

TO MEMBERS OF THE COUNCIL

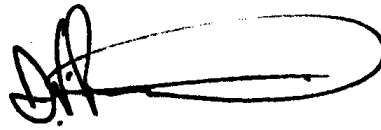
Notice is hereby given that the annual meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Wednesday 10 May 2017 at 6.30 pm which meeting the Members of the Council are hereby summoned to attend.

Prayers

A G E N D A

- 1 To elect the Mayor of the Borough and receive the Mayor's Annual Report for 2016/17
The Mayor to make and deliver the statutory Declaration of Office
- 2 To record the appointment of the Deputy Mayor signified to the Council in writing
- 3 Apologies for absence
- 4 Declarations of Interest
- 5 To confirm the Minutes of the meeting of the Council held on 10th April 2017
(Pages 3 - 36)
- 6 To receive an address from the Leader of the Council if they so elect
- 7 To appoint Committees and their Chairmen and Vice-Chairmen and agree proportionality
(Schedule to follow)
- 8 Policy Development and Scrutiny Committee Terms of Reference
(Pages 37 - 42)
- 9 To receive the Scheme of Delegation of Executive Functions from the Leader, and to approve the Scheme of Delegation of Non-Executive Functions
(Pages 43 - 132)
- 10 Councillor Attendance 2016/17
(Pages 133 - 136)
- 11 Reports from Councillors Appointed to Outside Bodies in 2016/17
(Pages 137 - 148)
- 12 The Mayor's announcements and communications.

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Chief Executive

BROMLEY CIVIC CENTRE
BROMLEY BR1 3UH
Tuesday 2 May 2017
Vol. 54 No.1

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 10 April 2017

Present:

The Worshipful the Mayor
Councillor Ian F. Payne

The Deputy Mayor
Councillor Hannah Gray

Councillors

Vanessa Allen	Robert Evans	Angela Page
Graham Arthur	Simon Fawthrop	Sarah Phillips
Douglas Auld	Peter Fookes	Tom Philpott
Kathy Bance MBE	Peter Fortune	Chris Pierce
Julian Benington	Ellie Harmer	Neil Reddin FCCA
Nicholas Bennett J.P.	Will Harmer	Catherine Rideout
Ruth Bennett	Samaris Huntington-	Charles Rideout QPM CVO
Eric Bosshard	Thresher	Michael Rutherford
Kim Botting FRSA	William Huntington-	Richard Scoates
Katy Boughey	Thresher	Colin Smith
Kevin Brooks	David Jefferys	Diane Smith
Lydia Buttinger	Charles Joel	Teresa Te
Stephen Carr	David Livett	Michael Tickner
David Cartwright QFSM	Kate Lymer	Pauline Tunnicliffe
Mary Cooke	Russell Mellor	Michael Turner
Peter Dean	Alexa Michael	Angela Wilkins
Ian Dunn	Peter Morgan	Richard Williams
Nicky Dykes	Terence Nathan	
Judi Ellis	Keith Onslow	

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Ian F. Payne

87 Apologies for absence

Apologies for absence were received from Councillors Tony Owen, Melanie Stevens, Tim Stevens and Stephen Wells.

Apologies for lateness were received from Councillors Nicky Dykes, Samaris and William Huntington-Thresher and Michael Rutherford.

(Apologies were subsequently received from Councillor Alan Collins.)

88 Declarations of Interest

Councillor Peter Morgan declared, in relation to minute 95, that his daughter was a Director of Kier Group, who held a contract with the Council.

89 To confirm the Minutes of the meeting of the Council held on 1st March 2017

RESOLVED that the minutes of the meeting held on 1st March 2017 be confirmed.

90 Petitions

No petitions had been received.

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

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

92 Questions for oral reply from Members of the Council where notice has been given.

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

(During consideration of question 17, Councillor Graham Arthur declared an interest as his wife was employed by KAB.)

93 Questions for written reply from Members of the Council where notice has been given

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

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

No statements were made.

95 Budget Monitoring 2016/17 - Transfer to the Growth Fund
Report CSD17054

A motion to approve the transfer of £4.0m to the Growth Fund as recommended by the Executive was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr and **CARRIED**.

96 Proposed Public Realm Project and Market Reorganisation for Bromley High Street
Report CSD17055

A motion to agree the following recommendations from the Executive was moved by Councillor Peter Morgan, seconded by Councillor Michael Rutherford and **CARRIED**.

(1) Agree that a total of £2.844m be allocated from the Growth Fund and added to the Capital Programme to undertake the implementation of the proposed public realm project and market reorganisation for Bromley High Street.

(2) Agree that Executive can approve a further sum of up to £720k for inclusion in the Capital Programme, following consideration of the outcome of the detailed design and final costs of the market kiosks.

(3) Agree that should the S.106 funding of £4m be received from the Langley Court development, these monies would be used to fund the scheme with a corresponding amount returned to the Growth Fund.

97 Third Report of the Education Select Committee 2016/17 - Under Performing Pupils
Report CSD17065

A motion to invite the Leader and Portfolio Holders to consider the recommendations and (a) refer the recommendations within the report to Service Directors where appropriate and (b) provide a written response to the Education Select Committee for consideration at the Select Committee's meeting in June 2017, was moved by Councillor Nicholas Bennett, seconded by Councillor Neil Reddin and **CARRIED**.

(During consideration of this item Councillor Pauline Tunnicliffe declared an interest as a foster carer for the borough.)

98 Policy Development and Scrutiny Annual Report 2016/17
Report SCD17056

The following amendment was moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn -

"The Council requests the Constitution Improvement Working Party to conduct a full review of the roles and effectiveness of PDS committees and to report

any recommendations to Council in time for any changes to be implemented in May 2018.”

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

A motion to receive the Annual Policy Development and Scrutiny Report 2016/17 was moved by Councillor Simon Fawthrop, seconded by Councillor Keith Onslow and **CARRIED**.

99 To consider Motions of which notice has been given.

No motions had been received.

100 The Mayor's announcements and communications.

The Mayor reminded Members of the following forthcoming events -

- The charity preview of Nick Dear’s “Power” at Bromley Little Theatre on 13th April.
- The Valedictory Service on Sunday 23rd April at the Salvation Army in Ethelbert Road followed by an optional dinner at the Bromley Court Hotel.
- The Mayor’s Golf Day at Langley Park Golf Club on 3rd May.
- The draw for a painting of the Houses of Parliament by Angela Fielder signed by Margaret Thatcher.

The Mayor thanked members for their support at various events and visits.

The Meeting ended at 9.14 pm

Mayor

COUNCIL MEETING

10th APRIL 2017

QUESTIONS FROM MEMBERS OF THE PUBLIC

(A) QUESTIONS FOR ORAL REPLY

1. From Helena Williams to the Environment Portfolio Holder

Could the Council please state whether traffic calming measures have been considered on Parish Lane following the tragic accident on the junction with Lennard Road in 2016?

Reply:

It is important to note that investment in any traffic calming engineering works, is strictly driven by the number of recurring personal injury related accidents which happen at any given location to ensure maximum return is made on the limited public monies provided for such works.

To that end, prior to the tragic crime committed locally on 31st August, I am advised that there had thankfully only been 2 personal injury accidents at this junction since 2011 (in January and February 2016), which would in all candour exclude it from any list requiring early engineering intervention.

Were speeding assessed to be an issue on either road, the Council would provide additional signage (either rotational posters or a Vehicle Activated Sign (VAS)). Furthermore, if either road were deemed to be a 'Ward Priority' by the local Safer Neighbourhood Panel and Police Team, it could then benefit from periodic spot checks and subsequent enforcement by the Police.

Supplementary Question:

Would the Portfolio Holder re-consider under any circumstances? As a concerned resident, there does seem to be a lot of speeding down there.

Reply:

It is not a question of re-considering – the policy is as I have described it. In the hope of providing helpful advice, if there is concern about speeding in any road across the borough, ward councillors and the public should be working with the Police's Safer Neighbourhood Teams to escalate those concerns and ensure that potential enforcement can take place. Maybe the thing to do is to speak to the Safer Neighbourhood Team and your local councillors.

Additional Supplementary Question:

The Mayor asked the Portfolio Holder to confirm that every ward had a Safer Neighbourhood Team that residents could go to.

Reply:

The Portfolio Holder confirmed that this was the case.

2. From Andy Richardson to the Care Services Portfolio Holder

Can the Portfolio Holder explain in detail the reasons why public funding was an issue resulting in unusually high delays to Orpington residents in transfer of care from NHS institutions to care organisations and programmes in November and December 2016?

Reply:

I do not think that public funding was an issue here.

Nationally at that time of the year, all health and social care economies experience difficulties caused by pressure on the care home and domiciliary care providers, being able to recruit sufficient levels of staff. Locally, the Local Authority and CCG work together to put additional resources into the system in order to ensure we were able to secure intensive a range of support to improve discharge. Over this period we in place intensive packages of care and support at very short notice. We saw a drop in the Delayed Transfers of Care (DToC) numbers from the spike in November and December. We continue to work together so that our residents are discharged as soon as possible with the appropriate support in place.

Supplementary Question:

The statistics in the NHS England Delayed Transfers of Care did actually prove that there was delay in paying for NHS patients. Does this Council disagree with the statistics produced by a national government body?

Reply:

We certainly cannot agree with the statistics produced. As far as Bromley is concerned, our transfer of care bureau is working pretty well. It is not as well as we would like, and we would like to improve things. Our work with the CCG and the hospital is improving all the time in terms of improving the situation. It should also be noted that the discharge procedures from the PRUH are not just for residents of Bromley. A large number of the people who are discharged from the hospital go to other boroughs and the overall figures may well refer to the totality of patients leaving hospital - only a proportion of those are residents of Bromley.

3. From Julie Ireland to the Environment Portfolio Holder

Sadiq Khan has announced the beginning of a consultation on an ultra-low emissions zone in central London which may be extended to all of London including Bromley. What is the Council's policy towards reducing the use of diesel in Bromley particularly with regard to the vehicles they or their contractors operate?"

Reply:

Mindful that Bromley already enjoys the cleanest air in London, whilst at the same time acknowledging that a percentage of the population and local businesses purchased and still own expensive diesel vehicles as a direct result of the ill-considered advice and tax reforms of the Gordon Brown and Tony Blair governments, the Council would respectfully encourage any affected 3rd party to pay attention to the updated advice and seriously consider switching back to non-diesel alternatives when they next come to change their vehicles.

Regarding Bromley Council's own vehicles, I can confirm that upon reaching the end of their natural service cycle, or upon the introduction of any new law accelerating their retirement or adaptation, those which are being replaced will be with a non-diesel alternative.

Regarding Bromley Council's various contractors' vehicles, the companies will have their own vehicle replacement plans in place. However, when the Environment contracts are renewed in 2019, the Council will expect all contractors to comply with the then current and any future legislation in this field.

Supplementary Question:

Could the Portfolio Holder clarify whether contractors' vehicles would be expected to be diesel-free when their contracts come up for renewal?

Reply:

Speaking for the Environment Department, when the contracts are next up for renewal, which is in 2019 the Council fleet and the fleet of the Council's contractors will be diesel free.

Additional Supplementary Question:

Councillor Simon Fawthrop asked whether the Portfolio Holder had read the report issued by Imperial College that day which suggested that driving over speed humps caused a 98% increase in nitrous oxide emissions, and that removing speed humps could reduce it be 98% therefore. Was he aware of the report and would he be taking action on it?

Reply:

No, I have not read it, but I shall endeavour to do so at the earliest possible opportunity.

Additional Supplementary Question:

Councillor Angela Wilkins asked whether the Portfolio Holder would accept her invitation to come to Crystal Palace, where recent measurements of air pollution show a considerably high level.

Reply:

The Portfolio Holder responded that he would be happy to visit any ward.

(B) QUESTIONS FOR WRITTEN REPLY

1. From Callie Foster to the Environment Portfolio Holder

Please could the Council provide an update to the response received at the Council meeting on 22 February 2016, as below? Please could we have a more definitive timetable of action?

From Callie Foster to the Environment Portfolio Holder

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

Reply:

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

Reply:

Firstly, whilst it is fair to say this location is proving extremely difficult to design and recommend a solution for which is likely to strike a popular common chord, may I nevertheless apologise on behalf of the Parking design team for the ongoing slippage to this project.

I can confirm and indeed promise that this request remains very well advanced within the described queue for such works and that an outline proposition will be placed before local residents shortly.

2. From Ian Brown to the Resources Portfolio Holder

With reference to Report no FSD 17036 (Internal Audit Progress Report) from the agenda for the Audit Sub Committee meeting on 4 April, can you please provide the key findings of this report together with details of the 15 priority 1 recommendations, mentioned in paragraph 3.3 of the report, relating to the Waste Services contract.

Please also provide legal justification for the full report item being classified as "Part 2" and thereby not available to the public.

Reply:

The Council is not required to disclose confidential or exempt information in response to a question. The agenda sets out the ground the sub-committee relied on under Schedule 12 A in resolving to consider the matter in closed session although there are potentially other reasons to exempt from disclosure at this time.

3. From Sam Webber to the Care Services Portfolio Holder

FOI requests in February 2017 revealed at least 368 spaces for 'Unaccompanied Asylum Seeking Children' (UASC) in the UK, including 22 spaces in Lewisham, 5 in Bexley, 3 in Sutton & 3 in the City of London. How many spaces are available for these vulnerable

young people in the London Borough of Bromley, given neighbouring councils - or those close by - are taking their share or offering to do so?

Reply:

Corporate Statement - March 2017

"A general letter to all Councils last year requested assistance on a voluntary basis. Given our own local pressures - number of homeless family units, the majority of them with children, approaching 1300, and an increasing number of Looked After Children (around 290) - we were not, and are not, in a position to voluntarily offer accommodation to Syrian refugees affected by the ongoing conflict.

Bromley is a member of the London wide rota arrangement, which takes unaccompanied asylum seeking children on a regular basis. We have had between 12-20 children/young people since April 2016 at any given time. This number is likely to increase following the introduction of a national dispersal system."

I can confirm at the present time we have 288 Looked After Children, 17 UASC – 2 of which were Kent UASC and settled here with agreement we would accept them.

4. From Sam Webber to the Care Services Portfolio Holder

Does the Council know how many offers of support have come from Bromley residents to the Refugee Resettlement Programme (RRP - a joint unit between the Home Office & the departments for International Development and Communities & Local Government)? 1 resident has contacted me to confirm her offer of translation services etc & the RRP was not even able to establish the appropriate point of contact within Bromley Council to take this forward.

Reply:

Bromley have not had any direct requests from the RRP to provide assistance on accommodation and have not received any information regarding any offers of support the RRP may have received directly from Bromley residents. I am aware that there was previously talk of setting up a central list here of any offers of support but I don't believe this was pursued as it was felt more beneficial to direct people straight to RRP where the offers of assistance could more actively be taken up on the grounds that we had not been asked to directly house any refugees. Details were publicised by corporate communications to inform Bromley residents on how to contact the RRP directly with any offers of assistance

5. From Sam Webber to the Environment Portfolio Holder

Too much recyclable litter is often lying on pavements or in roadside gutters across the borough and we must reduce this. Would the Council consider installing new split recycling & litter bins (initially just replacing existing bins) at busy areas like bus stops; in front of train stations or in shopping areas if this could be shown to reduce littering, increase recycling and therefore increase council revenue?

Reply:

The Council will certainly continue to consider any and all good practice it becomes aware of which reduces littering and increases recycling rates within the confines of the tight financial parameters which the Department has available to it to operate within.

Whether this involves newer bigger bins, dedicated recycling bins, or occasionally even the removal of bins being effectively fly tipped and filled up with domestic and/or commercial waste which then causes litter to overflow, being something which is assessed on a case by case and site by site basis.

COUNCIL MEETING

10th APRIL 2017

QUESTIONS FOR ORAL REPLY FROM MEMBERS OF THE COUNCIL

1. From Councillor Chris Pierce to the Public Protection and Safety Portfolio Holder

Can the Portfolio Holder please advise what steps are being taken in partnership with the Police to deal with the ever increasing problem of anti-social off-road motorcyclists and the general nuisance and annoyance they are causing to residents across the Borough and in particular in my own Ward, Cray Valley East?

Reply:

The last complaints received were two recorded by Public Protection in October 2016 relating to Hockenden Lane, Cray Valley East. This information was shared with the Police, log sheets were sent to complainants but these were not completed. No further action was taken by the noise nuisance team.

However, through continued conversations with the Police, and our Legal Team I am exploring the possibility of Public Space Protection Orders (which, as the name suggests apply to public spaces). For the meantime I have urged Police to utilise existing powers as we will need to evidence that all existing powers are not sufficient before proceeding with a PSPO.

Toby Smith and Peter Sibley are working with the Police to ID those responsible. LBB CCTV footage taken last week from Orpington High Street will result in joint LBB & Met home visits to the individuals identified. Bikes will be seized where legislation allows. Now that all police officers are issued with body worn cameras evidence is much easier to capture, without the need to pursue a motorbike (which is a contentious issue for the Police).

LBB and the Police now meet weekly to resolve ongoing motorbike issues across the borough. Four key focus areas are: Elmstead Woods, Crystal Palace Park, Scadbury Park Nature Reserve and St Paul's Cray Hill Country Park.

Supplementary question:

I am pleased to hear that one of the four key focus areas will be in my Ward. Does the Portfolio Holder know if the Police and/or Ward Security be carrying out additional proactive patrols at times of known peak activity, and if so, what will the frequency of those patrols be?

Reply:

In Bromley we are fortunate that our Police are equipped with two off-road motorbikes, there are very few of these across the Met. These are deployed when problems are identified and proactive patrols are carried out where Police resources allow. Also, Ward

Security work with the Police and respond to calls from the general public, in order to take action against these motorcyclists.

In addition to this, MOPAC have confirmed two years of funding for a series of community action days across our borough. These replace what was previously known as "Operation Crystal." The objective of this Community Impact Day is to improve the local community for residents, through ASB action, street environment improvements and police enforcement and reassurance. Once a month on an operation day, as part of a much wider programme of activities, the off road police officers will be tasked to identify quad bikes, mini-motos, scramblers and scooters being driven illegally (on road or off road), they will be prosecuted and the vehicles will be seized where possible and this will deter further use.

Community Impact Day locations will be reactive to where LBB Team and Police receive the most complaints and crime reports for, the locations are not publicised in advance. The first Community Impact Day will take place later this month, and local ward Councillors will be informed in advance of these events. Plus the results of the Community Impact Days will be well publicised afterwards.

Additional Supplementary question:

The Mayor asked the Portfolio Holder to confirm that Safer Neighbourhood Teams were there to take complaints from ward councillors and their residents.

Reply:

The Portfolio Holder confirmed that this was the case.

2. From Cllr Angela Wilkins to the Environment Portfolio Holder

Can he please explain why it is that, as identified in the recent internal audit of waste services, the Council does not have a copy of the contract with Veolia? How much money has the Council lost because it hasn't been imposing the penalty charges on the contractor where bins have been missed?

Reply:

Whilst the document in question cannot be located at present, it should be placed on the record that according to the Council's Chief Legal Officer we do have an enforceable contract based on the other documentation which is to hand, as well as custom and practise, were anyone minded to try and possibly create difficulties by perhaps suggesting otherwise.

Regarding finance, it remains largely conjecture as work is still ongoing to establish how much money might have been forgone. For that simple reason alone, it would have been very helpful for everybody concerned had the report in question been delayed until the full facts of the matter had been properly established and verified.

On a more positive note, I am very pleased to advise the Chamber that the current level of misses from the 70,000 daily collections undertaken are routinely coming in at less than 100 per day, a strike rate broadly contained between 0.07 and 0.12 %

These are the best figures that I can ever recall viewing during my 11 years in tenure.

Supplementary Question:

Do you feel in any way responsible, given that of the 15 priority 1 recommendations that came out from Audit Sub-Committee, several of them had been raised previously in 2015?

Reply:

No.

3. Cllr Ian Dunn to the Care Services Portfolio Holder

How does the Portfolio Holder see the balance between employees and agency staff changing over the next two years?

Reply:

The national shortage of experienced qualified staff in the health and social care sector is well documented. Consequently, a number of measures both at the national and local levels are being implemented to address the on-going imbalance between the demand and supply of experienced staff and doctors, nurses and qualified care staff including children's and adult social workers in particular, and the high use of agency staff. These measures include, for example, the Grow Your Own, Step Up to Social Work and Frontline programmes. Bromley Council is the lead authority for the Step Up Programme. The Council runs the programme on behalf of 6 other local authorities. More recently, the government has just piloted a "Return to Social Work" aimed at bringing back experienced social workers from retirements or career breaks.

Locally, there is political and managerial commitment to turn around the current disequilibrium between the use of agency staff and permanent staff. The Recruitment and Retention Board under the joint leadership of the Director of HR and the Deputy Chief Executive/Director of Education, Care and Health Services has set itself a challenging target to reduce the agency usage in Children's Services by 95% in 18 months' time. The balance is beginning to shift albeit slowly as a result of promoting the Council as employer of choice. The Deputy Chief Executive's "Road Map to Excellence", the caseload promise and the Corporate Recruitment Video which can be found on the Council's internet are some of the major factors. Other measures include fast-tracking of quality agency workers into permanent contracts, a quick and on-going review of any push factors in order to minimise the attrition rate and ensure a stable social care workforce. For example, there is a No Quit Policy/intervention which is triggered by HR within 24-48 hours of notice to leave aimed at dissuading good staff from leaving the service. Staff terms and conditions of employment including pay are being flexed to ensure the Council remains competitive in a very challenging regional and national market. The pay differentials between teams are currently being addressed in response to the position being adopted by neighbouring boroughs in particular. Staff feedback from leavers is being managed/analysed in a more proactive and timely manner. A smart device is currently being implemented by HR which will give leavers the means to give instantaneous feedback from any smart device including mobile phones, tablets, etc. In the light of the above the balance between agency and permanent staff in Care Services is likely to shift in favour of the latter. This was the case not too long ago - some three years ago, for example, when the number of agency staff in children's services in particular was less than 20 compared to around 66 that we have at the moment. The impact of the new tax rule IR35 for self-employed individuals/consultants will help shift the balance further.

Some of the obvious advantages of being a self-employed or agency social worker are being eroded by the new tax regime. In light of this the Deputy Chief Executive and HR are arranging another session with the agency staff to promote and offer them permanent contracts if applicable. The tide will turn in our favour if we maximise the pull factors and eliminate or significantly reduce the push factors. Good leadership and managerial support is key going forward.

Corporately, the Council's spend on agency at around £8m is still one of the lowest in London, compared to over £20m being spent by a number of boroughs. Given the Council's unequivocal commitment to maximise the number of apprentices under the Apprenticeship Levy the use of agency staff for administrative roles will be significantly reduced.

Supplementary Question:

The supplementary question is about the daily rates which are being paid to agency staff. For adult social care, the response to my written question showed that the current rate was about £170 a day compared to about £135 two years ago. How do you think that sort of increase in daily rate is going to encourage or discourage employees or agency staff from moving from one to the other?

Reply:

Currently, we pay the rates that are necessary. We have to fill staff positions. If we cannot get permanent staff then we have to employ agency staff, and if the going rate is that then we have to pay it.

4. From Cllr Vanessa Allen to the Chairman of Development Control Committee

Can he confirm the amount the Council had to pay in costs in relation to the Queen Mary House appeal? Can he also comment on lessons learned from this appeal, specifically as the Costs judgement contained the words –

“Not least of these undisputed benefits is that the proposal would meet a critical demand for older persons’ accommodation for which there is insufficient supply in the borough, falling well short of targets in the London Plan.”

Reply:

The Council has not had to pay any costs to the appellants in relation to the Queen Mary House appeal to date. This is due to the way the costs system works for planning appeals. The planning inspector has made an award of costs against the Council but as is normal this award does not state an amount. The appellant needs to submit a justified claim for costs to the Council and at present this has not happened - it is awaited.

Planning appeals are circulated to planning officers for reference and analysis so that lessons are learnt and so that they are taken into account in future planning applications. The weight to be given to a previous appeal decision is a matter of judgement and typically it depends on the degree of similarity between the cases and on relevant changes in planning circumstances. Where reliance is placed on a previous planning appeal, it will be clearly referred to in the officer report.

Supplementary Question:

You did not answer the second point about the lessons learnt from the appeal. There was some resistance from Members to the provision of older people's dwellings in the draft Local Plan, due to their perceived drain on Council services and resources. I would like to

ask if he supports the strengthening of the Council's policies on this to ensure that Bromley not only meets its targets but also positively promotes the provision of suitable dwellings for older people.

Reply:

I did refer to the benefits that can be derived from any appeal, in that they are used for consideration in similar cases going forward. As far as elderly accommodation is concerned, it is not really a question for me. The Council complies with planning legislation, with its UDP and the London Plan and whenever this type of residential accommodation is put forward it is considered in the light of those plans.

5. From Cllr Kathy Bance MBE to the Education & Children's Services Portfolio Holder

What impact is the recent change in funding arrangements by central government going to have on Bromley Schools and Bromley children?

Reply:

The premise of the question suggests that the new funding formula has already been implemented – it has not. In laying out the matters as we currently understand them we are moving into the realms of the hypothetical. It is also worth remembering that the need for the review is as a result of the chaotic postcode lottery that existed throughout previous administrations back to the 1990s. Getting something this complicated correct is vitally important, which is why the consultation process took place.

Estimates suggest that the impact of the National Funding Formula for 2018/19 will be a marginal gain +0.1% or a marginal loss (-0.3%) of Dedicated Schools grant (DSG) depending on the methodology used by the government.

Although the overall funding envelope will remain static it is estimated that Bromley primary schools will lose funding with secondary schools gaining due to the DfE formulas shifting funding away from primaries and into secondaries.

The main impact is likely to be in the High Needs block where funding will remain static but we are experiencing increasing levels of demand and growth, which if the static position of the High Needs block stays as it is will have to be funded from existing funding levels.

It is on this point that I and Bob Neill MP had a meeting with Nick Gibb MP setting out Bromley's position. That conversation is on-going.

The consultation has just finished and the DfE will be responding by the Autumn of 2017 in order that budgets can be set for the 2018/19 financial year. We will know what the final position is by that point.

Supplementary Question:

If the funding formula does come into existence, will the Portfolio Holder support Labour's campaign to reverse these changes in funding?

Reply:

Both myself and the MP for Bromley and Chislehurst met the Minister, Nick Gibbs MP, and we made our feelings about the funding position for Bromley quite clear.

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

What monitoring is carried out on Vibrance to ensure people not attending day centres are able and proactive in using their direct payments for alternative provision?

Reply:

We have a contract in place with Vibrance for the provision of support and advice to people who wish to make use of a direct payment. The role of Vibrance under this contract is to explain the DP process, ensure that the DP recipient understood their obligations as an employer and to support them to recruit a Personal Assistant (PA) either through their PA register or through direct recruitment. This contract is monitored by the provision of quarterly statistics, an annual Quality Assurance visit and meetings with the Contract Manager. From 1/4/17 this contract also delivers the payroll service to people accepting direct payments.

Supplementary Question:

I have concern about some residents who seem to be increasingly on their own. I just want to make sure that we have enough monitoring to ensure that if they are not attending day centres they are attending something else so there is no extra pressure put on carers.

Reply:

Yes.

7. From Cllr Richard Williams to the Education & Children's Services Portfolio Holder

Over the last few years we have seen a rise in suicides amongst teenagers particularly due to the increase in social media. According to figures an average of 8 teenagers take their own lives weekly. Can I ask the Portfolio Holder to encourage schools and local youth groups to share a campaign video that has been spearheaded by the ITV programme This Morning 'Be Kind' <http://www.itv.com/thismorning/hot-topics/pledge-to-share-our-anti-bullying-message>

Reply:

The issue of child suicide is a depressing and alarming one, and as a parent I cannot imagine the heartbreak and ruin that it leaves behind. The fact that it is often a result of cyber bullying leads us to question what can be done. The video mentioned in the question, which is hosted by 'This Morning' presenters from ITV, interviews two parents who have been through this trauma. The programme highlights how the new social media landscape increases the avenues by which bullying can occur. It invites parents to pledge to watch that video with their child so that they can better understand the outcome of their behaviours.

Here in Bromley, our emotional health forum, led by schools with LA officers and CAMHS support, is very much sighted on the issue of teenage suicide and I will personally ask the chairman of that group to discuss the request with school colleagues. Hopefully the schools will alert parents to the campaign and decide whether they want to agree with the pledge. I will also pass this information on to members of the Bromley Youth Council who have expressed an interest in this particular topic.

In terms of the broader issues of teenage emotional health and bullying concerns, the role of the forum is focussed particularly on the work that secondary schools do and the support they provide that complements counselling support provided by Bromley Y and CAMHS.

Supplementary Question:

Can I ask what the budget is from Bromley Council for tackling bullying in schools and youth centres?

Reply:

I do not have that figure but I will pass it on to Cllr Williams.

8. From Councillor Peter Fookes to the Leader of the Council

What is the procedure for reporting to members details of reports of maladministration by this authority as determined by the Local Government Ombudsman?

Reply:

If the Ombudsman makes a finding of maladministration then where a Local Authority is operating Executive arrangements Section 5 A of the Local Government and Housing Act 1989 (as amended) requires the Monitoring Officer to prepare a report to the Executive unless the matter related to a non-executive function as defined by section 9 D (2) of the Local Government Act 2000 (as amended) when the report is made to Council.

Supplementary Question:

In the interests of transparency, should all Members be informed once a case of maladministration has occurred? We should be informed immediately when there are problems.

Reply:

Unless there is a reason not to do so, then I would support that Members should be informed on such matters.

9. From Councillor Nicholas Bennett JP to the Public Protection and Safety Portfolio Holder

Whether he will discuss with the Borough Commander a pro-active policy to stop fly-tipping by asking police patrols to stop and question drivers of vehicles with waste seen on the Borough's roads during the night to ascertain whether they have waste disposal licences and the purpose of their journey at hours when waste disposal centres are closed?

Reply:

The Police are currently investigating how we can be more proactive in our mission against fly-tipping by having LBB enforcement officers and police patrols travelling together during planned operations so that they can move around the borough's roads and stop suspected illegal fly-tippers as well as planned stop and search road blocks which have limited effect. In addition to this the new Community Impact Days that I mentioned earlier will have a joint LBB/Police mobile vehicle to target waste-carrying vehicles during the operations. This will be intelligence led and tasked and may take place during the day or night. I have regular monthly meetings with the Borough

Commander and the Executive Director of Environment and Community Services and fly-tipping is a regular topic of conversation. I will ensure that catching fly-tippers remains a high concern to our local police team and push for them to be stopping more waste-carrying vehicles during the night.

Supplementary Question:

Can you also look at whether we can use our CCTV and the TfL CCTV to look at whether, when we have fly-tipping incidents, we can trace vehicles via CCTV, because it usually happens at 4 or 5am in the morning? Also, can the Police on their regular patrols during the night, if they see a vehicle full of waste when there are no waste sites open, realise that there is something amiss and that they need to be stopped.

Reply:

I agree with all that you have said, and I am happy to look into all those action points. We do have an action plan to tackle fly-tipping and we continue to revise and improve it – certainly CCTV could be added to that. We have asked TfL many times if we can have access to their CCTV cameras and to date they have declined, but we will continue to ask for their permission.

Additional Supplementary Question:

Councillor Simon Fawthrop stated that the Government were consulting on preventing charges for household DIY waste to stop fly-tipping and asked whether the Portfolio Holder aware of this? Quite often government initiatives came with a double-edged sword.

Reply:

I am not convinced that the initiative is fit for purpose. We already provide free disposal of garden waste, and that is routinely continuing to be dumped across the borough. If you have a potential free receipt of DIY waste, we may have an imbalance, and people with small houses doing very occasional DIY works potentially cross subsidising through Council Tax owners of larger houses doing more extensive renovation works. There are only minimal complaints about this, and I am slightly concerned about the social injustice of this. Clearly, if it is legislation and we are told to accept it without payment that is what we will have to do.

10. From Councillor David Livett to the Environment Portfolio Holder

How has the clearance of the Waste4Fuel site progressed in comparison with the original projection, with particular regard to the completion timeframe and costs?

Reply:

Thus far, 16,000t of the originally estimated 18,000t has been removed.

It has subsequently been established that the Environment Agency's calculation of the Waste Volume present was over optimistic, with a remaining total of 8,000t of waste still remaining on site waiting to be cleared. (Note: This figure was confirmed as 8,974t.)

The situation is further complicated, as I have reported previously, by the fact that the remaining waste appears, in whole or part, to be composed of mildly hazardous oil based

waste, which needs to be disposed of in a more carefully managed manner at somewhat higher cost.

To that end, the completion timeframe is currently being frustrated by the Environment Agency/DEFRA's ongoing delay in releasing the required and previously agreed further funding needed to clear the site completely, in line with the agreement reached with Bromley Council.

Some weeks ago I escalated this matter to local MPs, who in turn have escalated the matter directly to the Prime Minister's office in an attempt to introduce more pace into what I would be the very first to agree has been a thoroughly disappointing period since mid-February.

I undertake to update all interested parties the moment I hear back from Mr Bob Neil, MP as to the outcome of both his own, as well as Jo Johnson, MP and James Brokenshire, MP's sterling efforts, to bring this matter to a resolution for the benefit of the people living locally.

It should take less than two months to clear what is left from the moment the green light to proceed is received.

Supplementary Question:

The actual excess tonnage and the content of that tonnage were highlighted as an issue by local residents some time ago. Can the Portfolio Holder give assurance that the clearance of the site has not identified any threat to the health of local residents as a result of air pollution or pollution of the water table – because of fires on the site or the oil based stuff that has been burning or has been washed through to the water table. What assurances can he give that local residents should have no concerns about their health?.

Reply:

The waste is technically regarded as hazardous. It is not toxic or dangerous, but it contains materials, mainly oil based, that are described as being hazardous and require special treatment under EU and DEFRA legislation. During the height of the problems when the fires were fairly regular, Health England undertook air quality tests and there were no identifiable problems. We know about potential leaching, because one of the concerns was that all of the water being poured onto the stack might leak into the SSSI lakes site next door, there were no problems in that regard either. When the waste is eventually removed there is no reason at present to believe that there will have been any contamination into the ground itself. Clearly, I cannot guarantee that, and I will update you soon and if anything untoward does occur.

(Although the 30 minute time limit for oral questions had been reached, Councillors agreed to continue with the remainder of the questions.)

11. From Cllr Angela Wilkins to the Education & Children's Services Portfolio Holder

Last week OFSTED reported on its recent inspection of Bromley's Community Learning & Skills provision – Adult Education as we more generally refer to it. The previous inspection in 2015 had given the service an overall rating of "requires improvement", but with a "good" rating for quality of teaching, learning and assessment. In this year's inspection report, all aspects inspected are now deemed to be "requires improvement", and the report is prefaced with the rather damning (but familiar) comment: "Leaders and managers have been slow to address several issues from the previous inspection".

Can the Portfolio Holder please explain why the recommendations made by OFSTED two years ago have not been fully implemented and what action is now going to be taken to ensure this vital service is brought up to a satisfactory standard?

Reply:

The latest review of the Adult Education service was published by Ofsted on 3rd April, and I notice that there was a race to express an opinion in the Press. However, I think that in some of those views that were expressed maybe some of the nuance has been missed. I am not sure how far through the report the Labour Party got – the question is based around the first note on page 1, on the first bullet point, line 1, which talks about the change we have made to the service so far. In terms of context, if you skip further down the report, you can also read the statement that “Leaders and managers have successfully managed a significant transition” is another thing that the report expresses. Another from the same page is “Bromley’s Adult Education service offers a good range of courses in a wide variety of locations ensuring good learning opportunities to the Borough’s most disadvantaged residents.” In fact, if you look at the previous recommendations, four of the six made in 2015 have been fully implemented, the most significant of which was the complete reorganisation of the Adult Education Service. This encompassed a whole organisational change - staffing restructure, significant curriculum changes, which only came into place in September, implementing the closure of the Widmore Centre and the subsequent relocation of the service’s main administrative and support functions to the Kentwood site. We have changed main focus of the curriculum so it has shifted to be directed with an increased level of resource towards the most disadvantaged adults in our local communities, including the low-waged, unemployed, adults with learning difficulties and marginalised older residents. I am sure that the Labour Group will agree with me that this is all a good thing to do.

Change on such a large scale requires a significant amount of staff time in order to bring the project to its conclusion within the necessary timescales and limited budget. All that we have achieved so far without any additional resource and despite the impact the scale of organisational change can have on staff and student morale. If we go through the report to page 3, it says that “Leaders and managers have achieved much to help secure the future and sustainability of Bromley Adult Education.” It also says that Leaders and managers have successfully managed the College’s significant transition.

During their recent visit Ofsted recognised the success of this transition process and commented positively on the impacts it has had on the service as a whole, its governance and increased ability to meet the needs of residents within the borough’s most deprived areas. They also recognised that the focus on such a large scale reorganisation denied managers the time and resource needed to address the other areas for improvement.

In essence what we have here is a journey of change and improvement that is only in the very early stages of transition. Despite that, if we go to page 4 of the report it says that the governance of the Adult Education service is now good. I appreciate that there is always more to do, but I applaud the achievements that we have made so far and I would also like to salute the incredibly hard work of the Bromley Adult Education staff in what has been a significant and fundamental change.

Supplementary Question:

I too applaud the improvements in this area. How do explain the difference between your explanation and the Ofsted evaluation in the report?

Reply:

It all depends on which parts of the report you choose to focus on and I understand why for promotional and political purposes you are going to focus on the things that still need more work. At no point have I suggested that we are at the end of the journey; in fact we are very much at the beginning. We have taken a service and been through the appropriate channels and committees in this Council. We launched this new service in September last year, we have had a few limited months to bed in what we are doing, and that is what the recent review is talking about. In the review they have gone to great pains to say that we are doing the right things, we are sighted on the right objectives and that the management, leadership and governance is all there. One of the great things about the report is that it talks about the great experience that the vast majority of learners are having and it expressly says that those learners who have learning difficulties or disabilities are also speaking confidently about the service. So, you can pick and choose from the revealed text, but I prefer to focus on the positives, except the journey and changes that we still need to look at, but also getting behind those staff who are making the changes and making sure that we have the best service for the borough.

12. From Cllr Ian Dunn to the Education & Children's Services Portfolio Holder

How does the Portfolio Holder see the balance between employees and agency staff changing over the next two years?

Reply:

The question is the same as addressed to Cllr Evans earlier and the response is the same.

Supplementary Question:

My question again is about the cost of agency staff in the children's social care area. The written reply I received earlier shows that the average daily rate for children's social care is about £250 - £270. Why is the average daily rate in children's social care now £270, when is that going to come down to the sort of daily rate that it was previously, and when is the volume of agency staff in children's social care going to reduce to what is was previously?

Reply:

A lot of that is covered by what Cllr Evans said earlier – he talked about having to pay the market rates and I am happy to explain how the market works later. One of the things I would say about children's social care is that we have committed extra resource to ensure that we can get the best social workers. We are hearing great reviews from across London about people wanting to here and work in Bromley. One of the most significant things we are doing to make sure that we have permanent staff and to ensure that we have the best in the business working for us is the Caseload Promise. We are promising to have some of the lowest levels of casework in Bromley. We are attracting people here because we are one of the best places to work.

13. From Cllr Kathy Bance MBE to the Resources Portfolio Holder

The volume of casework we are receiving about Housing Benefit debt is increasing, with many residents being in significant debt before they come to us for advice.

What can the Council do to flag up / make contact / referrals when the debt exceeds a certain limit?

Reply:

The Authority is only aware as to the level of a household's rent arrears if brought to our attention by the individual or their landlord. Where it is identified that a person is under imminent threat of eviction there is a procedure to fast-track the processing of any outstanding elements of their claim. However, by this time it is likely that they would have accumulated a considerable level of arrears.

Where there has been engagement at an earlier stage, the Authority has a range of measures in place to help households access appropriate advice and assistance before financial difficulties lead to the risk of homelessness. Depending on the particular circumstances, advice and support can include, negotiations and repayment plans with landlords, maximising income, money, debt and welfare benefit advice, access to credit union, prevention funding and Discretionary Housing Payments, assistance to enter training, employment and secure more affordable housing.

Joint protocols with Housing Associations seek to identify any tenant facing difficulties and work jointly to resolve the financial difficulties or benefit issues to ensure the tenancy is able to be maintained. This work has seen a significant reduction in the level of evictions.

Supplementary Question:

I am sure that the problem really is that people ignore the fact that these debts are mounting up. Most of the people that we are dealing with have some history of mental health problems or depression. I would really appreciate if you could point me in the right direction for the advice and help that we could give them, so that we can publish that and perhaps people will seek help earlier while the debts are still manageable.

Reply:

We should recognise the excellence of our Housing Department. Many Members will have had dealings with the Housing Department, and they were recently featured in a national journal showing the excellence of what they do. Something like 90% of people who present as potentially homeless actually avoid that through the various initiatives that are taken by our staff. We are about to undertake an exercise where we are taking 50 actual cases of homelessness and trying to plot them to see at which stage we could have avoided that happening. As that initiative starts to evolve I would be happy to speak to Cllr Bance because in her geographical area she will have particular expertise that I would like to tap into.

14. From Councillor Peter Fookes to the Care Services Portfolio Holder

How many nurses and care staff are leaving Bromley institutions as a result of the decision to leave the European Union?

Reply:

The answer is zero insofar as Bromley Council is concerned. No leaver from the Council has cited Brexit as a reason for leaving the Council. We do not have the information for other care providers in the borough, so I am only speaking on behalf of the local authority. Unlike a few inner London authorities we do not have a lot of EU staff in our care services.

Supplementary Question:

I do appreciate that we do not have any direct responsibility here for some of these care staff. The reality is that across London 4,000 people have gone back to their home countries and I wonder what we are doing to resolve their problems, so the answer is not nought.

15. From Councillor Nicholas Bennett JP to the Resources Portfolio Holder

How many Freedom Passes are held by Bromley residents, the cost of the passes and the value of the journeys made?

Reply:

Current number of passes in Bromley as of today:

Older persons	60,215
Disabled persons	4,622
Discretionary disabled persons	692

The Freedom Pass cost is estimated for all of the London borough's concessionary journeys made by the 1.2 million pass holders. The 2017/18 cost was £346m; this is for the 375 million journeys made.

The proportion of journeys made by the Bromley pass holders was 3.23% (just over 12m journeys), hence the cost of those journeys is £11,190,000 (but this does also include the administration charge).

An estimate of the cost per pass in Bromley is:

Older persons	£160
Disabled persons	£352
<i>(these pass holders tend to make 120% more trips than older pass holders)</i>	
Discretionary disabled persons	£378
<i>(these pass holders tend to make 136% more trips than older pass holders.)</i>	

Supplementary Question:

Do you agree that the Freedom Pass has been an enormous benefit for older and disabled people in Bromley and has enabled people to travel and get out of their homes far more than they would have done before, and would he scotch any attempt in the elections in 2018 by the opposition parties to pretend that the Freedom Pass will be taken away from the people of Bromley.

(Councillor Nicholas Bennett declared an interest as a holder of a Freedom Pass.)

Reply:

What these figures show is that Freedom Passes are a much valued way of getting older people and people with a disability back into the mix of life. There is a huge amount of evidence about the well-being that results from this. It is money well-invested and well-spent, and money we will protect.

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

What action is being taken to reduce the number of delayed discharges which result in patients blocking much-needed beds in hospitals because the council has not been able to provide the appropriate social care for its residents?

Reply:

I refer Councillor Wilkins to the answer I gave to Mr Richardson in the Public Questions earlier.

17. From Cllr Ian Dunn to the Care Services Portfolio Holder

Can the Portfolio Holder explain how the Council's services to blind and partially sighted people comply with the RNIB's targets of:-

- Providing everyone with a visual impairment with a face to face assessment,
- Having in place a rehabilitation plan within 28 days of first contact with the Council
- Starting agreed rehabilitation support, within 12 weeks of the initial contact with the Council.

Reply:

The Council ensures its services are compliant with the Care Act 2014 and Schedule 2 of the 1989 Children Act by having a contract in place with Kent Association for the Blind (KAB). The contract requires KAB to be compliant with all legislation and the specification specifically requires:

1. KAB to undertake/arrange assessments of need;
2. Development of a rehabilitation plan in accordance with the outcomes from the assessment;
3. The contractor to implement the support plan in accordance with the Council's Care Manager, if required, and to maintain all necessary records. The support plan to be monitored and reviewed where necessary.

(During consideration of this question, Councillor Graham Arthur declared an interest as his wife was employed by KAB.)

18. From Cllr Kathy Bance MBE to the Chairman of Development Control Committee

We have had several instances recently where trees have been cut down or damaged for various reasons. How often does the Council carry out reviews to ensure TPOs are put in place for healthy, mature trees?

Reply:

New TPO's are considered on a risk based approach:- we assess the need for a new TPO or other protection when sites are coming forward for development or when we gain information that there is a risk of felling of a tree worthy of retention. This approach reflects the fact that there are a huge number of trees in the Borough and the fact that over time the most sensitive trees are protected by TPO's or by other measures such as planning conditions.

19. From Councillor Peter Fookes to the Resources Portfolio Holder

What is the procedure when contractors commissioned by Bromley Council are taken over?

Reply:

There is no set process and the matter is normally determined by a review of the circumstances in each case, taking into account associate service and cost risks, the wording of the contract and the procurement regulations.

The procurement regulations allow for certain changes in contractor without the need for further completion, for example in most circumstances where company ownership changes as long as the new operator satisfies the original selection criteria. Subject to that being the case, the contract will continue as before. Where the change arises from administration/liquidation then the outcome may depend on the actions by others and the arrangements around administration by the Receiver and the requirements of our contract – our standard contract wording gives us the option to terminate a contract where a contractor enters into administration/liquidation or makes an agreement with its creditors.

For contracts above £200k it is usual to seek a bond which can be called down if there is contract failure to offset associated costs including retendering costs.

Supplementary Question:

In the interests of transparency, and the issue that has prompted this question is the takeover of the Landscape Group by IDVerde last year, when are we going to improve Member scrutiny of that decision? I think that needs to be reported to the Executive – does the Portfolio Holder agree?

Reply:

If Councillor Fookes was a member of the PDS Committee he would be able to call to the agenda that item. I am sure that PDS Chairmen are listening, and where they feel that there is a necessity to scrutinise this it could go there, or to the Contracts Sub-Committee.

20. From Councillor Nicholas Bennett JP to the Environment Portfolio Holder

Whether he will post notices on street waste bins prohibiting their use for household waste and subsequently institute proceedings against those who do so?

Reply:

Whilst notices can be and indeed are already appended to bins discouraging such behaviour, instituting proceedings against individuals found to be doing so is a far more difficult matter with a potential to add significant unfunded running costs to the Environmental Services budget.

A paper detailing all related issues in far greater detail is already planned for the Environment PDS within the next two committee cycles.

Supplementary Question:

I am grateful for the assurance that this will be going to come to the PDS Committee. Does he agree with me that this is a very anti-social practice, which we see around the borough, of people using street bins for household waste. Other authorities are now

prosecuting people for doing this because it is not what those street litter bins are for. By clearly having a sign on the bin there can be no excuse for anti-social people doing this. A few choice examples of prosecutions, just as we have done on Audit for fraud, would help to stamp out this problem.

Reply:

I would certainly agree that this is a disgusting anti-social act. However, what I would point out, to use the examples given, is that we have seen many prosecutions, up to about 30 in the last year, for blue badge fraud – but it continues. We have seen prosecutions for benefit fraud, but it continues. We can enforce anything we want, but it comes at a price. That is the key thing that Members will probably want to investigate far more closely in the summer when the paper comes to Committee prior to saying that we will do it without knowing what the hidden costs and consequences will be.

COUNCIL MEETING

10TH APRIL 2017

QUESTIONS FOR WRITTEN REPLY FROM MEMBERS OF THE COUNCIL

1. From Cllr Ian Dunn to the Portfolio Holder for Resources

Please provide a breakdown of the Council's use of Agency Staff, showing person days and net cost, by month for financial year 2016/17, broken down by Adult Social Care, Children's Social Care, other EHCS, ECS and other. Please sort the information by department and show the average daily rate by department and month. Please also provide the employee FTE's on the last working day of every month, also broken down by department.

Reply:

(See Appendix 1)

2. From Cllr Richard Williams to the Portfolio Holder for Environment

How far has Bromley progressed with the Mayoral target of 95% of bus stops' accessibility by the end of 2016/17? Can you supply details of the bus stops that have not been made accessible and what proportion of the population living within 400m are either elderly or have mobility disability?

Reply:

64% of the Borough's bus-stops currently meet TfL's BSA standard.

The appended map identifies those which aren't (Appendix 2.)

The requested data isn't held.

3. From Cllr Angela Wilkins to the Portfolio Holder for Environment

Please provide a breakdown of how and where the additional £500k allocated for Environmental Initiatives in the 2017-18 budget is to be spent.

Reply:

The indicative split of the additional monies which have been made available is:

- £250k on Street sweeping
- £100k on Trees (maintenance and new trees)
- £30k on Extra weed clearance (going up from 3 weedings to 4)
- £60k on Street furniture to smarten up our high street, shopping parades and street scene
- £60k on Miscellaneous park-related issues

Please note this list is not definitive and may be adapted further as the year progresses.

4. From Cllr Angela Wilkins to the Environment Portfolio Holder

Please provide details of the council's expenditure on and income from Crystal Palace Park since 1997 to date.

Please also provide details of expenditure on the dinosaurs over the same period.

Reply:

Officers haven't been able to recover figures going back that far to date, but the current figure for Expenditure is ~ £420k and for Income ~£220k.

£ 300k has recently been spent on the Dinosaur project

I shall ask Officers to try further to recall records going back to 1997 if you would find it helpful.

5. From Councillor Peter Fookes to the Resources Portfolio Holder

How much did the Department for Education pay for the Balmoral Avenue site for the new Eden Park High School?

Reply:

The Local Authority was not party to the transaction - that was between the previous land owners and the Education Funding Agency (EFA) who are the responsible body. I would suggest making a request under the Freedom of Information Act to the EFA.

6. From Councillor Peter Fookes to the Resources Portfolio Holder

Is there any guidance from the Department For Communities and Local Government on the maximum reserves that an authority can have?

Reply:

Determining the level and use of reserves is a matter for individual local authorities, taking into account local challenges and priorities. There is no prescriptive national guidance on the minimum or maximum level.

There is a statutory duty on the Chief Financial Officer (CFO) to report, at the time the budget is considered and the council tax is set, on the robustness of the budget estimates and the adequacy of financial reserves.

The Secretary of State has a general power to set a minimum level of reserves for local authorities. However, the government has undertaken to apply this only in circumstances where an authority does not act prudently, disregards the advice of its CFO and is heading for serious financial difficulty.

7. From Councillor Peter Fookes to the Care Services Portfolio Holder

Why are Bromley residents not able to access the NHS Minor Ailments scheme to assist those on low income?

Reply:

Bromley does not commission a minor ailments service from community pharmacies across the borough. The main reasons for this are:

- it represents limited value for money as we would need to pay pharmacists (usually about £10-£12 per patient) to take redirected patients from general practice, a service which they would otherwise offer for free
- it does not really reduce demand in general practices for GPs or practice staff as they still need to redirect patients, and even then, the patient could insist upon having a GP appointment
- we have considerable communications campaigns nationally and locally to encourage patients to go to their pharmacy directly with minor ailments – it is more sustainable to influence patient behaviour to think of using pharmacies themselves rather than relying on redirections

However, we do have exciting work happening around using clinical pharmacists in general practice. The purpose includes seeing patients with minor ailments within the practice, as well as giving general advice and guidance to patients, undertaking medication reviews, managing prescriptions and supporting practices with prescribing after hospital discharge. We placed clinical pharmacists in 15 practices in the Beckenham/Penge/West Wickham area in January 2017 and are currently evaluating the impact of this. We have placed a further four clinical pharmacists into 'vulnerable practices' in Bromley as part of the GP Forward View ring-fenced scheme of the same name, and hope to place three more for tenures of 6-12 weeks to alleviate pressure in the practices. We have one practice that has directly employed a pharmacist for three days a week that is seeing real benefits over a year later. And we are working with 20 practices in the Bromley town/Orpington/Biggin Hill/Cray Valley area towards longer term placement of clinical pharmacists at their surgeries, to be part funded between NHS England, the CCG and the practices themselves. The impact of clinical pharmacists working with general practice will be closely monitored, including the impact on minor ailments going into GP appointments and Urgent Care Centres.

Appendix 1(Question 1)

Year	Month	Month Name	Group Name	Calc Days	Hours	Avg Daily Rate	net Amt	vat Amt	gross Amt	Employee FTE as at last day of month
2017	1	January	1. Adult Social Care	1,765.97	12,715.00	175.48	309,898.66	61,979.86	371,878.52	206.76
2017	2	February	1. Adult Social Care	1,706.42	12,286.25	169.87	289,863.94	57,972.74	347,836.68	205.82
2017	3	March	1. Adult Social Care	1,917.53	13,806.25	169.84	325,681.79	65,136.30	390,818.09	205.82
2016	4	April	1. Adult Social Care	1,727.95	12,441.25	161.98	279,896.72	55,979.43	335,876.15	220.69
2016	5	May	1. Adult Social Care	2,139.72	15,406.00	163.69	350,256.06	70,051.08	420,307.14	216.41
2016	6	June	1. Adult Social Care	1,858.02	13,377.75	176.62	328,157.36	65,631.45	393,788.81	216.23
2016	7	July	1. Adult Social Care	1,459.79	10,510.50	173.05	252,616.07	50,523.27	303,139.34	213.4
2016	8	August	1. Adult Social Care	1,375.87	9,906.25	166.49	229,065.99	45,813.12	274,879.11	211.06
2016	9	September	1. Adult Social Care	2,040.14	14,689.00	166.77	340,227.42	68,045.53	408,272.95	212.65
2016	10	October	1. Adult Social Care	1,804.48	12,992.25	163.92	295,791.42	59,158.30	354,949.72	211.76
2016	11	November	1. Adult Social Care	1,676.11	12,068.00	184.58	309,381.76	61,876.31	371,258.07	213.29
2016	12	December	1. Adult Social Care	1,850.24	13,321.75	178.39	330,063.02	66,012.52	396,075.54	210.26
2017	1	January	2. Childrens Social Care	1,811.49	13,042.75	256.01	463,763.16	92,752.48	556,515.64	236.22
2017	2	February	2. Childrens Social Care	1,699.79	12,238.50	246.24	418,548.34	83,709.65	502,257.99	233.78
2017	3	March	2. Childrens Social Care	2,007.29	14,452.50	271.65	545,271.80	109,054.05	654,325.85	235.32
2016	4	April	2. Childrens Social Care	837.47	6,029.75	184.74	154,713.88	30,942.64	185,656.52	251.74
2016	5	May	2. Childrens Social Care	1,030.42	7,419.00	193.58	199,464.23	39,892.84	239,357.07	246.90
2016	6	June	2. Childrens Social Care	1,124.69	8,097.75	203.87	229,291.31	45,858.26	275,149.57	244.45
2016	7	July	2. Childrens Social Care	1,037.43	7,469.50	203.53	211,151.83	42,230.28	253,382.11	241.87
2016	8	August	2. Childrens Social Care	1,247.64	8,983.00	216.02	269,512.92	53,902.42	323,415.34	235.87
2016	9	September	2. Childrens Social Care	1,893.78	13,635.25	221.97	420,356.14	84,071.14	504,427.28	235.19
2016	10	October	2. Childrens Social Care	1,774.06	12,773.25	210.43	373,321.29	74,664.09	447,985.38	235.85
2016	11	November	2. Childrens Social Care	1,938.13	13,954.50	220.49	427,340.02	85,467.82	512,807.84	235.35
2016	12	December	2. Childrens Social Care	1,763.33	12,696.00	220.88	389,480.42	77,895.81	467,376.23	236.35
2017	1	January	3. Other ECHS	479.24	3,450.50	191.85	91,941.37	18,388.26	110,329.63	336.54
2017	2	February	3. Other ECHS	468.02	3,369.75	193.12	90,384.33	18,076.80	108,461.13	336.54
2017	3	March	3. Other ECHS	499.10	3,593.50	223.07	111,334.01	22,266.79	133,600.80	335.74
2016	4	April	3. Other ECHS	450.21	3,241.50	217.20	97,785.60	19,557.19	117,342.79	370.74
2016	5	May	3. Other ECHS	524.05	3,773.13	223.32	117,027.39	23,405.45	140,432.84	367.71
2016	6	June	3. Other ECHS	572.48	4,121.88	221.98	127,078.63	25,415.67	152,494.30	367.15
2016	7	July	3. Other ECHS	461.96	3,326.13	215.39	99,502.15	19,900.37	119,402.51	357.07
2016	8	August	3. Other ECHS	395.64	2,848.63	225.05	89,040.41	17,808.02	106,848.43	348.23
2016	9	September	3. Other ECHS	540.89	3,894.38	208.83	112,951.27	22,590.25	135,541.52	335.66

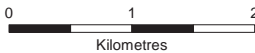
2016	10	October	3. Other ECHS	465.38	3,350.75	227.90	106,059.49	21,211.88	127,271.37	336.26
2016	11	November	3. Other ECHS	550.73	3,965.25	203.63	112,143.76	22,428.72	134,572.48	336.62
2016	12	December	3. Other ECHS	603.13	4,342.50	191.54	115,522.96	23,104.51	138,627.46	334.35
2017	1	January	4. ECS	627.57	4,518.50	146.80	92,127.03	18,425.46	110,552.49	357.15
2017	2	February	4. ECS	689.20	4,962.25	147.84	101,890.40	20,378.15	122,268.55	356.34
2017	3	March	4. ECS	672.85	4,844.50	148.45	99,882.35	19,976.51	119,858.86	360.59
2016	4	April	4. ECS	604.31	4,351.00	133.23	80,512.28	16,102.38	96,614.66	384.83
2016	5	May	4. ECS	749.62	5,397.25	138.69	103,962.22	20,792.91	124,755.13	381.94
2016	6	June	4. ECS	765.52	5,511.75	141.87	108,600.76	21,720.16	130,320.92	376.83
2016	7	July	4. ECS	606.15	4,364.25	137.60	83,404.20	16,680.83	100,085.03	372.54
2016	8	August	4. ECS	602.64	4,339.00	135.43	81,615.95	16,323.22	97,939.17	368.59
2016	9	September	4. ECS	753.40	5,424.50	143.66	108,230.78	21,646.10	129,876.88	365.08
2016	10	October	4. ECS	657.57	4,734.50	145.14	95,437.24	19,087.36	114,524.60	361.71
2016	11	November	4. ECS	685.73	4,937.25	146.73	100,616.90	20,123.40	120,740.30	363.22
2016	12	December	4. ECS	668.61	4,814.00	150.01	100,301.60	20,060.38	120,361.98	354.25
2017	1	January	5. Other	343.82	2,475.50	208.97	71,849.53	14,369.90	86,219.43	197.7
2017	2	February	5. Other	350.76	2,525.50	202.79	71,131.41	14,226.25	85,357.66	194.12
2017	3	March	5. Other	405.42	2,919.00	199.59	80,916.35	16,183.26	97,099.61	194.81
2016	4	April	5. Other	287.95	2,073.25	204.39	58,853.80	11,770.74	70,624.54	216.69
2016	5	May	5. Other	273.63	1,970.13	249.51	68,272.86	13,654.58	81,927.44	216.34
2016	6	June	5. Other	446.09	3,211.88	180.27	80,416.79	16,083.34	96,500.13	219.84
2016	7	July	5. Other	400.99	2,887.13	194.62	78,038.93	15,607.83	93,646.75	218.34
2016	8	August	5. Other	376.45	2,710.48	168.40	63,393.70	12,678.74	76,072.45	215.97
2016	9	September	5. Other	484.18	3,486.13	204.55	99,041.79	19,808.43	118,850.22	217.29
2016	10	October	5. Other	366.49	2,638.75	194.69	71,354.17	14,270.91	85,625.08	189.61
2016	11	November	5. Other	326.39	2,350.00	214.57	70,032.19	14,006.41	84,038.60	195.75
2016	12	December	5. Other	332.99	2,397.50	216.07	71,948.86	14,389.81	86,338.66	196.75
2017	1	January	6. Unknown	113.68	818.50	284.48	32,340.09	6,468.04	38,808.13	
2017	2	February	6. Unknown	223.02	1,605.75	249.95	55,743.82	11,148.75	66,892.57	
2017	3	March	6. Unknown	7.85	56.50	967.01	7,588.32	1,517.67	9,105.99	
2016	8	August	6. Unknown	3.67	26.40	77.83	285.39	57.08	342.46	
2016	9	September	6. Unknown	4.44	32.00	263.95	1,173.12	234.62	1,407.74	
2016	10	October	6. Unknown	42.71	307.50	202.68	8,656.19	1,731.24	10,387.43	
2016	11	November	6. Unknown	84.97	611.75	258.26	21,943.49	4,388.70	26,332.19	
2016	12	December	6. Unknown	148.75	1,071.00	250.67	37,287.33	7,457.53	44,744.86	

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Legend

- Bus_Stops_bromley_V2
- Bus_Routes_line
- Borough Boundary



Unclassified

Scale 1:21,721	Date 06/10/2016	Status DRAFT/FINAL
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Drawing No. 2016_0169_Bus_Stops_Bromley	Rev. -
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Digital Map Data © Collins Bartholomew Ltd (2016)

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Report No.
CSD17071

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 10 May 2017

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

Title: POLICY DEVELOPMENT AND SCRUTINY COMMITTEE TERMS OF REFERENCE

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

1. Reason for report

- 1.1 The Terms of Reference for the Council's six Policy Development and Scrutiny (PDS) Committees including the Education Select Committee form part of the Council's Constitution (Part 4 – Rules of Procedure.) The Leader has recently authorised a new Education and Children's Services Portfolio so the opportunity is being taken to update the PDS Committee Terms of Reference. The creation of an Education Children and Families Policy Development and Scrutiny Committee has been endorsed by the Constitution Improvement Working Group.

2. RECOMMENDATION

Council is recommended to approve the updated terms of reference for Policy Development and Scrutiny Committees.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The proposal brings PDS terms of reference, in particular for children's services, into line with Portfolio responsibilities.
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Supporting Independence Vibrant, Thriving Town Centres Healthy Bromley Regeneration
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Representation
 4. Total current budget for this head: £1,061,060 (16/17 budget)
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): None
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: Under the Local Government Act 2000, the Council is required to include arrangements for scrutiny in its Constitution.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable:
-

Customer Impact

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

Ward Councillor Views

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

Non-Applicable Sections:	Vulnerable Adults and Children/Policy/Finance/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

CONSTITUTION OF THE LONDON BOROUGH OF BROMLEY

Policy Development and Scrutiny Committees

Terms of Reference

EXECUTIVE AND RESOURCES

To fulfil the role of Policy Development and Scrutiny as it relates to the Executive and the Resources Portfolio and the strategic direction and resources of the Council including:

1. The development of the Council's plans within the policy framework, including the revenue budget and capital programme, and exploring whether such plans are being achieved effectively.
2. Collaborative working with partner organisations and groups.
3. Receiving reports and making recommendations on performance monitoring of services falling within the remit of this portfolio which would include:
 - (a) cross-cutting services that are not included in the terms of reference of any other Policy Development and Scrutiny Committee;
 - (b) financial strategy;
 - (c) the Council's overall policy priorities;
 - (d) land and property;
 - (e) information and communication technology;
 - (f) human resources.
5. The management of call-in.
6. Overall coordination of the Policy Development and Scrutiny function, including the production of an Annual PDS report.

CARE SERVICES

To fulfil the role of Policy Development and Scrutiny as it relates to care services for adults including:

1. The development of the Council's plans within the policy framework that makes up this portfolio and exploring whether such plans are being achieved effectively.
2. Reviewing working with partner organisations and groups such as health agencies, the Housing Corporation and housing associations. This would include monitoring the effectiveness of partnership working as well as inviting partners/groups to attend meetings as appropriate.

3. Receiving reports and making recommendations on performance monitoring of services falling within the remit of this portfolio which would include:
 - (a) all care services for adults and older people, adults with physical disabilities, adults with mental health problems, learning difficulties, HIV/AIDS, or with drugs or alcohol related health problems and carers;
 - (b) the improvement of private sector housing, grants and loans to owner-occupiers, tenants landlords, and/or developers, homelessness, rehousing and special needs/supported housing;
 - (c) benefits and welfare rights services;
 - (d) public health;
 - (e) scrutinising local health agencies under powers contained in the Health and Social Care Act 2001;
 - (f) housing.

EDUCATION, CHILDREN AND FAMILIES

To fulfil the role of Policy Development and Scrutiny as it relates to education, children and families including:

1. The development of the Council's plans within the policy framework that make up this portfolio and exploring whether such plans are being achieved effectively.
2. Reviewing working with partner organisations and groups including the Early Years Development and Childcare Partnership. This would include monitoring the effectiveness of partnership working as well as inviting partners/groups to attend meetings as appropriate.
3. Receiving reports and making recommendations on performance monitoring of functions falling within the remit of this portfolio which would include:
 - a) all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time;
 - b) all functions of the Council in so far as they relate to the provision of opportunities for education, training and learning outside the school environment including pre-school learning;
 - c) Youth offending services;
 - d) 16-19 education;
 - e) social work for children and young people, children with special needs, fostering and adoption and family support services;
 - f) Adult education.

ENVIRONMENT

To fulfil the role of Policy Development and Scrutiny as it relates to environmental services including:

1. The development of the Council's plans within the policy framework that make up this portfolio and exploring whether such plans are being achieved effectively.
2. Reviewing collaborative working with partner organisations and groups. This would include monitoring the effectiveness of partnership working as well as inviting partners/groups to attend meetings as appropriate.
3. Receiving reports and making recommendations on performance monitoring of services falling within the remit of this portfolio which would include:
 - a) Engineering and highways;
 - b) street services, waste management and refuse collection;
 - c) energy efficiency;
 - d) transport services, parking and road safety;
 - e) parks and open spaces, allotments and other like facilities;

RENEWAL AND RECREATION

To fulfil the role of Policy Development and Scrutiny as it relates to renewal and recreation including:

1. The development of the Council's plans within the policy framework that make up this portfolio, and exploring whether such plans are being achieved effectively. Also, to perform a scrutiny role regarding the Unitary Development Plan, which will be developed by the Development Control Committee.
2. Reviewing working with partner organisations and groups including local businesses, business support agencies, sub-regional and regional organisations including the Learning and Skills Council, Small Business Service and London Development Agency. This would include monitoring the effectiveness of partnership working as well as inviting partners/groups to attend meetings as appropriate.
3. Receiving reports and making recommendations on performance monitoring of services falling within the remit of this portfolio which would include:
 - a) town centre management;
 - b) regeneration;
 - c) business information services;
 - d) employment opportunities;
 - e) further education and lifelong learning;
 - f) museums, archives and local history activities;
 - g) libraries, leisure and culture, including art galleries and theatres;
 - h) planning and building control.

PUBLIC PROTECTION AND SAFETY

To fulfil the role of Policy Development and Scrutiny as it relates to public protection and safety including:

1. The development of the Council's plans within the policy framework that make up this portfolio, and Exploring whether such plans are being achieved effectively.
2. Reviewing working with partner organisations and groups namely the Safer Bromley Partnership (including the Police, Probation and Fire Services). This would include monitoring the effectiveness of partnership working as well as inviting partners/groups to attend meetings as appropriate, and carrying out the Council's crime and disorder scrutiny responsibilities under the Police and Justice Act 2006.
3. Receiving reports and making recommendations performance monitoring of services falling within the remit of this portfolio, which would include:
 - a) drugs action team;
 - b) environmental health and trading standards;
 - c) anti-social behaviour.

Report No.
CSD17058

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **COUNCIL**

Date: **Wednesday 10 May 2017**

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

Title: **TO RECEIVE THE SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS FROM THE LEADER OF THE COUNCIL, AND TO APPROVE THE SCHEME OF DELEGATION OF NON-EXECUTIVE FUNCTIONS**

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

1. Reason for report

- 1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved by Council and by the Leader. The Scheme is an appendix to the Council's Constitution. In 2010, the Scheme was amended to meet the requirements of the Local Government and Public Involvement in Health Act 2007, principally by clarifying whether powers are delegated by the Council, by the Leader in the case of executive powers, or both. The Scheme was last updated by Council on 1st March 2017, and only a small number of minor updates are proposed.
-

2. **RECOMMENDATIONS**

2.1 That the Scheme of Delegation to Officers in respect of non-executive functions be approved.

2.2 That the Scheme of Delegation to Officers in respect of executive functions be received from the Leader of the Council.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £335,590
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 8 (7.27fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: Local Government Act 1972 and subsequent legislation.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff, and forms part of the Council's Constitution (Appendix 10). The Scheme is normally updated for approval at the Council's annual meeting each year, although under the Local Government and Public Involvement in Health Act 2007 any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council, and it is open to the Leader to table changes to the executive scheme. The executive or non-executive origin of each delegation in the scheme is reflected in a column which indicates whether each individual delegation derives from the Leader or from Council, or both.
- 3.2 The scheme has been reviewed and a number of minor updates have been made in the appendices where legislation has changed. Following a request from the Renewal and Recreation Portfolio Holder, an additional section (vi) has been added to Development Control Committee delegation (24) to ensure that in cases where permission is proposed for development where the Council has formerly issued a planning enforcement notice these cases are reported to Members for decision. No major changes are proposed.
- 3.3 The amended scheme, including the changes recommended above, is attached at [Appendix A](#).

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/legal/Procurement
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers – reports to Council on 11 th May 2016 and 1 st March 2017.

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**LONDON BOROUGH OF BROMLEY
CONSTITUTION – APPENDIX 10**

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

* * * *

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(May 2017)

* * *

PROPER OFFICERS

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

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

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

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

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

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

PART I

GENERAL CONDITIONS GOVERNING DELEGATION OF FUNCTIONS TO CHIEF OFFICERS

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

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

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

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

<p>12. For the avoidance of doubt, the Council and the Leader hereby declare that any exercise of a power by a Chief Officer, or an officer authorised by him and which, if expressly provided for by this Scheme of Delegation, could have been lawfully exercised by an officer under powers delegated to him by the Council or a Committee, shall be deemed to be authorised by this Scheme notwithstanding such express provision may not have been made in it; PROVIDED THAT, where an officer relies on this paragraph, the Monitoring Officer shall be informed by the officer of this action and the Monitoring Officer shall make a report on the matter to the next ordinary meeting of the Council.</p>	<p>Council/Leader</p>
<p>13. For the avoidance of doubt, the Scheme will be reviewed as quickly as possible to take account of any changes to operational practice, legislative requirements or officer structures, but any responsibilities delegated shall be presumed to remain in place until the Scheme is updated.</p>	<p>Council/Leader</p>

PART II

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

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

any consequential writing off of balances of book value.	
(vii) Make adjustments of stock ledgers and accounts following stocktaking, subject to the Director of Finance's prior agreement.	Leader
(viii) Authorise officers under their control to attend conferences, courses and similar events appropriate to their personal, official responsibilities and to the work of the particular Department, in accordance with an approved list or agreed code of practice.	Council/Leader
(ix) Vary annually fees and charges (except car parking) within policy established by an Executive body or Committee.	Council/Leader
(x) Deal with applications for re-grading in accordance with the Council's agreed procedures.	Council
(xi) Sign authorisation documents, with the exception of the Chief Officer's own personal authorisation, which shall be signed by the Director of Corporate Services.	Council
(xii) Where a complaint has been made through the Council's complaints system, decide whether there is a justifiable case for which the Council should apologise and pay compensation, up to a limit of £5,000 in any one case (or, in the case of the Chief Executive, £10,000).	Council/Leader
(xiii) Approve trips to EU countries made on Council business subject; in each case, to a subsequent report to the appropriate Executive body or Committee on the action taken.	Leader
(xiv) Enter into contracts with any voluntary sector organisation (VSO) for the provision of services by way of a service level agreement (SLA) without the necessity of competition, provided that: <ul style="list-style-type: none"> (1) the Chief Officer is satisfied that the VSO is able to provide a satisfactory quality of service and that the sums payable under the SLA represent best value; (2) the relevant Portfolio Holder is notified of any new SLAs being entered into; (3) any approval, extensions or renewals of such SLAs comply with the provisions of rule 13.1 of the Contract Procedure Rules; 	Council/Leader
(xv) Authorise expenditure of money received through Section 106 agreements, subject to any restrictions set out in the Council's Financial Regulations.	Council/Leader

<p>2. To the Chief Executive, authority to:-</p> <p>(i) undertake all duties and responsibilities of the Council's Head of Paid Service as defined in the Local Government and Housing Act 1989;</p> <p>(ii) take all action necessary for the efficient management and execution of the Council's policies, services and functions;</p> <p>(iii) determine in conjunction with the Director of Human Resources, starting salaries of staff on Management Grades 1 and 2;</p> <p>(iv) authority to make detailed arrangements, in consultation with the Leader of the Council, for consultation with residents on service priorities and Council Tax implications.</p> <p>In exercising such authority the Chief Executive shall have full regard to the position where:-</p> <p>(a) Chief Officers are exercising responsibilities directly imposed on them by statute; or</p> <p>(b) the professional discretion or judgement of Chief Officers is involved subject to any difference of opinion between the Chief Executive and the Chief Officer being referred to the next available appropriate meeting of the Executive Portfolio Holder, Executive or committee for determination;</p> <p>(v) settle any points requiring interpretation or clarification in the practical application of this code of delegated authorities to Chief Officers.</p> <p>(vi) Parliamentary Matters - Take urgent action to protect the Council's interest (through Members of Parliament and/or by petition or otherwise) in consultation with the Leader of the Council.</p> <p>(vii) Electoral Fees - To approve the annual revision of the scale of fees within the approved estimate provision, payable to canvassers, checkers and coders.</p> <p>(viii) Discharge (insofar as it is necessary) the functions granted to the Executive Director of Education, Care and Health Services.</p>	<p>Council</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p>
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<p>3. To the Director of Corporate Services, authority to:-</p> <p>(i) authorise proceedings before any Court of Summary jurisdiction in respect of any offence for which the Council by virtue of any Act of Parliament; , regulation, order or bye-law, is now or may hereafter be empowered to prosecute or to authorise the institution of such proceedings; except in cases where some other officer is specifically authorised to act;</p> <p>(ii) authorise proceedings for the recovery of debts of all kinds due to the Council (other than rates) and for the recovery of possession of premises;</p> <p>(iii) authorise the institution or defence of proceedings in the Courts to safeguard the Council's interest;</p> <p>(iv) obtain Counsel's Opinion to ensure adequate advice to the Council or Committees;</p> <p>(v) in accordance with instructions given, institute or defend any legal proceedings authorised to be taken or defended on behalf of the Council, or serve notices, including directions under section 77 of the Criminal Justice and Public Order Act 1994;</p> <p>(vi) take any action urgently required to settle legal proceedings during the course of a trial or other hearing;</p> <p>(vii) authorise permanent or temporary members of staff to represent the Council under Section 223 of the Local Government Act 1972 in proceedings before a Magistrates' Court or a Juvenile Court or Family Proceedings Court and under Section 60(2) of the County Courts Act 1984 to represent the Council in the County Court;</p> <p>(viii) issue written authorities to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties (as evidence of their bona fides); provided that any written authority to enter upon land or premises is in pursuance of a statutory power of entry or inspection;</p> <p>(ix) sign and serve on behalf of the Council notices authorised by statute to ascertain ownership and other interest in land;</p> <p>(x) sign and approve service of Notices to Treat in pursuance of confirmed compulsory purchase orders and, where possession is required without waiting for settlement of terms of acquisition, sign and approve the service of Notices of Entry;</p> <p>(xi) approve the assignment of contracts;</p>	<p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p> <p>Council/Leader</p>
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<p>(xii) take appropriate action in individual cases to enable him to effect registration as a registered charge of any local land charge arising by virtue of the statutory provisions set out below, or as amended in subsequent legislation:</p>	
<p>(1) the Housing Act 2004; (2) Public Health Act 1936, Section 291; (3) Building Act 1984, Section 107; (4) Greater London Council (General Powers) Act 1972, Section 19; and (5) Highways Act 1980, Section 212;</p>	<p>Leader</p>
<p>(xiii) deal with applications for the use of the Borough Arms in accordance with arrangements as approved by the Committee;</p>	<p>Council</p>
<p>(xiv) to act as Monitoring Officer;</p>	<p>Council</p>
<p>(xv) to maintain a Register of Members' Interests under Section 81 of the Local Government Act 2000;</p>	<p>Council</p>
<p>(xvi) to sign Chief Officer's authorisation documents;</p>	<p>Council</p>
<p>(xvii) determine, in consultation with the relevant Chief Officer, where a complaint has been made to the Ombudsman whether there is a justifiable case for which the Council should apologise and pay compensation as part of a local settlement – up to a limit of £5,000 in consultation with the Director or £10,000 in consultation with the Director and Chief Executive;</p>	<p>Council</p>
<p>(xviii) take any action urgently required to settle legal proceedings prior to a court hearing or to enter into a Compromise Agreement in potential Employment Tribunal cases where it is considered appropriate so to do;</p>	<p>Council/Leader</p>
<p>(xix) to be the proper officer for, and issue any notice, permission, authorisation or other document under, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000;</p>	<p>Leader</p>
<p>(xx) to maintain a list of politically restricted posts under Section 2 of the Local Government & Housing Act 1989 and consider and grant exemptions under Section 3 of the Act;</p>	<p>Council</p>
<p>(xxi) to authorise payments in respect of maladministration under Section 92 of the Local Government Act 2000.</p>	<p>Council/Leader</p>
<p>(xxii) where written applications are received from Members of the Council, to grant dispensations to Members to take part in the business of the Authority if the Member has a disclosable pecuniary interest in that business, subject to consultation with Members of the Urgency Committee.</p>	<p>Council</p>

<p>4. To the Executive Director of Education, Care and Health Services and Deputy Chief Executive, authority to:-</p> <p>Negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate client choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <ul style="list-style-type: none"> (i) the clients' choice is appropriate to their needs and (ii) the client meets the relevant eligibility criteria (iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference (iv) as far as possible inflationary increases in such rates should be negotiated at the outset. 	<p>Leader</p>
<p>5. To the Director of Public Health, authority to:-</p> <p>Undertake functions relating to Public Health, save where these are delegated to any other body or person.</p>	<p>Leader</p>
<p>6. To the Executive Director of Environment and Community Services, authority to:-</p> <ul style="list-style-type: none"> (i) allocate the use of the Committee Suite subject to new applications for use by outside bodies being decided in consultation with the Leader of the Council. (ii) allocate and re-allocate existing offices, subject to reference to the Leader of the Council or the Committee in cases of significant changes involving transfer of a department or service from one part of the Council to another. (iii) authorise expenditure from the office improvements budget. 	<p>Leader</p>

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

KEY REFERENCES TO OFFICERS

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

DEVELOPMENT CONTROL COMMITTEE

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

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

Operation of Tree Preservation Orders

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

CP	(15)	Confirm opposed or unopposed TPOs.	Council
CP	(16)	Agree to the revocation of TPOs.	Council
CP	(17)	Issue tree planting notices.	Council
CP	(18)	Enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981.	Council
CP/DECS	(19)	Authorise legal proceedings to be taken in respect of breaches of TPOs and the legislation relating to trees in Conservation Areas, subject to the Director of Corporate Services being satisfied as to the evidence.	Council
Determination			
CP (Subject to consultation with DCS)	(20)	Determine applications for certificates of lawfulness of proposed use or development under Section 192 of the Town and Country Planning Act 1990.	Council
CP (Subject to consultation with DCS)	(21)	Determine applications for certificates of lawfulness of existing use or development under Section 191 of the Town and Country Planning Act 1990.	Council
CP	(22)	Determine applications for prior approval under any part of the Town and Country Planning (General Permitted Development) Order 2015 including determination of whether prior approval is required and the granting or refusing of prior approval	Council
CP	(23)	Determine applications for hazardous substances consent.	Council
CP	(24)	The power to grant outline or full planning permission, approve reserved matters, approve details pursuant to or vary conditions, give advertisement and listed building consent, with or without conditions to planning applications or proposals excluding those in the following categories:	Council
	(i)	Applications submitted by or on behalf of the Council or on land substantially owned by the Council where the Council has a financial interest (but	Council

not details pursuant, reserved matters revised plans and proposals to renew deemed permissions).

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| (ii) | Permission to applications involving ten or more purpose-built new dwellings (but not other associated buildings, conversions, extensions and changes of use, reserved matters, details pursuant, revised plans and renewal permission applications. | Council |
| (iii) | Permissions to applications for new commercial development such as industry, offices and shops (but not other associated buildings, conversions, extensions and change of use, reserved matters, details pursuant, revised plans and renewal applications). | Council |
| (iv) | Applications submitted by members of staff in the Planning Division, or other Chief Officers, or submitted by or on behalf of Bromley Councillors or Members of Parliament. | Council |
| (v) | Applications and other matters which one or more Members formally request in writing are put before a Committee or Sub-Committee of Members. | Council |
| (vi) | Permission to applications for development that is subject to a current formal planning enforcement notice of the following types:- enforcement notice, breach of condition notice. | Council |

CP

(25)

The power to:

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| (i) | refuse planning permission; | Council |
| (ii) | refuse express consent for advertisements; | Council |
| (iii) | refuse Listed Building Consent; | Council |
| (iv) | not approve details submitted pursuant to a condition of a | Council |

		permission or consent;	
	(v)	refuse revisions and amendments to plans and to specify reasons for so doing whatever representations are received for or against the application;	Council
	(vi)	determine whether or not to contest an appeal against non-determination and where relevant provide grounds of appeal and contest all appeals, including all action necessary to prevent or reduce the likelihood of an award of costs against the Council;	Council
	(vii)	observations on proposals for development by Government departments or in adjoining authority areas which would otherwise fall within the delegated categories.	Council
CP/DCS	(26)	Power to authorise the issue of the following (the signing and actual issue of the notices to be dealt with by the Director of Corporate Services):	
	(i)	Enforcement Notices under Section 172 of the Town & Country Planning Act 1990.	Council
	(ii)	Stop Notices under Section 183 of the Town & Country Planning Act 1990.	Council
	(iii)	Completion Notices under Section 94 of the Town & Country Planning Act 1990.	Council
	(iv)	Unopposed revocations under Section 97 of the Town & Country Planning Act 1990 and Section 239 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
(with DECS)	(v)	Section 106 Agreements (Town & Country Planning Act 1990) and similar agreements concerning related legislation including modification and discharge.	Council
	(vi)	Orders under Section 102 Town & Country Planning Act 1990 requiring	Council

discontinuance of use, or alteration, or removal of buildings and works.

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| (vii) | Unopposed revocations of Listed Buildings Consent under Section 23 of Planning (Listed Building & Conservation Areas) Act 1990. | Council |
| (viii) | Notices under Section 54 and 55 of the Planning (Listed Building & Conservation Areas) Act 1990 concerning urgent works and recovery of expenses. | Council |
| (ix) | Making and recovery of grants under Section 57 and 58 of Planning (Listed Building & Conservation Areas) Act 1990. | Council |
| (x) | Listed Building Enforcement Notices under Section 38 of the Planning (Listed Building & Conservation Areas) Act 1990. | Council |
| (xi) | The enforcement of Advertisement Control. | Council |
| (xii) | The authorisation of Rights of Entry to premises and any land for all the purposes of the Town & Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 and the Building Act 1984 (all these Acts as amended) and any Orders or Regulations made there under. | Council |
| (xiii) | The power to require information as to interests in land under Section 330 of the Town & Country Planning Act 1990. | Council |

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

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

Section 187A of the Town & Country
Planning Act 1990

CP	(27)	The power to:	
	(i)	give directions and notifications under Regulation 4 of the Town & Country Planning (Applications) Regulations 1988 and Article 7 of the Town & Country Planning General Development Order 1988 to require applicants to submit further information to enable the Council to deal with an application or to verify any particulars;	Council
	(ii)	make determinations as to whether planning applications are departures from the development plan;	Council
	(iii)	make determinations as to whether development would affect the character or appearance of a conservation area or the setting of a listed building to enable such applications to be advertised;	Council
	(iv)	make determinations under Section 73 of the Planning (Listed Building & Conservation Areas) Act 1990 as to whether a proposal should be advertised as affecting the character or appearance of the Listed Building or Conservation Area;	Council
	(v)	determine applications for non-material amendment to planning permission, minor material amendments to planning permission and extensions to time limits of existing planning permissions.	Council

Notes:

- (i) No decision will normally be issued within 3 weeks of the date of the weekly lists supplied to Members.
- (ii) In relation to paragraph 19(ii) above the definition of “dwelling” includes bungalows, flats, maisonettes and

multi-occupied premises.

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

Means of Escape in Case of Fire

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

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

CP	(30)	Authority to decline to determine repeat applications in accordance with the provisions of Section 70A of the Town & Country Planning Act 1990.	Council
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Control of Unauthorised Advertisements

CP	(31)	Authority to take action under Sections 10-12 of the London Local Authorities Act 1995 relating to the control of unauthorised advertisements.	Council
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Untidy Site Notices

CP	(32)	Authority to issue Untidy Site Notices under Section 215 of the Town & Country Planning Act 1990, with such decisions being reported to the next available meeting of Plans Sub-Committee for information.	Council
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**EDUCATION AND CHILDREN'S SERVICES PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:-	Responsibility Delegated from
DECH	(1) Direct the Authority's functions in its capacity as a local education authority, including all education duties as defined in s. 18 (2) of the Children's Act 2004 and all relevant Education Acts and supporting guidance and regulations, as updated from time to time, with specific reference to the School Staffing (England) Regulations 2009, the Academies Act 2010, the Education Act 2002, the Education Act 1996, the Education and Inspections Act 2006 and the Children and Families Act 2014.	Leader
DECH	(2) Interpret conditions of service and all related matters for all teaching staff and non-teaching staff in schools in consultation with the Director of Human Resources where these concern matters which remain to be set by the LEA.	Council
DECH	(3) Implement payment of teachers' pay awards and secure the LEA's responsibilities as the Relevant Body under the School Teachers' Pay and Conditions.	Council
DECH	(4) Subject to any existing right of appeal to an Appeals Panel, to suspend, relegate or dismiss school based employees on all grades under the Education Act 2002 and any Regulations made there under.	Council
DECH	(5) Review and fix, subject to provision of the approved estimates, the establishment of employees at all maintained educational services not covered by a scheme of local management.	Council
DECH	(6) Exercise all of the statutory functions of the LEA as regards staffing matters in LEA maintained schools as provided for under the Education Act 2002 and any Regulations made there under with the exception of any exercise of discretion concerning the funding of discretionary	Council

early retirement with added years or redundancy costs which fall to be determined by the Executive Portfolio Holder.

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

DECH	(17)	Provide support services as requested by establishments.	Leader
DECH	(18)	Approve the provision of free meals, essential clothing and school uniform in accordance with approved scales.	Leader
DECH	(19)	Approve applications for children to be employed in work or in entertainment, in conformity with relevant bye-laws and statutory obligations.	Leader
DECH	(20)	Take all action including services of notices, consultation, making and service of school attendance orders and to authorised institute and conduct legal proceedings under Sections 437, 438, 439, 440, 441, 443 and 444 of the Education Act 1996 and to make decisions relating to applications for Education Supervision Orders under Section 447 of the Education Act 1996	Leader
DECH	(21)	Approve the making of parenting contracts, parenting orders and the issue of penalty notices under Sections 18 and 23 of the Anti-Social Behaviour Act 2003.	Leader
DECH	(22)	Approve the issue of mini bus passes under Section 19 of the Transport Act 1985.	Leader
DECH	(23)	Undertake the duty of the local education authority with regard to exclusions as specified by Section 51A of the Education Act 2002.	Leader
DECH	(24)	Initiate renewals of temporary planning permissions.	Leader
DECH	(25)	Authorise a fee remission policy for instrumental music tuition provided by Bromley Youth Music Trust in consultation with the Trustees.	Leader
DECH	(26)	Authorise work by the Standards and Effectiveness Services on behalf of other Local Authorities, foundation schools (both within and outside the Borough), academies and independent schools in	Leader

accordance with the principles and procedures set out by the Council.

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

provision of any regulations laid down by the Secretary of State and subsequent amendments; to grant extensions of the induction period as specified in the regulations and determine whether or not an induction period has been completed satisfactorily.

DECH	(34)	Decide on action in response to individuals OFSTED reports and, when the circumstances of the report are exceptional, submit the report to the Portfolio Holder for detailed consideration.	Leader
DECH	(35)	To ensure the provision of Adult Education Services under Section 85 of the Further and Higher Education Act 1992 in accordance with Committee policy.	Leader
DECH	(36)	Authority to approve AMHP warrants.	Leader
DECH	(37)	Ensure that the powers and duties to provide for the welfare and protection of children and young people are carried out in accordance with statutory requirements and Council policy.	Leader
DECH	(38)	Provide preventative services and support for the care of mothers and young children.	Leader
DECH	(39)	As Head of the Adoption Agency set up by the Local authority, ensure that the agency and the Adoption Panel functions in accordance with statutory requirements, save that this does not include a power to increase fostering allowances which exceed inflation.	Leader
DECH	(40)	Direct the Authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children and the Local Authority's functions for children and young people leaving care.	Leader
DECH	(41)	Direct any health-related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999, insofar as they relate to children.	Leader

DECH	(42)	Direct the new functions of the Children's Services Authority set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation.	Council/Leader
DECH	(43)	Make and sustain arrangements to promote co-operation between the Authority and its partner organisations to improve the well-being of children in the Authority's area.	Leader
DECH	(44)	Maintain the database of basic information on all children in the Authority	Leader
DECH	(45)	Maintain the Local Safeguarding Children Board (LSCB) to co-ordinate and ensure the effectiveness of board members' activities for the purpose of safeguarding and promoting the welfare of children in the Authority's area.	Leader
DECH	(46)	Prepare and publish a Children and Young People's Plan (CYPP) to set out the Authority's strategy for discharging their functions in relation to children and young people,	Leader
DECH	(47)	Co-ordinate statements of proposed action in light of a Joint Area Review report, in consultation with partners. The DECH will also exercise a key role in monitoring and evaluating implementation of the proposed action.	Leader
DECH	(48)	Second at least one children's social worker and at least one education professional to the Youth Offending Team.	Leader
DECH	(49)	Promote the educational achievement of looked after children.	Leader
DECH	(50)	Provide the Secretary of State, if he so directs the authority, with information on individual children.	Leader

**PUBLIC PROTECTION & SAFETY PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

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

Authority.

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

Borough.)

DECS	(18)	Take action under the Fire Safety and Safety at Places of Sport Act 1987 to approve but not refuse applications for certificates or licences under the Act.	Council
DECS	(19)	Employ veterinary surgeons in conjunction with the Council's functions under diseases of animals, animal welfare and other related legislation.	Leader
DECS	(20)	Authorise persons as competent engineers under Section 31 of the GLC (General Powers) Act 1973.	Council
DECS	(21)	Carry out the Council's functions under Sections 27 and 29 to 32 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of blocked and defective drains and securing of buildings.	Leader
DECS	(22)	Waive the standard fees in respect of occasional licences for music, dancing or plays where the organisations which will provide such entertainment are doing so for: <ul style="list-style-type: none"> (a) educational purposes (b) in support of a registered charity; or (c) non profit making fund raising or similar activity except in the case of pop concerts and open air discos. 	Council
DECS	(23)	Approve payment of compensation under the Public Health (Control of Diseases) Act 1984.	
DECS	(24)	Administer the registration system pursuant to Part V of the London Local Authorities Act 1995 (registration of door supervisors), including refusal of registration of a door supervisor.	Council
DECS	(25)	Authorise competent Council officers to act under the provisions of the Health Act 2006, Schedule 2 (powers of entry) and Section 9 (fixed penalty notices).	Leader
DECS	(26)	Act as the "Proper Officer" under the Public Health (Control of Disease) Act 1984 as amended by the Health and Social Care Act 2008 and appoint officers from the Council, Health Protection Agency or other organisations as necessary to exercise specific functions and powers as given to them (as set out in Appendix B to this scheme.)	Leader

Regulation of Investigatory Powers

DECS	(27)	Authorise action under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.	Leader
DECS	(28)	Exercise functions and powers under the Scrap Metal Dealers Act 2013 including – (i) determining applications where refusal is being considered; 2. granting licences where there is no prospect of refusal; 3. imposing conditions as set out in section 4(9) where the site manager has relevant convictions; 4. revoking licences under specific conditions; 5. exercising the rights of entry and inspection; 6. applying to a Magistrates Court for warrants of entry; and 7. closing unlicensed sites.	Leader
CEX, DECS and DCS	(29)	Exercise functions related to the Anti-social Behaviour, Crime and Policing Act 2014 as set out in appendix 2 to the report of the Executive Director of Environment and Community Services to the Executive on 26 th November 2014.	Leader

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

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

Street Naming and Numbering

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

Private Direction Signs

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

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

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

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

Overhanging Trees and Hedges

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| DECS
(18) | | Authorise and serve notices and take action under the Highways Act 1980, Section 154. | Leader |
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Dangerous Trees

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

DECS	(20)	Take appropriate action in respect of dangerous trees under section 23 and section 24 of the Local Government (Miscellaneous Provisions) Act 1976, including such steps as necessary to recover the costs incurred from the occupier.	Leader
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Refuse Disposal (Amenity) Act 1978 (Removal of abandoned motor cars and removal and disposal of other refuse abandoned in open air or on land forming part of highway)

DECS	(21)	Authorise and serve notices, and take action under Sections 3 and 6 of the Refuse Disposal (Amenity) Act 1978.	Leader
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DECS	(22)	Remove forthwith from the highway and dispose of any vehicle obviously abandoned and ownership unidentifiable.	Leader
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Car Parks

DECS	(23)	Allow refunds on car park season tickets.	Leader
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DCS	(24)	Make supplementary orders to apply the Off-Street Parking Places Order to further parking places provided by the Council.	Leader
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DECS	(25)	Accept commuted payments in lieu of car parking within a scheme approved by the Council.	Leader
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DECS	(26)	Approve and provide means of access to any premises under Section 340, Highways Act 1980.	Leader
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DCS	(27)	On the recommendation of the Executive Director of Environment and Community Services and on terms negotiated, complete agreements with owners and occupiers concerned.	Leader
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Off-Street Car Parking

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

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

DECS	(30)	Authority to determine applications for exemption from the footway parking ban.	Leader
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Special Parking Areas

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

DECS	(32)	Install and maintain anti-flood ball valves.	Leader
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Temporary Direction Signs, Street Banners etc

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

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

DCS	(35)	Make orders for temporary closures recommended by the Executive Director of Environment and Community Services	Leader
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Minor Improvements of Highways and Sewers

DECS	(36)	Approve and execute minor schemes of improvement of all categories of highways and sewers maintainable at public expense, subject to all necessary consents, etc, being obtained and statutory action taken.	Leader
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Prescription of Building Lines

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

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

DECS	(39)	Approve the making of orders for the diversion of public footpaths where no objections are made following prior consultations with relevant owners and occupiers of land and with local and other interested organisations or statutory undertakers.	Council
DCS	(40)	Make orders for diversion of public footpaths approved by the Executive Director of Environment and Community Services and confirm such orders where no statutory objections are made.	Council
DCS	(41)	The Director of Corporate Services, in consultation with the Executive Director of Environment and Community Services, to confirm:	Council
	(a)	all unopposed Orders for the creation, extinguishment, stopping-up or diversion of any footpaths, bridleways and byways; and	Council
	(b)	all unopposed modification Orders made under the Wildlife and Countryside Act 1981 relating to footpaths, bridleways and byways.	Council
DECS	(42)	Make comments, on behalf of the Highway Authority, on the diversion of footpaths or bridleways necessitated to enable development for which planning consent has been given, to take place	Leader
DECS/DCS	(43)	Make Definitive Map Modification Orders and amendments to the Definitive Map and	Council

Statement of Public Rights of Way

Markets

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

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

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

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

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

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

DECS	(49)	Operate the provisions of Section 184 of the Highways Act 1980 relating to the construction of vehicle crossings over footways and verges.	Leader
DECS	(50)	Authorise, the waiver of charges in respect of the provision of crossovers in association with other adaptations to disabled persons' properties, and in accordance with the recommendations of the	Leader

Executive Director of Education, Care and Health
Services (Occupational Therapy Service).

Trees and Shrubs in a Highway

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

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

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

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

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

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

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

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| DECS | (58) | Grant licences for the construction of footbridges over highways under provisions of Section 176 of the Highways Act 1980. | Leader |
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Restriction on placing rails, beams, etc over highways

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

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

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

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| DECS | (62) | Approve expenditure on schemes from within the minor improvement budget. | Leader |
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Traffic Management Schemes – Civil Engineering Costs

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

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

Bromley Town Centre – Closure of White Hart Slip

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

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

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

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

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

DECS	(70)	To recommend legal proceedings subject to the Director of Corporate Services being satisfied as to the sufficiency of evidence.	Council
DECS	(71)	To grant unopposed applications for full and temporary licences and applications for renewals of such licences where the terms and conditions are unchanged.	Council
DECS	(72)	To refuse applications for street trading licences in circumstances where Section 25(4)(a) and (b) apply.	Council
DECS	(73)	To grant unopposed applications by licence holders for variation of conditions attached to their licence.	Council
DECS	(74)	To waive fees for temporary licences in	Council

respect of national charity events.

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

School Keep Clear Markings

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

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

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

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

Waiting and Loading Restrictions

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

Disabled Persons Parking Bays

DECS	(87)	Approve applications which meet all the following criteria and where no objections are received during consultation with the Ward Members, Police and local residents.	Leader
	(i)	only disabled drivers will be considered, except in exceptional circumstances;	Leader

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

Street Works etc

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

Unauthorised Signs on the Highways

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

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

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

DECS	(93)	Decide whether white bar markings should be laid to reduce the incidence of car parking obstruction in the following cases: <ul style="list-style-type: none">(a) access to public places such as churches, halls and libraries;(b) accesses to groups of garages or similar situations where obstruction causes for delivery or loading including refuse collection.(c) access for individual disabled drivers who park off-street; and(d) to assist pedestrian access where vehicle parking obstruction takes place at crossing sites, excluding formal pedestrian crossings.	Leader
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Consultation Documents

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

Signing to Places of Worship

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

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

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

DECS	(98)	Let or lease a Council facility or part to a Council contractor to assist with the performance of their contract with the Council.	Leader
DECS	(99)	Authority to approve highways and transport planning schemes for signs and disabled parking bays, including consultation and implementation stages, provided costs are within current budgets.	Council/Leader
DECS	(100)	Authority, in consultation with the Director of Corporate Services, to make Orders in respect of waiting restrictions and loading bays.	Leader
DECS	(101)	Decide on action in response to petitions related to environmental operational matters.	Council/Leader

Allotments

DECS	(102)	Manage and let allotment plots (in conjunction	Leader
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with allotment society or association where management agreement exists between Council and the society or association).

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

Parks, recreation grounds, open spaces

DECS	(108)	Approve occasional, general or individual variations of dates and opening hours.	Leader
DECS	(109)	Allocate seasonal reservations in accordance with priorities approved.	Leader
DECS	(110)	Restrict public use to accommodate lettings, reservations and other special occasions.	Leader
DECS	(111)	Let all premises in accordance with policy and permitted uses approved by the Executive or Executive Portfolio Holder.	Leader

DECS	(112)	Let catering rights in all premises, on the best available terms, in respect of arrangements of up to one year's duration only and where arrangements for a longer period have not previously been made, subject to consultation where necessary with the Director of Corporate Services and the signing by the Chief Executive of any consequent licence.	Leader
DECS	(113)	Deal with applications for commercial purposes at a charge to be negotiated in each case.	Leader
DECS	(114)	Let sports pitches and facilities.	Leader
DECS	(115)	Set the dates of commencement and completion of sports seasons, including occasional, general or individual extension or contraction.	Leader
DECS	(116)	Grant temporary use and letting of parks, open spaces and premises to outside organisations including temporary closure to the public so that admission charges may be levied.	Leader
DECS	(117)	Accept gifts of memorial and other seats.	Leader
DECS	(118)	(a) Decide conditions for suitable applicants to be allowed to use the Council's parks and open spaces for filming and commercial photography on payment of prescribed fees, but with power to waive the fee for filming or photography by an education authority, or in such a case, to charge a nominal fee of £1, at his discretion.	Leader
		(b) Refuse an application where the films or photographs are likely to be detrimental to the Council's interests.	Leader
DECS	(119)	Deal with applications for use by circuses and small family fun fairs of areas within the Council's control which have been approved as suitable for such use.	Leader (Licensing decision Council)
DCS	(120)	Approve the use of the forecourt at the Churchill Theatre/Central Library for events.	Leader (Licensing decision Council)

Commons

DECS	(121)	Deal with applications for fetes and other special activities on commons.	Leader (Licensing decision Council)
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Cemeteries

DECS	(122)	Manage the Council's cemeteries including the allocation of burial space and the authorisation and execution of grave grants.	Leader
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Anti Social Behaviour

DECS	(123)	In consultation with the Director of Corporate Services issue of fixed penalty notices in respect of graffiti and fly posting under the Anti-Social Behaviour Act 2003 Section 43.	Leader
DECS	(124)	Issue of graffiti removal notices under the Anti-Social Behaviour Act 2003 Section 48.	Leader
DECS	(125)	Powers to deal with the clearance of works and litter under the Anti-Social Behaviour Act 2003 Sections 55 and 56.	Leader
CP	(126)	Control of high hedges under the Anti-Social Behaviour Act 2003 Sections 68, 69 and 70.	Council
DECS	(127)	Propose the making of a Gating Order under the Clean Neighbourhoods and Environment Act 2005.	Leader

Miscellaneous

DECS	(128)	Deal with dangerous trees pursuant to Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Leader
DECS	(129)	Approve the purchase of selected horticultural stock, without recourse to competitive quotations.	Leader
DECS	(130)	Refer to the Director of Corporate Services for consideration with a view to prosecutions, cases under the Council's byelaws or other statutes.	Council
DECS	(131)	Manage the staff canteens and catering service without prejudice to the Director of Finance's financial responsibilities referred to	Council/Leader

in Minute 1/356 (General Purposes Committee – 8.6.65) and subject to consultation as appropriate with and by the Director of Human Resources on staff welfare aspects.

DECS	(132)	Issue of fixed penalty notices for fly posting under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2	Council
DECS	(133)	Destruction of vehicles which are unlicensed, without a valid registration plate, or which have no registered keeper and associated powers under the London Local Authorities' Act 2004 Sections 3, 4, 6 and 7.	Council
DECS	(134)	The control of car repairs on the street under the London Local Authorities' Act 2004 Section 11.	Council
DECS	(135)	Pigeon proofing of bridges under the London Local Authorities' Act 2004 Section 9.	Council

RESOURCES PORTFOLIO/ RELEVANT REGULATORY COMMITTEE(S)

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

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

Conditions of Service

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

pensioners, dependants and transfer values.

DHR	(12)	The determination and application of all matters relating to ill-health retirement under the Local Government Pension Scheme Regulations.	Council
DF and DHR	(13)	Authority to determine future applications for early payment of deferred benefits under the Local Government Pension Scheme Regulations.	Council
DCS, DHR and DF	(14)	To undertake the role of “nominated person” under the Internal Dispute Resolution Procedures of the Local Government Pension Scheme and the Teacher’s Pension Scheme	Council
DF and DHR	(15)	To implement the Council’s schemes for gratuities and severance payments.	Council
DF and DHR	(16)	With regard to automatic enrolment under the Pensions Act 2008 authority to - <ul style="list-style-type: none"> (i) use postponement for workers on short-term contracts and in circumstances where it aids administrative processes; and (ii) take all necessary action to ensure that the Council’s responsibilities under the requirements of automatic enrolment are met. 	Council

Implementation of Awards etc

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

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

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

All	(20)	Authorise the payment of honoraria to employees in accordance with conditions of service and the Council's scheme.	Council
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DHR	(21)	Determine any individual variations to the Council's scheme for the payment of honoraria to management grade staff. Review periodically the basis of the honoraria in the light of pay awards and any other relevant factors and revise the honoraria amounts accordingly.	Council
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Essential Car users – Car Loan			Council
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DF/DHR	(22)	Authority to carry out an annual review of the maximum sum the Authority is prepared to make available in the form of a loan to "essential car users" for the purpose of purchasing a car and to agree an increase in the maximum loan as necessary to reflect any increase in the cost of new cars, subject to an individual not being permitted to borrow more than 50% of their annual salary.	Council
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DCS	(23)	Determine the area over which rights alone should be acquired in respect of the Bromley Town Centre redevelopment.	Leader
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Benchmark Lease Cars

DECS/DF	(24)	The Executive Director of Environment and Community Services, in consultation with the Director of Finance, be authorised to revise benchmark lease car contributions as and when manufacturers vary prices during the course of the year.	Council
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DHR/DF	(25)	The Director of Human Resources, in consultation with the Director of Finance, be authorised to vary the mileage rates payable to leased car users.	Council
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Mortgages

DCS	(26)	Seal: <ul style="list-style-type: none"> (a) vacating receipts and discharges of mortgages; (b) mortgages where the advances are made by instalments; (c) mortgages to secure the external borrowing of money. 	Council
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CE/DCS	(27)	Sign receipt on mortgages and discharges of registered charges where the Council's seal is not required.	Council
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DCS	(28)	Approve advances for the connection of houses to public sewers.	
DCS	(29)	Approve applications for the consent of the Council as mortgagee to: <ul style="list-style-type: none"> (i) the grant of rights of way and other easements, and licences; (ii) the carrying out of alterations and/or improvements to the mortgaged properties; subject in each case to being satisfied that the Council's security will not be adversely affected.	Leader
DCS	(30)	Authorise and institute proceedings for the recovery of arrears and/or possession of the property where mortgagors under the Council's Housing Act Advance Scheme have made default in payment of sums secured by the mortgage.	Leader
DCS	(31)	Authorise and give permission for short-term lettings of mortgaged property by mortgagors.	Leader
DECHS	(32)	Approve Housing Act advances in accordance with the scheme and criteria approved by the Executive.	Leader
DF	(33)	Approve increases or reductions in mortgage periods.	Leader
DCS/DF	(34)	Approve applications for the transfer of mortgages from the husband and/or wife to husband and/or wife subject to normal income limits.	Leader
DCS	(35)	Endorse extensions of mortgages executed by the Council in connection with external loans.	Leader
Private Street Works Charges, etc.			
DCS/DF	(36)	Approve the suspension of repayment of the principal element of private street works charges and loans for house connections to sewers for such period as the applicant is in receipt of Social Security income support	Leader
Loans			
DF	(37)	To make all necessary arrangements for efficient debt and cash management in accordance with any statutory requirements and the Treasury Policy Statement approved by the Council. In particular to:	Council/Leader

		<ul style="list-style-type: none"> (i) arrange loans, as required, on terms appropriate to market conditions in order to finance new capital expenditure or refinance maturing loans; (ii) raise temporary loans and invest surplus cash; (iii) arrange leasing finance as appropriate. 	
DECH	(38)	Authority to approve maturity loans applications.	Leader
Rates of Interest			
DCS	(39)	Determine rates of interest of (a) local bonds and mortgages and (b) Housing Act mortgage advances, subject to referral to Committee of any proposal to vary existing practice in the relative treatment of pre- and post-1980 Act mortgages.	Council/Leader
Local Taxes			
DF	(40)	Authority to act on behalf of the Council in all matters concerning the administration, collection, recovery or community charges, Council Tax and non-domestic rates (including authority to authorise bailiffs to levy distress on behalf of the Council) and the administration of community charge and Council Tax benefits (including, for the avoidance of doubt, the consideration of any complaint or appeal by a Council tax payer).	Council/Leader
Value Added Tax			
DF	(41)	To take any necessary action to “opt to tax” exempt supplies where the third party is VAT registered.	Leader
Contractors Bonds			
All	(42)	Allow contractors to obtain their own bonds for due performance of any proposed contract, subject to the nominated bondsman being acceptable to the Director of Finance and to any additional cost being met by the contractor.	Leader
Carry Forward of Budgets			
DF	(43)	Authorise spending officers to carry forward from one financial year to the next any unspent General Fund or Housing Revenue Account budget provision, provided that the goods were ordered or the work was started in the expectation that the order would be completed by 31 st March.	Council/Leader

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

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

DCS/DECS	(47)	Authority to:-	
	(i)	approve purchases of properties in pursuance of confirmed compulsory purchase orders, on terms recommended and endorsed, when necessary, by the District Valuer;	Leader
	(ii)	To approve the terms of any property transaction where there has been a decision of the Council, Executive, Executive Portfolio Holder, Committee or Sub-Committee, to acquire or dispose subject to a capital value less than £500,000 or rental value less than £50,000;	Leader
	(iii)	To sell land not required for operational purposes with an area less than 500 sq. meters and value less than £10,000;	Leader
	(iv)	To sell property or purchase it by private treaty when such action was included in the Asset Management Plan, subject to the financial limits set out in (ii) above;	Leader
	(v)	Carry out all functions relating to the leasing and management of property, including landlords' consent, unless they fall outside the financial limits detailed in (ii) above, or the matter is particularly referred by Members to the Executive or Portfolio Holder;	Leader
	(vi)	To take action on all London Residuary Body matters, subject to the financial limits set out in (ii) above.	Leader
			Leader

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| (vii) | authorise the making of a Home Loss Payment in any case in which such a payment is appropriate; | |
| (viii) | grant leases to public utility undertakings for land required for the erection of sub-stations or other similar purposes; | Leader |
| (ix) | grant leases of Council land or properties not immediately required for the purposes for which they were originally acquired or are currently held, provided such leases are | Leader |
| | (a) for a period not exceeding seven years; or | |
| | (b) where the premium does not exceed £5,000 or the annual rent £500; | |
| (x) | consent to the assignment of leases and tenancies of Council properties; | Leader |
| (xi) | negotiate and agree terms in respect of easements, wayleaves, consents and licences affecting land and property; | Leader |
| (xii) | approve applications for the consent of the Council, as landlord, for minor alterations or improvements to buildings; | Leader |
| (xiii) | determine rent reviews and agree changes in use of commercial properties in Council ownership where the Council is acting as landlord; | Leader |
| (xiv) | on terms determined in accordance with provisions of the Act, approve sales or the extension of leases under the Leasehold Reform Act 1967, as amended by the Housing Act 1980, where appropriate claims have been accepted as being legally valid and without grounds for counter-claim; | Leader |
| (xv) | enter into an agreement, or agreements under Section 1 of the Local Authorities (Goods and Services) Act 1975, on such terms as he considers appropriate: | Council/Leader |
| | (1) with the London Fire and Emergency Planning Authority, to act on its behalf in respect of the sale of Beckenham Fire Station and any other property owned by | |

that body; and

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

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| (xvi) | Agree terms, in consultation with the Leader of the Council, for the disposal of the Council's reversionary interest in small areas of non-housing land and buildings on the former GLC Seaside and Country Home estates, subject to an upper price limit of £200,000. | Leader |
| (xvii) | Decisions on former London Residuary Board matters which do not involve expenditure by the Council and are not of a controversial or sensitive nature. | Leader |
| (xviii) | Approve transactions when the name of the purchaser or transferee changes, or the purchaser wishes the transfer to proceed in the name of another company within the same group but all other terms and conditions remain as originally approved; | Leader |
| (xix) | Dispose of small areas of former highway land not exceeding 500 square metres which have been declared surplus to the requirements of the Council and upon which highway rights have been extinguished subject to consultation with Ward Members. | Leader |

Energy Contracts

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| DF | (48) | In consultation with the DECH and relevant Executive Portfolio Holders, to accept energy tenders for gas and electricity for those schools which have opted into a corporate contract (in accordance with the decision of the Executive on 21 st July 2008). | Leader |
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| DF | (49) | To accept energy tenders for gas and electricity for the remainder of the Council (in accordance with the decision of the Executive on 21 st July 2008). | Leader |
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Registration Service

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| DCS | (50) | Be "Proper Officer" in respect of the Births Deaths and Marriages Registration Service. | Council |
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**CARE SERVICES PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

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

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

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

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

DECS	(25)	Carry out the Council's functions relating to private sector housing in connection with hazard rating, disrepair, provision of amenity, means of escape in the case of fire, overcrowding, energy efficiency, empty property, management and control.	Leader
DECS	(26)	Institute enforcement action and, subject to the Director of Corporate Services being satisfied with the evidence in each case, legal proceedings, and hearings in respect of (25) above.	Leader
DECS	(27)	Authorise the carrying out of work in default in appropriate cases of non-compliance.	Leader
DECS/CP	(28)	Arrange for the demolition of properties for redevelopment purposes.	Leader
DF	(29)	Determine the amounts of rent rebates to be allowed under approved scheme.	Leader
DECH	(30)	Authorise the approval of discretionary disabled facilities grants in exceptional circumstances.	Leader
DECH	(31)	In consultation with the Portfolio Holder and the Director of Corporate Services, approve Section 106 funding under formal grant arrangements for individual health proposals up to £250,000.	Leader

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

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

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

PRIMARY LEGISLATION

ACT/REGULATION	DESCRIPTION OF DELEGATION
Accommodation Agencies Act 1953	To perform functions and investigate offences related to the practices of accommodation agencies
Administration of Justice Act 1970	To perform functions and investigate offences related to the harassment of debtors
Animal Welfare Act 2006	Powers relating to the control of animal welfare
Animal Health Act 1981	Provisions for welfare of farm animals in transit, on the farm and at market
Animal Boarding Establishments Act 1963	Provisions relating to the commercial boarding of animals
Agriculture Act 1970 Refer to Schedule of secondary legislation (Regulations)	67(1) Duty Of local authority to enforce part IV of the Act in respect of fertilisers and animal feeding stuffs.67(4) Power to grant consent for inspectors of another enforcement authority to exercise powers within the London Borough of Bromley;67(3) Power to appoint agricultural analyst and deputies; to perform functions and investigate offences related to fertilisers and animal feeding stuffs;75(2) Power to require information and documentation; 76 – Power to enter premises and take samples
Anti-social Behaviour, Crime and Policing Act 2014	Provisions which introduce simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. It includes powers in relation to civil injunctions, criminal behaviour orders, public space protection orders and community protection notices and orders.
Anti-Social Behaviour Act 2003	To perform functions and investigate offences related to the sale of aerosol paint to persons under age.
Architects Act 1997	To perform functions and investigate offences related to unregistered architects
Breeding and sale of dogs (welfare) Act 1999	Provisions to control the activities of commercial dog breeders
Breeding of dogs Act 1973 & 1991	Provisions to control the activities of commercial dog breeders
Building Act 1984	Provisions relating to adequate water supply, drainage and sanitary ware repair/improvement, in dwellings and emergency abatement of certain statutory nuisances.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Cancer Act 1939	To perform functions and investigate offences connected to advertisements relating to the treatment of cancer
Caravan Sites and Control of Development Act 1960	Provisions for granting licences to caravan sites, attachment of conditions and the provision of caravan sites.
Charities Act 1992	To perform functions and investigate offences connected with information to be provided, and false statements made by, professional fund raisers.
Charities Act 2006	To perform functions and investigate offences connected with unauthorised use of badges certificates and articles and of false statements made, in respect of charitable appeals.
Children and Families Act 2014 Refer to schedule of secondary legislation (Regulations)	Duty of weights and measures authority to enforce the Regulations made under this Act around the prohibition of sale of nicotine products to persons under 18, proxy sales and tobacco packaging.
Children & Young Persons Act 1933	To perform functions and investigate offences connected with the sale of tobacco and cigarette papers to persons under age and in respect of tobacco vending machines.
Children & Young Persons (Protection Tobacco) Act 1991	Duty of local authority to consider a programme of enforcement action in respect of the sale of tobacco to persons under age.
Children & Young Persons (Protection Tobacco) Act 1991	To perform functions and investigate offences connected with the sale of single cigarettes [3(1)] and in respect of tobacco warning notices [4(1) & 4(2)]
Children and Young Persons (Harmful Publications) Act 1955	Act prohibits sale or hire of harmful publications to children and young persons
Christmas Day (Trading) Act 2004	Act restricting store opening times on christmas day
Civil Contingencies Act 2004	Provisions relating to Civil Protection (more commonly known as Emergency Planning) including planning for and responding to emergencies and the discharge of duties and use of emergency powers as appropriate
Clean Air Act 1993	Provisions relating to control of smoke from chimneys and the chimney height; smoke grit and fumes from furnaces and the height of the furnace; the control of appliances and fuels in smoke control areas; controls over cable burning and the power to publish information thereof. Duty to enforce regulations concerning the composition and content of motor fuel [30(4)] and the sulphur content of oil fuel [31(4)] To perform functions and investigate offences connected to regulations made under section 30 & 31 related to the composition and content of motor fuel and fuel oil. To exercise powers of entry, inspection, seizure and test purchase in respect of motor fuel and fuel oil

ACT/REGULATION	DESCRIPTION OF DELEGATION
Companies Act 2006	Where relevant to other authorised functions, to perform functions and investigate offences related to the display and disclosure of company names [Part 5], fraudulent trading [part 29], display and disclosure of business names [part 41].
Consumer Credit Act 1974 as amended	Duty of enforcement by local weights and measures authority Powers of authorised officers related to entry[including making application for warrants], inspection, seizure etc [162] and test purchase [164]
Consumer Protection Act 1987	Duty of enforcement by local weights and measures authority of safety provisions [part II of Act] Power of authorised officers to issue suspension notices in respect of goods suspected of contravening safety provisions and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of goods contravening safety provisions. Powers of authorised officers to make test purchases [28(1)], of entry inspection & seizure etc [29], to apply for warrants of entry [30(2)], to request information & assistance [32(1)], to request information & assistance from Commissioners of Customs & Excise [37(1)].
Consuler Rights Act 2015	Power of officers to purchase products, observe carrying on of business, enter a premises with or without a warrant, inspect products, test equipment, require production of documents, seize and detail goods and documents, decommission or switch off fixed installations, break open containers and require assistance from persons on premises.
Control of Pollution Act 1974	Provisions relating to the control of certain paints and treatments; noise and vibration from building sites; noise in the streets; noise abatement zones and the carrying out of certain works by the Council.
Control of Pollution (Amendment) Act 1989	Powers relating to control of waste carriers and power to seize vehicles.
Copyright, Designs & Patents Act 1988	To perform functions and investigate offences related to making or dealing with infringing articles etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test purchase etc To perform functions and investigate offences related to making dealing with or using illicit recordings etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test purchase etc
Criminal Justice and Public Order Act 1994	Power to remove unauthorised traveller encampments

ACT/REGULATION	DESCRIPTION OF DELEGATION
Criminal Justice and Police Act 2001	Closure of certain classifications of premises
Criminal Attempts Act 1981	To perform functions and investigate offences connected to attempts to commit an indictable offence, where relevant to other authorised functions.
Criminal Justice Act 1988	To perform functions and investigate offences connected to the supply of offensive weapons [141] and the sale of knives etc. to underage persons [141A]
Criminal Law Act 1977	To perform functions and investigate matters connected to conspiracy to commit offences where relevant to other authorised functions.
Crossbows Act 1987	To perform functions and investigate matters connected to– the supply of crossbows to persons underage.
Dangerous Wild Animals Act 1976	Provisions relating to control of dangerous wild animals and power to seize dangerous wild animals.
Dangerous Dogs Act 1991	Provisions relating to breeding, supply, control and abandonment of dangerous dogs.
Development of Tourism Act 1969 See also schedule of secondary legislation [orders & regulations]	To perform functions and investigate matters connected to the notification of pricing of accommodation.
Deer Act 1991	The provisions relating to control of the sale of deer and associated record keeping
Education Reform Act 1988	To perform functions and investigate offences connected to unrecognised degrees Duty of local weights and measures authority to enforce provisions of section 214 Trading Standards List 2 Powers of authorised officers in respect of premise entry, inspection search & seizure etc [215(2), 215(6)], to apply for warrants of entry [215(4)].
Energy Act 1976 See also schedule of secondary legislation [orders & regulations]	Enforcement of orders relating to passenger car fuel consumption
Energy Conservation Act 1981	Power of local weights and measures authority to enforce provisions concerning the design, construction and operation of energy consuming appliances. Powers of authorised officers in respect of entry, inspection, seizure & detention etc [20(2),20(3),20(7) and warrants of entry [20(5)]
Enterprise Act 2002	Designation and power of local weights and measures authority to act as a general enforcer in respect of certain consumer legislation. Power of authorised officers to seek undertakings in respect of domestic and community infringements. Power of authorised officers to give notice requiring that information be provided Duty of local weights and measures authority to give notice of intended

ACT/REGULATION	DESCRIPTION OF DELEGATION
	proceedings under specified enactments or legislation. Power to disclose specified information To investigate offences in respect of disclosure of specified information
Environment Act 1995	Provisions covering a wide range of pollution control arrangements and requirements both centrally and locally, including the power under s.108 of the Act to authorise persons with powers of entry, inspection, and investigation to determine the application of and compliance with pollution control requirements within the local authority's area. Part IV of the Act relates to Air Quality.
Environmental Protection Act 1990	This Act makes various provisions, powers, and duties for different aspects of Environmental Protection, including controlled waste, contaminated land, and litter. The Act also consolidates and expands on previous provisions relating to statutory nuisances, including the duty of Local authority to inspect its area for statutory nuisances and to investigate all complaints of statutory nuisance. Includes provisions for power of entry, power to require works, power to carry out works and powers to recover costs in relation to said statutory nuisance.
Estate Agents Act 1979	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers in respect of entry, inspection, seizure & detention etc and warrants of entry.
European Communities Act 1972 Refer to schedule of secondary legislation [orders and regulations].	Enforcement of <i>any</i> orders, regulations or other instruments made there under or relating thereto, or having effect by virtue of the Act, in as far as they relate to environmental protection, consumer protection, fair trading, weights and measures and any other matters considered to be trading standards functions.
Explosives Act 1875 to 1976	To perform functions and investigate offences connected to the sale of gunpowder [30, 32] and the sale of gunpowder to persons under age [31].
Fair Trading Act 1973	Duty of local weights and measures authority to enforce orders made under section 22 of the Act Power to make test purchases [28]. Powers of entry, inspection, seizure & detention etc 7 warrants of entry [29]
Farm & Garden Chemicals Act 1967	To perform functions and investigate offences connected to transactions in unlabelled products
Financial Services & Markets Act 2000 Refer to schedule of secondary legislation [orders and regulations].	To exercise the functions of a 'relevant officer' under the Money Laundering Regulations 2007
Financial Services Act 2012	Designation of powers to weights and measures authorities

ACT/REGULATION	DESCRIPTION OF DELEGATION
Fire Safety & Safety of Places of Sport Act 1987	Provisions relating to the safety of sports grounds
Fireworks Act 2003	Duty of local weights and measures authority to enforce provisions in respect of firework regulations Powers of entry and inspection etc [by reference to the Consumer Protection Act 1987]
Firearms Act 1968	To perform functions and investigate offences connected to the supply of air weapons to persons under age.
Food Act 1984	Provisions relating to food safety.
Food & Environment Protection Act 1985	Duty of local weights and measures authority to enforce regulations relating to the sale, labelling and advertising of pesticides Exercise of enforcement powers by authorised officers
Forgery & Counterfeiting Act 1981	To perform functions and investigate offences connected to forgery and false instruments where relevant to other authorised functions.
Fraud Act 2006	To perform functions and investigate offences where relevant to other authorised functions.
Food Safety Act 1990	To perform functions in relation to food safety
Gambling Act 2005	Provisions for controls over gambling activities
Greater London (General Powers) Act 1966	Licensing of places concerned with exhibitions
Greater London (General Powers) Act 1967	Licensing of places concerned with hairdressers and barbers
Greater London (General Powers) Act 1984	To exercise powers in respect of the registration of premises used for sales by way of competitive bidding Powers of entry and inspection in connection with sales by way of competitive bidding
Guard Dogs Act 1975	Provisions for control of the use of guard dogs on premises.
Hallmarking Act 1973	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers in respect of test purchasing, entry and inspection etc
Housing Act 1985	Section 17 in relation to compulsory purchase
Housing Act 2004	Duty of local weights and measures authority to enforce sections 155 to 159 inclusive and 167(4) [provisions related to home information packs]. Powers of authorised officers to require production of home information packs Powers of authorised officers to issue penalty charge

ACT/REGULATION	DESCRIPTION OF DELEGATION
	<p>notices in connection with breaches of 155 to 159 inclusive, 167(4), 172(1) Powers to confirm or withdraw a penalty charge notice. Powers to extend the period for complying with a penalty charge notice requirement. Duty to investigate, obtain information, inspect and take action in relation to housing conditions, houses in multiple occupation and empty property as set out in parts 1-1V and all associated schedules.</p>
<p>Housing Grants, Construction and Renovation Act 1996</p>	<p>Whole Act</p>
<p>Health Act 2006</p>	<p>The Act introduced the requirement for certain premises, places, and vehicles to be smokefree, and makes requirements for the management and signage of smokefree areas and provisions for enforcement</p>
<p>Health and Safety at Work etc Act 1974</p>	<p>Section 18(4) of Act – duty of local authority to enforce relevant provisions. Appointment of inspectors Authority to exercise power of inspector</p>
<p>Home Energy Conservation Act 1974</p>	<p>The provisions requiring local authorities to adopt a strategy for improving energy efficiency</p>
<p>Insurance Brokers [Registration] Act 1977</p>	<p>To perform functions and investigate offences connected to false registration</p>
<p>Intoxicating Substances [Supply] Act 1985</p>	<p>To perform functions and investigate offences connected to the sale of solvent based products to persons under age.</p>
<p>Knives Act 1997</p>	<p>To perform functions and investigate offences connected to the unlawful marketing of knives and the publication of associated material.</p>
<p>Legal Services Act 2007</p>	<p>To perform functions and investigate offences connected to carrying on restricted legal activities when not entitled [14] or carrying on those activities through persons not entitled [16] Powers of authorised officers to enter premises, powers to require production or take copies of documents, to request information. Power to apply for warrants of entry [198(6)]. To perform functions and investigate offences connected to obstruction and failing to provide information etc</p>
<p>Licensing Act 2003 and associated regulations</p>	<p>A consolidation of previous legislation relating to the sale and supply of alcohol and the provision of regulated entertainment and late night refreshment. Creates wide ranging duties in relation to the receipt, advertising, processing, and determination of applications and notices for licensable activities and the holding and conduct of hearings. In addition to Local Authority licensing functions the Act includes the duty of local weights and measures authority to enforce the provisions of section 146, 147, 147A in respect of the sale of alcohol to persons under</p>

ACT/REGULATION	DESCRIPTION OF DELEGATION
	age; to issue a closure notice in respect of persistently selling alcohol to persons under age; to request a person under age to buy or attempt to buy alcohol, and to perform functions and investigate offences connected to the sale of liqueur confectionery to persons under age
Local Government (Miscellaneous Provisions) Act 1976	Power to require information, the provision of sanitary appliances, and the removal of obstructions from private sewers
Local Government (Miscellaneous Provisions) Act 1982	Powers relating to the protection of unoccupied buildings
London Local Authorities Act 1990	To enforce provisions in respect of street trading licences including the power to require production of a licence by a licence holder Powers in respect of the removal of receptacles. Enforcement of provisions in respect of unlicensed street trading including seizure of relevant articles and things. Powers of entry and inspection of authorised officers in connection with occasional sales Power to institute legal proceedings if a relevant person fails to furnish an authorised Officer with a name, or provides a false name or false address. The issuing of fixed penalty notices is authorised under the London Local Authorities Act 2004.
London Local Authorities Act 1991	The provisions relating to licensing premises where special treatments are carried out and provision for the control of burglar alarms
London Local Authorities Act 2004 Part 4	Administration of accounts for Fixed Penalty Notices, use of surplus, report to Secretary of State Power to enforce provisions including the Issuing of Fixed Penalty Notices in respect of contraventions of section 34(1 – 4) and 38(1) of Local Authorities Act 1990
Magistrates Courts Act 1980	Where relevant to other authorised functions, to perform functions and investigate offences related to the aiding, abetting, counselling or procuring the commission of offences.
Malicious Communications Act 1988	Where relevant to other authorised functions, to perform functions and investigate offences related to sending letters etc. with intent to cause distress or anxiety
Medicines Act 1968	Powers of authorised officers related to inspection, premise entry, taking of samples, seizure & detention etc related to medicated animal feed stuffs.
Motor Cycle Noise Act 1987	To perform functions and investigate offences related to the supply of motorcycle silencers and exhaust systems.

ACT/REGULATION	DESCRIPTION OF DELEGATION
National Assistance Act 1948	Power of entry to inspect property
Noise & Statutory Nuisance Act 1993	Provisions for powers in relation to noise and nuisance in the street, control of alarms and recovery of costs
Noise Act 1996	Power to issue warning notices and fixed penalty notices for noise and the power to enter premises and seize equipment
National Lottery Act 1993	To perform functions and investigate offences related to the supply of lottery tickets etc to persons under age
Offensive Weapons Act 1996	Prohibits sale of axes, knives and bladed articles to under 18s
Olympic Symbol etc (Protection) Act 1995	Power of local weights and measures authority to enforce provisions relating to relevant goods
Olympic Symbol etc (Protection) Act 1995	Powers of test purchase, entry, inspection & seizure of authorised officers
Pet Animals Act 1951 & 1983	Provisions for the control of sale of pet animals
Performing Animals (Regulation) Act 1925	Provisions for the control of the training or exhibition of performing animals
Poisons Act 1972	Provisions for the control of the supply and sale of poisons and the registration of sellers of poisons.
Pollution Prevention and Control Act 1999	Proscribes the regulation and control of polluting emissions into the environment by way of environmental permits covering a broad range of trade and industrial installations and processes.
Prices Acts 1974 & 1975	Duty of local weights and measures authority to enforce orders made under sections 2, 4 & 5 in respect of the prices of goods. Powers of entry, inspection, seizure etc of authorised officers
Prevention of Damage by Pests Act 1949	Provides duties and powers relating to the control of rats and mice including powers to enter premises for the control of rodents, to require treatments or the provision of information, and to carry out works.
Protection of Animals Act 1911	Provisions relating to animal welfare
Proceeds of Crime Act 2002	Matters in relation to the investigation and charging of money laundering offences
Protection From Harassment Act 1997	Where relevant to other authorised functions, to perform functions and investigate offences related to harassment and putting people in fear of violence
Public Health (Control of Diseases) Act 1984	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease

ACT/REGULATION	DESCRIPTION OF DELEGATION
Public Health Act 1936	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health
Public Health Act 1961	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health
Registered Designs Act 1949 as amended	Provisions relating to the protection of registered designs
Restriction of Offensive Weapons Act 1959	Where relevant to other authorised functions, to perform functions and investigate offences related to the sale and supply of knives and other dangerous weapons.
Riding Establishments Act 1964 - 1970	Provisions relating to licensing of horse riding establishments
Road Traffic (Foreign vehicles) Act 1972	Provisions relating to the powers of authorised persons to prohibit overloaded vehicles
Road Traffic Act 1988	To perform functions and investigate offences related to the sale of motorcycle helmets To perform functions and investigate offences related to the supply of unroadworthy vehicles [75] and the fitting or supply of defective or unsuitable vehicle parts [76].
Scotch Whiskey Act 1988	Provisions relating to the supply and sale of products described as scotch whiskey.
Safety of Sports Grounds Act 1975	The provisions relating to the safety of sports grounds
Solicitors Act 1974	To perform functions and investigate offences related to pretending to be a solicitor and engaging in various practices when unqualified. Powers of inspection, entry, seizure & detention, application for a warrant of entry of authorised officers
Sunday Trading Act 1994	Controls over hours of opening on Sundays and Easter for large shops.
Scrap Metal Dealers Act 2013	The provisions relating to the registration of scrap metal dealers
Sunbeds (Regulation) Act 2010	An Act to make provision about the use or supply of tanning devices that use artificial ultra-violet radiation, includes restriction on sales to under 18's
Tattooing of Minors act 1969	The provisions relating to the tattooing of young persons
Telecommunications Act 1984	To perform functions and investigate offences related to the marking and labelling of telecommunications apparatus and information contained in advertisements for telecommunications apparatus.
Theft Act 1968	Where relevant to other authorised functions, to perform functions and investigate offences related to false accounting [17] and going equipped to cheat [25].

ACT/REGULATION	DESCRIPTION OF DELEGATION
Timeshare Act 1992	Duty of local weights and measures authority to enforce the provisions of the Act. Power of authorised officers to request information and seize documents
Tobacco Advertising and Promotion Act 2002 Refer to schedule of secondary legislation (Regulations)	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers to enter premises, perform inspections, seize items, apply for warrants of entry etc.
Trade Descriptions Act 1968	Duty of local weights and measures authority to enforce the provisions of the Act Offence provisions substantially replaced by CPUT 2008.
Trade Marks Act 1994	Duty of local weights and measures authority to enforce provisions of section 92 (unauthorised use of trade mark, etc. in relation to goods). Powers of authorised officers to inspect goods and enter premises etc, of seizure and detention, to apply for warrants of entry etc. Power to apply for forfeiture of goods To perform functions and investigate offences related to the falsification of the trademarks register etc [94] and falsely representing a trade mark as registered [95].
Trading Representations (Disabled Persons) Acts 1958 and 1972	To perform functions and investigate offences related to registration of sellers of goods made by persons with disabilities
Unsolicited Goods and Services Act 1971 & 1975	To perform functions and investigate offences related to unsolicited demand for payment etc
Veterinary Surgeons Act 1966	To perform functions and investigate offences related to the carrying out of veterinary practices by unqualified persons and the use of practitioners titles when unqualified.
Video Recordings Act 1984	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers to make test purchases, to enter premises, carry out inspections, powers of seizure & detention and to apply for warrants of entry etc To investigate outside of Bromley, offences suspected of being linked to or suspected to have been committed within the borough. To give consent to officers from other local authorities to investigate within Bromley, offences suspected of being linked to that other authority or suspected to have been committed within it.
Water Industry Act 1991	The provisions relating to the control of water to premises, including sufficiency, wholesomeness, and contamination; the control of waste water and duties placed upon the local authority.
Weights and Measures Act 1985	Designation of the London Borough of Bromley as a local weights and measures authority. <i>Power to provide consumer advice</i> Delegation of Chief Inspector of weights and measures To authorise an inspector to act as Deputy Chief Inspector of weights and measures To appoint inspectors of weights and measures To act as Deputy

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

SECONDARY LEGISLATION

The secondary legislation detailed below is predominantly that enforced by the Weights and Measures authority and referred to in the list of primary legislation above. It is not an exhaustive list of all secondary legislation enforced by the Public Protection service.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Secondary legislation made under the European Communities Act 1972	
Advanced Television Services Regulations 1996	Provisions relating to supply & construction of television equipment.
Animal Feed (England) Regulations 2010	Regulations on marketing and use of feed
Animal Feed (Composition, Marketing and Use)(England) Regulations 2015	enforcement / implementation of EU Regulations and Directives on feed safety
Animal Feed (Hygiene, Sampling etc and Enforcement)(England) Regulations 2015	Provide for the continuing execution and enforcement of EC Regulations for feed hygiene
Aerosol Dispensers(EEC Requirements) Regulations 2009	Powers of authorised officers related to entry (including making application for warrants), inspection, 'testing' etc... To perform functions and investigate offences/breaches under the Regulations

ACT/REGULATION	DESCRIPTION OF DELEGATION
Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013	Regulations on Biocidal Products and Chemicals, appointing authorities and enforcement
Biofuel (Labelling) Regulations 2004	Regulations on labelling of biofuels
Boiler (Efficiency) Regulations 1993	Duty of local weights and measures authority to enforce the provisions of the Regulations.
Business Protection from Misleading Marketing Regulations 2007	Duty of local weights and measures authority to enforce the provisions of the Regulations Power to request information by notice in writing. Power to make test purchases and enter into an agreement to secure the provision of a service. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.
Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008	Regulations on import and export of cat and dog fur (enforcing EU Regulation 1523/2007)
Cigarette Lighter Refill (Safety) Regulations 1999/1844	Regulations on prohibition of sale of cigarette lighter refill cannisters to under 18's
Chemical (Hazard Information & Packaging for Supply) Regulations 2009	Duty of the local weights and measures authority to enforce where the supply is from any form of retail outlet and to enforce the provisions relating to the control of advertising (Reg 6) and child resistant packaging (Reg 11) Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Companies (Trading Disclosures) Regulations 2008	Regulations on requirements for a company and business display of name and on business paper
Construction Products Regulations 1991	Duty of the local weights and measures authority to enforce the provisions of Part II of the Regulations (requirements relating to construction products). Power of authorised officers to issue suspension notices in respect of products suspected of contravening the regulations and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of products contravening the Regulations Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry, to request information & assistance.
Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013	Regulations on Consumer Contracts

ACT/REGULATION	DESCRIPTION OF DELEGATION
Consumer Protection (Cancellation of Contracts made in a consumers home or place of work etc) Regulations 2013	Duty of weights and measures authority to enforce.
Consumer Protection from Unfair Trading Regulations 2008	Duty of local weights and measures authority to enforce the Regulations. Power to carry out test purchases or enter into arrangements to purchase products. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.
Control of Misleading Advertisements Regulations 1988	To perform functions and investigate breaches under the Regulations
Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991	Power to require information in relation to waste carriers.
Consumer Protection (Cancellation of Contracts made in a consumers home or place of work etc) Regulations 2008	Duty of local weights and measures authority to enforce the provisions of regulations (offence relating to the failure to provide cancellation rights). Power of authorised officers to request production of documents and to seize documents.
Consumer Protection (Distance Selling) Regulations 2000	Duty of local weights and measures authority to consider complaints made to it about a breach. To perform functions and investigate offences/breaches under the Regulations
Cosmetic Products (Safety) Regulations 2004	To perform functions and investigate offences under the Regulations
Cosmetic Products Enforcement Regulations 2013	Regulations on safety of cosmetic products
Consumer Rights (Payment Surcharges) Regulations 2012	Regulations on the application of excessive surcharges
Crystal Glass (Descriptions) Regulations 1973	Duty of local weights and measures authority to enforce Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc , to apply for warrants of entry
Detergents Regulations 2010	Regulations restricting placing on market of detergent products, enforcing EU Regulation 648/2004
EC Fertilisers (England and Wales) Regulations 2006	Regulations implementing EU rules on Fertilisers
Eggs (Marketing Standards) Regs 1995	Control provisions for quality, marking and grading of eggs
Electrical Equipment (Safety) Regulations 1994	Safety provisions regarding electrical equipment

ACT/REGULATION	DESCRIPTION OF DELEGATION
Electronic Commerce (EC Directive) 2002	The regulations stipulate information that must be provided by businesses providing information society services to consumers
Electromagnetic Compatibility Regulations 2006	Duty of local weights and measures authority to enforce the Regulations (except the provisions relating to electricity water meters). Powers of authorised officers to make test purchases, of entry inspection & seizure etc), to apply for warrants of entry, to issue compliance and suspension notices and to request information & assistance.
Electro-medical Equipment (EEC Requirements) Regulations 1988	Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry Power to make test purchases, enter premises and inspect and seize goods and entry by warrant.
Energy Efficiency (Ballasts for Fluorescent Lighting) Regulations 2001	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information Regulations 2011	Regulations on Energy Information
Energy Information (Washing Machines) Regs 1996	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Household Air Conditioners) Regs 2005	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Combined washer driers) Regs 1997	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Dishwashers) Regs 1999	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Household electric ovens) Regs 2003	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
Energy Information (Household refrigerators and freezers) Regs 2004	Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (lamps) Regs 1999	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Energy Information (tumble dryers) Regs 1996	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007	Duty of local weights and measures authority to enforce regulations 5(2), 5(5), 6(2), 9(2), 10, 16(2), 21(1), 23, 24 and 39(4). Powers to request copies of documents to issue a penalty charge notice.
Energy Performance of Buildings (England and Wales) Regulations 2012	Regulations on Energy Performance of Buildings
Explosives Regulations 2014	Duty to grant licences in relation to the storage of explosives.
Fertilisers Regulations 1991	Provisions for labelling and sampling controls of fertilisers
Filament Lamps For Vehicles (Safety) Regulations 1982	Regulation on filament lamps in vehicles
Financial Services (Distance Marketing) Regulations 2004	Duty of local weights and measures authority to consider complaints about a breach of the Regulations To perform functions and investigate breaches/offences under the Regulations
Financial Services Act 2012 (Consumer Credit) Order 2013	Provides power for weights and measures authorities to prosecute consumer credit offences
Fireworks Regulations 2004	Regulations made under the Fireworks Act 2003, creating offences on supply of fireworks
Food Imitations (Safety) Regulations 1989	Regulations on Imitation Foods
Footwear (Indication of Composition) Labelling Regulations 1995	Duty of local weights and measures authority to enforce the Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry.
Furniture and Furnishings (Fire) (Safety) Regulations 1988	Safety regulations on Furniture and Furnishings for Fire Safety
Gas Appliance (Safety) Regulations 1995	Regulation on safety of Gas Appliances
General Product Safety Regulations 2005	Duty of local authority to enforce the provisions of the Regulations. Power to issue suspension notices, require to 'mark,' require to warn, issue a withdrawal notice, issue a recall notice, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Household Appliances (Noise Emission) Regulations 1990/161	Regulations on Noise Emissions From Household Appliances

ACT/REGULATION	DESCRIPTION OF DELEGATION
Materials & Articles in Contact with Food Regulations 2012	The provisions relating to materials that are to be in contact with food
Measuring Container Bottles (EEC Requirements) Regulations 1977	To perform functions and investigate offences related to the Regulations. Power of inspection, entry and testing.
Measuring Instruments (Automatic Discontinuous Totalisers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Automatic Rail-weighbridges) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Automatic Catchweighers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Gravimetric Filling Instruments) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations
Measuring Instruments (Beltweighers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Capacity Serving Measures) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Liquid Fuel and Lubricants) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Liquid Fuel Delivered from Road Tankers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Material Measures of Length) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Cold-water Meters) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (EEC Requirements) Regulations 1988	To perform functions and investigate offences related to the Regulations. Power to entry, inspection testing and search by warrant.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Medical Devices Regulations 2002	Powers of forfeiture, issue suspension notices, enter premises and seize goods and entry by warrant. Duty of local weights and measures authority to enforce these regulations in relation to devices that are consumer goods.
Medicines (Advertising) Regulations 1994	To perform functions and investigate breaches under the Regulations
Merchant Shipping (Weighing of Goods Vehicles and other Cargo) Regulations 1988/1275	Regulations on weighing of goods vehicles and cargo with merchant shipping
Money Laundering Regulations 2007	Provides WMA with power to prosecute offences under Regulation 45
Motor Fuel (Composition and Content) Regulations 1999	Duty to enforce Regs 5B (3), (5), (6) where it relates to fuel not intended for use in motor vehicles
Motor Vehicles Tyres (Safety) Regulations 1994	Regulations on Tyre Safety
National Lottery Regulations 1994	Regulations for the National Lottery
Natural Mineral Water, spring water and bottled drinking water Regs 1999	Provisions for the control of the bottling, supply and quality for natural mineral water
Nightwear (Safety) Regulations 1985	Regulations on safety of nightwear
N-nitrosamines and N-nitrosatable Substances in Elastomer or Rubber Teats and Dummies (Safety) Regulations 1995	Regulations on children's dummies
Non-Automatic Weighing Instruments (EEC Requirements) Regulations 2000	To perform functions and investigate offences related to the Regulations. Only local weights and measures authority can institute proceedings. Powers of entry, inspection, testing and entry by warrant.
Oil Heaters (Safety) Regulations 1977	Regulations on safety of oil heaters
Olive Oil (Marketing Standards) Regulations 2003	Provisions for the control of the bottling, supply and quality for olive oils
Organic Products Regulations 2009/842	Regulations on Organic Products
Packaging (Essential Requirements) Regulations 2003	Duty of local weights and measures authority to enforce the Regulations. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants

ACT/REGULATION	DESCRIPTION OF DELEGATION
Packaged Goods Regulations 2006	Duty of local weights and measures authority to enforce the Regulations. Powers of entry, inspection, testing and search by warrant.
Passenger Car (Fuel Consumption & CO2 Emissions Information) Regulations 2001 and The Passenger Car (Fuel Consumption) Order 1983.	Duty of local weights and measures authority to enforce the Regulations. Power to enter premises to request production to seize a certificate of conformity. Power to search by warrant.
Personal Protective Equipment (EC Directive) Regulations 2002	Duty of local weights and measures authority to enforce the Regulations Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Package Travel, Package Holidays and Package Tours Regulations 1992	Duty of local weights and measures authority to enforce the Regulations for the purposes of regs 5, 7, 8, 16 & 22. Powers of entry, seizure, production of documents and entry by warrant.
Pedal Bicycles (Safety) Regulations 2010	Safety regulations on Pedal Cycles
Petroleum (Consolidation) Act 1928	Act to Regulate Petroleum Storage
Plastic materials & Articles in Contact with Food Regulations 1992	The provisions relating to plastic materials that are to be in contact with food
Plugs and Sockets etc (Safety) Regulations 1994	Regulations on Plugs and Sockets
Pressure Equipment Regulations 1999	Duty of local weights and measures authority to enforce the Regulations in relation to pressure equipment or assemblies for private use or consumption. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Price Marking Order 2004	Regulations on Pricing
Price Indications (Bureaux de Change) (No 2) Regulations 1992	Regulations on Price Indications at Bureau de Change
Pyrotechnic Articles (Safety) Regulations 2015	Duty of local weights and measures authority to enforce the Regulations. Power to enter premises, inspect and seize goods etc, carry out test purchases
REACH Enforcement Regulations 2008	Regulations on restrictions on chemicals, enforcing EU REACH regulation
Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	Requirement to join redress schemes. Made under Enterprise and Regulatory Reform Act 2013

ACT/REGULATION	DESCRIPTION OF DELEGATION
Radio Equipment & Telecommunications Terminal Equipment Regulations 2000	Duty of local authority to enforce the Regulations. Power to serve enforcement notice. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Recreational Craft Regs 1996	The obligations placed upon, and provisions empowering local authorities with regard to the supply of recreational craft
Recreational Craft Regulations 2004	Duty of local weights and measures authority to enforce the Regulations. Power to service compliance notice. Power to issue suspension notices, apply for forfeiture and obtain information.
Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013	Regulations on Rights of Passengers in Bus and Coach Transport, enforcing EU Regulations. Reg 8 designates a local weights and measures authority (and others) as the enforcement authority for EU Reg 181/2011
Sale and Supply of Goods to Consumers Regulations 2002/3045	Regulations on sale and supply of good to consumers. Reg 2 designates WMA as enforcement authority which under Reg 15 are able to apply for injunctions regarding consumer guarantees
Simple Pressure Vessels (Safety) Regulations 1991	Duty of local weights and measures authority to enforce the Regulations where they relate to vessels and relevant assemblies as consumer goods. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Supply of Machinery (Safety) Regulations 1992	Duty of local weights and measures authority to enforce where it relates to relevant machinery as goods for private use or consumption Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Textile Products (Labelling and Fibre Composition) Regulations 2012	Regulations On Labelling and Fibre composition of Textile Products, enforcing EU regulations
Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010	Regulations on Timeshare Products and Contracts
Tobacco for Oral Use (Safety) Regulations 1992	Regulations prohibiting sale of tobacco for oral use
Tobacco Products (Manufacture, Presentation and Sale) Regulations 2002	Regulations regarding tobacco products manufacture presentation and sale
Toys (Safety) Regulations 2011	Regulations regarding safety of toys
Unfair terms in consumer contracts Regs 1999	Enforcement of unfair terms in consumer contracts

ACT/REGULATION	DESCRIPTION OF DELEGATION
Secondary legislation made under the Development of Tourism Act 1969	
Tourism (Sleeping Accommodation Price Display) Order 1977	Power of entry and inspection.
Secondary legislation made under the Financial Services & Markets Act 2000	
Money Laundering Regulations 2007	Pursuant to arrangements made with the Office of Fair Trading (reg. 40) Power to request information, records and attendance of persons to answer questions. Powers of entry, inspection, take copies of documents and entry by warrant. Upon failure by a person to provide information, power (pursuant to arrangements made with the Office of Fair Trading) to make an application to the courts requesting person to take certain action.
Secondary legislation made under the Childrens and Families Act 2014	
Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015	Duty of weights and measures authority to enforce Regulations
Standardised Packaging of Tobacco Products Regulations 2015	To perform functions and investigate breaches under the Regulations from commencement date
Secondary legislation made under Tobacco Advertising and Promotion Act 2002	
Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010	To perform functions and investigate breaches under the Regulations
Tobacco Advertising and Promotion (Display) (England) Regulations 2010	To perform functions and investigate breaches under the Regulations
The Tobacco and Related Products Regulations 2016	
Secondary legislation made under Agriculture Act 1970	
Animal Feed (Composition, Marketing and Use) (England) Regulations 2015	Duty of feed authority to enforce the Regulations
The Animal Feed (Hygiene, Sampling etc. and Enforcement) (England) Regulations 2015	Duty of feed authority to enforce the Regulations. Power to enter premises, inspect, seize and detain suspect feed and serve notices

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

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

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

The Health Protection (Local Authority Powers) Regulations 2010

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

	the request of the tenant and charge for the service
8	Power to serve notice on a person or groups requesting co-operation for health protection purposes. Offer compensation
9	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting contact with the body
10	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting entry to the room in which the body is located
11	To relocate or cause to be relocated a dead body

Health Protection (Notification) Regulations 2010

Section / Regulation	Power
	Appointment of the 'Proper Officer' for the receipt of information and notifications
Regulation 6	Duty of the Proper Officer to disclose a notification to the Health Protection Agency and or Proper Officer of another LA or Port Authority

Health Protection (Part 2A Order) Regulations 2010

Regulation 7	Power to charge in connection with Part 2A orders relating to things and premises
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Report No.
CSD17059

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **COUNCIL**

Date: **Wednesday 10 May 2017**

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

Title: **COUNCILLOR ATTENDANCE 2016/17**

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

1. Reason for report

- 1.1 One of the recommendations of the Constitution Improvement Working Group, endorsed by Council on 15th December 2009, was that details of Councillor attendance at meetings be published at the end of each Council year. The data for 2016/17 is set out in this report. The data covers formal meetings of the Council, the Executive, Committees and Sub-Committees, plus at the request of the Constitution Improvement Working Group various other meetings including executive and non-executive working groups.
- 1.2 This report does not purport to cover every meeting or to give an exhaustive account of the very wide range of activities undertaken by Councillors, of which these meetings form only a part.
-

2. **RECOMMENDATION**

Council is asked to note the Councillor attendance data for 2016/17 and agree that, subject to inclusion of data from any outstanding meetings and any minor corrections, this be published on the Council website.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Representation
 4. Total current budget for this head: £1,061,070
 5. Source of funding: 2016/17 Revenue Budget
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is provided for the benefit of Councillors and to assist in providing transparency about the work of Councillors.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Constitution Improvement Working Group in its third report, presented to full Council on 15th December 2009, recommended that information about Councillor attendance at meetings should be recorded and published annually. This information has always been published through the minutes of meetings, but was not previously been brought together in one document. The following recommendation was adopted by Council -

“That attendance information be routinely collected and that it be published annually at the end of the Municipal Year including details of apologies for absence and the appointment of substitutes.”

- 3.2 The meetings covered are listed in appendix 1; these are all Council, Committee, Sub-Committee and Executive/Portfolio Holder meetings during the Council year 2016/17, plus a variety of other meetings and working groups. These meetings total 235 for the 2016/17 Council year, a slight increase from 233 in 2015/16. A schedule covering attendance of individual Members will be circulated “to follow” as soon as it is available as appendix 2.
- 3.3 The data in appendix 2 will not include attendance at a variety of more informal meetings, pre-meetings and callovers, partnership meetings, official engagements carried out by the Mayor and Deputy Mayor, or any of the wide range of ward-related activities and case-work carried out by Councillors throughout the year. The Constitution Improvement Working Group also suggested that individual Members be offered the opportunity to add any further notes or comments that take into account any other meetings not already covered – this will be included in a notes column in appendix 2.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/ Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	Minutes of meetings held in 2016/17

Appendix 1

Meeting Name	Number of meetings in 2015/16	Number of Meetings in 2016/17
Council, Committees & Sub-Committees		
Council	8	6
General Purposes & Licensing	6	5
Appeals Sub-Committee	9	0
Audit Sub-Committee	3	3
Industrial Relations Sub-Committee	1	0
Licensing Sub-Committee	14	13
Local Joint Consultative Committee	4	4
Pensions Investment Sub-Committee	5	6
Rights of Way Sub-Committee	0	0
Development Control Committee	7	6
Plans Sub-Committees (x4)	25	26
Appointment Panel	0	1
Standards Committee	0	0
Urgency Committee	0	1
PDS Committees and Sub-Committees		
Care Services PDS Committee	7	7
Education Select Committee	6	6
Environment PDS Committee	5	7
Executive & Resources PDS Committee	10	9
Public Protection & Safety PDS Committee	7	5
Renewal & Recreation PDS Committee	4	6
Education Budget PDS Sub-Committee	3	3
Health Scrutiny PDS Sub-Committee	3	3
Contracts Sub-Committee	0	6
OHSEL Joint Scrutiny Committee	2	3
Executive meetings		
Executive	14	15
Portfolio Holder Meetings	2	3
Other Meetings		
Health & Wellbeing Board	5	5
SACRE	3	3
Economic Partnership	4	4
Safer Bromley Partnership	4	1
Adoption Panel	12	11
Foster Panel	17	18
Chief Executive Remuneration Panel	1	1
Crystal Palace Park Executive Project Board	4	3
Member Allowances WG	1	0
Honorary Aldermen WG	1	0
Executive Working Groups		
Constitution Improvement WG	4	2
Children's Board	10	7
Child Safeguarding & Corporate Parenting WG	4	1
Local Development Framework Advisory Panel	9	8
Special Educational Needs WG	2	0
Town Centres WG	1	0
Children's Services Governance WG	0	16
PDS Working Groups		
Beckenham Town Centre WG	6	7
School Places WG	2	1
Highways and Footways WG	0	2
Environmental Services Contract WG	0	1
Other PDS Working Groups	15	0
TOTAL	233	235

Report No.
CSD17060

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 10 May 2017

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

Title: **REPORTS FROM COUNCILLORS APPOINTED TO OUTSIDE BODIES IN 2016/17**

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

1. Reason for report

1.1 One of the recommendations of the Constitution Improvement Working Group, endorsed by Council on 15th December 2009, was that Councillors appointed to serve on outside bodies with a significant role or budget should be required to provide a short written statement to full Council at the end of the year summarising their work.

2. **RECOMMENDATION**

Council is asked to receive the reports from Councillors appointed to outside bodies (appendix 1).

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Representation
 4. Total current budget for this head: £
 5. Source of funding: 2016/17 Revenue Budget
-

Personnel

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

Legal

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

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is provided for the benefit of Members of the Council and to provide transparency.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 The Constitution Improvement Working Group in its third report, presented to full Council on 15th December 2009, recommended -

“That the Members appointed as the Council’s representatives on outside organisations with a significant role and budget, should be required to provide a short annual written report to the final Council meeting or PDS in each Municipal Year.”

- 3.2 This recommendation was duly approved by full Council, and reports have been requested from a number of Members who have served as the Council’s representatives during 2016/17 on outside bodies with significant roles and budgets -

Affinity Sutton – London & East Regional Scrutiny Board (Cllr Chris Pierce)

Design and Heritage Champion (Cllr Nicholas Bennett)

Mytime Active Board (Cllrs Nicholas Bennett & Tim Stevens)

Bromley Youth Music Trust Board of Directors (Cllr Kate Lymer) (to follow)

Community Links Bromley (Cllrs Peter Fortune and William Huntington-Thresher) (to follow)

- 3.3 The reports are attached in **Appendix 1**.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	None

Affinity Sutton Group London and East Regional Scrutiny Board (RSB) 2016-17
Cllr Chris Pierce

1. The Board is one of a number of established Regional Scrutiny Boards comprising representatives from Affinity Sutton, tenants and local authorities.

2. The Board continues to receive comments from Resident Area Panels (RAPs) which enable tenants in smaller areas within the region to voice their views and opinions. The London and East Regional Residents Engagement Day was held at the Oval cricket ground on 19th October 2016.

3. Four Scrutiny Board meetings have been held at Affinity Sutton offices at More Place, London Bridge on -

15th June 2016

28th September 2016

7th December 2016

14th March 2017

The next meeting is scheduled for 20th June 2017.

4. During the year scrutiny was carried out on the following topics and action plans were developed and progressed to deal with the findings;

- Planned investment (or works)
- Repairs and the management of subcontractors as it relates to appointments
- Managing Anti-Social Behaviour

5. Scrutiny topics for the financial year 2017-18 have yet to be selected, primarily due to uncertainties about the new Group structure following the merger (see section 7). A number of suggested topics are under consideration for scrutiny.

6. The new Affinity Sutton online website and residents' portal continues to be developed. This includes 'local pages' to allow residents to search for a wealth of information relating to their own area. 'Digital Champions' have also been recruited to promote the use of the website and to provide online help for residents.

7. During the year Affinity Sutton Group and Circle Housing Group merged under a single parent organisation, Clarion Housing Group. The new structure is still being developed and implemented and changes are likely to be made to the Resident Involvement and Scrutiny Board arrangements. For now, each Housing Association has retained its existing name, until they merge in the future under a new name (yet to be decided).

Design and Heritage Champion

Cllr Nicholas Bennett JP

The highlight of the Year was a very successful commemoration of the start of the Battle of the Somme on July 1st 1916. Exactly one hundred years later as part of the Western Front Association national commemoration a short ceremony including prayers, poetry and at 7.30am the blowing of a whistle to signify the moment when the British and Empire attacks started took place at the following:

- Beckenham War Memorial
- Bickley St Georges
- Biggin Hill War Memorial
- Bromley War Memorial
- Bromley St Mark's
- Chislehurst War Memorial
- Keston War Memorial
- Penge War Memorial
- Orpington War Memorial
- Shortlands St Mary's
- St Mary's Cray
- West Wickham War Memorial

All the ceremonies were organised by local volunteers responding to a press release by the Council. The Mayor attended at Bromley War Memorial, the Deputy Mayor at Orpington, the Leader of the Council attended at Keston and the Deputy Leader at St Georges. Bob Stewart DSO MP was in attendance at Beckenham and the Chief Executive at West Wickham. At all the ceremonies a short service was conducted by local clergy and at several army and sea cadets attended and at Keston wreaths were laid and volunteers in First World War army and uniforms gave the ceremony a special significance. Around 30 people attended each commemoration with 50 at Beckenham and 40 or more at Keston and Orpington.

Sadly, attempts to mark the 80th anniversary of the Crystal Palace Fire met with no response and the anniversary went unmarked.

I have attended one day conferences organised by Urban Design London and The Place Alliance. A broken leg meant that I was unable to attend meetings between November and February! These have included the following:

- *28th June 2016* Network Meeting and Policy Symposium
- *13th July 2016* Evolving Suburbs
- *29th July 2016* Designing Homes
- *20th October 2016* Design Literate Leadership: An introduction to Urban Design
- *28th February 2017* Networking Meeting of councillors and officers
- *25th April 2017* Place Alliance – The Big Meet 7

I have attended a number of Plans and other meetings to discuss heritage issues including Biggin Hill and the Klinger Factory restoration.

In the coming year one event is already in preparation by the Chislehurst Society -the unveiling of a plaque at 'Beechworth' in Chislehurst on July 1st to mark the fact that the house was the final home of Richmal Crompton, the author of the Just William books and who lived in the borough for more than 50 years.

IN REMEMBRANCE

WHISTLE FOR THE SOMME

100th ANNIVERSARY

7.15AM ON 1ST JULY 2016

At 7.30am on 1 July 1916 whistles blew along a 15-mile front to mark the start of the advance of what became known as 'The Somme' and the bloodiest day in the history of the British Army.

Please join us at 7.15AM on 1st July 2016 to commemorate the 100th anniversary of this battle at the War Memorial, Main Road, Biggin Hill. The event will be marked by the blowing of whistles at 7.30AM, exactly as the battle began 100 years ago.



100



1914 - 1918

HANTS & IOW

Paul Casey writes that as his branch is centred in Portsmouth, a naval town, there was more emphasis locally on Jutland. Commemorations for the Somme were more low key. We had no organised activities and it was left to individuals to "do their own thing".

As Chairman, my wife and I attended the Eve of the Somme service at Westminster Abbey which was very moving and well organised.

Nobody from the branch attended the official events on The Somme, although from reports back from others, it all seemed a bit chaotic even if you didn't attend the Thiepval ceremony. I understand that those with tickets struggled for accommodation and vice versa hence there were many empty seats. Travel around the battlefield was a struggle as might be expected.

There has been a plethora of items in or on the various media, some very good others not so good. The televised events were well presented and were probably as good as being there or better as one could actually see what was going on. I think the anniversary has now been done to death and business will now get back to normal, or at least until Third Ypres.

Generally speaking I think much of what has been going on was very worthwhile, the Services, acts of commemoration, talks etc, have added to the solemnity of the occasion. Finally, the Special Edition of "Stand To!" has been very well received and thanks must go to the editor and the rest of the publication production team.

HERTS & BEDS

Geoff Cunningham writes: It was a case of "on with the poncho" rather than "over the top" for those of us attending the Somme commemorations at Thiepval on 1 July. The sombre grey clouds were in tune with the solemnity of the occasion until they broke, fearfully, towards the end of the ceremony as the thousands of red and blue paper poppies and cornflowers cascaded down slowly from the walls of the memorial. Throughout, I recalled what an honour it was to witness this deeply moving and historic event having been successful in the national ballot and in doing so I was, unexpectedly, the representative for the Herts & Beds Branch at the Somme.

Both my grandfathers served on the Home front in the Great War and so the Somme holds no directly personal associations for me. Nevertheless the day was indeed a memorable one filled with sights: the overwhelming size of the Thiepval memorial; the visual impact of the name after name; the children's wreaths at the headstones and sounds, the clatter of metal shod guns, limbers and horseshoes of the RHA on the gravel driveway as they approached the memorial with all the flurry and urgency of their ebars; the silence of the hundreds of people sitting in thought and contemplation. An unforgettable day which triggered many headstones in my own personal interest in the

My revisiting of old favourites like Martin Middlebrook's "First Day of the Somme" and Geoff Dyer's "The Missing of the Somme" as well as showing a path to some potential new ones such as "In Parenthesis" by David Jones and W N Hodgson's "Before Action" – thank you BBC; how have the wonderful details of these works passed me by until now? And then there are the "Zero Hour Panoramas" by Jolyon Fenwick which bring a modern photographic perspective to the now benign landscapes of the Somme as annotated by those who were there – I commend them to you as a tongue-tied experience.

KENT (NORTH WEST)

Cllr Nicholas Bennett JP, a member of the WFA, is the Heritage and Design Champion for the London Borough of Bromley. Having noted the proposal for a 'Whistle for the Somme' in the March Bulletin (104) he proposed to the Mayor of Bromley, Cllr Ian Payne, that the Borough organise ceremonies to commemorate the occasion at the five major town centres in the Borough.

Following a press release by the Council, which was used in a number of the smaller free newspapers circulating in the Borough (although sadly not by the New Shopper

the most widely read paper) offers to similar commemorations were made members of the public.

Cllr Bennett prepared a one explanation of the significance of the to be read or adapted for the individual events. At each ceremony after the wh blasts there was a minutes silence followed by prayers led by representatives of the churches. The final tally was twelve separate events.

The Mayor led the short service at war memorial in Bromley and the Deputy Mayor at Orpington. Cllr Bennett, as local ward councillor, undertook the duties at West Wickham which was attended by Council's Chief Executive. At Beckenham the local MP Col Bob Stewart and local councillors conducted the service. Penge uniformed youth and army group took part and the TA was well represented at the Chislehurst Memorial. The Leader of the Council, Cllr Stephen Carr attended the Keston service which had actors in First World War Uniform and a series of coordinated whistles across the common.

"The idea for the Whistle on the Somme really captured the public's imagination and was a fitting tribute to the men who were killed or wounded on that first day and later in the battles that followed" commented Cllr Bennett.



Orpington ceremony with Deputy Mayor Cllr Hannah Gray.



Penge Air Cadets with local Councillor.



Keston Ceremony



West Wickham ceremony with Cllr Nicholas Bennett JP.

ACT OF REMEMBRANCE

SOMME 100

LEGION



Learning from the Somme

Keston War Memorial

in Honour of the 100th Anniversary of the Battle of the Somme

Canadian Expeditionary Force



Let us remember the brave men and women who fought and died for our freedom and the peace of the world.

REMEMBER

THE BATTLE OF THE SOMME

1916-2016

Living in Awareness & Gratitude to the Fallen

With Gratitude to the Canadian Expeditionary Force

1st July 2016

Website for the Somme

www.rbl.org.uk/somme100



Mytime Active Board

Cllr Nicholas Bennett

Governance

In December 2016, the Founding Chairman, Dennis Barkway, stood down from his position after 13 years of service. He was thanked by his fellow Trustees as well as employees across Mytime Active, many of whom knew him as an engaged and accessible Chairman. He was subsequently also thanked by the Council at a small reception in the Mayor's parlour.

The new Chairman of Trustees is Mark Oakley, Senior Partner in Judge Priestly. Mark has been on the Board of Mytime Active for 7 years and was previously Vice Chairman. It is excellent to have strong succession in place.

During the year, two new Trustees were appointed, strengthening the Board skills in IT and in community development. Other than the non-Council nominated Trustees, and including the Chairman, the Board is at its full complement.

Board meetings were held quarterly and covered matters of governance as well as escalation from the sub-committees, which met quarterly in advance of Board meetings. I serve on the Audit and Risk sub-committee and Cllr Tim Stevens was Chairman of the Operations and Quality sub-committee. In addition, there is a Finance and Investment sub-committee. The Board established an IT working group during the year to inform Mytime Active's IT strategy.

This year, the Board has decided to work without sub-committees other than Audit and Risk. This will enable the Trustees, some of whom are fairly recent appointments, to get to know each other in a working capacity, and strengthen their collective view of strategy and other critical matters.

Leisure Trust

Mytime Active submitted a full report to the Council on their activities in the Borough, which was considered by the Recreation and Renewal Scrutiny Committee in the autumn, and covered social impact as well as the use of the facilities managed.

The Council has agreed allocation of the investment fund of £673,000. Since then, Mytime Active investing in projects which enhance the Council's assets. Although the nature of some of the investment is complex, nevertheless it is anticipated it will all be complete by March 2018.

Mytime Active introduced new membership during the year, to encourage more people to be more active more often, and reduce barriers to leading more active and healthier lives. This included introducing a "family" membership for three or more people joint membership, costing under £25 each a month. They also introduced a combined membership across golf and leisure, providing excellent value for money in comparison to all competitors.

Mytime Active were delighted to support Team Bromley winning gold in the London Youth Games, and held an "Oscar" style reception at the Pavilion, with 3 local Olympic medallists interviewed, who genuinely inspired the young athletes.

The Board decided that Mytime Active should submit a bid to the Council to run the library service. Although the bid was not successful, Mytime Active remain keen to partner with the Council in other areas that contribute to improving the wellbeing of the local residents, with a particular emphasis on development of leisure facilities, programmes promoting healthy eating and physical activity, as well as arts and culture and other associated activities.

The Board has also taken a robust financial approach when deciding whether to bid for services in other parts of the country and has declined to bid where a surplus cannot be obtained.

Councillor Tim Stevens stood down from the Board in March 2017 after 7 years on the Board. I pay tribute to Tim for his wholehearted commitment as a Trustee and for his work on the Board and in chairing the Operations and Quality sub-committee.

To follow:

Bromley Youth Music Trust Board of Directors
Cllr Kate Lymer

Community Links Bromley
Cllrs Peter Fortune and William Huntington-Thresher