

## **EXECUTIVE**

Minutes of the meeting held on 30 November 2016 starting at 7.00 pm

### **Present**

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

### **Also Present**

Councillor Simon Fawthrop and Councillor William  
Huntington-Thresher

### **118 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Peter Fortune.

### **119 DECLARATIONS OF INTEREST**

Councillor Colin Smith declared an interest at item 26 of the agenda as a Trust Member of the Aquinas Trust Advisory Council for St. George's CE Primary School.

Councillor Kate Lymer also declared an interest as a Trust Member of the Aquinas Trust Advisory Council for St Mark's CE Primary School.

Councillor Robert Evans declared an interest as a member of the board of a rugby club contracted to a company referred to in the Part 2 report at item 28 of the agenda.

### **120 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 18TH OCTOBER 2016 AND 1ST NOVEMBER 2016**

The minutes of both meetings were agreed.

### **121 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

Questions from Susan Sulis, Secretary, Community Care Protection Group and Mr Courtney Grant were received.

Details of the questions and written replies are at **Appendix A**.

## **122 BUDGET MONITORING 2016/17**

### **Report FSD 16069**

Members received a second budget monitoring report for 2016/17 based on expenditure and activity levels to the end of September 2016.

The monitoring report highlighted current projections of an overall net overspend of £7,377k on portfolio budgets.

Potential for a budget gap of over £20m in a further three to four years was highlighted unless significant financial savings could be made in the meantime; it was important to contain future cost pressures and identify savings early to mitigate the pressures.

Within Care Services officers monitored costs particularly closely. Work was continuing to reduce costs and projections were looking a little more positive e.g. Special Educational Needs (SEN). Although many budgets were volatile and demand driven, significant effort was being made to achieve savings with a number of work streams ongoing. It was particularly necessary to reduce costs in areas such as care services for adults and placement costs. It was also important to ensure sufficient resources in response to the OFSTED inspection of Children's Services during the summer.

The Leader thanked the Executive and Resources PDS Committee for its helpful scrutiny of the budget position on 23<sup>rd</sup> November 2016. It was necessary to have a follow-up of the budget position in January and the Leader asked that all Directors be present at the Executive's meeting on 11<sup>th</sup> January 2017. Following the Chancellor's Autumn Statement, the Leader also felt that it would be helpful for the Government to provide further detail (particularly in regard to social care costs faced by local authorities).

Cllr Fawthrop, Chairman of the Executive and Resources PDS Committee, sought re-assurance that the overspend currently projected would not materialise at year-end. It was necessary to respond positively to the OFSTED Inspection outcome of Children's Services but it was also necessary to focus on staying within budget. Cllr Fawthrop was expectant of an improvement in view of a new Executive Director of Education, Care and Health Services being appointed.

The Leader referred to efficiency improvements being made within Care Services including those related to procurement. At the Executive's January meeting it would be possible for the new Executive Director to outline his intentions to reduce costs. The Leader requested that Chief Officers attend Executive meetings to hear the views of Members directly.

### **RESOLVED that:**

**(1) the latest financial position be noted;**

(2) a projected net overspend on services of £7,377k be noted based on information at September 2016;

(3) comments from the Education, Care and Health Services Department, the Director of Education and the Executive Director of Environment and Community Services be noted as detailed at sections 3.2 and 3.3 of Report FSD 16069;

(4) a projected variation of Cr £3.4m in the Central Contingency be noted as detailed at section 3.4 of Report FSD 16069;

(5) a projected reduction to the General Fund balance of £5.4m be noted as detailed at section 3.7 of Report FSD 16069;

(6) a sum of £33k be released from Central contingency to cover the recent increase in employment tribunal work as detailed at paragraph 3.4.3 of Report FSD 16069;

(7) a sum of £97k for the Youth Offending Service be released from Central Contingency as detailed at paragraph 3.4.4 of Report FSD 16069;

(8) reports elsewhere on the agenda request the drawdown of a total of £1,574k from Central Contingency as set out at paragraph 3.4.2 of Report FSD 16069;

(9) the carry forwards being requested for drawdown from Central Contingency totalling £97k (net) be noted as detailed at section 3.5 of Report FSD 16069;

(10) the Prior Year Adjustment of £69k as detailed at section 3.6 of Report FSD 16069 be noted;

(11) the full year cost pressures of £4.8m as detailed at section 3.8 of Report FSD 16069 be noted; and

(12) an additional £80k funding related to the New Homes Bonus had been transferred to the Investment Fund earmarked reserve as detailed at paragraph 3.12.1 of Report FSD 16069.

**123 CAPITAL PROGRAMME MONITORING – 2ND QUARTER  
2016/17**

**Report FSD16080**

Following the second quarter 2016/17, Report FSD16080 outlined the current position on capital expenditure and receipts.

Concerning S106 receipts, a question was asked on the position with receipt of funds for the former Glaxo Smith Kline site. It was agreed to make further enquiries and provide a written update to Members.

**RESOLVED that:**

**(1) Report FSD16080 be noted including the re-phasing of £26,655k from 2016/17 into later years (see paragraph 3.3.7 of Report FSD16080) and a revised Capital Programme be agreed;**

**(2) the following amendments to the Capital Programme be approved –**

**(i) inclusion of an additional £106k funding from S106 receipts for Orpington Town Centre - Walnut Centre and New Market Infrastructure (see paragraph 3.3.1 of Report FSD16080);**

**(ii) a supplementary capital estimate of £52k to the Children's Services Performance Management I.T. capital scheme for the Eclipse system, offset by a corresponding reduction in the Social Care Grant scheme (see paragraph 3.3.2 of Report FSD16080);**

**(iii) deletion of £45k residual balance on Pavilion Leisure centre redevelopment and refurbishment, and Central Library/Churchill Theatre - chillers and controls – both schemes having reached completion (see paragraphs 3.3.3 and 3.3.4 of Report FSD16080);**

**(iv) Transport for London - Revised Support for Traffic and Highway Schemes (£657k addition to match the funding available - see paragraph 3.3.5 of Report FSD16080);**

**(v) Section 106 receipts from developers - net increase of £492k to reflect the funding available and remaining unallocated balance (see paragraph 3.3.6 of Report FSD16080); and**

**(3) Council be recommended to include a scheme for Land Acquisition, namely Cornwall Drive, in the Capital Programme with a budget of £2,709k (see paragraph 3.4.1 of Report FSD16080).**

**124 COUNCIL TAX SUPPORT/REDUCTION SCHEME 2017/18**

**Report FSD16070**

Outcomes were presented from the public consultation on Council Tax Support/Reduction (CTS/R) 2017/18 with authorisation sought to forward the scheme to Full Council for approval.

For the consultation, Members had previously agreed a minimum Council Tax liability of 25% for working age claimants (as for 2016/17) i.e. that CTS/R continues to be based on 75% of a household's Council Tax Liability.

The consultation closed on 2nd October 2016 with 960 responses having been received. A summary of responses to each question was appended to Report FSD16070 with a full report of the findings published on the Council's

website <http://www.bromley.gov.uk/CouncilTaxSupport>. Main findings were also summarised in Report FSD16070.

The Greater London Authority was also consulted with their views provided. Additionally, an impact assessment for Council Tax Support was provided.

Based on 2016/17 Council Tax levels and the current number of households receiving CTS/R, projected expenditure of the scheme for working-age claimants with entitlement to 75% of household Council Tax liability amounted to the following:

Minimum working-age CTS liability	25%
Total estimated annual CTS expenditure	£12.765m
Less GLA estimated proportion – 20.49%	£2.616m
LBB estimated annual CTS expenditure Costs – 79.51%	£10.149m

A sum of £100k per annum was additionally available for discretionary awards.

For those faced with exceptional circumstances, a hardship fund was available with details on the Council website. To help prevent homelessness, the Council's housing division was aware of the hardship fund.

A principle was now established that claimants should pay an element towards their Council Tax liability, providing a sense of belonging to the community. There was a fine balance on the level of minimum Council Tax liability and some authorities were levying a 30% liability. It was agreed to keep the level under review for the future but for 2017/18 it was agreed to support the recommendations in Report FSD16070.

**RESOLVED that:**

- (1) responses to the public consultation exercise be noted;**
- (2) the response from the Greater London Authority to the consultation documents be noted;**
- (3) the content of the Impact Assessment be noted; and**
- (4) Full Council on 12<sup>th</sup> December 2016 be recommended to adopt, for financial year 2017/18, a scheme retaining the calculation of entitlement for working-age claimants at 75% of household Council Tax liability -**

**the maximum assistance provided to a claimant of working-age thereby being 75% of his/her Council Tax liability.**

## **125 REPORT ON PROGRESS IN IMPLEMENTING CHILDREN'S SERVICE IMPROVEMENT ACTION PLAN**

Members were provided a brief oral update on progress with implementing the Children's Service Improvement Action Plan following the Ofsted inspection last May.

A full written report would be provided for the Executive's January meeting and in the meantime the new Executive Director of Education, Care and Health Services, Mr Ade Adetosoye OBE, would be starting with the Council on 1<sup>st</sup> December 2016.

The Children's Service Improvement Governance Board was now chaired by an independent professional (. Ofsted had visited on 8th and 9<sup>th</sup> November for its first formal monitoring of L B Bromley Children's Service since the inspection. Progress had been made in leadership and management but further improvement continued to be necessary on elements of practice.

The Leader of the Council, the Chief Executive, the new Executive Director of Education, Care and Health Services, and the Children's Commissioner for Bromley had also attended a meeting with the Children's Minister on 8th November 2016. Additionally, it was reported that the Children's Commissioner for Bromley would be continuing in her role for a further six months and would be reporting to the Minister at the end of May 2017.

## **126 UPDATE ON TACKLING TROUBLED FAMILIES (OUTCOMES/DRAWDOWN)**

### **Report CS17056**

The "Tackling Troubled Families" (TTF) Programme in Bromley was currently in Phase 2 of the national programme (2016/17 being Year 2 of the five- year Phase 2 programme) and agreement was sought to draw-down additional grant funding for TTF.

Although outcomes from the programme were difficult to quantify, officers felt professionally that TTF offered good value for money for Bromley families. Care Services PDS Committee supported the recommendations and officers would undertake further work on measuring outcomes. The Phase 2 programme also provided better co-ordination between agencies.

It was suggested that TTF might be a subject that could be considered further by a PDS Working Group and it was highlighted that some case studies had already been produced by officers.

The Leader asked that a further report on measuring outcomes be provided by the first quarter of next year. In the meantime Members **RESOLVED to**

**agree that a further sum of £610k be released from contingency for Tackling Troubled Families in 2016/17.**

## **127 HEALTH SUPPORT TO SCHOOL AGE CHILDREN**

### **Report CS17065**

Following the decision in February 2016 not to re-procure the current School Nursing service from April 2017, a detailed assessment of needs for school age children in the borough was undertaken with some risk areas identified. An executive summary of the needs assessment was appended to Report CS17065.

In response to the assessment, two new services were proposed for commissioning - a health safeguarding function for school age children (including targeted safeguarding of vulnerable groups) and a new nurse led team to provide strategic health support and training to schools. It was proposed start the new services, with an estimated contract value of £606k FYE (£303 k in 2017/18 and £303k in 2018/19), from 1<sup>st</sup> April 2017. Under the current contract to March 2017, school nursing expenditure comprised an annual sum of £957k.

With the new services designed to address health needs of school age children for whom the Council and Bromley Clinical Commissioning Group (BCCG) had joint responsibility, it was proposed to fund development of the Strategic Health Team and Safeguarding Nursing Support from the Better Care Fund for a period of up to two years. The new model would be evaluated in year one to assess its effectiveness and value to schools and discussions would be held with schools during 2017/18 to establish a sustainable funding model.

Pending evaluation and proposals for future service and funding, agreement was sought to draw-down the first year of funding (£303k) from the Better Care Fund at this point and any funding required for 2018/19 would be subject to a further report to Executive based on the first year evaluation. The BCCG supported the proposal.

Members supported the recommendations and **RESOLVED that:**

**(1) the services be funded for a period of up to two years from the Better Care Fund up to a maximum of £606k; and**

**(2) draw-down of the funding for 2017/18 from the Better Care Fund be agreed with any funding required for 2018/19 being subject to a further report to the Executive.**

## **128 CARELINK (INCLUDING TELECARE) SERVICE - UPDATE**

### **Report CS17066a**

Members were advised on tendering for the CareLink (including Telecare) service, a community alarm and response service for older and vulnerable residents via an alert activation 24/7 hours per day. The service supported an average of 1,700 service users at any time, assisting the Council deliver its statutory duty under The Care Act 2014 to support and promote wellbeing. It also helped to support people remaining independent in their home.

The tender did not result in a recommendation for award and it was proposed that the contracted elements of the existing service be competitively tendered with the the response service being retained in-house.

Exempt details related to the tender process and financial implications were covered in a further Part 2 report to Members as were details of the current commissioned elements of the service, including suppliers and costs.

Members supported the recommendations and **RESOLVED that:**

**(1) Option 3 be approved - that the supply, installation and maintenance of equipment are competitively tendered for a three year contract with an option to extend at the Portfolio Holder's and Chief officer's discretion for a further two years, and that the response service is retained in-house on a formal trading account;**

**(2) the spot purchasing arrangements with Red Alert Telecare Ltd for equipment installation services be continued, pending the result of competitive tendering; and**

**(3) the current contract with Tunstall Healthcare (UK) Ltd for the supply of equipment be extended for up to one year, pending the result of competitive tendering.**

## **129 DRAWDOWN OF HOMELESS CONTINGENCY NEEDS GRANT**

### **Report CS17055**

In updating Members on homelessness pressures and initiatives to reduce rising budget pressures, Report CS17055 sought approval for the release of £760k from central contingency for homelessness and welfare reform pressures.

The significant gap between affordable housing need and supply of social housing and affordable rented accommodation continued to increase.

Amongst measures to help reduce pressures, the Government had recently announced additional funding of £40m to support trailblazing innovative approaches to tackle and prevent homelessness and reduce rough sleeping.



In this context an early intervention prevention team had been developed and Members were asked to support the development of a bid in partnership with other South East London boroughs for the early intervention pilot to increase access to private sector accommodation and build resilience amongst those threatened with homelessness and repeat homelessness.

Concerning progress on *More Homeless Bromley*, Members were advised that five properties had now been let with the scheme expected to bring forward ten new units per month by the New Year; the target for this year was expected to be met and a maximum supply of 400 units was expected to be provided over the next three years. The Portfolio Holder for Resources added that of the five units now let, two were in Bromley and three in Maidstone. There were also a further 29 properties under offer. The Leader felt that it was necessary for the Special Purpose Vehicle (SPV) to draw down funds as soon as possible to acquire properties.

**RESOLVED that:**

- (1) a sum of £760k set aside in central contingency be released for homelessness and welfare reform pressures;**
  - (2) the current pressures being faced, mitigating actions underway, and likely budget impact going forward be noted;**
  - (3) the submission of a bid to assist in preventing homelessness under the recently announced funding initiative, *Homelessness Prevention Trailblazers*, be supported; and,**
- iv) the procurement considerations set out at section 8 to Report CS17055 be noted and agreed.**

**130 DRAW DOWN OF SECTION 75 FUNDING FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE BROMLEY OUT OF HOSPITAL STRATEGY**

**Report CS17072**

To provide non-recurrent investment into developing the Bromley out of hospital programme, Bromley Clinical Commissioning Group (BCCG) sought £7m for 2016/17 and 2017/18 from the Council's earmarked reserve for the Section 75 agreement. Developing the programme would significantly contribute to recurrent savings in excess of £24.713m over the two years, enabling BCCG to continue to meet its financial targets.

Bromley CCG had met its financial and savings targets over the previous three years (since inception) and, with release of the monies, was forecast to do so again in 2016/17. However, with significant income reductions over the next two years, the CCG and NHS faced a significant financial challenge and a requirement for major savings to meet financial targets going forward.

Developing the out of hospital strategy through Integrated Care Networks (ICNs) in Bromley was a key part in delivering savings. Work was progressing at pace on phase one of the strategy - introducing two new pathways in proactive care and frailty. Governance structures were also in place including Bromley CCG and L B Bromley (as commissioners) as well as major providers in Bromley, the latter signing up to the Memorandum of Understanding on key principles and objectives as well as metrics aligned to the CCG QIPP savings programme and Better Care Fund (BCF) targets.

Metrics and performance information would measure the impact of the networks on all parts of the health and social care economy in Bromley. Monitoring would allow commissioners to re-design the system where necessary, with mechanisms in place to shift funding to the most appropriate area or to effect changes mitigating any potential cost increases.

During the implementation period, the one-off investment would cover non-recurrent implementation costs, pump-priming investment and double running costs in the community and acute sector. Funding set aside by Bromley CCG in the section 75 agreement would cover such costs.

In discussion, the Council's actions in maintaining the earmarked reserve were highlighted without which the programme would encounter significant problems.

In considering the recommendations, Members proposed that Council approve release of the first tranche of monies for 2016/17 with any release of funds for 2017/18 referred back to the Executive for final approval.

**RESOLVED that in considering the release of £7m from earmarked reserves (Section 75 agreement monies), as requested by Bromley Clinical Commissioning Group (see paragraph 3.2 of Report CS17072), Council be recommended to:**

- (1) approve the release of funds for 2016/17 (at £3.5m); and**
- (2) request that a further report be provided to the Executive at a later stage to seek approval for the release of funds (at £3.5m) for 2017/18.**

**131        SPECIAL EDUCATIONAL NEEDS TRANSPORT -  
              AUTHORISATION TO PROCEED TO PROCUREMENT FOR  
              FRAMEWORK TRANSPORT CONTRACT**

**Report ED17022**

Statutory Special Educational Needs (SEN) Transport for children and young people was currently provided through providers operating under a framework contract with L B Bromley, the current framework having commenced in September 2015 for a four year period with an option to extend for a further two years.

The SEN Transport service had identified capacity and cost issues with providers on the current framework and it was proposed to procure additional providers via a new framework contract, operating concurrently with the existing framework. As there were no additional cost implications for operating a parallel framework it would operate within the existing service budget.

Following evaluation of new tenders, a further report would recommend providers to the parallel framework and seek authority to award contracts on the framework. By increasing the number of suppliers and competition for routes the new framework could possibly drive down the cost of routes but this was not guaranteed. It was also intended that the framework would cover both SEN and non-SEN transport services.

**RESOLVED that the commencement of procurement for a parallel framework of providers for SEN and non-SEN transport be approved.**

### **132 LOCAL DEVELOPMENT SCHEME 2016-18**

#### **Report DRR16/087**

Further to previous Council agreement of the Local Development Scheme (LDS) 2016/18 in January 2016, a new LDS outlined a revised timescale for preparing the Local Plan. In accordance with requirements, the LDS also included an updated timescale for review of the Bromley Town Centre Area Action Plan, an indicative timescale for preparing a local Community Infrastructure Levy, and a new Planning Obligations Supplementary Planning Document (SPD).

The LDS was appended to Report DRR16/087 and an updated Appendix 2 to the LDS was tabled at the meeting.

**RESOLVED that the Local Development Scheme for 2016-2018, as set out at Appendix 1 to Report DRR16/087, be agreed as the formal management document for the production of the Bromley Local Plan.**

### **133 PROPOSED QUIETWAY ROUTES IN BROMLEY - QUIETWAY DEFINITION PLAN STAGE**

#### **Report ES16059**

In a decision on 24<sup>th</sup> November 2016, the Deputy Leader and Portfolio Holder for the Environment approved two Quietway cycle routes in the borough enabling officers and Transport for London's delivery partner, Sustrans, to progress the routes to detailed design and implementation. The two routes comprised:

(i) Lower Sydenham to Bromley town centre (as part of Phase 2.2, joining the proposed Greenwich to Kent House Station route just outside the borough on Waterlink Way in L B Lewisham); and

(ii) the section of the Greenwich to Kent House Station route from Lower Sydenham Station to Kent House Station.

The decision enabled officers to sign-off the Quietway Definition Plan (QDP) for each route. TfL would then assess the routes for quality and best value and make a final judgment on whether to release funding for the schemes. If approved, a detailed design for both schemes would be prepared.

The Executive was asked to approve inclusion of the provisional scheme for the two routes within the capital programme.

**RESOLVED that the provisional scheme for the proposed Quietway Cycle Routes in the borough be added to the Capital Programme, at an estimated cost of £862.5k, to be fully funded by TfL.**

**134        FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY - CONEY HILL, OXTED, SURREY CLOSED LANDFILL MONITORING AND LEACHATE REMOVAL CONTRACT**

**Report ES16054**

A procurement strategy was proposed to tender for the maintenance, monitoring and aftercare of the closed landfill site at Coney Hill, Oxted, Surrey, assigned to L B Bromley in 1986 following abolition of the Greater London Council. The current seven year contract would expire on 27th July 2017 and it was proposed to let a contract for a further seven year period, with the option of a three year extension, and a further option to extend for an additional two years (following a best value review).

The site accepted no waste and was capped but generated landfill gas and leachate gas as the waste gradually degraded. Landfill gas was drawn from the site through a network of pipes and flared. Pipes also drew liquid leachate to a central lagoon from where it was tankered to an appropriate disposal facility. A network of gas and water monitoring boreholes outside the site boundary was used to check there is no leakage of the site's contents. It was also necessary to monitor the pipeline networks and equipment to ensure they operated appropriately, with the equipment maintained and repaired as necessary. Tankering and disposal of the liquid leachate at appropriate disposal facilities was the contractor's responsibility.

The Environment Agency monitored the site for compliance with environmental legislation and ensured the material remained contained without adversely affecting the surrounding environment. Based on analysis by the current contractor, estimates suggested that gas and leachate management/extraction would be required for a further 25 years, although volumes would reduce during the period, eventually falling to a minimal level. On confirmation of the site being effectively inert, the responsibility of L B Bromley would be fully discharged.

The two proposed extension options would allow the contract to be co-terminus with the wider bundle of Environment contracts being let in 2019. The total potential contract value amounted to £1,642,560, including both extensions.

An enquiry was made on whether the Council could achieve income from the site. Although it was particularly contaminated, investigations had previously considered whether methane could be taken but such an option was concluded to be unviable. Nevertheless, Cllr William Huntington-Thresher (Chairman of the Environment PDS Committee) highlighted an earlier suggestion of positioning solar panels on the site which would be considered.

**RESOLVED that:**

**(1) the procurement strategy set out in Report ES16054 be agreed; and**

**(2) the authority to extend the contract, as necessary, be delegated to the Executive Director of Environment and Community Services in consultation with the Portfolio Holder.**

### **135        AWARD OF THE PARKING SERVICE CONTRACT**

#### **Report ES16062**

Linked to a Part 2 report on the same matter (ES16066), Report ES16062 outlined the procurement process for re-tendering Parking Services. It also set out in principle the range of parking services and existing parking related contracts to form the basis of a new contract, along with information on the proposed contract term and performance management.

L B Bromley's current contract with Indigo (formally Vinci Park Services) was due to end in April 2017 and a new parking contract would include the following services:

- patrolling and enforcing on-street parking restrictions through the issue of Penalty Control Notices (PCNs);
- patrolling and enforcing council-owned car parks through the issue of PCNs;
- car park management and maintenance;
- equipment maintenance and management;
- cash collection from pay and display machines and pay stations in multi-storey car parks;
- school crossing patrols, part-funded by TfL and individual schools (schools would directly enter into contract with the successful service provider for school crossing patrols); and
- Business Processing Services i.e. post, scanning and printing.

A full list of services was appended to Report ES16062.

L B Bexley's current contract with NSL was also due to end in April 2017 (the contract including services similar to those for L B Bromley) and the Executive had previously agreed to parking services being procured in partnership with L B Bexley. Should L B Bexley award to the same contractor, further efficiencies would result although a separate contract would be drawn-up between each authority and the preferred company. A shared service would continue to manage parking services for both boroughs.

**RESOLVED that information outlined in Report ES16062 be noted in awarding a contract for the Parking Service for a term of ten years, effective from 3<sup>rd</sup> April 2017, as set out in the related Part 2 report (ES16066) on the matter.**

### **136 COUNCIL INFORMATION DISPLAY UNITS CONTRACT AWARD**

#### **Report ES16065**

Report ES16065 summarised provision for Council information display units, generating income for the Council and an opportunity to promote Council messages.

Traditionally double-sided units housing paper posters, digital technology would be used for the future and the Council would be allocated a share of the total time messages are displayed. There was also a provider preference for siting units in areas of high pedestrian footfall e.g. town centre locations rather than roadside sites with high traffic volumes.

Planning consent would be required for each site providing an opportunity for residents and others to comment on the units.

Members considered details of the tendering arrangements, evaluation process, and financial detail in Part 2 proceedings – the details being outlined in a corresponding Part 2 report (ES16067).

**RESOLVED that:**

**(1) appointment of a new provider for Council information display units be for an initial period of ten years with an option to extend for a further five years; and**

**(2) future income projections be totally dependent on the new provider successfully installing their display units and gaining the necessary permissions, including planning consent.**

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

There were no additional issues to be reported from the Executive and Resources PDS Committee.

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

**139        EXEMPT MINUTES OF THE MEETINGS HELD ON  
18TH OCTOBER 2016 AND 1ST NOVEMBER 2016**

The exempt minutes were agreed.

**140        REPORT ON THE OUTCOME OF TENDERS FOR THE  
PROVISION OF SERVICES TO SUPPORT THE DEPRIVATION  
OF LIBERTY SAFEGUARDS**

**Report CS17063**

Members considered the response to a tender exercise in relation to the Deprivation of Liberty Safeguards (DoLS) service along with recommendations related to future delivery of the service.

**141        CARELINK (INCLUDING TELECARE) SERVICE - UPDATE**

**Report CS17066b**

Further to Report CS17066a considered under Part 1 proceedings of the meeting, Members considered the related Part 2 report.

**142        AWARD OF THE PARKING SERVICE CONTRACT**

**Report ES16066**

Members considered Part 2 information concerning the tender evaluation for a new Parking Services Contract including recommendations for award of contract.

**143        CHISLEHURST LIBRARY RE-DEVELOPMENT**

**Report DRR16/089**

For the re-development of Chislehurst Library, Members considered a report setting out the Heads of Term for a Development Agreement with the Council's development partner.

*Executive*  
30 November 2016

**144        AWARD OF CONTRACT FOR CONSTRUCTION WORKS AT ST  
             GEORGE'S C.E. PRIMARY SCHOOL BICKLEY**

**Report ED17014**

Members considered the evaluation of tenders related to a capital scheme for expanding St George's CE Primary School and made a decision on award of contract.

**145        CAPITAL PROGRAMME MONITORING - 2ND QUARTER  
             2016/17 - APPENDIX E**

Related to the 2016/17 second quarter Capital Monitoring report (Minute 123), Members noted exempt details of the receipts forecast in the years 2016/17 to 2019/20 (inclusive).

**146        COUNCIL INFORMATION DISPLAY UNITS CONTRACT  
             AWARD**

**Report ES16067**

Report ES16067 set out details of tendering arrangements for the provision of Council information display units including details of the evaluation process, and financial detail for the proposed contract. An award of contract was made.

Chairman

The Meeting ended at 8.58 pm



### QUESTIONS RECEIVING A WRITTEN REPLY

#### **From Mr Courtney Grant to the Portfolio Holder for Care Services**

If you have a brain injury and significant communication disorders, but are an outpatient and do not suffer from a mental illness, you're not entitled to advocacy support from either Rethink or Advocacy First. How does this comply with the Care Act 2014?

#### **Reply**

Under the Care Act, as part of the assessment process, we have a duty to offer an independent advocate to a person where we have serious concerns that they have substantial difficulties in their ability to be fully engaged in the process, and/ or where there is no appropriate individual available to support and represent them or their wishes who is not paid or professionally engaged in providing care or treatment to the person.

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#### **From Susan Sulis, Secretary, Community Care Protection Group**

THE MAY 2011 MUNRO REVIEW OF CHILD PROTECTION  
(14 JULY 2011 Report DYCP 11085, para 6.5)

Professor Munro's Independent Review, commissioned by the Secretary of State for Education, recommended that there should be "protection of the roles of the Director of Children's Services and Lead Members from additional functions, unless there were exceptional circumstances"....

1. What were the 'exceptional circumstances' that led Bromley to disregard this recommendation?

#### **Reply**

As has been explained elsewhere the Council had regard to the Statutory Guidance in setting out its arrangements. The recommendations from the Munro Review is not the statutory guidance. The "exceptional circumstances" was not taken forward by the Secretary of State and not included in the statutory guidance.

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PROFESSIONAL ADVICE TO MEMBERS ON THE PROTECTION OF THE ROLES OF THE DIRECTOR OF CHILDREN'S SERVICES AND LEAD MEMBER FOR CHILDREN'S SERVICES.

2. What professional advice was given to Members on the implications of disregarding the Munro Review and the 2009 and 2012 Statutory Guidance on protecting the roles of the DCS and LMCS by:

- (a) The Chief Executive?
- (b) The Monitoring Officer?
- (c) The Director of Children's Services?

**Reply**

The Munro review in itself does carry specific legal weight and the Council had due regard to the statutory guidance.

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3. (a) Why wasn't 'pre-decision scrutiny' of the decision to merge the roles of the DCS and Director of Adult Services required?

(b) Did the Council make a submission to the September 2011 Government Consultation on the Revised Draft Statutory Guidance on Roles and Responsibilities of the Director and Lead Member of Children's Services?

**Reply**

(a) A similar question has been asked previously and it may be helpful to refer to the written reply provided to your Q1 at the Care Services PDS Committee meeting on 15<sup>th</sup> November 2016.

(b) I do not recall any formal response being made.

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