

LONDON BOROUGH OF BROMLEY

MINUTES

**of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 26 February 2018**

Present:

**The Worshipful the Mayor
Councillor Kathy Bance MBE**

**The Deputy Mayor
Councillor Kevin Brooks**

Councillors

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

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kathy Bance MBE

71 Apologies for absence

Apologies for absence were received from Councillor Richard Williams.

72 Declarations of Interest

Councillor Peter Morgan declared in relation to the Council Tax report that his daughter was a Director of the Council's contractor, Kier.

73 To confirm the Minutes of the meeting of the Council held on 11th December 2017

RESOLVED that the minutes of the meeting held on 11th December 2017 be confirmed.

74 Petitions

No petitions had been received.

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

Nineteen questions had been received from members of the public for oral reply. These are set out, with the answers given, in Appendix A to these minutes.

Eight questions had been received from members of the public for written reply. These are set out, with the answers given, in Appendix B to these minutes.

76 Oral questions from Members of the Council where notice has been given.

Twenty-two questions had been received for oral reply from members of the Council. These are set out, with the answers given, in Appendix C to these minutes.

77 Written questions from Members of the Council where notice has been given

Fifteen questions had been received for written reply from members of the Council. These are set out, with the answers given, in Appendix D to these minutes.

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

Councillor Graham Arthur, Portfolio Holder for Resources, made a statement on the annual pay award, recognising the need for staff to be rewarded and developed, the vital role of the Dep Reps Forum, and the need to reduce the over reliance on agency social workers. He also mentioned the £550k set aside for an apprenticeship scheme and the £500k allocated to the Bromley Youth Employment (YES) Scheme.

Councillor Arthur announced that, in addition to the 2% increase for all staff, the following increases would be recommended –

£700 per annum for staff on spinal points 4-7
£500 per annum for staff on spinal points 8-11
£330 per annum for staff on spinal points 12-15

He confirmed that, as in previous years, £200k would be set aside for additional awards for exceptional performance, and that as a gesture of appreciation all staff would be allowed an extra half day's holiday in 2018/19.

79 Budget and Council Tax Setting 2018/19
Report CSD18025

The Director of Finance circulated the following supplementary information and amended recommendations –

“Changes required to the Council Tax Resolution (recommendations from the Executive to Council).

There were no changes to the final Mayoral precept accepted by the London Assembly on 22nd February 2018.

Since the last meeting of the Executive, there have been further changes on levies and the final position is shown in recommendation 2.1 (d) below.

Members are requested to note that, since the last report to Executive, a further sum of £504k has been allocated from the Central Contingency into Portfolio budgets to reflect updated estimates of salary costs relating to the recommended 2018/19 pay award (agenda item 12).

It is important to note that the 2018/19 Central Contingency sum includes significant costs not yet allocated to Portfolio budgets at this stage. Therefore, there will be further changes to the Central Contingency to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget.

The above changes will require the following proposed amendments to be made to the recommendations of the Executive:

Amended Recommendation (2.1)

- (b) Approves the draft revenue budgets for 2018/19 to include the following updated changes:
 - (ii) a reduction of £504k in the 2018/19 Central Contingency to reflect allocations to Portfolio Budgets.
- (d) Approves the following provisions for levies for inclusion in the budget for 2018/19:

	£'000
London Pensions Fund Authority	455
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.)	245
Lee Valley Regional Park	314
Total	1,262

- (e) Approves a revised Central Contingency sum of £14,465k to reflect the changes in (b) and (d);
- (h) Sets a 3.99% increase in Bromley's council tax for 2018/19 compared with 2017/18 (1.99% general increase plus 2% Adult Social Care Precept) and a 5.1% increase in the GLA precept;
- (i) Notes the final position on the GLA precept, as accepted by the London Assembly on 22nd February 2018.

Amended Recommendation (2.2)

Council Tax 2018/19 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

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

	2017/18 £	2018/19 £	Increase £	Increase % (note #)
Bromley (general)	1,072.00	1,094.18	22.18	1.99
Bromley (ASC precept)	42.02	64.30	22.28	2.00
Bromley (total)	1,114.02	1,158.48	44.46	3.99
GLA	280.02	294.23	14.21	5.07
Total	1,394.04	1,452.71	58.67	4.21

- (#) in line with the 2018/19 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,114.02 for Bromley) – see paragraph 6 below.

Amended Recommendation (2.3):

- (4) Notes that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2018/19, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2018/19 sets out the principles which the Secretary

of State has determined will apply to local authorities in England in 2018/19. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.”

Councillor Colin Smith, seconded by Councillor Peter Fortune, moved acceptance of the recommendations, subject to the following additional amendments –

“After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 43-104.

The following changes be made to the recommended budget for 2018/19:

Amended Recommendation (2.1):

(b) Approves the draft revenue budgets for 2018/19 to include the following updated changes:

(iii) in addition to a flat 2% pay increase for all staff (as set out in agenda item 12 – 2018/19 Pay Award), agree a further increase of:

£700 per annum for staff on spinal points 4 – 7
£500 per annum for staff on spinal points 8 – 11
£350 per annum for staff on spinal points 12 – 15

The cost of this proposal can be met within the existing overall budget.

(iv) agree to provide short term assistance of £140,250 in 2018/19 by waiving rent charges for a period of 12 months whilst finalising the Council’s longer term plans in the ‘Strategy for the Older Person’. The funding relates to Bertha James, Saxon Centre, Rachel Notley and St Edwards day centres and will be met from underspends in the 2017/18 Central Contingency Sum.”

The following amendments were moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn –

“After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 43-104.

The following changes be made to the recommended budget for 2018/19:

Additional Recommendation (2.1):

- (I) Sets aside funding from the balance of the Investment Fund (£8.097 million Page 122) and the Invest to Save Earmarked Reserve (£16.403 million) to be invested in services over the years 2018/19 to 2021/22 broken down by year as follows:

	2018/19	2019/20	2020/21	2021/22
Investment	£3.5 million	£7 million	£7 million	£7 million

Labour Supplementary Information

The funding set out above is to be invested in the following areas:

- Housing, including development and provision of affordable and social housing, regulation of landlords and rented property;
- Audit all contracts over £200k per annum to ensure all are properly monitored and managed; review all contracts to ensure savings promised are being achieved. Review the 60:40 price:quality split where contracts are being re-tendered and give more consideration and support for services remaining or returning in-house;
- Road Safety, including the extension of 20 MPH zones;
- Improved recycling, including business recycling;
- Other environmental improvements, including clean air;
- Public Health;
- Invest in early intervention and preventative work in areas such as children's centres, youth services, CAMHS and public health services;
- Paying all staff the London Living Wage."

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

The following Members voted in favour of the motion -

Councillors Vanessa Allen, Ian Dunn, Peter Fookes and Angela Wilkins.

The following Members voted against the motion -

Councillors Graham Arthur, Douglas Auld, Julian Benington, Nicholas Bennett, Ruth Bennett, Eric Bosshard, Kim Botting, Katy Boughey, Lydia Buttinger, Stephen Carr, David Cartwright, Mary Cooke, Peter Dean, Nicky Dykes, Judi Ellis, Robert Evans, Simon Fawthrop, Peter Fortune, Hannah

Gray, Ellie Harmer, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, David Livett, Kate Lymer, Russell Mellor, Alexa Michael, Peter Morgan, Terence Nathan, Keith Onslow, Tony Owen, Angela Page, Ian F Payne, Sarah Phillips, Chris Pierce, Neil Reddin, Charles Rideout, Richard Scoates, Colin Smith, Diane Smith, Melanie Stevens, Tim Stevens, Teresa Te, Pauline Tunncliffe and Stephen Wells.

The following Members abstained -

Councillors Kathy Bance, Kevin Brooks, Alan Collins, Will Harmer, Tom Philpott, Catherine Rideout, Michael Rutherford, Michael Tickner and Michael Turner.

The following amendments were moved by Councillor David Livett and seconded by Councillor Terence Nathan –

“After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 43-104.

The following changes be made to the recommended budget for 2018/19:

Amended Recommendation (2.1):

- (b) Approves the draft revenue budgets for 2018/19 to include the following updated changes:
 - (iii) approves expenditure of £300k on professional fees and other costs associated with the introduction of a special purpose vehicle in 2018/19 to be met from a corresponding reduction in the 2018/19 Central Contingency.
- (e) Approves a revised Central Contingency sum of £14,165k to reflect the changes in (b);

UKIP Supplementary Information

The proposal is for a change of investment policy, such change to be validated and implemented within six months of the start of the budget year and enacted over an eighteen month period. The full financial impact of the change will be reported back to full Council prior to implementation. Funding will be used to commission professional advice associated with the introduction of a special purpose vehicle to:

- a) receive the proceeds arising from the disposal of investment properties, such proceeds being targeted as £130 million over an eighteen month period;
- b) administer the investment of those funds with residents of Bromley through a shared equity scheme that will invest in the

domestic property purchases of first time buyers who are long term residents of Bromley;

- c) manage those investment and funding activities including the administration of the property investments, cash flow, taxation and profit recognition and distribution.

The expenditure will be met by a reduction of the Central Contingency budget in 2018/19 leaving the budget for the year unchanged in total. The change of investment policy is prudently projected to be at least income neutral and the administration budget in future years is also unchanged in total.”

(At this point the Mayor drew attention to the fact that it was 10pm, and Members decided to continue the meeting for a further 30 minutes until the business was concluded.)

On being put to the vote, the motion was **LOST**.

The following Members voted in favour of the motion -

Councillors David Livett and Terence Nathan.

The following Members voted against the motion -

Councillors Vanessa Allen, Graham Arthur, Douglas Auld, Julian Benington, , Ruth Bennett, Eric Bosshard, Kim Botting, Katy Boughey, Lydia Buttinger, Stephen Carr, David Cartwright, Alan Collins, Mary Cooke, Peter Dean, Ian Dunn, Nicky Dykes, Judi Ellis, Robert Evans, Simon Fawthrop, Peter Fortune, Hannah Gray, Ellie Harmer, Will Harmer, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, Kate Lymer, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Ian F Payne, Sarah Phillips, Chris Pierce, Tom Philpott, Neil Reddin, Catherine Rideout, Charles Rideout, Michael Rutherford, Richard Scoates, Colin Smith, Melanie Stevens, Tim Stevens, Teresa Te, Michael Tickner, Pauline Tunnicliffe, Michael Turner, Stephen Wells and Angela Wilkins.

The following Members abstained -

Councillors Kathy Bance, Nicholas Bennett, Kevin Brooks, Peter Fookes, Will Harmer and Diane Smith.

Accordingly, the recommendations of the Executive, with the changes proposed by the Director of Finance and as moved by Councillor Colin Smith and seconded by Councillor Peter Fortune were **CARRIED** as follows –

That Council -

- (1) (a) Approves the schools budget of £76.771m million which matches the estimated level of Dedicated Schools Grant (DSG) after**

academy recoupment (an increase of £75k.)

(b) Approves the draft revenue budgets for 2018/19 to include the following updated changes:

- (i) as part of the final settlement, additional one-off funding of £744k was announced through a new Adult Social Care Support Grant. This sum will be held in the Central Contingency pending the receipt of awaited grant conditions. The utilisation of this funding will be subject to a further report to Executive.**
- (ii) a reduction of £504k in the 2018/19 Central Contingency to reflect allocations to Portfolio Budgets.**
- (iii) in addition to a flat 2% pay increase for all staff (as set out in agenda item 12 – 2018/19 Pay Award), agree a further increase of:**

**£700 per annum for staff on spinal points 4 – 7
£500 per annum for staff on spinal points 8 – 11
£350 per annum for staff on spinal points 12 – 15**

The cost of this proposal can be met within the existing overall budget.

- (iv) agree to provide short term assistance of £140,250 in 2018/19 by waiving rent charges for a period of 12 months whilst finalising the Council's longer term plans in the 'Strategy for the Older Person'. The funding relates to Bertha James, Saxon Centre, Rachel Notley and St Edwards day centres and will be met from underspends in the 2017/18 Central Contingency Sum.**
- (c) Agrees that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise any savings reported to the previous meeting of the Executive held on 10th January 2018;**
- (d) Approves the following provisions for levies for inclusion in the budget for 2018/19:**

	£'000
London Pensions Fund Authority	455
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.)	245
Lee Valley Regional Park	314
Total	1,262

- (e) Approves a revised Central Contingency sum of £14,465k to reflect the changes in (b) and (d);
 - (f) Notes that the 2018/19 Central Contingency sum includes significant costs not yet allocated and there will therefore be further changes to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget;
 - (g) Approves the revised draft 2018/19 revenue budgets to reflect the changes detailed above;
 - (h) Sets a 3.99% increase in Bromley's council tax for 2018/19 compared with 2017/18 (1.99% general increase plus 2% Adult Social Care Precept) and a 5.1% increase in the GLA precept;
 - (i) Notes the final position on the GLA precept, as accepted by the London Assembly on 22nd February 2018.
 - (j) Approves the approach to reserves outlined by the Director of Finance (see Appendix 4 to the report);
 - (k) Executive agreed that the Director of Finance be authorised to report any further changes directly to Council on 26th February 2018.
- (2) Council Tax 2018/19 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

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

	2017/18 £	2018/19 £	Increase £	Increase % (note #)
Bromley (general)	1,072.00	1,094.18	22.18	1.99
Bromley (ASC precept)	42.02	64.30	22.28	2.00
Bromley (total)	1,114.02	1,158.48	44.46	3.99
GLA *	280.02	294.23	14.21	5.07
Total	1,394.04	1,452.71	58.67	4.21

- (#) in line with the 2018/19 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,114.02 for Bromley) – see paragraph 6 below.

- (3) That Council formally resolves as follows:

1. It be noted that the Council Tax Base for 2018/19 is 130,004 'Band D' equivalent properties.
2. Calculate that the Council Tax requirement for the Council's own purposes for 2018/19 is £150,607k.
3. That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £529,211k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £378,604k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.
 - (c) £150,607k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
 - (d) £1,158.48 being the amount at 3(c) above, divided by (1) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- (4) Notes that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings.

Valuation Bands	London Borough of Bromley £	Greater London Authority £	Aggregate of Council Tax Requirements £
A	772.32	196.15	968.47
B	901.04	228.85	1,129.89
C	1,029.76	261.54	1,291.30
D	1,158.48	294.23	1,452.71
E	1,415.92	359.61	1,775.53
F	1,673.36	425.00	2,098.36
G	1,930.80	490.38	2,421.18
H	2,316.96	588.46	2,905.42

- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2018/19, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2018/19 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2018/19. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

The following Members voted in favour of the motion -

Councillors Graham Arthur, Douglas Auld, Julian Benington, Nicholas Bennett, Ruth Bennett, Eric Bosshard, Kim Botting, Katy Boughey, Lydia Buttinger, Stephen Carr, David Cartwright, Alan Collins, Mary Cooke, Peter Dean, Nicky Dykes, Judi Ellis, Simon Fawthrop, Peter Fortune, Hannah Gray, Will Harmer, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, Kate Lymer, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Ian F Payne, Sarah Phillips, Tom Philpott, Chris Pierce, Neil Reddin, Catherine Rideout, Charles Rideout, Michael Rutherford, Richard Scoates, Colin Smith, Diane Smith, Melanie Stevens, Tim Stevens, Teresa Te, Michael Tickner, Michael Turner Pauline Tunnicliffe and Stephen Wells.

The following Members voted against the motion -

Councillors Vanessa Allen, Ian Dunn, David Livett and Angela Wilkins.

The following Members abstained -

Councillors Kathy Bance, Kevin Brooks, Robert Evans, Peter Fookes, Ellie Harmer and Terence Nathan.

80 Capital Programme 2018/19
Report CSD18026

A motion to agree the inclusion of the new scheme proposals listed in Appendix C in the Capital Programme, and to agree the increase of £4.1m on Property Investment Fund scheme to reflect the funding from a recent disposal of property as detailed in paragraph 3.3.3 of the report was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED.**

81 Treasury Management - Annual Investment Strategy 2018/19
Report CSD18027

A motion to adopt the Treasury Management Statement and the Annual Investment Strategy for 2018/19 (Appendix 1 on pages 7-31 of the report), including the prudential indicators (summarised on page 31 of the report) and the Minimum Revenue Provision (MRP) policy statement (page 11 of the report) was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

82 2018/19 Pay Award
Report CSD18028

A motion to approve the following –

(i) a flat 2% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process), with the following further increases as agreed in the 2018/19 budget –

£700 per annum for staff on spinal points 4-7;
£500 per annum for staff on spinal points 8-11;
£350 per annum for staff on spinal points 12-15;

(ii) that the Trade Union's claims including the revised pay claim for staff be rejected;

and that it is noted that, as in previous years since coming out of the nationally/regionally negotiated frameworks, Bromley staff will receive the 2018/19 pay increase in time for the April pay, and that the Unions' revised summary pay claim be noted as set out in the report, was moved by Councillor Ian F Payne, seconded by Councillor Stephen Wells and **CARRIED**.

83 Pay Policy Statement 2018/19
Report CSD18029

A motion to approve the 2018/19 Pay Policy Statement was moved by Councillor Ian F. Payne, seconded by Councillor Stephen Wells and **CARRIED**.

84 Members Allowances Scheme 2018/19
Report CSD18030

A motion to agree the Members Allowances Scheme 2018/19 (with one amendment that payments for attendance at Licensing Sub-Committee and the Fostering and Adoption Panel should be paid monthly), and the Mayoral and Deputy Mayoral Allowances for 2018/19, was moved by Councillor Ian F. Payne, seconded by Councillor Stephen Wells and **CARRIED**.

85 Second report of the Education, Children and Families Select Committee 2017/18
Report CSD18023

A motion to approve the recommendations in the second report of the Education, Children and Families Select Committee 2017/18 was moved by Councillor Nicholas Bennett, seconded by Councillor Neil reddin and **CARRIED**.

86 To consider Motions of which notice has been given.

The following motion was moved by Councillor Alexa Michael, seconded by Councillor Michael Turner and **CARRIED**.

Mayor of London's Draft London Plan

"This Council notes with concern proposals to double Bromley Borough's housing targets and that several of the policies contained within the Mayor of London's Draft London Plan are contrary to national planning policy and guidance, especially the proposal to remove protection against development taking place on back gardens. This Council has exceeded its housing targets to date but believes that uncontrolled housing development will lead to significant long-term problems for our Borough. This Council therefore resolves to object to any Draft London Plan policy that runs contrary to national policy and guidance and to register our strong concern that arbitrary housing targets will lead to poor quality developments that will seriously harm the future of our Borough."

87 The Mayor's announcements and communications.

The Mayor reported that the annual Mayor's Quiz had been a great success and had raised approximately £1,200 for her two charities. She reminded Members that the Mayor of Bromley Awards 2018 would be held on 15th March, explained that although the dinner at the House of Commons on 22nd March was sold out a waiting list was being kept and thanked Members for their support.

The Meeting ended at 10.30 pm

Mayor