the land, so enforcement of it would be against the person who agreed it (normally the applicant) or their successor in title.
  - It can also be enforced by a legal injunction. Where a person has defaulted on a requirement to carry out works on the land, the Local Planning Authority may also enter onto the land to enforce the terms of the Obligation and to claim back its reasonable costs arising from this action.
  - It can contain a restriction on use of the land or a requirement for works to be undertaken thereon, that can be for an indefinite period, a stated period, or a period defined by reference to some future event, e.g. the completion of specified works.
  - Contribution(s) may be expressed as being due:
    - (a) Singly, on a specified date, or one that can be derived from defined future event(s),
    - (b) In instalments, the amounts of which can be stated or derived from a formula, that are payable on specified dates or on dates based on future events, e.g. stages of the development, and
    - (c) Singly or in instalments, the amounts of which can be stated or derived from a formula, that are payable on specified date(s), or at defined times after, the completion of the development, e.g. to contribute to maintenance needs.
- 6.4 A section 106 Agreement can be varied with the agreement of the Local Planning Authority; there is also a formal application and appeals process in certain circumstances. Section 106 contributions may be time limited in the agreement or undertaking. Even where this is not the case then section 12(3) Planning and Compensation Act 1991 Section allows a person to apply for a planning obligation to be discharged after 5 years and if money has not been spent or there is not a clear intention to spend within a reasonable time a local authority may be made to refund in such cases.
- 6.5 The planning system works on the principle that planning permissions cannot be bought from or sold by a Local Planning Authority. Negotiations to gain benefits from development proposals must take place in a way which is seen to be fair and reasonable. By working in this way, Planning Obligations can improve the quality of development proposals which might otherwise have to be refused.
- 6.6 Planning Obligations must be related to the scale and nature of the development being proposed. CIL regulation 122 came into force under the Community Infrastructure Levy (CIL) Regulations in April 2010 and places into law three statutory tests which are based upon the original five policy tests in Circular 05/05. The three tests are;

- a) necessary to make development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

6.7 The Council acting as Local Planning Authority cannot allow unacceptable developments because of unnecessary or unrelated benefits that the applicant may be offering. Equally applicants cannot be expected to pay for facilities which are only needed to deal with existing shortfalls in the area.

<b>Non-Applicable Sections:</b>	Personnel
Background Documents: (Access via Contact Officer)	2008/09 budget monitoring files within ES Impact of Large Developments – Progress Monitoring Report March 2006 Shared file listing all S106 agreements Executive & Resources PDS Committee 8th Jan 2014 Executive & Resources PDS Committee 10 <sup>th</sup> July 2014 Executive & Resources PDS Committee 19 <sup>th</sup> Nov 2014 Executive & Resources PDS Committee 3 <sup>rd</sup> June 2015 Supplementary Planning Document (SPD) on Planning Obligations: Addendum to Changes to Pooling S106 Contributions and S106 Threshold Changes. DC Committee 24 <sup>th</sup> March 2015 and Executive 10th June 2015

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## SECTION 106 AGREEMENTS REQUIRING A RESTRICTIVE OR 'NEGATIVE' OBLIGATION - CHANGES SINCE MAY 2015

Ref No	App No	Address	Nature of Application	Date	Legal Agreement	Gain
352	15/01036	35 Julian Road Orpington BR6 6HT	Proposed new dwelling at number 35 Julian Road and additional first floor and extensions to 37 Julian Road	6th August 2015	The owner covenants to use best endeavours to achieve Practical Completion of the works at 35 and 37 Julian Road within 12 months of each other. The dwellings will not be occupied until both works have reached a Practical Completion.	REST
354	14/05055	Land Rear Of 86 To 94 High Street Beckenham	Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow a variation of the planning permission (DC/11/02100) granted on appeal dated 26th July 2012, for the construction of 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 41 car parking spaces, bicycle parking, landscaping and access in order to allow provision of 40 car parking spaces as opposed to 41 car parking spaces	10th September 2015	All expressions and terms used in this Supplemental Deed of Variation shall bear the same meaning as in the Principal Agreement DEED OF VARIATION	none
356	15/00640	Kingswood House Mays Hill Road Shortlands Bromley BR2 0HX	Variation of Condition 17 of permission ref. 14/02667/FULL1 (granted for a two form entry primary school, involving the demolition of all existing buildings together with the erection of a two storey building with associated vehicular access, parking and landscaping) to allow amendment to the approved scheme including the removal of part of the first floor, reconfiguration of the first floor, removal of the roof overrun of the external staircase and an increase of the screened roof plant area.	21st September 2015	The original agreement shall be supplemented as follows: Amendment to the definition of "Commencement Date". A new definition of "Supplemental Application" shall be inserted into Clause 1.1. A new definition of "Supplemental Permission" shall be inserted into Clause 1.1. The definition of "Development" in Clause 1.1 shall be supplemented as per the Clause 4 of the First Schedule of the Deed of Variation.	none

Ref No	App No	Address	Nature of Application	Date	Legal Agreement	Gain
357	15/00140	Old Town Hall, 30 Tweedy Road, Bromley, Kent and Land Known as the Former South Street Car Park Site, Bromley, Kent	Partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1) to include hotel restaurant, conference, wedding and multi-functional space in addition to 2 independent restaurants (Class A3) fronting Widmore Road together with re-configuration of the existing access ramp on Widmore Road and provision of pickup/drop off in Tweedy Road and South Street and Planning Permission for the erection of a 5-storey residential apartment building (Class C3) containing 53 units (18 x 1bed, 34 x 2-bed, 1 x 3 bed), with basement parking for 26 cars and 118 cycle parking spaces upon the neighbouring South Street Car Park, together with associated landscaping and public realm improvements.	6th November 2015	Contract for hotel shall be let and work commenced prior to commencement of residential development, Landscaping scheme on TfL land adjacent to residential and hotel parts of the development to be approved prior to commencement and implemented prior to first occupation, Return funds 10 years from date of receipt plus interest accrued	none



## SECTION 106 AGREEMENTS REQUIRING 'POSITIVE' NON-FINANCIAL OBLIGATION - CHANGES SINCE MAY 2015

Ref No	App No	Address	Nature of Application	Date	Legal Agreement	Gain (Units)
355	14/04199	165 Masons Hill Bromley BR2 9HW	Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle and refuse storage and associated landscaping	17th September 2015	11 Affordable Housing units Education contribution £154,431.62 Health Contribution £57,996 Health and Education contributions to be used for projects identified in the Agreement The Owner covenants to pay the Education and Health contributions to the Council prior to First Occupation of the 1st Market Housing Unit. Upon written request the Council shall repay any unspent funds within eight years of the date of receipt. Together with interest.	11
			<b>TOTAL NUMBER OF UNITS SINCE MAY 2015</b>			<b>11</b>

## SECTION 106 AGREEMENTS REQUIRING A 'POSITIVE' FINANCIAL OBLIGATION - CHANGES SINCE MAY 2015

TAKEN FROM THE PUBLIC REGISTER OF CONTRIBUTIONS														
Ref No.	App No.	Address of application	Nature of Application	Date of S106	Legal agreement	Gain	Rec'd	Community Use/ Town centre / local economy	Highways/ Traffic / parking	Education	Healthcare / CCG	Landscaping	Other	Housing
353	14/01637	57 Albemarle Road Beckenham BR3 5HL	Demolition of 57 and 57B Albemarle Road and erection of a part four/five storey detached building consisting of 16 retirement apartments with 19 parking spaces, bin store, cycle store and associated landscaping	28th August 2015	Affordable housing contribution £351,230.05 Education Contribution £80,099.95 Health Contribution £18,670 To pay the whole of the contributions prior to the first occupation of any dwelling.  Not to occupy or permit occupation of any dwelling until the whole of the contributions have been paid to the Council.  Spend within 5 years of receiving the money and repay contribution plus interest if unspent/uncommitted. UNILATERAL UNDERTAKING	Affordable housing contribution £351,230.05  Education Contribution £80,099.95  Health Contribution £18,670				£80,099	£18,670			£351,230
354 - also see 296A	14/05055	Land Rear Of 86 To 94 High Street Beckenham	Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow a variation of the planning permission (DC/11/02100) granted on appeal dated 26th July 2012, for the construction of 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 41 car parking spaces, bicycle parking, landscaping and access in order to allow provision of 40 car parking spaces as opposed to 41 car parking spaces	10th September 2015	All expressions and terms used in this Supplemental Deed of Variation shall bear the same meaning as in the Principal Agreement DEED OF VARIATION	**No gain but is being implemented - see 296A**								
355 Page 58	14/04199	165 Masons Hill Bromley BR2 9HW	Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle and refuse storage and associated landscaping	17th September 2015	11 Affordable Housing units Education contribution £154,431.62 Health Contribution £57,996 Health and Education contributions to be used for projects identified in the Agreement The Owner covenants to pay the Education and Health contributions to the Council prior to First Occupation of the 1st Market Housing Unit. Upon written request the Council shall repay any unspent funds within eight years of the date of receipt. Together with interest.	11 units  Education contribution £154,431.62  Health Contribution £57,996				£154,432	£57,996			

TAKEN FROM THE PUBLIC REGISTER OF CONTRIBUTIONS														
Ref No.	App No.	Address of application	Nature of Application	Date of S106	Legal agreement	Gain	Rec'd	Community Use/ Town centre / local economy	Highways/Traffic / parking	Education	Healthcare / CCG	Landscaping	Other	Housing
356 - See 339	15/00640	Kingswood House Mays Hill Road Shortlands Bromley BR2 0HX	Variation of Condition 17 of permission ref. 14/02667/FULL1 (granted for a two form entry primary school, involving the demolition of all existing buildings together with the erection of a two storey building with associated vehicular access, parking and landscaping) to allow amendment to the approved scheme including the removal of part of the first floor, reconfiguration of the first floor, removal of the roof overrun of the external staircase and an increase of the screened roof plant area	21st September 2015	The original agreement shall be supplemented as follows:  Amendment to the definition of "Commencement Date".  A new definition of "Supplemental Application" shall be inserted into Clause 1.1  A new definition of "Supplemental Permission" shall be inserted into Clause 1.1  The definition of "Development" in Clause 1.1 shall be supplemented as per the Clause 4 of the First Schedule of the Deed of Variation.	**No gain but is being implemented - see 339**								
357	15/00140	Old Town Hall, 30 Tweedy Road, Bromley, Kent and Land Known as the Former South Street Car Park Site, Bromley, Kent	Partial demolition of the Bromley Town Hall building and replacement with extensions no greater than 3 storeys high to facilitate a change of use from Office (Class B1) to 94 bedroom hotel use (Class C1) to include hotel restaurant, conference, wedding and multi-functional space in addition to 2 independent restaurants (Class A3) fronting Widmore Road together with re-configuration of the existing access ramp on Widmore Road and provision of pickup/drop off in Tweedy Road and South Street and Planning Permission for the erection of a 5-storey residential apartment building (Class C3) containing 53 units (18 x 1bed, 34 x 2-bed, 1 x 3 bed), with basement parking for 26 cars and 118 cycle parking spaces upon the neighbouring South Street Car Park, together with associated landscaping and public realm improvements.	6th November 2015	Car Club Space Contribution – £4,000 Contribution paid prior to commencement; Health Contribution – £56,062 for new facilities and/or improvement of existing facilities at Dysart Surgery. Paid prior to first occupation of any residential unit; Education Contribution – £116,368.12 for new facilities and/or the improvement of existing facilities: (i) £51,151.63 at St George's School, Tylney Road; (ii) £38,329.82 at Ravensbourne School, Hayes Lane; and (iii) £26,886.67 at Beacon House, Holmesdale Road. Paid before first occupation of any residential unit; Highway Works Contribution – £3,000 to relocate disabled parking bays in Court Street and coach pickup/drop-off parking bay in South Street. Paid prior commencement of hotel; Stopping Up Order Contribution – £3,000 to be used for the Council's costs in obtaining the Stopping up Order. Paid before commencement of hotel  Contract for hotel shall be let and work commenced prior to commencement of residential development, Landscaping scheme on TfL land adjacent to residential and hotel parts of the development to be approved prior to commencement and implemented prior to first occupation, Return funds 10 years from date of receipt plus interest accrued	Car Club Space Contribution £4,000  Health Contribution £56,062  Education Contribution £116,368.12  Highway Works Contribution £3,000  Stopping Up Order Contribution £3,000		£10,000	£116,368	£56,062				

TAKEN FROM THE PUBLIC REGISTER OF CONTRIBUTIONS														
Ref No.	App No.	Address of application	Nature of Application	Date of S106	Legal agreement	Gain	Rec'd	Community Use/ Town centre / local economy	Highways/ Traffic / parking	Education	Healthcare / CCG	Landscaping	Other	Housing
358	15/00696	Broadway House 3 High Street Bromley BR1 1LF	Extension of third, fourth, eighth and ninth floor to provide 9 flats	28th October 2015	Highways Contribution - £2,500 for lining and signing a dedicated parking bay for use by a nominated Car Club Operator. Paid prior to first residential occupation of the Development. No time limit for spending or when the contribution would become repayable to the owner.	Highways Contribution £2,500			£2,500					
<b>TOTAL SECTION 106 CONTRIBUTIONS</b>								<b>£0</b>	<b>£10,000</b>	<b>£350,899</b>	<b>£132,728</b>	<b>£0</b>	<b>£0</b>	<b>£351,230</b>

## REVENUE ITEMS

Public register ref	Address of application	Use of monies	31st March 2015	Movement during 2014/15	Commitments	Movement during 2015/16	Balance as at 31.1.16	Time Limit for spend
			£	£	£	£	£	
			Expenditure		Income			
<b>Highway improvement works &amp; traffic schemes</b>								
104	Bristol Street Motors, Masons Hill/Prospect Place	Highway improvement works	(30,000.00)	0.00	30,000.00	0.00	0.00	April 2009
139	Nugent Estate, Sevenoaks Way Orpington	£10k for footpath maintenance	(10,000.00)	10,000.00	0.00	0.00	0.00	
173	Knotley Springfield Gardens West Wickham	£15k for highway works and £2.5k for traffic order	(15,000.00)	0.00	0.00	0.00	(15,000.00)	Oct 2011
206	J Sainsbury Pallant Way	£20k towards bus improvement	(20,000.00)	0.00	0.00	0.00	(20,000.00)	July 2013
197	Orpington Halls High St Orpington	£2.5k for traffic order	(1,200.00)	1,200.00	0.00	0.00	0.00	
231	117 Widmore Road Bromley	£2.5k highways contributions	(2,500.00)	0.00	0.00	0.00	(2,500.00)	June 2014
232	Garrard House, 2-6 Homesdale Road Bromley	£2k for loading restriction contribution	(2,000.00)	0.00	0.00	0.00	(2,000.00)	May 2015
178	178 Ravensbourne College	£20k Highways and £10k Footpath	(30,000.00)	0.00	20,000.00	0.00	(10,000.00)	Jan 2017
178	179 Ravensbourne College	£225k public transport contribution for additional bus to serve local bus route No. 314	(225,000.00)	0.00	0.00	0.00	(225,000.00)	Feb 2019
208 (176)	Land at South of Ringers Road	£50k traffic management contribution to implement 20mph restriction zone in Ringers Rd & Ravensbourne Rd + TMOs	(50,000.00)	0.00	0.00	0.00	(50,000.00)	Dec 2018
<b>Total for Highway improvement works</b>			<b>(385,700.00)</b>	<b>11,200.00</b>	<b>50,000.00</b>	<b>0.00</b>	<b>(324,500.00)</b>	
<b>Road Safety and cycle schemes</b>								
108	Aquila, Golf Road Bickley	£60k traffic calming	(29,833.34)	0.00	0.00	0.00	(29,833.34)	Dec 2014
211	Land R/O 91-117 Copers Cope Road, Beckenham	£15k for travel studies	(15,000.00)	0.00	0.00	0.00	(15,000.00)	N/A
<b>Total Road Safety &amp; cycle schemes</b>			<b>(44,833.34)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>(44,833.34)</b>	
<b>Local Economy and Town Centres</b>								
187	Tesco Stores, Croydon Road	£50k towards Town Centre Initiatives	(51,026.03)	3,026.03	48,000.00	0.00	0.00	Feb2016
284	Westmoreland car park, Simpson Road, Bromley	£20k Town Centre contribution	(20,000.00)	0.00	0.00	0.00	(20,000.00)	Oct 2018
208 (176)	Land at South of Ringers Road	£50k Town Centre contribution	(50,000.00)	0.00	25,000.00	0.00	(25,000.00)	Dec 2018
<b>Total Local Economy &amp; Town Centres</b>			<b>(121,026.03)</b>	<b>3,026.03</b>	<b>73,000.00</b>	<b>0.00</b>	<b>(45,000.00)</b>	
<b>Parking</b>								
120	Beckenham hospital, Croydon Road Beckenham	£10k car park, £30k residents parking scheme	(18,000.00)	0.00	0.00	0.00	(18,000.00)	
110	77 Addington Road West Wickham	Contribution to on street parking	(1,000.00)	0.00	0.00	0.00	(1,000.00)	
204	Tesco - Homesdale Road	£40k towards controlled parking zone	(23,191.58)	0.00	0.00	0.00	(23,191.58)	July 2014
194	Reliance House	£5k towards 'white lining' for the provision of public and car club parking & restoration of redundant crossovers	(2,658.88)	0.00	0.00	0.00	(2,658.88)	
185	101 Palace Road Bromley	£3k for white lining car parking spaces and redstone crossovers parking Permit Scheme, Car Club Scheme	(2,904.59)	0.00	0.00	0.00	(2,904.59)	
231	117 Widmore Road Bromley	£2.5k towards car club	(2,500.00)	0.00	0.00	0.00	(2,500.00)	June 2014
284	Westmoreland car park, Simpson Road, Bromley	£2.5k towards car club	(2,500.00)	0.00	0.00	0.00	(2,500.00)	Oct 2018
339	Kingswood House	£21k parking restriction contribution	0.00	0.00	0.00	(21,000.00)	(21,000.00)	Oct 2021
<b>Total parking schemes</b>			<b>(52,755.05)</b>	<b>0.00</b>	<b>0.00</b>	<b>(21,000.00)</b>	<b>(73,755.05)</b>	
<b>Community facilities</b>								
83	Kelsey Square Beckenham	Environmental improvements	(10,000.00)	0.00	0.00	0.00	(10,000.00)	
203	Multi-storey car park at Earls Way Orpington	£30k playspace contribution	(813.29)	813.29	0.00	0.00	0.00	Mar 2015
<b>Total Community Facilities</b>			<b>(10,813.29)</b>	<b>813.29</b>	<b>0.00</b>	<b>0.00</b>	<b>(10,000.00)</b>	

Public register ref	Address of application	Use of monies	31st March 2015	Movement during 2014/15	Commitments	Movement during 2015/16	Balance as at 31.1.16	Time Limit for spend
	<b>Other minor schemes</b>							
204	Tesco - Homesdale Road	£10k webcam contribution	(10,000.00)	0.00	0.00	0.00	(10,000.00)	Oct 2013
	<b>Total other minor schemes</b>		<b>(10,000.00)</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>(10,000.00)</b>	

<b>Healthcare/CCG</b>								
172	The George High Street Farnborough	£12,228 towards additional primary care infrastructure	(12,228.00)	0.00	12,228.00	0.00	0.00	
180	James Dixon Schl site Anerley Park	£26,496 for Health	(26,496.00)	0.00	26,496.00	0.00	0.00	Aug 2012
218	The Partridge, Chipperfield Road	£13,244 for Health care	(13,244.00)	0.00	13,244.00	0.00	0.00	Mar 2014
197	Orpington Halls High St Orpington	£13,243 for health care	(13,243.00)	0.00	13,243.00	0.00	0.00	Aug 2014
230	Enterprise Hse, 45 Homesdale Road	£84,296 for healthcare cont'n	(84,296.00)	0.00	84,296.00	0.00	0.00	Feb 2015
227	Land Rear Of Nugent Shopping Park, Cray View Close, St Mary Cray, Orpington	£7,695 for health	(7,695.00)	0.00	7,695.00	0.00	0.00	
233	Garrard House, 2-6 Homesdale Road Bromley	£35k for Health Care	(35,000.00)	35,000.00	0.00	0.00	0.00	Sept 2015
214	Anerley School for Boys, Versialles Rd Penge	Healthcare contribution	(105,780.00)	0.00	105,780.00	0.00	0.00	April 2014
228	Land at former 1-23 Orchard Grove Orpington	£98,240 for healthcare contribution	(98,240.00)	0.00	98,240.00	0.00	0.00	
237	Oatlands 210 Anerley Road Penge	£26,270 healthcare contribution	(26,270.00)	0.00	26,270.00	0.00	0.00	Mar 2016
223	Anerley School for Boys, Versialles Rd Penge (Blocks A, B & C)	£75,768 healthcare contribution	(75,768.00)	0.00	75,768.00	0.00	0.00	Apr 2017
274	Denton Court, 60 Birch Row	£40,797 Health contribution	(40,797.00)	0.00	40,797.00	0.00	0.00	
178	Ravensbourne College (Instalment 1 of 3)	Healthcare contribution (£163k in total)	(55,000.00)	0.00	55,000.00	0.00	0.00	Feb 2019
178	Ravensbourne College (Instalment 2 of 3)	Healthcare contribution (£163k in total)	(55,000.00)	0.00	55,000.00	0.00	0.00	Feb 2019
178	Ravensbourne College (Instalment 3 of 3)	Healthcare contribution (£163k in total)	(53,000.00)	0.00	53,000.00	0.00	0.00	Mar 2019
301	47 Homesdale Road	£16k healthcare contribution	(16,000.00)	0.00	16,000.00	0.00	0.00	Sep 2024
303	2 Betts Way	Healthcare contribution £24.871k	(24,871.00)	0.00	0.00	0.00	(24,871.00)	Nov 2024
334	Hayes Court, West Common Road	Healthcare contribution £103.827k	(103,827.44)	0.00	0.00	0.00	(103,827.44)	
300	76 High Street Orpington	Healthcare contribution £44k	0.00	0.00	0.00	(44,000.00)	(44,000.00)	Apr 2020
323	Sheila Stead House (Interest to accrued)	Healthcare contribution £35.953k	0.00	0.00	0.00	(35,953.00)	(35,953.00)	Jun 2025
311	Graham Chiesman House	Healthcare contribution £119.04k	0.00	0.00	0.00	(42,000.00)	(42,000.00)	Jun 2020
208	Land at south side Ringers Road	Healthcare contribution £42k	0.00	0.00	0.00	(119,040.00)	(119,040.00)	Aug 2020
324	1 Chilham Way	Healthcare contribution £52.315k	0.00	0.00	0.00	(52,315.00)	(52,315.00)	Nov 2025
	<b>Total Healthcare /CCG</b>		<b>(846,755.44)</b>	<b>35,000.00</b>	<b>683,057.00</b>	<b>(293,308.00)</b>	<b>(422,006.44)</b>	
	<b>Total S106 Revenue Balance</b>		<b>(1,471,883.15)</b>	<b>50,039.32</b>	<b>806,057.00</b>	<b>(314,308.00)</b>	<b>(930,094.83)</b>	

## CAPITAL ITEMS

<b>Housing</b>								
167	Oakwood Court, Bromley Road	£725k towards affordable housing	(703,990.96)	4,650.91	699,340.05	0.00	0.00	June 2015
178	Ravensbourne College (instalment 1 of 5)	Affordable housing contribution (£1,411k)	(282,200.00)	0.00	282,200.00	0.00	0.00	Jan 2017
178	Ravensbourne College (instalment 2 of 5)	Affordable housing contribution (£1,411k)	(282,200.00)	0.00	282,200.00	0.00	0.00	Feb 2019
178	Ravensbourne College (instalment 3 of 5)	Affordable housing contribution (£1,411k)	(282,200.00)	0.00	282,200.00	0.00	0.00	Feb 2019
178	Ravensbourne College (instalment 4 of 5)	Affordable housing contribution (£1,411k)	(282,200.00)	0.00	44,114.61	0.00	(238,085.39)	Mar 2019
178	Ravensbourne College (instalment 5 of 5)	Affordable housing contribution (£1,411k)	(282,200.00)	0.00	0.00	0.00	(282,200.00)	Mar 2019
256	Enterprise Hse, 45 Homesdale Road	£4,000 - affordable housing contribution	(4,000.00)	0.00	4,000.00	0.00	0.00	Feb 2016
289	Holy Trinity, Plaistow Lane	£2,173,150 housing contribution	(2,173,150.00)	0.00	2,173,150.00	0.00	0.00	Mar 2017
191/202	102 Martins Rd Bromley	£3,838.80 wheelchair payment	(3,838.80)	0.00	3,838.80	0.00	0.00	Feb 2016
267	Invicta Works, Chalk Pit Avenue, Orpington, BR5 3JQ	Affordable housing contribution £226.801k	(226,801.00)	0.00	0.00	0.00	(226,801.00)	Apr 2019
285	H Smith Engineers Ltd, Fordcroft Rd, BR5 2DB	Contribution towards wheelchair adapted units £5.512k	(5,512.00)	0.00	0.00	0.00	(5,512.00)	May 2019
321	Sunridge Park Management Centre Ltd	Affordable housing contribution £700k	(233,333.00)	0.00	0.00	0.00	(233,333.00)	July 2022
334	Hayes Court, West Common Road	Housing contribution £94k	(94,000.00)	0.00	0.00	0.00	(94,000.00)	

Public register ref	Address of application	Use of monies	31st March 2015	Movement during 2014/15	Commitments	Movement during 2015/16	Balance as at 31.1.16	Time Limit for spend
300	76 High Street Orpington	Affordable Housing cont'n £205.182k	0.00	0.00	0.00	(205,182.00)	(205,182.00)	Apr 2020
311	Graham Chiesman House	Affordable hsing cont'n of £383.397k	0.00	0.00	0.00	(383,397.00)	(383,397.00)	Jun 2020
321	Sunridge Park Management Centre Ltd (instalmt 1 and 2 of 3) (Interest to accrued)	Affordable housing contribution £700k	0.00	0.00	0.00	(233,333.00)	(233,333.00)	July 2022
341	Grays Farm Production Village	Affordable hsing cont'n of £105k	0.00	0.00	0.00	(105,000.00)	(105,000.00)	Nov 2020
	Interest accrued to S106 housing capital		(789.50)	0.00	0.00	0.00	(789.50)	
	<b>Total Housing</b>		<b>(4,856,415.26)</b>	<b>4,650.91</b>	<b>3,771,043.46</b>	<b>(926,912.00)</b>	<b>(2,007,632.89)</b>	

Education								
178	Ravensbourne College (instalment 1 of 5)	Education contribution (£550k in total)	(110,000.00)	0.00	0.00	0.00	(110,000.00)	Feb 2019
178	Ravensbourne College (instalment 2 of 5)	Education contribution (£550k in total)	(110,000.00)	0.00	0.00	0.00	(110,000.00)	Feb 2019
178	Ravensbourne College (instalment 3 of 5)	Education contribution (£550k in total)	(110,000.00)	0.00	0.00	0.00	(110,000.00)	Feb 2019
178	Ravensbourne College (instalment 4 of 5)	Education contribution (£550k in total)	(110,000.00)	0.00	0.00	0.00	(110,000.00)	Mar 2019
178	Ravensbourne College (instalment 5 of 5)	Education contribution (£550k in total)	(110,000.00)	0.00	0.00	0.00	(110,000.00)	July 2019
186	Blue Circle	Education contribution	(500,000.00)	0.00	250,000.00	0.00	(250,000.00)	Feb 2018
223	Anerley School for Boys, Versialles Rd Penge (Blocks A, B & C)	£91,176 education contribution	(91,176.00)	0.00	0.00	0.00	(91,176.00)	Apr 2017
274	Denton Court, 60 Birch Row	£205,230.62 Education contribution	(205,230.62)	0.00	0.00	0.00	(205,230.62)	Jun 2019
301	47 Homesdale Road	£53.59k Education contribution	(53,590.45)	0.00	0.00	0.00	(53,590.45)	Sept2024
303	2 Betts Way	Education cont'n £83.826k	(83,825.77)	0.00	0.00	0.00	(83,825.77)	Nov 2024
334	Hayes Court, West Common Road	Education cont'n £103.827k	(103,827.44)	0.00	0.00	0.00	(103,827.44)	
296A	Land at rear of 86-94 High St Beckenham	Education contribution £182.389k	0.00	0.00	0.00	(182,389.38)	(182,389.38)	
323	Sheila Stead House (Interest to accrued)	Education contribution £168.738k	0.00	0.00	0.00	(168,737.54)	(168,737.54)	Jun 2025
302	Day Centre, Chipperfield Rd	Education contribution £335.511k	0.00	0.00	0.00	(335,511.48)	(335,511.48)	Jun 2025
321	Sunridge Park Management Centre Ltd (instalmt 1 of 2) (Interest to accrued)	Education contribution £50k	0.00	0.00	0.00	(25,000.00)	(25,000.00)	July 2022
324	1 Chilham Way	Education contribution £283.047k	0.00	0.00	0.00	(283,046.92)	(283,046.92)	Nov 2025
	Interest accrued to S106 community capital items		(3,353.00)	0.00	0.00	0.00	(3,353.00)	
	<b>Total Education</b>		<b>(1,591,003.28)</b>	<b>0.00</b>	<b>250,000.00</b>	<b>(994,685.32)</b>	<b>(2,335,688.60)</b>	

Highway improvement works & traffic schemes								
108	Aquila, Golf Road Bickley	£325k Highways works, £10k surveys	(212,516.59)	99,949.06	112,567.53	0.00	0.00	Dec 2012
203	Multi-storey car park at Earls Way Orpington	£80k for bus stop enhancement	(82,168.76)	0.00	82,168.76	0.00	0.00	
	<b>Total for Highway improvement works</b>		<b>(294,685.35)</b>	<b>99,949.06</b>	<b>194,736.29</b>	<b>0.00</b>	<b>0.00</b>	

<b>Total S106 Capital Balance</b>	<b>(6,742,103.89)</b>	<b>104,599.97</b>	<b>4,215,779.75</b>	<b>(1,921,597.32)</b>	<b>(4,343,321.49)</b>	
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<b>Total Section 106 Balance</b>	<b>(8,213,987.04)</b>	<b>154,639.29</b>	<b>5,021,836.75</b>	<b>(2,235,905.32)</b>	<b>(5,273,416.32)</b>	
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Report No.  
CSD16045

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE AND RESOURCES  
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 16<sup>th</sup> March 2016

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

**Title:** ANNUAL POLICY DEVELOPMENT AND SCRUTINY 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:** N/A

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1. Reason for report

- 1.1 The Council's Constitution requires that a report is made each year to full Council which summarises the work carried out by Policy Development and Scrutiny (PDS) Committees. The latest draft of the report for 2015/16, including contributions from all PDS chairmen summarising the work of their Committees, is attached.
- 

2. **RECOMMENDATIONS**

**That the Annual Policy Development and Scrutiny Report is approved for submission to full Council, subject to any final additions and amendments from the current round of PDS meetings.**

### Corporate Policy

1. Policy Status: Existing Policy: Article 6 (para. 6.03 (d)) of the Constitution.
  2. BBB Priority: Excellent Council:
- 

### Financial

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

### Staff

1. Number of staff (current and additional): 8 posts (7.27 fte)
  2. If from existing staff resources, number of staff hours: Most of the text of the report is provided by PDS Chairmen
- 

### 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? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 Article 6.03 (d) of the Council's Constitution requires that an Annual PDS Report is submitted to full Council. The draft report for 2015/16 is due to be considered by full Council on 11<sup>th</sup> April 2016. The 2015/16 report follows the established structure combining general information about PDS work in Bromley with contributions from each PDS Chairman in respect of the work carried out by their Committees during the course of the year.
- 3.2 At the time of writing, some 2015/16 PDS meetings are still to take place, so potentially PDS Chairmen/Committees may want to provide further updates. Subject to this, the Committee is asked to refer the report to full Council.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the London Borough of Bromley (Article 6) 2014/15 Annual PDS Report

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*DRAFT FOR CONSIDERATION BY  
E& R PDS COMMITTEE ON 16TH MARCH 2016*



# **Policy Development & Scrutiny Annual Report 2016/17**

**For submission to Full Council on 11<sup>th</sup> April 2016**

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# 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 1<sup>st</sup> 2015. The new policy includes trialling muster points for some students.

## **Youth Offending Service**

- 6.14 A joint meeting was held on 22<sup>nd</sup> 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**

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Report No.  
CSD16043

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE AND RESOURCES  
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** 16<sup>th</sup> March 2016

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

**Title:** WORK PROGRAMME 2015/16

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743    E-mail: [graham.walton@bromley.gov.uk](mailto:graham.walton@bromley.gov.uk)

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

**Ward:** N/A

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1. Reason for report

- 1.1 This report offers the Committee an opportunity to consider its work programme for 2015/16, including scheduled meetings and PDS working groups. The Committee now has nine meetings scheduled during 2015/16, plus one special meeting – the dates are set out in Appendix 1, with a draft list of the items to be considered.
- 

2. **RECOMMENDATIONS**

- 2.1 **The Committee is requested to consider its work programme and indicate any particular issues that it wishes to consider.**

### Corporate Policy

1. Policy Status: Existing Policy: All PDS Committee receive a report on their work programmes.
  2. BBB Priority: Excellent Council:
- 

### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  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 posts (7.27fte)
  2. If from existing staff resources, number of staff hours: Maintaining the work programme takes less than an hour between meetings.
- 

### Legal

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of members of the Committee.
- 

### Ward Councillor Views

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

### 3. COMMENTARY

#### Meeting Schedule

- 3.1 Each PDS Committee determines its own work programme, balancing the roles of (i) holding the Executive to account, (ii) policy development and review and (iii) external scrutiny. This Committee has the additional role of providing a lead on scrutiny issues and coordinating PDS work.
- 3.2 PDS Committees need to prioritise their key issues. The work programme also needs to allow room for items that arise through the year, including Member requests, call-ins and referrals from other Committees. Committees need to ensure that their workloads are realistic and balanced, allowing sufficient time for important issues to be properly scrutinised. Members also need to consider the most appropriate means to pursue each issue – the current overview and scrutiny arrangements offer a variety of approaches, whether through a report to a meeting, a time-limited working group review, a presentation, a meeting focused on a single key issue or any other method.
- 3.3 A schedule of the Committee’s meetings in 2015/16 is attached at Appendix 1, along with draft lists of reports. The timing of meetings is tied to the need to pre-scrutinise Executive agendas. As in previous years, question sessions with the Leader, Resources Portfolio Holder and Chief Executive have been included in the programme and dates have been confirmed with them.

#### Sub-Committees and Working Groups

- 3.4 The Policy Development and Scrutiny Toolkit suggests that each Committee should aim to carry out no more than two or three full scale reviews each year, and it offers guidance and techniques for prioritising reviews. At a time of pressure on Member and officer resources it is important that any additional work is carefully targeted at priority issues where improvements can be achieved. The Committee currently has a working group looking at Contracts. In recent years, this Committee has examined a number of issues through its Working Groups - part of the Committee’s workload may include follow-up work on some of these reviews.
- 3.5 A schedule of Sub-Committees and Working Groups across all PDS Committees is attached as Appendix 2 to this report, updated with the latest details of the PDS working groups currently appointed.

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous Work Programme reports.

**COMMITTEE MEETING SCHEDULE 2015/165**

**Meeting 1: Thursday 14<sup>th</sup> May 2015**

Standard items (Matters Arising/Forward Plan/Executive Agenda/PDS Updates/Work Programme)

**Meeting 2: Wednesday 3<sup>rd</sup> June 2015**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Monitoring Report: Section 106

Scrutiny of the Resources Portfolio Holder

**Meeting 3: Thursday 9<sup>th</sup> July 2015**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Bromley Youth Employment Project- Quarterly Monitoring

Monitoring Report: Revenues Service

Monitoring Report: Benefits Service

Monitoring Report: Exchequer Services

Monitoring Report: Customer Services

Scrutiny of the Chief Executive

**Meeting 4: Thursday 3<sup>rd</sup> September 2015**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Contracts Register (Resources and Corporate)

Use of Consultants

Acquisition of Investment Properties

Scrutiny of the Leader

**Meeting 5: Thursday 8<sup>th</sup> October 2015**

Standard items (Matters Arising/Forward Plan/ Executive Agenda/Work Programme)

**Meeting 6: Thursday 26<sup>th</sup> November 2015**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Scrutiny of the Resources Portfolio Holder

Bromley Youth Employment Project- Quarterly Monitoring

**Special Meeting: 5<sup>th</sup> January 2016**

Call-in: Biggin Hill Airport limited Proposals

**Meeting 7: Wednesday 6<sup>th</sup> January 2016**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Monitoring Report: Revenues Service

Monitoring Report: Benefits Service

Monitoring Report: Exchequer Services

Monitoring Report: Customer Services

Scrutiny of the Chief Executive

**Meeting 8: Wednesday 3<sup>rd</sup> February 2016**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Contracts Register (Resources and Corporate)

Scrutiny of the Leader

**Meeting 9: Thursday 16<sup>th</sup> March 2016**

Standard items (Matters Arising/Forward Plan/Executive Agenda/Work Programme)

Annual PDS Report 2015/16

Monitoring Report: Section 106

**PDS SUB-COMMITTEES AND WORKING GROUPS 2015/16**

<b>SUBJECT</b>	<b>DURATION</b>	<b>MEMBERSHIP</b>
<b>EXECUTIVE AND RESOURCES PDS</b>		
Contracts Working Group	Appointed at the PDS meeting on 9 <sup>th</sup> July 2015. Last met on 8 <sup>th</sup> March 2016; next due to meet on 19 <sup>th</sup> April 2016. Consideration is being given to changing the Working Group into a Sub-Committee	Cllrs Stephen Wells (Ch), Simon Fawthrop, William Huntington-Thresher, Keith Onslow and Angela Wilkins
<b>CARE SERVICES PDS</b>		
Health Scrutiny Sub-Committee	Three meetings scheduled each year. Last met on 25 <sup>th</sup> February 2016.	Cllrs Judi Ellis (Ch), Ruth Bennett, Mary Cooke, Ian Dunn, Hannah Gray, David Jefferys, Terence Nathan, Charles Rideout, Melanie Stevens, Pauline Tunnicliffe and all co-opted Members.
Our Healthier South East London Joint Health Overview and Scrutiny Committee (with Bexley, Greenwich, Lambeth, Lewisham & Southwark)	First formal meeting on 1 <sup>st</sup> February 2016	Cllrs Judi Ellis and Hannah Gray
<b>EDUCATION PDS</b>		
Education Budget Sub-Committee	Five meetings scheduled each year. Last met on 14 <sup>th</sup> January 2016.	Cllrs Neil Reddin (Ch), Teresa Ball, Kathy Bance, Nicholas Bennett, Alan Collins and Ellie Harmer.
School Places Working Group	Re-appointed at the PDS meeting on 8th July 2015. Last met on 9 <sup>th</sup> December 2015.	Cllrs Judi Ellis (Ch), Kathy Bance, Nicholas Bennett, Mary Cooke, Neil Reddin, Joan McConnell, Tony Wright Jones and Mylene Williams.
Academies Working Group (Formerly the School Improvement Panel)	Next due to meet on 21 <sup>st</sup> March 2016	Cllrs Nicholas Bennett (Ch), Mary Cooke, Teresa Ball, Julian Benington, Alan Collins, Neil Reddin and Darren Jenkins.
<b>ENVIRONMENT PDS</b>		
Environmental Services Contract Working Group	Established by the PDS Committee on 24 <sup>th</sup> January 2016. First meeting to be arranged for April 2016	Cllrs William Huntington-Thresher, Chris Pierce, Sarah Phillips and Catherine Rideout.

<b>PUBLIC PROTECTION AND SAFETY PDS</b>		
<b>RENEWAL AND RECREATION PDS</b>		
Beckenham Town Centre Working Group	Due to meet on 17 <sup>th</sup> March 2016.	Cllr Michael Tickner (Ch) and Beckenham ward councillors



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