

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

Minutes of the meeting held at 7.00 pm on 8 June 2016

Present:

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

Also Present:

Councillor Graham Arthur, Councillor Julian Benington,
Councillor Stephen Carr, Councillor Peter Fortune and
Councillor Peter Morgan

**307 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
 SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillor Ian Dunn (who was replaced by Councillor Vanessa Allen, and from Councillor Sarah Philipps.

308 DECLARATIONS OF INTEREST

Councillor Simon Fawthrop declared in relation to the IT contract that he was employed by British Telecom, and in relation to the report on the Widmore centre that his wife was employed by Bromley Adult Education College.

Councillor Keith Onslow declared in relation to the Insurance Renewals report that he was a pensioner of Zurich Municipal and that he was employed for two days a week by the Royal Borough of Greenwich.

Councillor Vanessa Allen declared that she was a pensioner of British Telecom.

Councillor Julian Benington declared in relation to the report on the Biggin Hill Memorial Museum that he was a Trustee of the Museum Trust.

**309 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE
 PUBLIC ATTENDING THE MEETING**

No questions had been received.

310 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETINGS HELD ON 11TH AND 12TH MAY 2016 (EXCLUDING EXEMPT ITEMS)

RESOLVED that the minutes of the meetings held on 11th May 2016 and 12th May 2016 (excluding exempt information) be confirmed.

311 MATTERS ARISING FROM PREVIOUS MEETINGS
Report CSD16079

The Committee received an update on matters arising from previous meetings.

312 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions as first published on 17th May 2016.

Councillor Judi Ellis requested that ward councillors be consulted on the options for Bromley Valley Gymnastics Centre.

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

One question for written reply had been received from Councillor Tony Owen – this is attached as Appendix A to these minutes.

314 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report CSD 16080

The Committee considered the following reports on the part 1 agenda for the Executive's meeting on 15th June 2016.

(5) Provisional Final Accounts 2015/16
Report FSD16040

The report set out the 2015/16 provisional outturn at Portfolio level and Council-wide, and summarised the implications for 2016/17. More detailed reports would be submitted to individual PDS Committees. The report contained various recommendations concerning carry-forwards, central Contingency and Prior Year Adjustments, and a recommendation that Council should approve the transfer of £7,024k to the Growth Fund.

A Member suggested that the money proposed to be transferred to the Growth Fund should be used to support service budgets, but other Members supported using the Growth Fund to invest for the future. A Member commented on the excess of income over expenditure – what he referred to as profit. Officers responded that it was necessary to reduce costs, generate savings across all budgets, and if possible to take these savings early. A

Member commented that although savings were being achieved the adverse effect on services was not being recognised and staff morale was declining in many services.

The Chairman of the Contracts Sub-Committee, Councillor Stephen Wells, commended the proposal to build a contracts database.

RESOLVED that the recommendations be supported.

(Councillors Vanessa Allen, David Livett and Angela Wilkins requested that their contrary votes be recorded.)

(6) Capital Programme Outturn 2015/16
Report FSD 16036

The report set out the final outturn on capital expenditure and receipts for 2015/16. The Executive was requested carry forward £8k of the unspent capital budget on the block provision for emergency works to surplus sites.

RESOLVED that the recommendations be supported.

(7) Biggin Hill Airport LTD (BHAL) – Proposal to Vary the Operating Hours
Report DRR16/057

Biggin Hill Airport Ltd (BHAL) had responded to the various conditions stipulated by the Council before the operating hours of the Airport could be varied. The Executive was recommended to confirm that the Council's conditions had been met, to agree that a Deed of Variation be entered into and to agree that any sum received to reimburse the Council for its costs would be ring-fenced for any potential future costs for increased monitoring.

Under the terms of the lease, the Airport had to meet the reasonable and proportionate costs of its application to change the lease, and the Airport had stated that it was their intention to do so. The Chairman stated that it was important that there was no delay in payment being made. Costs included payments to consultants and counsel, but were primarily staff costs. Councillor David Livett requested officers to explain exactly how these expenses had been provided for in the accounts.

The Committee was given an update on the judicial review proceedings that had been started in the High Court in Manchester. The matter had now been transferred to the High Court in London, but it was not anticipated that it would be possible for the case to continue.

Members discussed the position breaches of the Airport's operating rules. The Airport was responsible for pursuing aircraft operators who broke the rules, but some Members suggested that the Council should be able to pursue payments from the Airport where breaches occurred. The Committee was advised that this would not be reasonable.

The Chairman suggested that the agreement needed to be more explicit that helicopters were included within the calculation of the cap on the number of aircraft movements. A Member commented that section 7 of the agreement on the limit of 50,000 movements was vague, and sought clarification of what precisely “the Council” meant in this context. It was confirmed that this would be the relevant part of the Member structure responsible for issues concerning the Airport – this was the Executive under the Council’s current constitution.

A Member suggested that the Safety and Noise Review Board should include at least two independent people.

RESOLVED that the recommendations be supported and the Executive be requested to consider the comments made by the Committee.

315 WORK PROGRAMME 2016/17
Report CSD 16081

The Committee considered it work programme for 2016/17.

RESOLVED that

(1) The work programme be noted.

(2) Councillor Russell Mellor be appointed to the Contracts Sub-Committee.

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

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

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

**317 EXEMPT MINUTES OF THE MEETING HELD ON 12TH MAY
2016**

The exempt minutes of the meeting held on 12th May 2016 were confirmed.

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

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

**318.1 INSURANCE RENEWALS 2016/17 - AWARD OF
CONTRACTS**

The Committee scrutinised proposals for the award of contracts for the Council's insurances.

**319 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
REPORTS**

The Committee scrutinised the following reports on the Executive's part 2 agenda for the meeting on 15th June 2016 –

- (14) Grant of Lease of the Widmore Centre to the STEP Academy Trust.
- (15) Biggin Hill Memorial Museum
- (16) The Glades Shopping Centre – Appointment of Professional Advisors
- (17) Gifting of the Mears Scheme to the Pension Fund
- (19) Temporary Accommodation: Trinity C of E Primary School and Castlecombe Primary School

The Meeting ended at 9.16 pm

Chairman

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EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

8TH JUNE 2016

7. QUESTION FOR WRITTEN REPLY

From Cllr Tony Owen to the Portfolio Holder for Renewal and Recreation

Will you please supply in tabular form all meetings that took place between BHAL and officers and/or members in relation to change of hours with the following information.

Date of meeting - Persons present - details of where minutes are held

Reply:

Please find attached the information requested on meetings that took place between BHAL and officers/or Members in relation to the change in hours proposal. No minutes of these meetings were made and the outcome of our discussions are contained in the Executive report and appendices.

Biggin Hill Airport Extension of Hours Application

Meetings between BHAL and officers and/or Members since Special Executive and Council Meeting 25th March 2015

Date	Meeting	Attendees
2015		
25 th March	Special Executive & Council meeting	Members/Officers/Members of the public
20 th April	LBB/BHAL meeting to discuss proposals and Council conditions	BHAL – Will Curtis, Andrew Walters, David Charles, David Gavin; LBB Home Team*
27 th May	Biggin Hill Demonstration of Noise Monitoring Equipment – at Biggin Hill	Council Members, Will Curtis and members of his team
11 th June	LBB/BHAL meeting to discuss proposals and Council conditions	BHAL – Will Curtis, Andrew Walters, David Charles, David Gavin; LBB Home Team*
30 th June	Biggin Hill Airport Focus Group Briefing	Council Members, Will Curtis and members of his team, Andrew Rogers, Dr. Hedley Pugh.
21 st August	LBB/BHAL meeting to discuss proposals and Council conditions	BHAL – Will Curtis; LBB Home Team*; Dr Chris Smith (LBB Consultant)
25 th November	Special Executive and Council	Members/Officers/Members of the Public
2016		
12 th February	LBB/BHAL meeting to discuss proposals and Council conditions	BHAL – Will Curtis, Andrew Walters; LBB Home Team*
1 st March	LBB/BHAL meeting to discuss proposals and Council conditions	BHAL – Will Curtis, Andrew Walters; LBB Home Team*
10 th May	LBB/BHAL meeting to discuss proposals and Council conditions	Cabinet Members, BHAL – Will Curtis. Andrew Walters; LBB Home Team*

* Biggin Hill “Home Team” refers to LBB officers: Marc Hume, Mark Bowen, Dr. Hedley Pugh, Andrew Rogers, Susan Fraser – some or all of these officers were present at the meetings referred to above.