

EXECUTIVE

Minutes of the meeting held on 10 February 2016 starting at 7.00 pm

Present

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Peter Fortune,
Kate Lymer, Peter Morgan and Colin Smith

Also Present

Councillor Nicholas Bennett J.P., Councillor Simon
Fawthrop, Councillor William Huntington-Thresher,
Councillor Alexa Michael, Councillor Tim Stevens J.P.,
Councillor Stephen Wells and Councillor Angela Wilkins

346 APOLOGIES FOR ABSENCE

There were no apologies.

347 DECLARATIONS OF INTEREST

Cllr Kate Lymer declared an interest by virtue of her mother working in Public Health.

Councillor Peter Morgan also declared a personal interest in view of his daughter being a Director of Kier Property Services. Cllr Morgan also declared a further interest in item 12 as a Trustee of Bromley and Sheppard's Colleges.

As a visiting Member, Councillor Simon Fawthrop (Executive and Resources PDS Chairman) declared an interest in item 11 as his wife was a Council employee with the Bromley Adult Education College.

348 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 13TH JANUARY 2016

The minutes were agreed.

349 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Seven questions were received for oral reply. Details of the questions and replies are at **Appendix A**.

350 2016/17 COUNCIL TAX

Report FSD16017

Report FSD16017 outlined final issues affecting the 2016/17 revenue budget and sought recommendations to Council on the level of the Bromley element of the 2016/17 Council Tax. The report reflected the Council's approach to not only achieve a legal and financially balanced budget in 2016/17 but to have measures in place to deal with the medium term financial position (2017/18 to 2019/20). The report also sought final approval of the schools budget. The final GLA precept was intended to be reported to full Council on 22nd February 2016.

Replacement recommendations were tabled for the meeting as was supplementary information related to positive news for L B Bromley in the final 2016/17 Local Government Financial settlement published on 8th February 2016. Details included:

- new transitional grant of £2.068m in 2016/17 and £2.052m in 2017/18 as one-off income; and
- no change for 2018/19 and 2019/20 funding levels although the Secretary of State for Communities and Local Government had indicated there would be a 100% devolution of business rates by 2019/20 combined with a new "needs assessment" of the funding formula, this being brought forward by a year.

The "budget gap" outlined in Report FSD16017 is nil in 2016/17, £8.9m in 2017/18, £12.5m in 2018/19 and £25.8m in 2019/20. This excluded the transitional grant for 2016/17 and 2017/18 which would not reduce the medium and longer term "budget gap".

Information was also tabled concerning the Better Care Fund (BCF). In view of an ambitious programme to deliver BCF objectives for 2015/16, an element of the budget would require re-profiling into 2016/17 to ensure delivery of the objectives. A one-off sum of £3.1m was therefore requested to be set aside from the Fund to a new Council earmarked reserve in order to allow continuation of agreed joint schemes and to be used as pump priming investment for more cost effective delivery models across Health and Social care in Bromley. This would be part of a formal agreement with Bromley CCG under Section 75 of the National Health Service Act 2006.

Comments from PDS Committees in considering the initial draft budget were also tabled.

The Director of Finance outlined the background of financial constraint leading to the Council's budgetary outlook. It was necessary to take a four-year view. Given the level of funding reduction and associated cost pressures e.g. those related to welfare reforms, it was necessary to continue finding savings to offset grant shortfall and cost pressures. There had been much lobbying to

have L B Bromley's case recognised and although not contributing to the Council's long term budget gap, the outcome in the final 2016/17 Local Government Financial Settlement provided positive transition funding. However, there would be further funding reductions over the next four years and there continued to be a budget gap from 2017/18. By 2019/20 it was necessary for the Council to be self-sufficient with the full devolution of business rates and the review of the needs assessment completed. The Council will need to achieve high levels of income to contribute towards a sustainable way forward. Nevertheless, further savings would continue to be necessary and the transitional funding, although welcomed, is non-recurring and will not reduce the Council's long term budget gap. The Director also referred to the Adult Social Care Precept which local authorities were allowed to levy following the Chancellor's spending review last autumn.

The Deputy Leader thanked all concerned in lobbying to pursue L B Bromley's case. The new transitional grant would be helpful for the next two years albeit not continuous. The Leader also requested that the Director of Finance be included amongst those to be thanked.

The Deputy Leader referred to the transitional funding being a separate matter to any council tax decision making as it is non-recurring.

The Portfolio Holder for Resources also highlighted the value of income from investment, including returns from the Council's property portfolio. Councillor Peter Fookes (Penge and Cator) highlighted concerns for day centres for the elderly in the borough.

Further detail was awaited on the four-year funding offer outlined in provisional funding allocations from 2016/17 to 2019/20 and how any associated process might operate. The Leader felt that more clarity would be helpful and an opportunity to work with Government to secure further detail would be welcomed.

RESOLVED that:

- (1) Council be recommended to:**
 - (a) on the basis of two further schools having converted to Academy Status, approve a revised schools budget of £83.7 million which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;**
 - (b) approve the draft revenue budgets for 2016/17 (as at Appendix 2 to Report FSD16017) including the following updated changes -**
 - (i) reduction in Independent Living Fund (ILF) Grant from £701k estimated in the draft budget to £666k (the proposed methodology for the value of the grant and the allocation of**

the funding is subject to consultation which ends on 22nd March 2016);

(ii) increase in SEND Implementation Grant from £177k to £201k (£24k increase) with a corresponding increase in expenditure held in central contingency;

- (c) consider the utilisation of the transitional funding from central Government of £2,068k in 2016/17 and £2,052k in 2017/18 in the light of the views expressed by the Executive;
- (d) set aside a sum of £3,100k in 2015/16 as an earmarked reserve related to the continuation of various joint schemes and pump priming investment as detailed in the further supplementary paper to Report FSD16017;
- (e) agree that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise any proposed savings reported to the Executive's previous meeting on 13th January 2016;
- (f) approve the following provisions for levies to include in the budget for 2016/17:

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

**awaiting written confirmation*

- (g) approve a revised Central Contingency sum of £15,341k to reflect the changes in (b) and (f);
- (h) approve the revised draft 2016/17 revenue budgets to reflect the changes detailed above;
- (i) set a 3.99% increase in Bromley's council tax for 2016/17 (1.99% general increase plus 2% Adult Social Care Precept) compared with 2015/16 and, based upon their consultation exercise, an assumed 6.4% reduction in the GLA precept;
- (j) note the latest position on the GLA precept (which will be finalised in the overall Council Tax figure to be reported to full Council - see section 11 of Report FSD16017);
- (k) approve the approach to reserves outlined by the Director of Finance (see Appendix 4 to Report FSD16017);

- (l) request that Executive consider whether it is minded to accept the four year funding offer (see Section 16 of Report FSD16017);
 - (m) receive any further changes from the Director of Finance;
- (2) Council Tax 2016/17 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011) -

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

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

* The GLA Precept may need to be amended once the actual GLA budget is set.

- (3) Council be recommended to formally resolve as follows -
- (i) the Council Tax Base for 2016/17 be noted as 126,656 'Band D' equivalent properties;
 - (ii) the Council Tax requirement for the Council's own purposes for 2016/17 be calculated as £135,683k;
 - (iii) the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act) -
 - (a) £537,293k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act;
 - (b) £401,610k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act;
 - (c) £135,683k being the amount by which the aggregate at (iii) (a) above exceeds the aggregate at (iii) (b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year;

(d) £1,071.27 being the amount at (iii) (c) above, divided by (i) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year;

(iv) to note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below (NB. the GLA precept figure may need to be amended once the actual GLA budget is set);

(v) that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2016/17 for each part of its area and for each of the categories of dwellings.

LONDON BOROUGH OF BROMLEY

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
714.18	833.21	952.24	1,071.27	1,309.33	1,547.39	1,785.45	2,142.54

GREATER LONDON AUTHORITY

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

AGGREGATE OF COUNCIL TAX REQUIREMENTS

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

(vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2016/17, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2016/17 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2016/17. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

**351 CAPITAL PROGRAMME MONITORING Q3 2015/16 & ANNUAL
CAPITAL REVIEW 2016 TO 2020**

Report FSD16018

The current position on capital expenditure and receipts was summarised following the third quarter 2015/16 with new capital schemes presented for approval in the annual capital review process.

In regard to the annual bidding process, the main focus had again been on a continuation of existing essential programmes and on externally funded schemes with no new bids being put forward at this stage.

Members were asked to approve a revised Capital Programme and in so doing noted and approved the recommendations in Report FSD16018.

RESOLVED that:

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

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

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

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

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

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

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

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

**352 PROPOSAL FOR THE COUNCIL'S PUBLIC HEALTH BUDGET
2016/17 AND 2017-18**

Report CS16002

There had been an in-year 6.1% reduction to the Public Health Grant (announced by the Department of Health in July 2015) amounting to £919k for L B Bromley and a proposed mechanism was outlined to manage the grant reduction in 2016-17 and 2017-18.

Proposals to reduce the Council's Public Health budget were included in the Draft Budget report considered by Executive on 13th January 2016 and full Council were recommended to agree the proposals as part of the Council's 2016/17 budget setting process.

To achieve the necessary saving it was proposed to:

- focus on the provision and commissioning of statutory and mandated Public health services;
- re-prioritise the use of some elements of the Public Health grant to focus on addressing wider determinant of health; and
- achieve further general efficiencies.

These proposals would be implemented over a two-year period (2016-17 and 2017-18) due to the nature of different contractual arrangements and other constraints to achieve savings earlier.

Report CS16002 listed the Public Health services to be commissioned or provided in 2016-17 and 2017-18 along with services where commissioning and provision would either reduce or cease.

Further efficiencies within the Public Health Division were also proposed with restructuring necessary to reflect the revised priorities. Formal consultation with staff and trade unions commenced on 15th January 2016 with the consultation period ending on 15th February 2016. A summary of feedback was tabled as were dates of consultation meetings. The Council would endeavour to avoid or minimise redundancies wherever possible by seeking to redeploy staff to alternative roles.

Noting that the consultation period was due to end on 15th February the Leader expected that a full update and brief would be available on consultation outcomes at the Council meeting.

It was currently uncertain how much Public Health Grant would be provided over the next two years. Councillor Angela Wilkins (Crystal Palace) expressed concern for the public health service predicting problems for society with a reduced level of services which could ultimately prove costly. Councillor Wilkins was particularly concerned about cessation of a commissioned service for school nursing in 2017-18 and alternative funding being

considered to cover the service for 2016-17. She felt that any loss of school nursing (in 2017-18) was an important issue.

On services where commissioning and provision would be either reduced or ceased, the Leader suggested that progress was being made in smoking cessation and obesity, particularly in view of past hard hitting messages.

The Director of Public Health indicated that services needed to focus on significant issues and what is statutorily required and cost effective. Obesity was a sizeable problem, not solely confined to weight management for which there is an action plan (the obesity programme for children would continue in 2016-17 but cease as a commissioned service the following year).

Although School Nursing was not a statutory responsibility, it was proposed to have a new modernised service model for children's services to 2019. It was not proposed to cut the service but consider a new source of funding and look at what is now needed. This would be considered with the health authorities to provide a service targeted to needs.

To further improve public health in the borough, a focus was suggested on where change is needed along with a smarter approach. A more London-wide approach was also advocated which could help in areas such as smoking cessation. The importance of looking at outcomes was further highlighted as were the advantages of prevention.

RESOLVED that:

(1) the tabled outcome of consultation be noted; and

(2) subject to the final outcome of consultation with all stakeholders:

- **Council be recommended to agree that the Public Health grant for 2016-17 and 2017-18 is utilised as proposed in Report CS16002; and**
- **subject to Council approval of the above (in context of the overall Council budget), notice be given to relevant contracts.**

**353 CONTRACT AWARD FOR SUPPORTED LIVING SERVICES -
 SCHEME 1 (3 PROPERTIES) - SUMMARY REPORT**

Report CS16017

Report CS16017 provided a summary of the process for tendering three learning disability supported living schemes with details of the tendering and evaluation outcome provided in a linked Part 2 report. The schemes related to supported living services for eleven people with significant disabilities living in three properties. The services would also be required for future service users to prevent a move to expensive residential care. In commissioning, an

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emphasis was placed upon the continued safety and wellbeing of vulnerable service users whilst achieving efficiency savings.

Executive agreed on 15th July 2015 that the procurement procedure should be commenced with the schemes grouped for tendering in order to drive the best possible quality/pricing. Potential providers were required to implement innovation into future service development/delivery so providing improved outcomes for those living in the properties and efficiencies for the Council.

A two-stage open tender procedure was used. Following evaluation of the Pre-Qualification Questionnaire, eight suppliers were shortlisted to proceed to the second 'service specific' stage of the process, this being evaluated on the basis of award criteria questions and pricing schedules from the suppliers. The tender submissions were evaluated on a 40% finance/ 60% quality split, as agreed by Executive on 15th July 2015.

Members confirmed that they had no questions to ask or points to discuss on the linked Part 2 report. As such, it was agreed to take the decision on award of contract under Part 1 proceedings for the meeting.

Accordingly, Members **RESOLVED** that:

- (1) the summary of the tendering process be noted;**
- (2) the Contract for provision of Supported Living Services at three properties be awarded to Southside commencing on 25th April 2016 until 24th April 2019, with the potential to extend for a further period of up to two years; and**
- (3) authority to extend the Contract for a period of up to two years be delegated to the Chief Executive in consultation with the Portfolio Holder for Care Services.**

354 HOUSING IT SYSTEM (CONTRACT EXTENSION)

This item had been withdrawn.

355 GATEWAY REVIEW 0,1 & 2 APPROVAL OF 2016/17 OPERATIONAL BUILDING MAINTENANCE BUDGETS, PLANNED MAINTENANCE PROGRAMME AND PREFERRED PROCUREMENT OPTION

Report DRR16/023

Members considered Operational Building Maintenance for 2016/17, Report DRR16/023 outlining criteria used to assemble each maintenance programme based on the draft budget proposals. The report also addressed strategic assessment and business justification for the programmes, along with the preferred procurement option for completing them.

The proposed planned maintenance programme was appended to the report and officers endeavoured to ensure that buildings remained safe and suitable for use within the budget and programme. Twelve projects, having a priority grading of C/D1, with a total estimated cost of £455,125, had been identified for inclusion in the programme.

Subsidence at Anerley Business Centre and Public Hall appeared to have stabilised and a reduced value of subsidence works in the region of £60k was now anticipated for the building. It was therefore proposed that £75k of the underspend from the original sum allocated for the matter be vired to Operational Property to cover a 2015/16 shortfall linked to an overspend (the overspend resulting from school conversions to academies and a resulting reduction in 10% management fee recharged to capital schemes).

The maintenance programme also included a reserve project concerned with re-constructing brickwork at the Central Depot. There was, however, a shortfall in funding of £53k for the project and Report DRR16/023 requested that this amount be drawn-down in 2016/17 from the Infrastructure Investment Fund earmarked reserve. In this regard, Members noted a recommendation from the Executive and Resources PDS Committee that should spend be less than expected, the proposed draw-down should not take place.

Details of procurement procedures to be used for the Planned Maintenance Programme (according to the value of works) were also outlined as were arrangements for procuring works for the Reactive and Cyclical Maintenance Programmes.

In noting that the redecoration programme at operational buildings had been suspended, it was suggested that this action was short-sighted in view of water ingress and damage that could be caused to buildings. A regular and ongoing programme of exterior maintenance was instead advocated as a prudent approach. However, it was highlighted that funds could be drawn-down from the Infrastructure Investment Fund when needed to mitigate risks arising from a reduced building maintenance budget. Effectively, the budget savings to be made would be kept in contingency and it was not necessarily intended to make savings on outside decoration - flexibility was instead needed and resources were available as and when necessary. It was also necessary to consider disposing of assets where there might be a long term liability for the Council, with a corporate view needed soon on properties surplus to requirements.

Background was provided on the reserve project at Central Depot and the need for hot and cold water pipe replacement at various premises.

Cllr Angela Wilkins (Crystal Palace) suggested that there could be a risk to staff should proper maintenance not be undertaken, requesting copies of reports for some of the properties listed in the planned maintenance programme. She referred to commentary in the list highlighting a high risk of exposure to legionella bacteria from work activities and water systems at a

number of the premises. Cllr Wilkins suggested that management control is key and she was unclear how overall risk is evaluated.

It was explained that additional monitoring had been undertaken. The operational property maintenance team were undertaking what is necessary to ensure the matter is managed. Records and systems existed but there had been a concern for proper communication. It was an important matter which officers would address. The system was good enough and the necessary works would be undertaken. A further report would be provided on progress.

RESOLVED that:

- (1) subject to Council agreeing the budget, an overall expenditure of £1,928,930 be approved for the Building Maintenance budget in 2016/17, as set out at paragraph 5.1 of Report DRR16/023;**
- (2) the planned maintenance programme at Appendix B to Report DRR16/023 be approved;**
- (3) the proposal to carry forward any underspend in the sum set aside for works to Anerley Business Centre, as outlined at paragraph 3.11 of Report DRR16/023, be approved;**
- (4) authority be delegated to the Director of Corporate Services to vary the planned programme to accommodate any change in the approved budget, or where such action is considered necessary, to either protect the Council's assets, or make the most effective use of resources;**
- (5) the criteria used to assemble the planned maintenance programme be approved along with the proposed procurement options as set out at paragraph 10 of Report DRR16/023;**
- (6) authority be delegated to the Director of Corporate Services to select the most economically advantageous tender for any individual item of expenditure under the approved programme referred to at (1) to (5) above;**
- (7) the Director of Regeneration and Transformation be authorised to submit planning applications where appropriate in respect of schemes set out in Report DRR16/023;**
- (8) a sum of £75k be vired to the Operational Property budget as detailed at paragraph 5.3 of Report DRR16/023;**
- (9) a sum of £53k be drawn-down from the Infrastructure Investment Fund earmarked reserve as detailed at paragraph 5.4 of Report DRR16/023; and**

(10) if spend is less than expected, the proposed draw-down from the Infrastructure Investment Fund earmarked reserve at (9) above should either not take place or correspond with any lower amount needed.

356 BROMLEY ADULT EDUCATION COLLEGE UPDATE

Report ED16002

Members were updated on outcomes following consultation with staff, their representatives, stakeholders, and service users, on a proposal to restructure and reduce the adult education service.

The service had faced significant grant reductions in recent years and funding allocation would be devolved regionally to meet identified needs in local skills from 2017/18. Additionally, Ofsted had identified uncertainty for the service's strategic direction and a lack of agreed plan to address overspend. Ofsted also felt that more community learning grant should be used to support disadvantaged local communities and disengaged adults.

As such, the restructure focused on adults and communities with the greatest need and the curriculum offer at the Kentwood Centre, Penge and Poverest Centre, Orpington would expand. Closing the Widmore site would save approximately £173k and mainstream recreational classes would reduce, although some would relocate to the Poverest and Kentwood sites. The new structure was intended to be in place by 1st August 2016.

Following consultation, various local community organisations were approached to identify alternative ways for continuing a wide range of adult learning activities. Training would also be sought to help tutors provide courses independently and a signposting facility on the Council's website would be established for courses.

Material appended to Report ED16002 outlined:

- the Director's response to staff consultation;
- responses to the public consultation;
- details of courses currently available at the adult education sites, numbers of tutors in each curriculum area, rates of pay, and accommodation information;
- alternative provision currently available in borough and in adjoining boroughs;
- an Equality Impact Assessment on likely impacts of the proposed changes and actions that could address these.

The report was considered by the Education PDS Committee on 19th January 2016 and the published minute of the Committee's consideration of the item was tabled following earlier circulation to Executive Members. The Committee also considered a petition urging the Council to keep the Widmore site open for Adult Education, the minute for this also previously circulated and tabled.

The Portfolio Holder for Education provided background on the need to consider the restructure. It would not be a case of seeing a number of leisure courses cease; rather, extensive work had been undertaken to find new providers for courses. The Portfolio Holder also highlighted a need to have good signposting for the future provision of courses.

Although disappointed that the restructure was necessary, and concerned for any social care implications, the Portfolio Holder for Care Services considered the action necessary given the need to prioritise financially, the Council's financial position leaving little alternative. However, It was comforting that work had been taken forward on alternative provision as outlined at Appendix 4 to Report ED16002.

Referring to adult education benefiting the wider community, Cllr Alexa Michael (Bromley Common and Keston) preferred to see courses currently provided from Widmore provided at the Kentwood and Poverest Centres where possible. She asked that small equipment at Widmore be moved to Kentwood and a flexible approach adopted. The College could then offer as broad a curriculum as possible. Where it is no longer possible the service to provide activities, Cllr Michael encouraged working with community groups to provide the courses. Some leisure courses at risk were particularly specialised such as jewellery and pottery and Cllr Michael suggested it would be helpful to have alternative providers in the BR1/BR2 areas to accommodate such provision. Cllr Michael further encouraged support for tutors wishing to offer courses independently.

Recognising the benefits of adult education, the Portfolio Holder for Education referred to the need for action given the financial position and he looked to community groups to take on some of the courses. Appropriate signposting would also be provided.

In further comment, it was noted that many school rooms were unused during the evening perhaps providing a venue opportunity for courses and specialised equipment. Highlighting the importance of retaining adult education in the borough, Cllr Nicholas Bennett JP (Chairman, Education PDS Committee) referred to detailed scrutiny last year confirming that change was needed. Cllr Bennett also highlighted his Committee's resolutions on the matter. In considering course venues, Cllr Bennett suggested that the Ripley Arts Centre was underused as were many church halls; U3A could also be an alternative provider for certain courses. Although it was proposed to close the Widmore site, free travel to the Kentwood, Poverest and independent sites was possible for those aged 60 and over. Cllr Bennett also referred to Floodlight as a London-wide source of information on courses available in London boroughs. It was confirmed that residents would be able to record their adult education interests on MyBromley for signposting information on providers.

Referring to difficult decisions having to be taken for all services, and for services to be provided in the most efficient and effective way, the Leader suggested that the proposed restructure of adult education would provide

longer term security for leisure courses at different locations. In this regard, the Leader suggested that church premises be considered as possible venues for some courses.

In agreeing the recommendations in Report ED16002, Members supported all resolutions on the matter by the Education PDS Committee at their meeting on 19th January 2016.

RESOLVED that:

(1) proposals to proceed with the reorganisation of the Adult Education Service be agreed; and

(2) the potential redundancy costs, estimated at £566k, be funded from the Council's Transformation Fund, as detailed at paragraph 10.3 of Report ED16002.

**357 OPPORTUNITY SITE B TWEEDY ROAD DESIGN GUIDANCE
 AND DISPOSAL**

Report DRR16/025

Approval was sought to market Opportunity Site B, Tweedy Road, for sale and possible joint venture options.

As a development site in the Bromley Town Centre Area Action Plan (BTCAAP), with a residential designation for around 70 units, the site was formed from residual land remaining from the A21 widening in the 1980s. The site was currently used as works compound for the Bromley North Village Public Realm improvements, the works expected to be completed by the end of February 2016. The temporary use would then cease with the site becoming surplus to operational requirements.

To support marketing of the site, further design guidance outlined the form and style of development considered acceptable, with representatives of the Bromley Civic Society, Bromley Colleges and Historic England having been consulted. Their views would be incorporated into a final marketing document proposing a layout containing 24 units. The site is sensitive with a complex planning history, the BTCAAP Policy for the site requiring the Council to work with developers to secure a sensitive redevelopment of the site.

Report DRR16/025 also provided commentary on disposal options that could be considered, enabling the Council to share in development profits achieved from a scheme on the site. All offers received would be evaluated and compared to inform a decision on the sale of the site.

In supporting the report's recommendation, reference was made to a 300-year old wall on the site of Bromley and Sheppard's Colleges currently covered in shrubbery. It was highlighted that the wall would need repair. The matter had

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been discussed with the Chaplain of the Colleges and ideally there was a preference for the Trustees of the Colleges to cover the cost of any repair.

Members supported the report's recommendations subject to the problem of the wall and associated safety considerations being investigated.

RESOLVED that Opportunity site B, Tweedy Road, Bromley be advertised on the open market as outlined at paragraph 3.7 of Report DRR16/025, subject to the problem of the wall highlighted above, and associated safety considerations, being investigated.

358 REVIEW OF CORPORATE CUSTOMER SERVICES IT SYSTEMS

Report CSD16027

Support services for the current version of the corporate Customer Relationship Management (CRM) system, provided by Microsoft, were due to expire in March 2018. Support for the version of the web site content management system, provided by Jadu, would cease in September 2016.

Report CSD16027 outlined the business case for allocating funds to recruit a suitable Subject Matter Expert (SME) to review the current systems and review the market to produce a technical specification, providing a further recommendation or options for Members. There was no experience in the Council to carry out the activity. Provision of the systems could be reviewed and savings and efficiencies potentially identified along with alignment to key corporate programmes. Approval was sought for an initial £100k funding to manage the technical scoping/specification work required.

The SME would identify ongoing requirements in supporting systems and project management; the resource management would be located within the ISD division with sign-off by the services involved. Initial draw-down of the resource identified in Report CSD16027 could be used flexibly across a number of system reviews and programme upgrades longer term, but initially it was required on Web and CRM reviews given initial timescales.

The outcome of the investigation and a full recommendation and/or options would be provided to Members later in the year prior to a further request for funding draw-down to cover full system implementation costs.

Highlighting the need to progress, the Portfolio Holder for Resources was encouraged by the proposed way forward outlined in Report CSD16027. The Portfolio Holder also suggested that much could be learnt from others who are good in this area such as L B Harrow.

Having met Apple representatives at their Intu Bromley store, the Portfolio Holder for Renewal and Recreation highlighted that Apple would be interested in providing technology services for the Council on a borough-wide basis with

the provision of training provided in any future offer. It was agreed to pass this information to the Council's Head of I.T.

It was also confirmed that the Council's intranet, *One Bromley*, had been restored following a power outage the previous week seriously disrupting IT systems for the Council. The Leader explained there would be a full investigation of the incident and subsequent I.T. problems. Passing on his thanks, the Leader noted that officers had worked long hours to resolve the problems caused by the power outage. Councillor Nicholas Bennett JP (West Wickham) highlighted a continuing problem of spam emails being received by Members/Officers.

RESOLVED that:

(1) Officers proceed to scope requirements and produce a technical specification and thorough review of the current market and options, including a full lifecycle cost and potential savings compared to current expenditure;

(2) a Customer Services Systems Review and replacement scheme be included in the Council's Capital Programme with an initial budget of £100k as detailed at paragraph 5.1 of Report CSD16027; and

(3) a further fully costed recommendation and options appraisal to either upgrade or replace the current systems be reported later in 2016.

359 CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

360 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**

**361 EXEMPT MINUTES OF THE MEETING HELD ON
13TH JANUARY 2016**

The exempt minutes were agreed.

**362 CONTRACT AWARD FOR SUPPORTED LIVING SERVICES -
 SCHEME 1 (3 PROPERTIES) APPENDIX (DETAILS)**

Report CS16017

The Part 2 report for this item outlined results from the tendering process for the provision of Supported Living Services - Scheme 1 (three Properties). The report also provided a recommendation on award of contract.

When considering the Part 1 report Members confirmed that they had no questions to ask or points to discuss on the linked Part 2 report. As such, it was agreed to take the decision on award of contract under Part 1 proceedings for the meeting. Please see Minute 353 for details of the decision made.

363 HOUSING IT SYSTEM (CONTRACT EXTENSION)

This item had been withdrawn.

364 CAPITAL RECEIPTS

Related to the 2015/16 third quarter Capital Monitoring Report (Minute 351), Members noted exempt details of the receipts forecast in the years 2015/16 to 2018/19 (inclusive).

Chairman

The Meeting ended at 8.46 pm

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

From Hedwig Hegtermans to the Portfolio Holder for Education

1. How does closing the Widmore centre for adult education (AE) fit in the council's vision for 2020 'Building a better Bromley'? If there was not such a broad AE, surely this vision means to install at least something like what we have already in our BAEC.

Reply

The proposal for the reorganisation of adult education aims to align the main focus of the service more closely with those of Building a Better Bromley (BBB).

In BBB the Council makes clear its commitment to look after and support those who are most disadvantaged and vulnerable in our community and for residents to lead healthier, more independent lives. The document also emphasises the need for BAEC to play a key role in helping local people to become work ready. In order to help the Council achieve the BBB objectives we recognise the need to work in partnership with local community organisations, the voluntary sector, and public bodies such as Job Centre Plus and Public Health.

We readily acknowledge the contribution that adult education already makes towards strengthening and empowering individuals and communities through its family learning programmes, community partnership work, and targeted qualification programmes. However, the Ofsted report of March 2015 highlighted to us that the adult education funding could and should be making an even greater impact on the lives of local disadvantaged adults. By redirecting more of the public funding received for this purpose towards the community and partnership provision, adult education will be able to support more disadvantaged and low waged residents and communities, providing them with the helping hand they need to lead healthier more independent lives.

Increasing the volumes of partnership working that will be required to achieve this will result in the service delivering more of its curriculum within local community settings and venues provided by our partners. By releasing the Widmore site a considerable expenditure will be removed from the adult education budget, helping the Council to invest more of the grant in curriculum rather than an old building that has become expensive to maintain and repair.

Supplementary Question

Hedwig Hegtermans suggested that many activities were involved in leading independent, active lives. These were not necessarily vital courses such as English or Maths, but were courses providing much joy e.g. to the elderly. Hedwig Hegtermans further suggested that some people would be prepared to pay more for courses but this had not been mentioned.

Reply

The Portfolio Holder indicated that there was no weighting on the value of courses – the current position had been reached, in part, through the level of Government funding provided. The Portfolio Holder was confident of provision being available in the market place to take courses forward and he encouraged potential providers to come forward to this end. On residents being prepared to pay more for courses it would be necessary to look at this in the round. To continue some courses at the Widmore site (e.g. painting/design) it would be necessary to increase their cost by 150%, quickly creating an unstable position.

2. How come that the Widmore centre has already been earmarked for being the most likely candidate to house the free school La Fontaine before the fate as its main centre for BAEC has been decided?

Reply

No decision has been made about the future of The Widmore. If a decision is made by the Executive to cease BAEC provision on the site, the Council will then consider the best use of the site for Bromley residents. Given that it has previously operated as a school and we are experiencing an unprecedented demand for school places, one of the options will be for it to be used as a school. The reference to La Fontaine reflects information in the Draft Local Plan which sets out the education need and assesses a range of sites across the borough which may offer potential to meet that need. The Widmore is suggested as one of three possible permanent sites for the school but this is dependent on the adult education decision.

Supplementary Question

Hedwig Hegtermans suggested that the Widmore site is an obvious candidate for the school, the other two sites being located on green belt land.

Reply

The Portfolio Holder indicated that the Draft Local Plan referred to possible sites for the school including the Widmore site. However, this did not mean that the site would definitely be included in the Local Plan. No planning decision was taken lightly and there remained intense pressure for education places. The Widmore site was one location on the list but no decision had been taken.

From Mr Andrew Newlands to the Portfolio Holder for Renewal and Recreation

1. The Airport pledged that no development would be outside the existing airport boundary. Could you therefore provide a map of such existing airport boundary?

Reply

The airport lease is registered at the Land Registry and a copy of the registered title, which includes an official plan showing the area leased, is publicly available from the Land Registry on payment of a small fee.

Supplementary Question

Mr Newlands asked the Portfolio Holder whether he had a copy of the plan and enquired further whether any development would be within the airport boundary.

Reply

The Portfolio Holder indicated that he did not personally have a copy of the plan and indicated that any development plan would have to come to L B Bromley as Planning Authority. However, the Portfolio Holder felt that it was highly unlikely that approval would be given to develop on green belt land.

2. We are informed by LBB that the NAP will run in tandem with the Lease to protect residents amenity - has the lease been updated by Bromley Council's legal team, in line with recommendations re current noise standards, as recommended by ICAO? If not, what is/are the reason(s)?

Reply

We are in the process of agreeing the timescales for implementation of the numerous conditions and the necessary deed of variation to implement the changes to the lease will be agreed and entered into once that process has been completed.

Supplementary Question

Highlighting that noise standards must be updated, Mr Newlands sought an indication from the Portfolio Holder on the level of adherence to clauses.

Reply

The Portfolio Holder indicated that the lease is already consistent with the latest Government revisions about aircraft noise limits, which broadly in turn adopt the ICAO (International Civil Aviation Organisation) methodology. The

most recent Government revision was in 2002, when a ban on aircraft not complying with Chapter 3 limits, or better, was instituted and this is already in operation at the Airport. By implementing the NAP, which an Airport of Biggin Hill's size is not required to do, alongside the lease, the result is greater noise protection than is currently the case. The limits in the NAP are more stringent than the Airport had originally proposed and for the first time, in the early morning period, in the same morning period that aircraft can already operate, there will be absolute and average noise level limits along with a limit on movements too, none of which exist currently or is covered by ICAO or Government guidance.

The Portfolio Holder further confirmed that Chapter 4 does not apply to an airport of the size of Biggin Hill.

From Mr Nicholas Mulholland to the Portfolio Holder for Renewal and Recreation

1. Of the 309,392 LBB residents, can you please advise how many have indicated their support for an increase in airport operating hours?

Reply

The responses to the Council's consultation can be found in the Council report which was considered last March. In total, out of the 41,711 responses received, 31,500 or 76% indicated that they support BHAL's proposals, with 10,211 or 24% indicating that they were against the proposals. Therefore almost 300,000 of our residents either supported or didn't object to the proposal. If you take out discredited responses there was still a number in favour of the proposals.

Supplementary Question

In his supplementary question, Mr Mulholland indicated that 88% of residents who responded to an independent survey (by Flightpath Watch) were against an extension of hours.

Reply

The Portfolio Holder confirmed that from the survey conducted by L B Bromley, a majority were in favour of the proposals. Concerning the independent survey, the Portfolio Holder suggested that the type of response depended to a large extent on how the question is asked.

2. In light of the recent scrutiny committee's decision to not scrutinise and evidence that BHAL do not propose to deliver on pledges, how can the public trust Councillors' processes?

Reply

There has rightly been much scrutiny and discussion about this whole proposal including three separate Council meetings, over 100 Council questions at numerous Council meetings, not to mention extensive consultation and individual discussions with individual residents. Rather than pledges and an agreed plan, the Council has wanted a legally binding Noise Action Plan which was also one of the comments received in the Council's consultation. This is what the various recommendations give and this is what the legal agreement will be based on. The proposals actually give more information and transparency to local people so they can monitor Airport activities in terms of aircraft movements in virtual real time, giving us all a greater ability to scrutinise.

Supplementary Question

In highlighting that the second part of his question referred to process, Mr Mulholland suggested that in excess of £100k had been donated to the Conservative Party by Biggin Hill Airport and Mr Mulholland asked the Leader about any contact he might have had with Sir Edward Lister.

Reply

Concerning any contact with Sir Edward Lister, the Leader recalled that there had been a couple of conversations involving the Biggin Hill Strategic Outer London Development Centre and generating employment opportunities at the airport. However, the Leader could not recall any discussion with Sir Edward Lister specifically about the airport itself. The Leader felt that the GLA would probably support the extension of operating hours for the airport.

3. Without effective scrutiny of Council processes, what measures exist to allow a resident to protect their amenity and environment within this borough? I wish to prevent increased aeroplanes over my home.

Reply

The current lease allows up to 125,000 aircraft movements per year, with higher noise levels. The Noise Action Plan gives greater noise protection than the lease and with a review being triggered if 50,000 movements are exceeded, numbers of movements are to be tackled too. If you want to prevent increased aeroplanes over your home you should surely be supportive of these measures.

Supplementary Question

In a brief dialogue which followed, the Portfolio Holder confirmed that, once the new NAP had come into effect then, if the number of flights were to

exceed 50,000 in a year, it would be possible for the Council to rescind the amended hours approval.
