

TO MEMBERS OF THE COUNCIL

Notice is hereby given that a meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Wednesday 16 May 2018 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
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 9th April 2018
(Pages 3 - 42)
- 6 To record the election of Councillors for the respective wards of the Borough on 3rd May 2018 as set out in the notice attached.
(Pages 43 - 52)
- 7 To appoint a Leader of the Council for a four year term of office.
- 8 To receive the appointments of the Deputy Leader of the Council and other Members of the Executive from the Leader of the Council.
- 9 To receive an address from the Leader of the Council if they so elect.
- 10 To appoint Committees and their Chairmen and Vice-Chairmen and agree proportionality
(Schedule to follow)
- 11 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
(Pages 53 - 142)

- 12 Councillor Attendance 2017/18
(Pages 143 - 146)
- 13 Reports from Councillors Appointed to Outside Bodies in 2017/18
(Pages 147 - 154)
- 14 The Mayor's announcements and communications.

Agenda Item 5

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 9 April 2018

Present:

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

**The Deputy Mayor
Councillor Kevin Brooks**

Councillors

Vanessa Allen	Peter Fookes	Sarah Phillips
Graham Arthur	Peter Fortune	Tom Philpott
Douglas Auld	Hannah Gray	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
Lydia Buttinger	Charles Joel	Diane Smith
Stephen Carr	David Livett	Melanie Stevens
David Cartwright QFSM	Kate Lymer	Tim Stevens
Alan Collins	Russell Mellor	Teresa Te
Mary Cooke	Alexa Michael	Michael Tickner
Peter Dean	Peter Morgan	Pauline Tunnicliffe
Ian Dunn	Terence Nathan	Michael Turner
Nicky Dykes	Keith Onslow	Stephen Wells
Judi Ellis	Tony Owen	Angela Wilkins
Robert Evans	Angela Page	
Simon Fawthrop	Ian F. Payne	

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kathy Bance MBE

88 Apologies for absence

Apologies for absence were received from Councillors David Jefferys and Richard Williams.

Apologies for lateness were received from Councillor Pauline Tunnicliffe.

89 Declarations of Interest

Councillor Angela Page declared a pecuniary interest as an employee of the Local Government Association in relation to one of the public questions for written reply.

90 To confirm the Minutes of the meeting of the Council held on 26th February 2018

RESOLVED that the minutes of the meeting held on 26th February 2018 be confirmed.

91 Petitions

No petitions had been received.

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

Six 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.

Thirteen 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.

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

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

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

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

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

A statement was made by the Leader of the Council, Councillor Colin Smith, summarising the achievements over the last four years. He thanked Members and officers for their work during a period of unprecedented financial restrictions, mentioning the following achievements –

- The Mears Scheme, providing four hundred homes;
- The My Bromley online account;

- Implementation of local terms and conditions for staff, resulting in staff receiving the highest pay increases in London;
- The new Departmental Representatives Forum;
- The outstanding performance of the Pension Fund – best in the country over one, three, five and ten years;
- Remaining debt-free, one of only two Councils in London;
- In Public Health, reductions in teenage pregnancies and diabetes;
- The transformation of Children’s Services after the poor Ofsted report in 2016;
- Outsourcing of the Library Service, and provision of a new library in Penge, a new Bromley Exhibition at the Central Library and a new Biggin Hill Memorial Museum;
- Securing the long-term future of the Churchill Theatre;
- Transforming Bromley and Beckenham town centres;
- Promoting the Beckenham and Penge Business Improvement District;
- Decreasing landfill volumes, and 24,000 new customers for the green garden waste scheme;
- An award winning blue badge misuse campaign;
- An extra £12m invested in highways and pavements;
- The continued growth of Friends Groups;
- A successful Trading Standards Service;
- Producing a new Local Development Plan.

The Leader thanked the following Members who were standing down for their service to the borough –

Councillors Douglas Auld, Ruth Bennett, Eric Bosshard, Lydia Buttinger, Stephen Carr, Alan Collins, Peter Fookes, Ellie Harmer, Terence Nathan, Ian F. Payne, Sarah Phillips, Tom Philpott, Catherine Rideout, Charles Rideout, Tim Stevens, Teresa Te and Richard Williams.

Councillor David Cartwright added his particular thanks to Councillor Charles Rideout for his service to the people of Mottingham and Chislehurst North, and Councillor Ian F Payne thanked the Leader on behalf of all Members who were standing down.

96 Policy Development and Scrutiny Annual Report 2017/18
Report CSD18065

A motion to receive the Policy Development and Scrutiny Annual Report 2017/18 was moved by Councillor Simon Fawthrop, seconded by Councillor Keith Onslow and **CARRIED**.

97 Third Report of the Education, Children & Families Select Committee 2017/18
Report CSD18066

A motion to approve the recommendations relating to the third report of the Education, Children and Families Select Committee on the Impact of Early

Intervention Services was moved by Councillor Nicholas Bennett JP, seconded by Councillor Neil Reddin and **CARRIED**.

98 Fourth Report of the Education, Children & Families Select Committee 2017/18
Report CSD18067

A motion to approve the recommendations relating to the fourth report of the Education, Children and Families Select Committee on Early Years, Childminding and the 30 Hours Challenge was moved by Councillor Nicholas Bennett JP, seconded by Councillor Neil Reddin and **CARRIED**.

99 Annual SACRE Report for 2016/17
Report CSD18068

A motion to receive and note the annual report of the Standing Advisory Council on Religious Education (SACRE) was moved by Councillor Sarah Phillips, seconded by Councillor Keith Onslow and **CARRIED**.

100 Code of Conduct
Report CSD18060

A motion to amend the Council's Code of Conduct was moved by Councillor Ian F. Payne, seconded by Councillor Stephen Wells and **CARRIED**.

101 Local Pension Board - Appointment of Board Members
Report CSD18061

A motion to appoint two Employer representatives, Josepha Reynolds and Pinny Borg, to the Local Pension Board was moved by Councillor Ian F. Payne, seconded by Councillor Stephen Wells and **CARRIED**.

102 To consider Motions of which notice has been given.

No motions had been received.

103 The Mayor's announcements and communications.

The Mayor of Bromley Awards had been held on 15th March, and the Mayor stated it was a real privilege and a delight to present the awards to such worthy individuals and to meet with them and their families. The charity dinner at the House of Commons had been held on 22nd March and it had been a very enjoyable evening.

The dinner had sold out very quickly and as there were people who were disappointed at not being able to get any tickets, the Mayor had arranged a dinner at the Tamasha Indian Restaurant for Wednesday 18th April at 7.00pm. There was also an adventure golf morning on Saturday 21st April from 9am until 12 noon. Information had been sent out both events, and Members were urged to contact the office for any further information.

The Mayor thanked Members for their support, and she particularly thanked those Members who were standing down at the election for their service to the borough.

The Meeting ended at 8.45 pm

Mayor

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COUNCIL MEETING

9TH APRIL 2018

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

- 1. From Jason Colenso to the Leader of the Council** (to be put by Richard Lovell in Mr Colenso's absence)

Since 2013 Cllr Ellis has been LBB's representative as a Governor of Oxleas NHS trust. Oxleas say, until November 2017*, she attended just 1, out of 19, Governor meetings with only 5 apologies. Was the Leader aware and is this adequate representation on a critical health trust? Or is it indicative of LBB's attitude to mental health?"

**The last month for which information is available.*

Reply:

I was not aware of this and it does not reflect Bromley's attitude to mental health, and neither does it reflect Councillor Ellis' tireless work assisting on mental health over many years. She has a proven track record, probably second to none in this chamber.

I am advised that Cllr Ellis has had problems attending the many day time meetings, but has found the information invaluable in building up her knowledge of mental health service provision in Bromley and is able to compare this with the provision in neighbouring boroughs.

The meetings are well attended by the voluntary sector and service users and they provide relevant challenge to the providers.

Cllr Ellis sits on the health scrutiny committee for both Bromley and SE London and finds the information very valuable in that role, where Members hold Oxleas to account and challenge their service delivery.

Mental health is and always has been a priority for this Council. Cllr Ellis chaired a mental health advocacy charity for 5 years when not a Councillor and is the Council representative on Bromley Y and has regularly attended their evening meetings.

As a Council we are now working closely with our community mental health teams both to maintain residents in their homes but also to improve their in-patient care and discharge. The proposed health care changes recognise the need for both specialist mental health care but also a parallel health care plan for their physical needs.

- 2. From Dr Josh King to the Resources Portfolio Holder**

When was the last time a contractor was required to be replaced due to financial failure and what did the Council do?

Reply:

In 2017 a contractor went into liquidation who was building a small extension at Bishop Justus School. This was resolved by adding the remaining works to another contract for other school building works and the ESFA providing temporary accommodation for the school in the meantime.

Supplementary question

Dr Josh King did not have a supplementary question, but Councillor Angela Wilkins asked whether the Crystal Place Park Café was a more recent example, where the contractor had got into financial difficulties and another contractor had been appointed at an additional cost of £75,000.

Reply:

Councillor Arthur stated that if this was a later example he apologised for not having the most recent case, and he stated that if this was the case then there might be lessons to be learnt. Councillor Colin Smith added that Crystal Place Park was not within Councillor Arthur's Portfolio, but he confirmed that although there was a new provider with a marginal extra cost the business case showed that the Council would still be saving a significant sum over the years.

3. From Simon Jeal to the Education, Children and Families Portfolio Holder

In light of the investigations into children being groomed and subjected to horrific abuse on a massive scale in Rotherham, Telford and elsewhere, could the Portfolio Holder please confirm what actions have been taken to assess whether children in Bromley are likely to have become victims of such gangs?

Reply:

Children's social care works very closely with the Police, and has a co-located team called Atlas, which incorporates Police, social workers and staff, carrying out return home interviews when children go missing. Children who are subject to risks of sexual exploitation, or go missing from home or care, or at risk of exploitation from gangs are reviewed by multi-agency panels following which individual safety plans are put in place. It is important that we do not simply mark our own homework, so I thought it worth revisiting the report from the Ofsted monitoring visit which was conducted a few months ago – the focus of the visit was exactly this – services for young people at risk of sexual exploitation or going missing. Inspectors found that the service was making substantial progress in improving services for children and young people at risk of sexual exploitation, and some progress for those who go missing. No inadequate practice was found and aspects of good practice were identified in cases that were reviewed. Inspectors also acknowledged that the strong commitment from strategic partners, senior leaders and elected Members had resulted in priority action which had improved practice outcomes. This is an important issue and I thank Mr Jeal for bringing this up, and he is right to show concern, however, hopefully he can see that the rigorous scrutiny by Ofsted reconfirms this Administration's commitment to keep all of our children safe.

Supplementary Question:

I am very pleased to hear that the Ofsted report has shown that the service is improving, however, in a previous point in time between 2012 and 2016 services were inadequate. What efforts have been made by the Council to ensure that children and young people in looked after services and at risk in the Council's care during that period have been supported and protected from any risk they may have faced due to the Council's inadequacies?

Reply:

There was extensive work done to go back through those children who were under our care during that time and there has been extensive work to ensure that they are safe. Going into specifics of what we have done with the staff to focus on this, all children's social work staff have been trained in CSE, the YOS work with the gangs Police has ensured that themes are identified, vulnerable adolescents, which sit under the auspices of the Children's Safeguarding Board through the MASH discusses the themes and examines this, so I am confident that during that period where we could have done better we have picked up some of those loose ends. We have been recognised by external agencies, including Ofsted. The National Director of Social Care made a visit to Bromley to look at what we have done since that time, moving from where we were as Inadequate to our ambitions to be Good and better and being held as an exemplar to other Councils, like Croydon, who have had substantive failings in their Children's Services. We are happy to assist them to show that our journey to excellence is one that other boroughs can copy.

4. From Julie Ireland to the Education, Children and Families Portfolio Holder
(As Ms Ireland was not present a written reply would be sent.)

What percentage of social workers employed in Bromley's Children's Services are on permanent contracts, and what percentage are temporary?

Reply:

(To follow)

5. From Simon Jeal to the Care Services Portfolio Holder

The draft Bromley homelessness strategy report indicates some of the key messages that came from its consultation were that "The public felt that the best way to reduce homelessness is to reduce cuts and increase housing" and that "more affordable homes need to be built in the borough". Does the Portfolio Holder agree?

Reply:

The responses to the consultation indicated overwhelming support for the four strategic aims of the strategy. These centre on early intervention and prevention of homelessness, improving access to and promoting the supply of accommodation that is affordable across all housing sectors and to promoting health, wellbeing and resilience to break the cycle and reduce the risk of homelessness.

The detailed action plan supporting the Homelessness Strategy sets out the full activities being undertaken to implement these strategic aims and demonstrates the

continued investment in services in particular relating to early intervention and prevention.

Supplementary Question:

Mr Jeal did not have a supplementary question, but Councillor Angela Wilkins

6. From Simon Jeal to the Leader of the Council, to be answered by the Resources Portfolio Holder

Could the Council Leader please comment on the gender pay gap figures published by the London Borough of Bromley Council? In particular on figures showing women's mean hourly rate was 16.5% lower than men's for the period and how this compares to neighbouring boroughs such as Lewisham, Croydon and Bexley.

Reply:

The Council is now required to publish its gender pay report annually which involves publishing a number of different statistics including the mean pay gap, median pay gap, mean bonus gap, median bonus gap and % of men and women within each pay quartile.

Following the on-going public debates and interests, It is important to make clear from the onset that, contrary to how the figures are being presented and interpreted nationally, gender pay gap is not the same as equal pay gap. The latter, which is unlawful and discriminatory, simply means unequal pay for equal work i.e. like for like work or work of equal value by men and women.

The Council successfully carried out an equal pay audit with the cooperation/ agreement of staff representatives commonly referred to as "Single Status" or "Harmonisation of Terms and Conditions of Service" in 2009/10. It was based on a lengthy proper analytical examination of roles and grades in the organisation to ensure staff on a like for like roles or comparable roles were comparably paid and they were graded equally irrespective of their gender, or any other protected characteristics for that matter. The Council's equal pay audit was legally compliant and unlike some Councils, both in London and across the country, the Council successfully rebutted challenges from the so-called 'No win No fee lawyers' or Ambulance chasers. Some Councils had to pay millions out in compensation following costly protracted litigations in court. Bromley Council has not lost any equal pay claim to date.

The Council's gender pay gap is 16.5%. Actually, it is about 11% when you take into account merit payments, because they have been going mainly to female staff, disproportionately, so it is narrower than you would think. If you look at the recent appointments that have been made at high level the figure for the current year will be in single figures, so it is of diminishing size. That makes it lower than the national average of 18% but higher than in some neighbouring authorities. The Bexley rate, for example, is 7.9%; Croydon's is the other way at -1.6%, in other words the average female pay is higher than the average male's, and in Lewisham it is the same at -10.9. Those are the figures you have asked for; what you construe from that is left to individuals to work out.

Supplementary Question:

Over three quarters of the Council's staff are women based on the figures in the return, but the data shows that women are over-represented in the lowest paid quartile of staff and underrepresented in the highest quartile. As Councillor Owen noted in the Evening Standard last week, all the directors are male. What is the Council's action plan to address these gaps and ensure that women are fairly paid and able to progress to all levels in the Council?

Reply:

That statistic is absolutely not true. We have two female directors, and one of them is the highest paid director in the Council. You need to be very clear about what you are saying, you cannot just repeat what is said in a newspaper article. We have five women employed on temporary contracts at high level, and when those contracts are converted to permanent contracts this year the figure will be in single figures.

Additional Supplementary Question from Councillor Vanessa Allen:

It was not just any newspaper article, it was someone sitting in this room calling this meaningless dogma. I would like to have more reassurance from the Portfolio Holder that he is taking this seriously. We know that Bromley has a higher proportion of women on lower salaries and that is probably reflected in the merit payments as well. I do not think that we can pretend that there is nothing to do here and we would like to see more firm plans.

Reply:

I think that the bald figure is indicative of all sorts of things that we might want to think about, but what is important to me is that the route to senior positions is equally open to male and female members of staff. That is why we are investing so much money in training staff to prepare them so that they can do their own job better, but also so that they can be advanced. There is also, perhaps, a need in the longer term to look at flexible working and other arrangements that would make it more friendly for female staff. I do believe that there is no evidence whatsoever that we do not pay the fair rate for the job, regardless of gender.

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COUNCIL MEETING

9TH APRIL 2018

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Colin Willetts to the Environment Portfolio Holder

Noted all week ending 23/3/18 vehicle (school pick up) parking outside 115-117 Leasons Hill obstructing sight lines for school crossing person, would the Portfolio Holder install yellow zig zags (as per school side) or DYL markings to counter this persistent obstruction?

Reply:

Officers will discuss the operation of the School Crossing Patrol with the school in respect to the forthcoming changes to the school gate location. Consideration will certainly be given to adding parking controls where it will help improve safety.

2. From Colin Willetts to the Environment Portfolio Holder

Could the Portfolio Holder (i) reinstate & post off heavily over run verge opposite 275 Chipperfield Road? & (ii) following use of cul de sac for grab lorry spoil removal by JDT contractors the edge of amenity green 238-242 Chipperfield Road has incurred severe over runs, could you contact for 'quality' reinstatement or charge them for LBB to carry out the necessary work?

Reply:

The Highways team are currently investigating these issues and will arrange for any necessary repairs to be undertaken. Options for protecting the verge by the use of bollards will also be considered to prevent similar damage in the future.

3. From Colin Willetts to the Environment Portfolio Holder

Would the Portfolio Holder address for reinstatement (i) 40 foot long 8 inches deep x 3 over runs on grass area outside 33 Lullingstone Crescent? (ii) reinstate grass area via a firm standing on grass area (adj sewer drain) opposite 3 The Green due to Veolia waste collection lorry causing over runs in this narrow cul de sac?

Reply:

- (i) Lullingstone Crescent – We were aware of this location, this damage was caused by a skip company working on behalf of Clarion Housing. The skip company was contacted and accepted full responsibility for the damage and have given assurances they will rectify it. We have been assured that the issue will be rectified by Friday 13th April 2018.
- (ii) 3 The Green –We were also aware of this location. At present we are unable to evidence who the perpetrator of the damage to the grass verge was. We will investigate further but if no fresh evidence is forthcoming we will have to absorb

the cost for remedial work within our GM budget. Please can you provide any information you have on the perpetrators.

4. From Chloe-Jane Ross to the Environment Portfolio Holder

In 2017 and so far this year how many of the following have there been? Successful fly-tipping prosecutions, litter fines issued and clean up enforcement notices issued.

Reply:

- 180 Fines for littering
- 22 Fines issued for fly tipping
- 9 Successful prosecutions

5. From Chloe-Jane Ross to the Leader of the Council

Is Bromley Council a member of the Local Government Association? If not then when was Bromley Council last a member and why was membership ceased?

Reply:

No.

1st April 2003.

To save money.

6. From Chloe-Jane Ross to the Renewal and Recreation Portfolio Holder

How many Planning Officers are currently in employ (full-time-equivalent) and are there any vacancies?

Reply:

There are 61 planning officer staff (full-time-equivalent) and overall no net vacancies as we have temporary cover. This figure includes planning technical and support staff.

7. From Alison Davis to the Care Services Portfolio Holder

How many homeless Bromley families/people have been rehoused in the Medway towns in 2017 and so far in 2018.

Reply:

A total of 189 households have been rehoused into accommodation within the Medway Towns as follows, 154 households during 2017 and 35 households in 2018 year to date.

8. From Alison Davis to the Resources Portfolio Holder

Would the Portfolio Holder agree that if one person is disenfranchised by the Council's Voter ID project, it is one too many?

Reply:

The Bromley Pilot includes 29 acceptable types of ID and the ability to apply for a certificate of identity (if a person cannot satisfy the ID requirements), or a postal vote or to appoint a proxy. There is no reason that any individual should be disenfranchised unless they actively take steps to disenfranchise themselves. The Pilot provides reassurance around the integrity of the voting process and I am sure the questioner will agree that one person voting when they are not entitled to is one too many.

9. From Alison Davis to the Resources Portfolio Holder

Would the Portfolio Holder share the evidence and analysis that led to the selection of acceptable ID documents for the Councils Voter ID project?

Reply:

The Bromley Pilot includes 29 acceptable types of ID and the ability to apply for a certificate of identity, or a postal vote or to appoint a proxy. All pilots differ in the type of ID. Forms of identity were agreed with the Cabinet Office which are used for identity purposes for the Individual electoral registration process, Royal mail recovery, Money laundering regulations and which are routinely carried by many residents.

10. From Rich Wilsher to the Resources Portfolio Holder

Why were Young Persons Railcard and 16+ Oyster Card excluded from the list of acceptable Voter ID, whilst the Freedom Pass and 60+ Oyster Card was included?

Reply:

The Bromley pilot includes a wide choice of identity information which is available to young people including the Pass scheme card. The scheme also does not include the senior persons railcard. The Bromley pilot includes all the identity documents that a person needs to obtain e.g. a Young person's railcard plus another 25 forms of ID. The Equality Impact Assessment recognised issues with elderly voters and additional ID was included to address that.

11. From Rich Wilsher to the Resources Portfolio Holder

How much in pounds of the Council "Property investment fund" has been invested outside of the borough so far in 2018 and what were those investments?

Reply:

No investments have been purchased outside the borough so far in 2018.

12. From Rich Wilsher to the Renewal and Recreation Portfolio Holder

How much in pounds has the Council spent on legal costs and external consultants in regard to Bullers Wood School for Boys?

Reply:

The cost of a transport consultant was £8,366. The only other relevant costs are Legal fees where Counsel's fees are commercially sensitive and we do not propose to disclose the fees at this time.

13. From Ian Catchpole to the Environment Portfolio Holder

What plans do the council have to allow parking meters in Crofton Road, Farnborough High Street and Crescent Way to accept the new £1 coin? How many of the parking meters across Bromley accept the new £1 coin?

Reply:

All machines accept new £1 coins since April last year.

COUNCIL MEETING

9TH APRIL 2018

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

1. From Cllr Russell Mellor to the Renewal and Recreation Portfolio Holder

Whilst I thank Councillor Morgan for his written reply to my oral question at the last Council meeting, may I enquire as to number of 56 day prior applications which have been received in the last four years and the number which were determined by a planning Committee?

Reply:

A total of 367 '56 day' prior approval applications were received by the Council since 01.04.2014. Of these 22 were considered by a planning committee (about 6%).

For clarity there are other prior approval applications which include different determination periods and in addition during that period there were also: 28 x '28 day' prior approval applications (for agricultural development or demolition of a building) of which 2 were considered at planning committee; and 1,321 x '42-day' prior approval applications (for larger householder extensions) of which none were considered at planning committee.

Supplementary Question:

Can he inform me of any directions he has given to increase the Member involvement in these decisions?

Reply:

This question has not arisen so far, but as it has arisen now I will look into it.

2. From Cllr Ian Dunn to the Leader of the Council

What do you consider are the main functions of the Internal Audit Department in a Commissioning Authority?

Reply:

The Council's independent Internal Audit function, which meets its statutory duties, will through its risk-based approach to work, provide assurance to the Council's Audit Sub-Committee and senior management on the higher risk and more complex areas of the Council's business.

In a Commissioning Council, Internal Audit provides assurance that managers are using the recognised process to complete a business case aligned to the Council's strategic objectives.

Internal Audit reviews the supplier selection process and assesses whether the Council has adequate and effective policies and procedures for procuring and

tendering. Compliance to these policies and procedures are measured and confirmed.

Internal Audit examines the contract management and performance arrangements in place when a contract is operational.

Internal Audit's objectives include supporting a positive culture of internal control improvement, effective risk management and good governance.

Supplementary Question:

What would you say as Leader of the Council to a Portfolio Holder when the management of the biggest contract in his or her portfolio has just received an internal audit with an opinion of limited assurance and fifteen priority one recommendations for improvement?

Reply:

That is exactly what Internal Audit are there for and it proves that they are doing their job.

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

Could you please explain the delays in awarding the nursing care beds contract which was only agreed at last week's Executive?

Reply:

Subsequent to the Care Services PDS meeting on 14th November, I was alerted to the fact that a care home provider who was in the process of being considered for the nursing beds contract had received Required Improvement notices from the CQC.

As a result, I advised my Executive colleagues that we should not proceed with the award of the contract until such time that the Council's contract monitoring team could confirm that the required remedial action had been taken and the provider was once again operating to the required higher standard. Postponing the decision enabled members to be re-assured that these issues of concern have been addressed before awarding the contract.

As part of this process, Officers visited the homes, spoke to residents, spoke to relatives of residents, had conversations with the CQC and met with the provider to review the delivery of their action plan. It was prudent and wise to delay this as the safeguarding of our most vulnerable residents is paramount.

Having since received that reassurance from the Director of Adult Care Services, who is the statutory director responsible for safeguarding older people, I was in a position to update and advise Executive colleagues that the reported issues had since been addressed, as well that the Homes in question were likely to be assessed more positively at their next CQC inspection, meaning that the Contract could be awarded.

Supplementary Question:

I am pleased that the process was halted. Why was the contract awarded, given that the second home was inspected in January and found to be inadequate.

Reply:

It is important when considering how care homes are rated that there is often a significant interval between CQC inspections and CQC inspection reports being published, during which time a significant amount of work is undertaken by providers and the local authority to implement any improvement measures. The actual assessment of the home that Councillor Wilkins is referring to was undertaken in December and in between times there was a considerable amount of work that was taken on by our quality monitoring team and the provider. There has been a strong response from the provider's management to make the improvements required, with a number of service improvements being identified and implemented. The provider has added management capacity and commissioned an independent audit. The resulting report has been shared with us and action points identified and incorporated into the provider's action plan. In addition, our contracts monitoring team has carried out additional quality assurance visits to ensure that the relevant improvements were on track. I believe that it is a sign of a responsible local authority to pause the award of a contract where there have been concerns raised by an inspecting body, our own contracts teams or feedback from scheduled visits undertaken by Care Services PDS Members. I think that it is essential that we do that and I make no apology for the fact that this Administration is seeking to ensure that Bromley residents have access to good quality care and that we therefore require that our nursing homes have a rating of Good.

4. From Cllr Vanessa Allen to the Environment Portfolio Holder

Government is being urged to bring forward the ban on petrol and diesel cars, at the same time as superfast charging points are becoming available and there are already funding schemes for the installation of on street charging points. As the Portfolio Holder is aware, demand is growing for electric charging points in areas where many houses do not have off street parking, such as my own ward of Clock House. What will he do to ensure that my residents and those in similar areas in other wards are able to take advantage of this new technology?

Reply:

As Cllr Allen will be aware, as her ward colleague sits on the Environment PDS, this issue was reviewed as both a policy development and scrutiny item in January this year. Following that meeting, in February, I issued a press release on EV charging and asked all residents considering an electric or electric hybrid vehicle to contact us. Although that only yielded four replies we are following them up together with previous enquires to establish more details about how they wish to charge their car.

The latest position is that we currently have twenty charging points across the borough. The latest figures showed that on average there were only two charging sessions used per day across the whole twenty bays – i.e. less than six hundred sessions per year. We are in the process of consulting ward members on a further twenty four charging points – as you know, three of those are in Clock House ward. We were also only the second London borough to install taxi charge points – those

around Bromley South Station. The technology is rapidly evolving – the EV charge points about to be installed will fully charge a car in an hour or two. I am also liaising with other London Councils on Ultrafast charging technology, that is, technology that will fully charge a car in about ten to fifteen minutes.

The location of the charge points were chosen in conjunction with Source London, the pan London supplier of EV charge points based on known users of EV charge points. We are acutely aware that the areas under heaviest parking stress are also the areas where there might be more demand for on street charging, however due to that parking stress we are also wary of blocking off parking bays until we see there is a high enough concentration of electric car drivers in that area.

Supplementary Question:

I received a press release but I do not think that all owners of electric cars would have seen it – it was a press release, not a proper PR exercise. I know that charging points are being proposed for Ravenscroft Road and I am curious about whether that is in response to requests from residents or what the decision making process was that you have just alluded to. I know of at least one resident in our ward who has given up on getting a car because there was no feedback about on-street charging and I would have hoped that there might be electric charging points installed in roads where people did have electric vehicles. I am curious about the decision making regarding Ravenscroft Road and what has happened to the people who have already asked for charging points in other parts of the ward, because this may be being repeated in other wards.

Reply:

The Source London membership is people who are using on street EV charging points. I have looked at the locations of their members (dots on a map, rather than names and addresses for data protection reasons.) The two addresses that you have highlighted do not appear on the maps and they do not appear to be addresses where residents are using on street EV points. As reported at Environment PDS Committee, these charge points have been installed by Source London and they have been installed based on concentrations of users – i.e. where the people who have signed up to access on-street charging are living. The current technology will charge a car in an hour or two, and we want to make sure that those bays are going to be used for most of those times, because each session is going to be of the order of an hour or two, with twelve to twenty four sessions available a day.

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

What research has been conducted into the effectiveness and economic viability of establishing a Material Recovery Facility to enable co-mingled waste collection as opposed to separate waste collections?

Reply:

Within a fully co-mingled system all recyclable materials as well as residual waste materials would be collected within the same container and the fully collected waste would be processed at the Material Recovery Facility. Facilities of this nature are rare and the potential risk in having sufficient capacity to deal with this waste materials is

limited and the percentage of recyclates that are able to be extracted from this process is limited.

Technologies that have the capability to extract recycling from black bag rubbish already exist e.g. Mechanical Separation Facilities and Mechanical Biological Treatment, which I did forward to you last week. However, the recycling that is extracted is of a lower quality than recycling from separate recycling collections and this reduces both the economic and environmental benefits that can be gained. Under the Waste Regulations 2012, we are required to provide a separate recycling collection for at least paper, glass, plastics and metal where it is technically, environmentally and economically practicable to do so. We do, however, optimise every potential to further extract recyclates from waste and have sent over 17,500 tonnes of 'black bag' waste to a Mechanical Biological Treatment facility in 2017/18.

As a Council we monitor innovations to see if any can provide a benefit to Bromley. A recent study indicated that the Bromley system was the most cost effective waste service in the study in London and delivered an excellent rate of recycling. The current procurement of a new waste collection contract provides an opportunity to consider any alternative recycling collection systems that the market place consider to have an economic and environmental value to Bromley.

6. From Councillor Peter Fookes to the Education, Children and Families Portfolio Holder

What representations has he made to the Secretary of State to ensure that local authorities have a key role in determining the location of new schools in the borough?

Reply:

I am happy to remind Councillor Fookes that the role of opening new schools and finding new sites is the responsibility of the Department for Education through the Education and Schools Funding Agency and it has been that way for about eight years now.

Supplementary Question:

I note that we seem to have found a temporary solution to the problem of the site for Bullers Wood Boys. Is it not absolutely ridiculous that a Government that is in favour of abolishing quangos all of a sudden is quite happy to give resources and responsibility to the Education Funding Agency which is unaccountable to local residents?

Reply:

When the academy programme started under the Labour government and Lord Adonis some of the process was to ensure that local councils met their statutory responsibility to ensure that there were sufficient school places. We are happy to report in Bromley that we are well on our way to achieving that by 2020/2022. We do work closely with the Department for Education, we do feed back our view around where we think there is need for certain school places in the borough. Through the draft Local Plan we put spaces and sites for them to choose.

With the recent issue around Bullers Wood School, we have had some really positive meetings with the ESFA subsequent to that to talk about how we can do things better in the future, and I am happy to say that we are working very positively together and there is a communications plan that we are working on to ensure that there is proper dialogue as we move forward.

7. From Cllr Tony Owen to the Renewal and Recreation Portfolio Holder

The report on Biggin Hill Memorial Museum presented to R&R PDS on 5th July 2017 and Executive on 19th July states at paragraph 3.4 that funding is in place to deliver THE SCHEME. At paragraph 3.19 it states that PHASE 1 delivers the BASIC SCHEME and that PHASE 2 will see the FULL SCHEME implemented with the delivery of the learning space and wall. It says no funding is identified for this phase.

Can you please -

- (i) Confirm that the full £2 million treasury grant only requires PHASE 1 to be completed and is not conditional on the full scheme being completed.
- (ii) Confirm that the local taxpayer will be required to contribute £1 million to the full scheme (all but £60k.)
- (iii) Indicate the latest funding position.

Reply:

- (i) Yes, the £2m treasury grant only requires phase 1 to be completed and is not conditional on the second phase of the scheme being delivered.
- (ii) No, the Council’s contribution not £1m to the scheme is £410k.
- (iii) Phase one of the scheme is fully funded at £5.35m. This is made up of £2m treasury grants, £914k from section 106 monies, £1.998m from the Heritage Lottery Fund, £3k from the Biggin Hill Memorial Museum Trust, and £410k contribution from the Council.

<u>FUNDING</u>	Capital £'000	Revenue £'000	Total £'000
Treasury grants	802	1,198	2,000
S106 monies	715	199	914
HLF grant	1,309	689	1,998
Biggin Hill Memorial Museum Trust	3		3
Bromley Council contribution	257	153	410
TOTAL FUNDING	3,086	2,239	5,325

The Council and Trust have now also secured funding to conserve the chapel railings for an additional £62k as part of the first phase of works. This is being funded by grants from the Member’s Community Fund, Heritage of London Trust and Friends of St George’s Chapel:

Source of funding	£000
Friends of St George's Chapel	10
Members Community Fund	47
Heritage of London Trust	5
TOTAL	62

The Trust is currently fundraising for the second phase of the project which will build the learning space and memorial wall. The Council has received one-off income from a film location fee that has been reallocated to the project to enable the piled foundations for this phase to be undertaken during the first phase of works at a cost of £54k so as to reduce the amount of time that access is restricted to the memorial garden.

Supplementary Question:

Have trees been cut down on site that were stipulated by our consultants to remain, and if so, why?

Reply:

The question of the landscaping of the site as a whole is that we have always intended , and the Heritage Lottery Fund insisted, that the whole site was re-landscaped. I think that there are two trees to which Councillor Owen refers which were a doubt and I do not know the answer to his question at this moment in time. We are trying to find out and I will email him shortly with a full answer.

Note: The following reply was subsequently provided -

The planning documents were clear that the scheme would implement a new landscape design to reset the Chapel in its immediate environment. This included clearly identifying the removal of two Irish Yew trees. The scheme's heritage consultants Donald Insall Associates had initially advised that the Irish Yews should be retained, but later changed their advice. This is because the scheme's structural engineers subsequently discovered that the continued presence of the Irish Yews was likely to impact upon the structural integrity of the listed Chapel. It was also accepted that their removal would open the Chapel elevation to enable it to be seen in the way that the Chapel was originally conceived, and return it to the original planned setting as evidenced from historic photographs.

Additional Supplementary Question:

Councillor Simon Fawthrop asked what the were implications for the accounts for the whole scheme of the shop and the gift shop being hived off into a separate company and separate accounts?

Reply:

I do not think that there are any particular implications. The Trust will run the whole centre, including the shop, and I will look to see if there is any risk to the Council. I do not think there is, because we are not standing behind these people in the future.

They will have their own income and they should be able to run their own scheme very successfully.

8. From Cllr Russell Mellor to the Renewal and Recreation Portfolio Holder

Can the Portfolio Holder advise me as to the number of planning applications in the last four years which have been called in by the applicant due to non-determination by the Council within the prescribed time?

Reply:

The Council has received 30 appeals against non-determination of planning applications within the prescribed period since 01.04.2014.

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

Why did an article on stopping smoking appear on the front page of the Council's website shortly after an article appeared in the British Medical Association News, criticising the council for stopping its Smoking Cessation service?

Reply:

I do not accept the premise of your question, as it is factually incorrect to suggest that "the Council stopped its smoking cessation service." If you had taken the time to read the BMA News report carefully you will note that it says and I quote:

"Bromley says it has merely changed the way we help smokers quit. Its phonenumber is 'more convenient and easier for many people and provides a value for money service' a spokesperson adds 'it better suits busy people in today's world.' She points to a Public Health England paper which says phone lines can boost quit rates by 50 to 100 percent when done properly."

That is emphatically not the same as "closing" the service which incidentally mirrors the smoking cessation services offered in Labour controlled Harrow.

As to why the article was posted on Bromley's website the reason was twofold. Firstly to rebut misleading insinuations that the service had been ended and secondly because the 14th March was National No Smoking Day this year as you should have been aware.

Supplementary Question:

The previous service helped about 1,200 patients each year at a cost of £300 per quitter, which when the average 20 a day smoker cost business, the Fire Service and the NHS about £,000 per year was a perfect investment to save approach. Also, the previous service had a much better success rate than the phone line. The BMA news article talked about somewhere between three and six times better. Could you explain again why exactly we did decide to stop such a good investment?

Reply:

It is fair to say that the previous Stop Smoking service was under-performing against the contract. Smoking cessation is not a statutory function but Bromley has provided funding to the Stop Smoking London telephone support service which will be evaluated by Professor Philip West a well- recognised clinician, consultant and academic in the field of smoking cessation methodology. I think it would be prudent to wait and see what that response is.

10. From Cllr Angela Wilkins to the Environment Portfolio Holder

On 9th August 2017 the Executive agreed additional resource of £238k for Environment & Community Services 2017/18 to ensure frontline services had a sustainable level of staff to fulfil the corporate requirements for contract monitoring, business support and to deliver the expected standard of service in key areas. Of this money, £146k has been spent. Please explain on what exactly given that two posts in the Neighbourhood Team (West) have been vacant for 9 months?

Reply:

The recruitment of suitable officers in the Neighbourhood Team (West) is not related to the £238k you mention and all neighbourhood officer posts have been filled.

The additional resources that the Executive agreed related to contract monitoring and business support; Public Protection; Food Safety and Business Continuity. The senior contract monitoring person is in post and is busy recruiting to the 2 business support posts. The planned reorganisation in Public Protection is being implemented and relevant posts have been recruited to. The Business Continuity Officer is in post. We have had challenges in recruiting suitably qualified food safety officers, although a new officer will join us in May.

Supplementary Question:

Given that we have a number of streets that are only cleaned one out of every eight cleans that are scheduled, can some of the £92k that is about to be transferred to central contingency that was not spent could be spent on having some deep cleans on the roads that have suffered, I think largely because we have not had neighbourhood officers in post for the last nine months.

Reply:

As I previously answered, there were more inspections than the required number, in all areas, in all wards across the borough in that period when we were a number of Neighbourhood Officers under-post. There have been more inspections than the minimum that was required across the whole of the borough.

11. From Cllr Vanessa Allen to the Public Protection and Safety Portfolio Holder

Since 1 October 2017, food hygiene inspections in Bromley have awarded ratings of two on 21 occasions, one on 31 occasions and zero on five occasions. How many of these inspections would have taken place had we not have increased staffing in the Food Safety Service as a result of the adverse report we received from the Food Standards Agency dated April 2017?

Reply:

Food hygiene inspections are prioritised based on risk. All of the higher risk premises would have been inspected, even without the additional staff. The FSA now want lower risk premises to be inspected periodically and the additional resources have allowed us to start catching up with that backlog.

12. From Councillor Nicholas Bennett JP to the Education, Children and Families Portfolio Holder

Has he seen the article in the Sunday Times of March 25th 2018 entitled “Revealed: How the Met is ignoring the lessons of Holly, Jessica and Baby P”? Is he satisfied that there is full co-operation by the local police in the creation of pre-assessment check (PAC) requests on Merlin? How many such requests have been made in each year since 2010?

Reply:

I did not see the Sunday Time piece. Children’s social care receives merlins for children coming to the attention of the Police. These either go through our MASH or to an allocated worker. We have the public protection desk co-located with the MASH Team to ensure co-operation with our Police colleagues. The figures which I will provide show the numbers of Police contacts to the CSC within the last four financial years. Due to a change in procedures and the introduction of the MASH we do not have comparable data for the preceeding three years. It is normal practice for local authorities to record the merlin but not specifically the pack. The numbers are -

2014/15 - 1,186

2015/16 - 1,567

2016/17 - 2,050

2017/18 – 1,177

I can reassure Councillor Bennett that this is something that we are talking about with officers and further work is being completed.

Supplementary Question:

Having now seen the Sunday Times article, the Portfolio Holder will see in there that the number of reports in London fell from 28,000 in 2010 to just 12,000 in 2016, and it is said that this is because the records contain personal information and detectives have been told not to share it with other agencies. This is in direct contravention of the agreed protocols. The figures he has given us seem to reflect that as well for Bromley. Will he assure me that this matter will be taken up with the Police and reported to the next CSC Improvement Board.

Reply:

As I alluded to earlier, the Ofsted review last year looked specifically at these services and did show that there was a huge improvement in the work that we are doing now compared to a few years ago. I can reassure Councillor Bennett that we are looking at this with officers and this is something that is due for discussion at my meeting with the Director later this week.

13. From Councillor Peter Fookes to the Public Protection and Safety Portfolio Holder

How much of the extra £60million allocated by the Mayor of London to protect frontline policing will be spent in the borough?

Reply:

We do not know yet.

Supplementary Question:

What will the Portfolio holder be doing to ensure that neighbourhood policing returns to this borough?

Reply:

There are no proposed changes to neighbourhood policing, it is staying exactly as it is in the new Crime and Policing Plan.

14. From Cllr Tony Owen to the Environment Portfolio Holder

When was St John's Road, Orpington last resurfaced? What communication took place with the gas authorities before this was done? What did they say?

Reply:

We have resurfaced two separate areas of St John's Road in the last few years;

- Crofton Lane to Berger Close was completed in October 2014.
- Tudor Way to Berger Close was completed March 2017

The current gas works do not involve excavations in either of these areas.

When any planned resurfacing scheme is being prepared all utility companies are notified in an effort to try to co-ordinate any planned works. This allows the Council to protect the resurfaced road from any utility works for two to five years, depending on the nature of our project, other than emergencies.

Supplementary Question:

Is the Portfolio Holder satisfied with the reliability of information that we get from statutory undertakers, or are there still bad boys out there?

Reply:

I am not aware of any examples recently where we have not been given accurate information. There is always the case of emergencies. As I understand it, once we have gone through the process of notifying utility companies of our plans we can apply a moratorium to them regardless of their wishes – that is within our power.

(At this point the time allowed for questions ended and written replies were sent for the remaining questions.)

15. From Cllr Ian Dunn to the Environment Portfolio Holder

What are the options under consideration for the repair of the Betts Park gates?

Reply:

Amey were requested to remove the gates in question as they were structurally unsafe. Amey have submitted costed options for repair and are currently awaiting confirmation for the necessary works to be completed.

16. From Cllr Angela Wilkins to the Public Protection and Safety Portfolio Holder

What action is being taken in response to the recent increases in gang and other violent incidents taking place in the north of the Borough?

Reply:

The MPS has asked each Borough to look at violent and knife crime in a much more in depth way so going forward there will be a new tactical plan drawn up to incorporate all elements of knife related crime, gang/youth violence and violent crime in general. In addition to this, we will be looking for an increase in visibility from police and partners.

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

What use has the Council made of the provisions in the Crime and Policing Act 2014 to counter anti-social behaviour?

Reply:

Despite limited resources in Community Safety there has been use of the powers. A good local relationship with partners exists which allows for timely information exchange to facilitate problem solving. A recent example of this saw the Community Safety ASB case worker organising a multi-agency meeting to review persistent ASB by a local person, orchestrating community engagement to gather hearsay evidence from residents who were too frightened to come forward, and at the same time raising the profile of the ASB team within the community. The result was the council has been able to provide evidence (through log sheets and hearsay statements) of a more widespread problem caused by an individual who, on conviction of any offence, could now be served with a CBO (A Criminal Behaviour Order) to control their future behaviour.

The Council has also made use of Community Protection Notice procedures. FOR example to tackle an illegal Head Shop operating in the borough; a CPN was also served on a commercial premises for a noise issue. This notice has been effective so no further action has to be taken. A licensing CPN related to a local farm where

livestock were escaping from pens was also used and the owners were required to take corrective action to secure them.

18. From Councillor Peter Fookes to the Resources Portfolio Holder

When will accommodation on this site (the Civic Centre) which has lain empty for the best part of ten years be brought back into use?

Reply:

The two buildings on the Civic Centre site which are currently empty were being held back to be used as decant accommodation to enable the Civic Centre refurbishment. A decision as to their future use is due to be made shortly.

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COUNCIL MEETING

9TH APRIL 2018

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

1. From Cllr Ian Dunn to the Resources Portfolio Holder

Please provide a breakdown of the Council's use of Agency Staff, showing person days and net cost, by month from April 2017 to as recently as figures are available, broken down by Adult Social Care, Children's Social Care, other EHCS, ECS and other. Please also show the number of employees in FTE with the same breakdown.

Reply:

See appendix 1.

2. From Cllr Angela Wilkins to the Public Protection and Safety Portfolio Holder

Will you agree that this Borough needs a Youth Violence Strategy and will you agree to lead the development and implementation of such?

Reply:

Yes, the Gangs Strategy we are developing will focus on serious youth violence, led by Bromley Safeguarding Children's Board as part of the work of the sub-committee leading on safeguarding adolescence. The work on the Strategy is being prioritised. We are also working with MOPAC and the Home Office to have a Locality Review to better understand local issues for Bromley related to SYV and, mapping of the gang networks/relationships.

3. From Cllr Angela Wilkins to the Education, Children and Families Portfolio Holder

This Council now has an over-spend of £716k on Independent Foster Carers and an additional overspend of £166k on in-house foster carers. Whilst acknowledging that the increased demand for placements explains some of this overspend, please provide calculations and evidence to support your Group's decision that it was right to cut allowances for in-house foster carers, given the disproportionately high overspend on 'agency' carers?

Reply:

(Reply to follow)

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

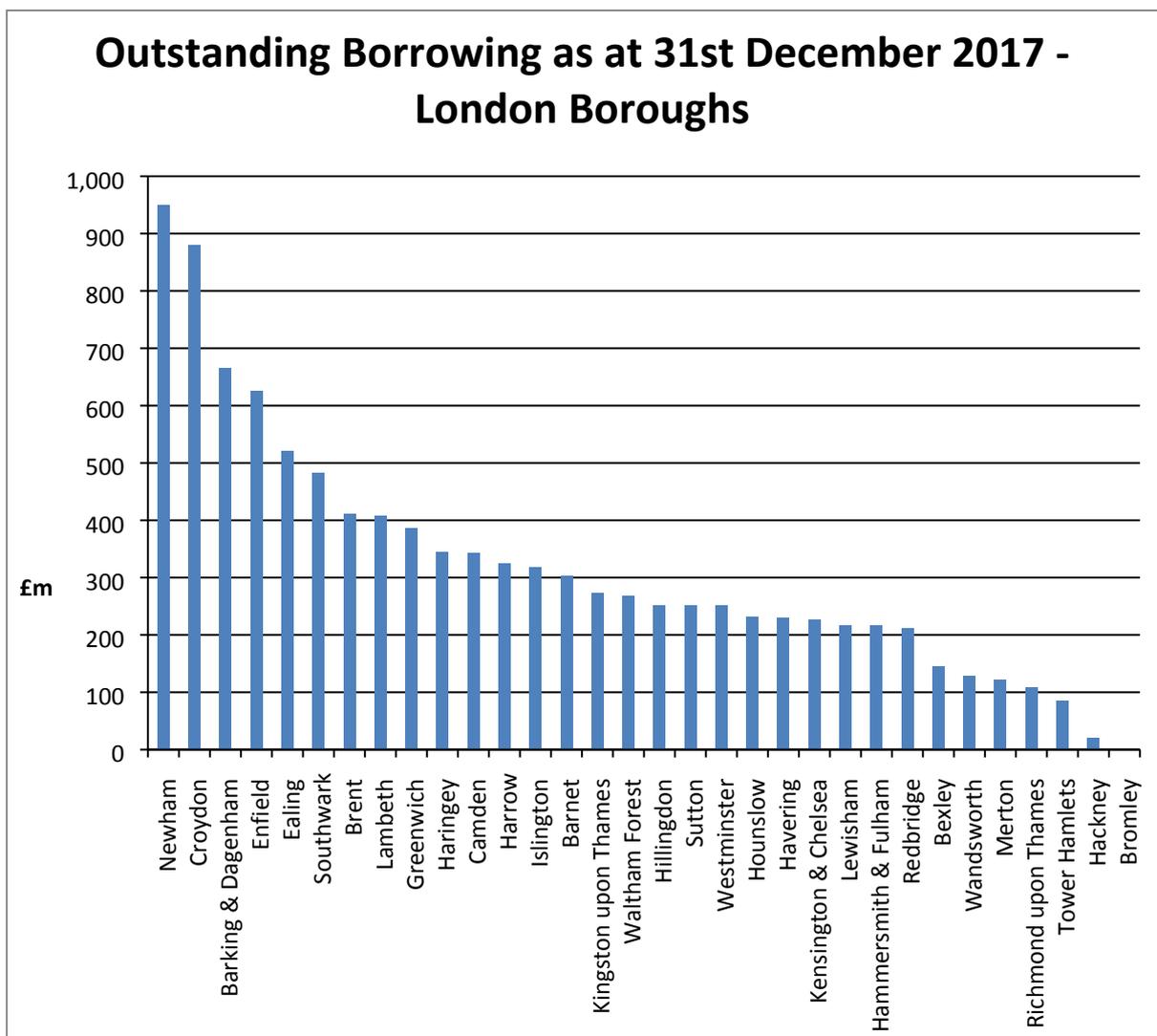
What information he has as to the debt figures for London Boroughs in the latest year for which he has statistics and if he will set out the information in table and graph format?

Reply:

The outstanding borrowing for London Boroughs as at 31st December 2017 is shown in the table and graph below:

	£m
Newham	950.45
Croydon	881.07
Barking & Dagenham	665.12
Enfield	626.73
Ealing	520.79
Southwark	482.85
Brent	411.24
Lambeth	408.07
Greenwich	386.40
Haringey	344.87
Camden	343.01
Harrow	324.26
Islington	317.89
Barnet	304.08
Kingston upon Thames	273.07
Waltham Forest	268.04
Hillingdon	252.62
Sutton	252.47
Westminster	251.29
Hounslow	231.54
Havering	229.48
Kensington & Chelsea	226.36
Lewisham	217.45
Hammersmith & Fulham	217.41
Redbridge	211.19
Bexley	145.55
Wandsworth	129.49
Merton	123.01
Richmond upon Thames	108.34
Tower Hamlets	85.66
Hackney	20.00
Bromley	0.00

Source: MHCLG Quarterly Borrowing & Lending Statistics



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

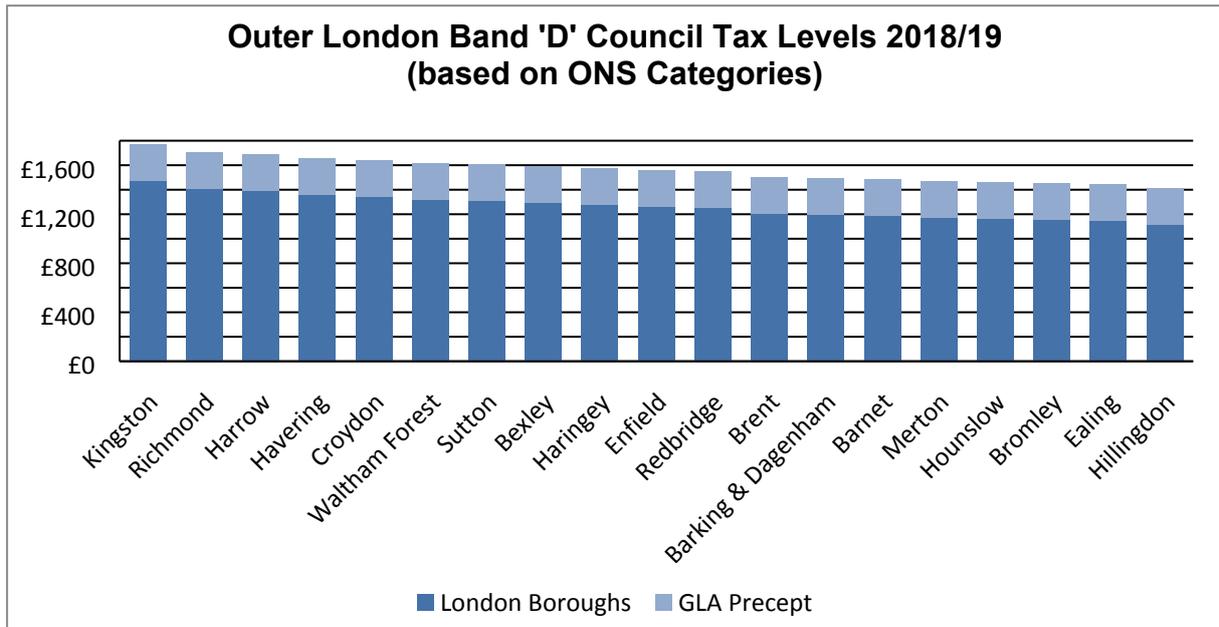
What information he has as to the Council tax rates at Band D for Outer London Boroughs for 2018-19 and if he will set out the information in table and graph format?

Reply:

The 2018/19 Band 'D' council tax levels for Outer London Boroughs (based on ONS categories) are shown in the table and graph below:

	Council Tax Levels		
	London	GLA	Total
	Boroughs	Precept	Band 'D'
	£	£	£
Kingston	1,477.46	294.23	1,771.69
Richmond	1,412.71	294.23	1,706.94
Harrow	1,394.69	294.23	1,688.92
Havering	1,363.83	294.23	1,658.06
Croydon	1,342.73	294.23	1,636.96
Waltham Forest	1,320.74	294.23	1,614.97
Sutton	1,308.52	294.23	1,602.75
Bexley	1,293.81	294.23	1,588.04
Haringey	1,281.57	294.23	1,575.80
Enfield	1,261.17	294.23	1,555.40
Redbridge	1,255.75	294.23	1,549.98
Brent	1,202.31	294.23	1,496.54
Barking & Dagenham	1,199.63	294.23	1,493.86
Barnet	1,189.34	294.23	1,483.57
Merton	1,173.83	294.23	1,468.06
Hounslow	1,167.76	294.23	1,461.99
Bromley	1,158.48	294.23	1,452.71
Ealing	1,145.89	294.23	1,440.12
Hillingdon	1,112.93	294.23	1,407.16

Source: MHCLG – Council Tax Levels set by Local Authorities in England 2018-19



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

What information he has as to central government grants for each London Borough both in global and per head of population and if he will set out the information in table and graph format?

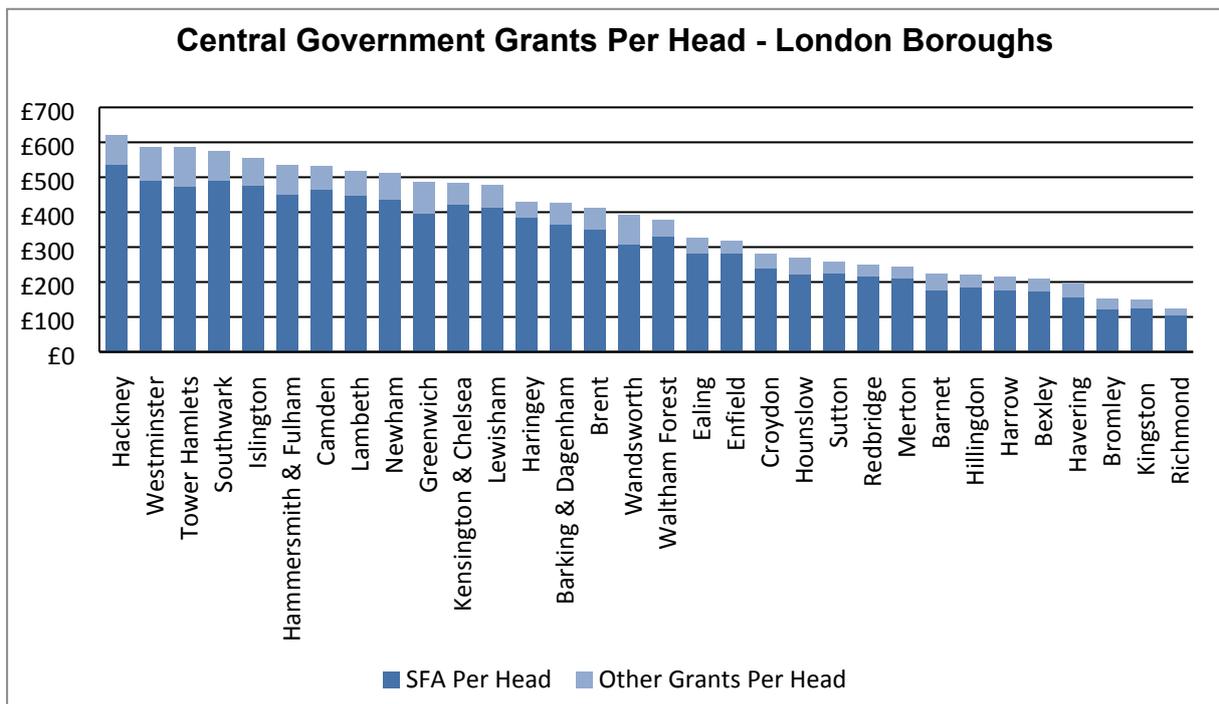
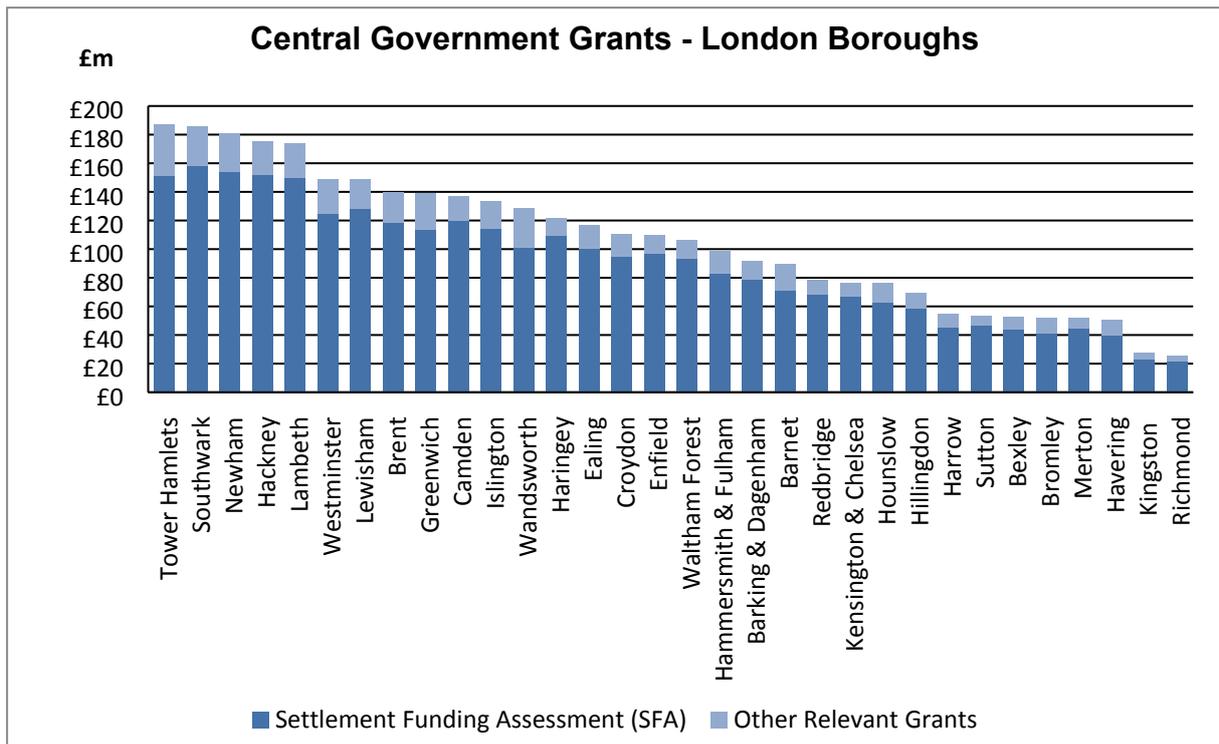
Reply:

Central Government Grants announced as part of the 2018/19 Final Local Government Finance Settlement are shown in the table and graphs below:

Local Authority	Settlement Funding Assessment (SFA) £'000	Relevant Grants (*) £'000	Total Grants (*) £'000	SFA Per Head of Population £	Total Grants Per Head of Population £
Barking & Dagenham	78,793	13,079	91,872	366.32	427.13
Barnet	71,359	18,414	89,773	178.18	224.15
Bexley	43,783	8,669	52,452	174.63	209.21
Brent	118,661	21,099	139,760	350.33	412.63
Bromley	41,353	10,503	51,856	122.86	154.07
Camden	119,877	17,384	137,261	465.21	532.68
Croydon	94,526	15,856	110,382	239.22	279.35
Ealing	100,335	16,092	116,427	282.64	327.98
Enfield	97,073	12,676	109,749	282.58	319.48
Greenwich	113,651	25,674	139,325	396.23	485.74
Hackney	151,794	23,641	175,435	536.88	620.50
Hammersmith & Fulham	82,928	15,735	98,663	449.02	534.22
Haringey	109,069	12,360	121,429	385.45	429.13
Harrow	45,497	9,642	55,139	176.72	214.17
Havering	40,089	10,588	50,677	155.66	196.77
Hillingdon	58,548	10,989	69,537	186.29	221.26
Hounslow	63,111	13,315	76,426	222.96	270.00
Islington	114,564	19,017	133,581	476.55	555.65
Kensington & Chelsea	66,998	9,554	76,552	421.44	481.54
Kingston	22,770	4,437	27,207	124.52	148.78
Lambeth	150,043	23,823	173,866	446.77	517.70
Lewisham	128,470	20,334	148,804	413.97	479.50
Merton	44,662	7,155	51,817	209.09	242.58
Newham	153,638	26,920	180,558	435.11	511.35
Redbridge	68,185	10,098	78,283	217.47	249.68
Richmond	21,714	3,535	25,249	105.73	122.94
Southwark	158,440	27,518	185,958	488.92	573.84
Sutton	46,785	6,866	53,651	224.77	257.75
Tower Hamlets	151,070	36,031	187,101	472.51	585.20
Waltham Forest	93,538	12,979	106,517	331.60	377.61
Wandsworth	101,282	27,255	128,537	309.32	392.56
Westminster	125,039	24,020	149,059	491.65	586.10

(*) Special & Specific Grants included within Core Spending Power. This includes Compensation for Under Indexing of the Business Rates Multiplier, Improved Better Care Fund, Adult Social Care Support Grant and New Homes Bonus.

Source: MHCLG – Final Local Government Finance Settlement 2018/19 and ONS Population Projections 2018



7. From Councillor Peter Fookes to the Resources Portfolio Holder

What efforts are being made to cut down on the bureaucracy of getting 10 signatures to stand for election to Bromley Council and surely this can be done electronically in this day and age?

Reply:

That is a matter for Parliament and the requirements for the Borough elections are not materially different to those for parliamentary ones.

8. From Councillor Peter Fookes to the Resources Portfolio Holder

When will all outstanding repairs to Melvin Halls be completed?

Reply:

All outstanding repairs are due to be completed by the 20 April 2018.

9. From Councillor Peter Fookes to the Education, Children and Families Portfolio Holder

When will Bromley be consulting with residents on the proposal by the Harris Federation to give priority to Harris Primary attendees to access their secondary schools?

Reply:

(Reply to follow.)

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	4	April	1. Adult Social Care	1,563.30	11,255.75	163.95	256,310.17	51,261.98	307,572.15	201.6
2017	4	April	2. Childrens Social Care	1,923.26	13,847.50	260.97	501,909.18	100,381.93	602,291.11	270.07
2017	4	April	3. Other ECHS	354.64	2,553.38	211.83	75,121.04	15,024.23	90,145.26	314.27
2017	4	April	4. ECS	601.39	4,330.00	210.98	126,883.97	25,376.74	152,260.71	358.24
2017	4	April	5. Other	287.55	2,070.38	178.01	51,185.88	10,237.19	61,423.06	176.83
2017	5	May	1. Adult Social Care	1,639.03	11,801.00	163.78	268,432.22	53,686.46	322,118.68	203.22
2017	5	May	2. Childrens Social Care	1,927.12	13,875.25	268.58	517,581.85	103,516.44	621,098.29	278.46
2017	5	May	3. Other ECHS	365.09	2,628.63	218.18	79,653.61	15,930.68	95,584.29	316.73
2017	5	May	4. ECS	676.63	4,871.75	141.11	95,477.15	19,095.47	114,572.62	357.93
2017	5	May	5. Other	232.52	1,674.13	165.71	38,531.22	7,706.20	46,237.42	178.83
2017	6	June	1. Adult Social Care	2,055.21	14,797.50	171.65	352,773.56	70,554.71	423,328.27	204.11
2017	6	June	2. Childrens Social Care	2,701.11	19,448.00	297.18	802,708.71	160,541.79	963,250.50	274.01
2017	6	June	3. Other ECHS	635.10	4,572.75	230.44	146,351.40	29,270.22	175,621.62	317.95
2017	6	June	4. ECS	763.16	5,494.75	144.69	110,423.37	22,084.72	132,508.09	354.77
2017	6	June	5. Other	230.17	1,657.25	179.93	41,416.26	8,283.21	49,699.47	180.25
2017	7	July	1. Adult Social Care	1,681.04	12,103.50	172.98	290,781.42	58,156.19	348,937.61	202.41
2017	7	July	2. Childrens Social Care	2,338.40	16,836.50	302.85	708,177.08	141,635.42	849,812.50	284.17
2017	7	July	3. Other ECHS	436.49	3,142.75	192.39	83,976.87	16,795.33	100,772.19	316.87
2017	7	July	4. ECS	732.50	5,274.00	144.42	105,786.38	21,157.34	126,943.72	355.15
2017	7	July	5. Other	234.93	1,691.50	176.79	41,532.76	8,306.56	49,839.31	175.21
2017	8	August	1. Adult Social Care	1,107.15	7,971.50	201.64	223,245.53	44,649.17	267,894.70	170.19
2017	8	August	2. Childrens Social Care	2,160.80	15,557.75	280.36	605,807.04	121,161.34	726,968.38	286.96
2017	8	August	3. Other ECHS	408.47	2,941.00	221.35	90,415.60	18,083.06	108,498.66	319.94
2017	8	August	4. ECS	642.88	4,628.75	151.87	97,636.72	19,527.38	117,164.10	351.55
2017	8	August	5. Other	251.39	1,810.00	163.88	41,197.89	8,239.59	49,437.48	172.21
2017	9	September	1. Adult Social Care	1,217.29	8,764.50	204.46	248,891.85	49,778.48	298,670.33	170.52
2017	9	September	2. Childrens Social Care	2,557.74	18,415.75	288.36	737,538.21	147,507.64	885,045.85	294.18
2017	9	September	3. Other ECHS	639.67	4,605.63	235.18	150,440.69	30,088.08	180,528.76	316.31
2017	9	September	4. ECS	799.13	5,753.75	147.83	118,136.20	23,627.18	141,763.38	349.1
2017	9	September	5. Other	270.40	1,946.88	192.61	52,082.80	10,416.57	62,499.36	173.16
2017	9	September	6. Unknown, e.g. Capital Coded Project	2.50	18.00	2,377.01	5,942.52	1,188.50	7,131.02	

2017	10	October	1. Adult Social Care	1,070.69	7,709.00	202.69	217,021.75	43,404.29	260,426.04	174.12
2017	10	October	2. Childrens Social Care	2,280.07	16,416.50	281.77	642,458.29	128,491.63	770,949.92	294.24
2017	10	October	3. Other ECHS	477.15	3,435.50	239.48	114,269.46	22,853.81	137,123.27	316.32
2017	10	October	4. ECS	692.81	4,988.25	152.12	105,388.57	21,077.82	126,466.39	350.07
2017	10	October	5. Other	172.50	1,242.00	200.76	34,630.28	6,926.03	41,556.31	177.8
2017	10	October	6. Unknown, e.g. Capital Coded Project	2.71	19.50	2,377.01	6,437.73	1,287.55	7,725.28	
2017	11	November	1. Adult Social Care	1,059.83	7,630.75	206.98	219,367.47	43,873.47	263,240.94	169.65
2017	11	November	2. Childrens Social Care	2,036.56	14,663.25	279.28	568,769.68	113,753.90	682,523.58	299.18
2017	11	November	3. Other ECHS	526.04	3,787.50	262.88	138,288.39	27,657.61	165,946.00	318.29
2017	11	November	4. ECS	698.30	5,027.75	149.30	104,253.83	20,850.76	125,104.59	259.59
2017	11	November	5. Other	216.84	1,561.25	172.53	37,411.95	7,482.42	44,894.37	164.37
2017	11	November	6. Unknown, e.g. Capital Coded Project	2.08	15.00	2,377.01	4,952.10	990.42	5,942.52	
2017	12	December	1. Adult Social Care	1,236.22	8,900.75	205.26	253,751.03	50,750.26	304,501.29	170.65
2017	12	December	2. Childrens Social Care	2,172.19	15,639.75	274.15	595,495.96	119,099.18	714,595.14	304.63
2017	12	December	3. Other ECHS	560.59	4,036.25	290.15	162,657.58	32,531.45	195,189.03	319.56
2017	12	December	4. ECS	723.78	5,211.25	147.82	106,991.59	21,398.35	128,389.94	257.83
2017	12	December	5. Other	194.06	1,397.25	192.28	37,313.62	7,462.75	44,776.37	165.17
2017	12	December	6. Unknown, e.g. Capital Coded Project	2.64	19.00	2,377.01	6,272.66	1,254.53	7,527.19	
2018	1	January	1. Adult Social Care	1,105.66	7,960.75	207.28	229,178.16	45,835.62	275,013.78	169.25
2018	1	January	2. Childrens Social Care	1,807.40	13,013.25	272.21	491,998.43	98,399.74	590,398.17	310.02
2018	1	January	3. Other ECHS	513.35	3,696.13	252.83	129,789.07	25,957.83	155,746.90	322.98
2018	1	January	4. ECS	622.05	4,478.75	177.08	110,151.33	22,030.33	132,181.66	256.42
2018	1	January	5. Other	255.92	1,842.63	187.35	47,947.20	9,589.45	57,536.65	172.35
2018	1	January	6. Unknown, e.g. Capital Coded Project	2.50	18.00	2,377.01	5,942.52	1,188.50	7,131.02	
2018	2	February	1. Adult Social Care	1,134.44	8,168.00	211.54	239,975.70	47,995.14	287,970.84	168
2018	2	February	2. Childrens Social Care	1,860.42	13,395.00	283.88	528,133.62	105,626.63	633,760.25	313.51
2018	2	February	3. Other ECHS	483.96	3,484.50	261.24	126,427.36	25,285.43	151,712.79	323.19
2018	2	February	4. ECS	633.23	4,559.25	170.47	107,947.25	21,589.45	129,536.70	257.06
2018	2	February	5. Other	262.60	1,890.75	186.69	49,024.43	9,804.86	58,829.29	173.19
2018	2	February	6. Unknown, e.g. Capital Coded Project	2.36	17.00	2,377.01	5,612.38	1,122.47	6,734.85	
2018	3	March	1. Adult Social Care	1,178.13	8,482.50	209.32	246,606.27	49,321.34	295,927.61	170.72
2018	3	March	2. Childrens Social Care	1,877.08	13,515.00	357.08	670,272.00	134,054.40	804,326.40	318.09
2018	3	March	3. Other ECHS	525.69	3,785.00	276.84	145,535.83	29,107.16	174,642.99	319.65
2018	3	March	4. ECS	670.10	4,824.75	167.66	112,347.53	22,469.54	134,817.07	256.66
2018	3	March	5. Other	248.13	1,786.50	165.47	41,057.80	8,211.53	49,269.33	175.19
2018	3	March	6. Unknown, e.g. Capital Coded Project	0.56	4.00	2,377.01	1,320.56	264.11	1,584.67	

LONDON BOROUGH OF BROMLEY

ANNUAL MEETING OF THE COUNCIL 16th MAY 2018

DETAILS OF COUNCILLORS ELECTED ON 3rd MAY 2018

The particulars are as stated in the nomination in each case

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
BICKLEY WARD			
LYMER	Kate	280 Pickhurst Rise West Wickham BR4 0AX	CON
GABBERT	Kira	3 Celtic Avenue Bromley BR2 0RU	CON
SMITH	Colin Paul	Merryn Warren Road Hayes Bromley BR2 7AN	CON
BIGGIN HILL WARD			
BENINGTON	Julian Wybergh	4 Crowhill, Rookery Road, Downe Orpington BR6 7JE	IND
STEVENS	Melanie May	Lillys Chelsfield Lane Chelsfield Village Orpington Kent BR6 7RP	IND

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
BROMLEY COMMON AND KESTON WARD			
JEFFERYS	David Barrington	17 Scotts Avenue Bromley Kent BR2 0LG	CON
MCILVEEN	Robert	Flat 24, Northlands 165 Widmore Road Bromley BR1 3AN	CON
MICHAEL	Alexa Christine Anne	33 Kingswood Road Bromley Kent BR2 0HG	CON
BROMLEY TOWN WARD			
HARMER	Will	114 Madeira Avenue Bromley Kent BR1 4AS	CON
DYKES	Nicky	114 Madeira Avenue Bromley Kent BR1 4AS	CON
RUTHERFORD	Michael James	Flat 24, Northlands, 165 Widmore Road Bromley BR1 3AN	CON

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
CHELSEFIELD AND PRATTS BOTTOM WARD			
BOTTING	Mike	3 Moat Close Orpington Kent BR6 6ET	CON
HUNTINGTON- THRESHER	Samaris Victoria Cosette	95 Kynaston Road Orpington Kent BR5 4JY	CON
PAGE	Angela	27 Rpton Road Orpington BR6 9HR	CON
CHISLEHURST WARD			
BOUGHEY	Katy	6 The Meadow Chislehurst Kent BR7 6AA	CON
SHARMA	Suraj	5 Duggan Drive Chislehurst Kent BR7 5EP	CON
TERRY	Kieran Stephen Cunningham	16 Beechwood Rise Chislehurst BR7 6TG	CON

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
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CLOCK HOUSE WARD

ALLEN	Vanessa Ann	41 Clock House Road Beckenham Kent BR3 4JS	LAB
DUNN	Ian Wallace	41 Clock House Road Beckenham Kent BR3 4JS	LAB
KING	Josh	Flat 5, Maureen Court 209 Mackenzie Road Beckenham Kent BR3 4SE	LAB

COPERS COPE WARD

MELLOR	Russell Lawrence	16 Cheriton Avenue Bromley Kent BR2 9DD	CON
TICKNER	Michael John	3 Arbor Close Beckenham BR3 6TW	CON
WELLS	Stephen Frederick Christian	89D Albemarle Road Beckenham BR3 5HP	CON

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
CRAY VALLEY EAST WARD			
BEAR	Yvonne Jasmine Mary	Hewitts House Hewitts Road Chelsfield BR6 7QL	CON
PIERCE	Christopher Derry	11 Austin Road Orpington Kent BR5 2BT	CON
STRANGER	Harry Randolph	21 Sherlies Avenue Orpington BR6 9RE	CON
CRAY VALLEY WEST WARD			
ELLIS	Judi	13 Crofton Avenue Orpington Kent BR6 8DU	CON
HITCHINS	Colin Walter	9 Swan Close Orpington Kent BR5 2NA	CON
STEVENS	Gary Ernest	11 Glanville Road Bromley BR2 9LN	CON
CRYSTAL PALACE WARD			
AHMAD	Marina Masuma bin Kabir	26 Cherry Tree Walk West Wickham Kent BR4 7EF	LAB
WILKINS	Angela	1 st and 2 nd Floor Flat 47 Selby Road, Anerley London SE20 8ST	LAB

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
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DARWIN WARD

SCOATES	Richard William	13 Goddington Manor Court Road Orpington Kent BR6 9AT	CON
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FARNBOROUGH AND CROFTON WARD

EVANS	Robert John	29 Drayton Avenue Orpington BR6 8JN	CON
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JOEL	Charles	61 Ferndown Avenue Orpington Kent BR6 8DE	CON
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MARLOW	Christopher	Flat 2, Vanda Court 125 Lower Camden Chislehurst BR7 5JD	CON
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HAYES AND CONEY HALL WARD

ARTHUR	Graham Leslie	33 Stanley Avenue Beckenham Kent BR3 6PU	CON
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FORTUNE	Peter Timothy	59 Bromley Gardens Bromley BR2 0ES	CON
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REDDIN	Neil Richard	25 The Brackens Orpington Kent BR6 6JH	CON
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Surname **Christian Names** **Address** **Description**

KELSEY AND EDEN PARK WARD			
DEAN	Peter Leslie	3 Chinnery Court Albemarle Road Beckenham BR3 5HN	CON
SMITH	Diane Helen	Merryn Warren Road Hayes Bromley Kent BR2 7AN	CON
WIBBERLEY	Dave	3 Sandgate House Abbey Park Beckenham BR3 1PX	CON
MOTTINGHAM AND CHISLEHURST NORTH WARD			
CARTWRIGHT	David	5 Grove Park Road Mottingham London SE9 4NP	CON
ROWLANDS	Will	99 Court Farm Road Mottingham London SE9 4JN	CON

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
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ORPINGTON WARD

BOTTING	Kim Davina	3 Moat Close Orpington Kent BR6 6ET	CON
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HUNTINGTON- THRESHER	William Keith Ernest	18 Homestead Road Orpington Kent BR6 6HW	CON
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TUNNICLIFFE	Pauline Anne	Holly Cottage 9 Holly Road Chelsfield Kent BR6 6BE	CON
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PENGE AND CATOR WARD

BANCE	Kathy	17 Pawleyne Close Penge London SE20 8JH	LAB
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BROOKS	Kevin	35 Bredhurst Close Penge London SE20 7BH	LAB
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JEAL	Simon David	Top Floor Flat 42 Maple Road Penge SE20 8HE	LAB
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<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
PETTS WOOD AND KNOLL WARD			
FAWTHROP	Simon Henry	3 Monarch Close West Wickham Kent BR4 9DQ	CON
ONSLOW	Keith	114 St John's Road Pets Wood BR5 1HZ	CON
OWEN	Tony	12 The Maltings Orpington Kent BR6 0DH	CON
PLAISTOW AND SUNDRIDGE WARD			
ALLATT	Gareth	39 The Chase Bromley Kent BR1 3DE	CON
MORGAN	Peter Leonard Wilton	Greystones 28 Sundridge Avenue, Bromley BR1 2PX	CON
TURNER	Michael	72 Alexandra Crescent Bromley Kent BR1 4EX	CON

<u>Surname</u>	<u>Christian Names</u>	<u>Address</u>	<u>Description</u>
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SHORTLANDS WARD

COOKE	Mary Frances	45 Tootswood Road Shortlands BR2 0PB	CON
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CUTHBERT	Aisha Elyse	26 Bromley Crescent Bromley BR2 0HA	CON
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WEST WICKHAM WARD

BENNETT	Nicholas Jerome	18 Upper Park Road Bromley BR1 3HT	CON
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BROCK	Mark	280 Pickhurst Rise West Wickham BR4 0AX	CON
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GRAY	Hannah	34 Cherry Tree Walk Beckenham BR3 3PG	CON
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Report No.
CSD18075

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 16 May 2018

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 11th December 2017, and only a small number of minor updates are proposed.
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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: £350,650
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 8 (6.87fte)
 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 where legislation has changed or where other minor corrections are required. In particular, the appendix listing primary and secondary legislation enforced by the Public Protection and Safety Division has been updated. There are no major extensions to the delegations made to officers.
- 3.3 The amended scheme 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 10 th May 2017 and 11 th December 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 2018)	

* * *

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

<p>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.</p>	<p>Council/Leader</p>
<p>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.</p>	<p>Council/Leader</p>
<p>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.</p>	<p>Council</p>
<p>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.</p>	<p>Council/Leader</p>
<p>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.</p>	<p>Council/Leader</p>

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 any consequential writing off of balances of book value.</p> <p>(vii) Make adjustments of stock ledgers and accounts following</p>	<p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p>

stocktaking, subject to the Director of Finance's prior agreement.	
(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.	Leader Council/Leader
(ix) Vary annually fees and charges (except car parking) within policy established by an Executive body or Committee.	
(x) Deal with applications for re-grading in accordance with the Council's agreed procedures.	Council/Leader
(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 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:	Council/Leader
(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;	
(xv) Authorise expenditure of money received through Section 106 agreements, subject to any restrictions set out in the Council's Financial Regulations.	Council/Leader

2. To the Chief Executive, authority to:-	
(i) undertake all duties and responsibilities of the Council's Head of Paid Service as defined in the Local Government and Housing Act 1989;	Council
(ii) take all action necessary for the efficient management and execution of the Council's policies, services and functions;	Council/Leader
(iii) determine in conjunction with the Director of Human Resources, starting salaries of staff on Management Grades 1 and 2;	Council
(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.	Leader
In exercising such authority the Chief Executive shall have full regard to the position where:-	
(a) Chief Officers are exercising responsibilities directly imposed on them by statute; or	Council/Leader
(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;	
(v) settle any points requiring interpretation or clarification in the practical application of this code of delegated authorities to Chief Officers.	Council/Leader
(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.	Council/Leader
(vii) Electoral Fees - To approve the annual revision of the scale of fees within the approved estimate provision, payable to canvassers, checkers and coders.	Council
(viii) Discharge (insofar as it is necessary) the functions granted to the Executive Director of Education, Care and Health Services.	Leader

3. To the Director of Corporate Services, authority to:-	
(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;	Council/Leader
(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;	Council/Leader
(iii) authorise the institution or defence of proceedings in the Courts to safeguard the Council's interest;	Council/Leader
(iv) obtain Counsel's Opinion to ensure adequate advice to the Council or Committees;	Council/Leader
(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;	Council/Leader
(vi) take any action urgently required to settle legal proceedings during the course of a trial or other hearing;	Council/Leader
(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;	Council
(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;	Council/Leader
(ix) sign and serve on behalf of the Council notices authorised by statute to ascertain ownership and other interest in land;	Council
(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;	Leader
(xi) approve the assignment of contracts;	Council/Leader

<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>	Leader
<p>(xiii) deal with applications for the use of the Borough Arms in accordance with arrangements as approved by the Committee;</p>	Council
<p>(xiv) to act as Monitoring Officer;</p>	Council
<p>(xv) to maintain a Register of Members' Interests under Section 81 of the Local Government Act 2000;</p>	Council
<p>(xvi) to sign Chief Officer's authorisation documents;</p>	Council
<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>	Council
<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>	Council/Leader
<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>	Leader
<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>	Council
<p>(xxi) to authorise payments in respect of maladministration under Section 92 of the Local Government Act 2000.</p>	Council/Leader
<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>	Council

<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> <p>(i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(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</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	<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> <p>(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.</p> <p>(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.</p> <p>(iii) authorise expenditure from the office improvements budget.</p>	<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 and Procurement
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).

- (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:

- (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, CHILDREN & FAMILIES 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 maintained 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	Council

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

DECH	(7)	Approve requests from employees in all maintained educational institutions for special leave in accordance with the Council's policy.	Council
DECH	(8)	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	(9)	Approve payment of grants to individuals and organisations in accordance with the Executive's policy.	Leader
DECH	(10)	Agree annually increases in charges for service within the remit of the Executive Portfolio Holder.	Leader
DECH	(11)	Manage the admissions procedure in accordance with the Executive's policy.	Leader
DECH	(12)	Approve the placing of children with special educational needs and/or disability in suitable schools or other educational settings as specified in an Education, Health and Care Plan and including day and residential, independent and non-maintained special schools and academies and special schools maintained by other authorities, in accordance with the Children and Families Act 2014.	Leader
DECH	(13)	Arrange for home or hospital tuition in appropriate cases.	Leader
DECH	(14)	Fix school terms and holiday dates for maintained schools in consultation with teachers' organisations.	Leader
DECH	(15)	Make arrangements for transport of pupils.	Leader
DECH	(16)	Approve the provision of free meals,	Leader

		essential clothing and school uniform in accordance with approved scales.	
DECH	(17)	Approve applications for children to be employed in work or in entertainment, in conformity with relevant bye-laws and statutory obligations.	Leader
DECH	(18)	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	(19)	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	(20)	Approve the issue of mini bus passes under Section 19 of the Transport Act 1985.	Leader
DECH	(21)	Undertake the duty of the local education authority with regard to exclusions as specified by Section 51A of the Education Act 2002.	Leader
DECH	(22)	Initiate renewals of temporary planning permissions.	Leader
DECH	(23)	In cases of urgency seek planning permission for mobile accommodation at primary, secondary and special 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	(24)	To act in support of the Borough's Major Incident Controller in respect of emergency accommodation, provisions and staffing.	Leader

DECH	(25)	Approve, after consultation with the Director of Corporate Services and the Head of Asset and Investment, 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	(26)	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	(27)	Agree teachers' applications for early retirement without enhancement by way of added years.	Council
DECH	(28)	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	(29)	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 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.	Council
DECH	(30)	To ensure the provision of Adult Education Services under the Learning and Skills Act 2000 in accordance with Council policy.	Leader
DECH	(31)	Authority to approve AMHP warrants.	Leader
DECH	(32)	Ensure that the powers and duties to provide for the welfare and protection of children and young people are carried out in accordance with	Leader

statutory requirements and Council policy.

DECH	(33)	Provide preventative services and support for the care of mothers and young children.	Leader
DECH	(34)	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	(35)	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	(36)	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	(37)	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	(38)	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	(39)	Maintain the database of basic information on all children in the Authority	Leader
DECH	(40)	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	(41)	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	(42)	Second at least one children's social worker and at least one education professional to the Youth Offending Team.	Leader
DECH	(43)	Promote the educational achievement of looked after children.	Leader
DECH	(44)	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 2003 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 (as amended).	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), (7) and (8) above.	Council/Leader
DECS	(10)	Authorise employees and, where appropriate, inspectors to carry out functions in relation to (6), (7) and (8) above.	Council/Leader
DECS	(11)	Authorise employees to sign statutory notices in respect of functions relating to (6), (7) and (8) above.	
DECS	(12)	Authorise persons other than employees of the Council for the purposes of providing specialist advice and support in relation to (6), (7) and (8) above.	Council/Leader
DECS	(13)	Grant, renew, transfer, or vary, or, in the case of non-payment of statutory fees only, suspend or revoke (but not refuse, or suspend or revoke (for reasons other than non-payment of statutory fees)) licences, registrations, permits, authorisations and approvals relating to food safety, animal welfare, special treatments, supply and retail of alcohol, public entertainment, late night refreshment, gaming and gambling, sports grounds, sex establishments, caravan sites, hypnotism, environmental protection and Houses in Multiple Occupation.	Council
DECS	(14)	Manage caravan sites owned by the Council.	Leader
DECS	(15)	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	(16)	Discharge functions relating to the detainment, examination and seizure of food under the Food Safety Act 1990 and regulations made under the European Communities Act 1972 both within the	Council/Leader

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 Borough.)

DECS	(17)	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	(18)	Employ veterinary surgeons in conjunction with the Council's functions under diseases of animals, animal welfare and other related legislation.	Leader
DECS	(19)	Authorise persons as competent engineers under Section 31 of the GLC (General Powers) Act 1973.	Council
DECS	(20)	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	(21)	Approve payment of compensation under the Public Health (Control of Diseases) Act 1984 as amended by the Health and Social Care Act 2008.	
DECS	(22)	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	(23)	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, public Health England (formerly the 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	(24)	Authorise action under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.	Leader
DECS	(25)	Exercise functions and powers under the Scrap Metal Dealers Act 2013 including – (i) determining applications where refusal is being	Leader

- considered;
2. granting licences where there is no prospect of refusal;
 3. imposing conditions as set out in section 4(5) 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.

CEX, (26) DECS and DCS	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
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**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

- | | | | |
|------|------|--|----------------|
| 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 |
|------|------|--|---------|

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

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

DECS (22) Remove forthwith from the highway and dispose of any vehicle obviously abandoned and ownership unidentifiable. Leader

Car Parks

DECS (23) Allow refunds on car park season tickets. Leader

DCS (24) Make supplementary orders to apply the Off-Street Parking Places Order to further parking places provided by the Council. Leader

DECS (25) Accept commuted payments in lieu of car parking within a scheme approved by the Council. Leader

DECS (26) Approve and provide means of access to any premises under Section 340, Highways Act 1980. Leader

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

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

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

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
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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
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DCS	(41)	The Director of Corporate Services, in consultation with the Executive Director of Environment and Community Services, to confirm:	Council
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	(a)	all unopposed Orders for the creation, extinguishment, stopping-up or diversion of any footpaths, bridleways and byways; and	Council
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	(b)	all unopposed modification Orders made under the Wildlife and Countryside Act 1981 relating to footpaths, bridleways and byways.	Council
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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
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DECS/DCS	(43)	Make Definitive Map Modification Orders and amendments to the Definitive Map and	Council
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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
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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
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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

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

Footbridges over Highways

- DECS (58) Grant licences for the construction of footbridges over highways under provisions of Section 176 of the Highways Act 1980. Leader

Restriction on placing rails, beams, etc over highways

- 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

Cellars under Streets

- 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

Openings in footways into cellars and pavement lights and ventilation

- 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

Minor Improvement Budget Schemes

- DECS (62) Approve expenditure on schemes from within the minor improvement budget. Leader

Traffic Management Schemes – Civil Engineering Costs

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

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: (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

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 medical assessor; | 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 medical assessor 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: (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; (d) access to private driveways suffering from regular obstructive parking; and (e) 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	Leader
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policy issues or substantial expenditure, involved. In those instances, where the Executive Director of Environment and 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 with allotment society or association where management agreement exists between Council and the society or association).	Leader
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
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DECS	(124)	Issue of graffiti removal notices under the Anti-Social Behaviour Act 2003 Section 48.	Leader
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DECS	(125)	Powers to deal with the clearance of works and litter under the Anti-Social Behaviour Act 2003 Sections 55 and 56.	Leader
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CP	(126)	Control of high hedges under the Anti-Social Behaviour Act 2003 Sections 68, 69 and 70.	Council
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DECS	(127)	Propose the making of a Gating Order under the Clean Neighbourhoods and Environment Act 2005.	Leader
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Miscellaneous

DECS	(128)	Deal with dangerous trees pursuant to Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Leader
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DECS	(129)	Approve the purchase of selected horticultural stock, without recourse to competitive quotations.	Leader
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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
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DECS	(131)	Manage the staff canteens and catering service without prejudice to the Director of	Council/Leader
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Finance's financial responsibilities referred to 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 - (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

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

Essential Car users – Car Loan Council

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

DCS (23) Determine the area over which rights alone should be acquired in respect of the Bromley Town Centre redevelopment. Leader

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

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

Mortgages

DCS (26) Seal: Council

- (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.

CE/DCS (27) Sign receipt on mortgages and discharges of registered charges where the Council's seal is not required. Council

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: (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

		(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)	<p>Authority to:-</p> <ul style="list-style-type: none"> (i) approve purchases of properties in pursuance of confirmed compulsory purchase orders, on terms recommended and endorsed, when necessary, by the District Valuer; (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; (iii) To sell land not required for operational purposes with an area less than 500 sq. meters and value less than £10,000; (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; (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; (vi) To take action on all London Residuary Body matters, subject to the financial limits set out in (ii) above. 	<p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p> <p>Leader</p>
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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.

(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

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 21st July 2008). Leader

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 21st July 2008). Leader

Registration Service

DCS (50) Be "Proper Officer" in respect of the Births Deaths and Marriages Registration Service. Council

**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	(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

Appendix A

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

PRIMARY LEGISLATION

ACT/REGULATION	DESCRIPTION OF DELEGATION
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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
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
Animal Boarding Establishments Act 1963	Provisions relating to the commercial boarding of animals
Animal Health Act 1981	Provisions for welfare of farm animals in transit, on the farm and at market
Animal Welfare Act 2006	Powers relating to the control of animal welfare
Anti-Social Behaviour Act 2003	To perform functions and investigate offences related to the sale of aerosol paint to persons under age.
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.
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.
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

ACT/REGULATION	DESCRIPTION OF DELEGATION
	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 and Young Persons (Harmful Publications) Act 1955	Act prohibits sale or hire of harmful publications to children and young persons
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, and 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)].
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
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

ACT/REGULATION	DESCRIPTION OF DELEGATION
	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)].
Consumer 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 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 Justice and Police Act 2001	Closure of certain classifications of premises
Criminal Justice and Public Order Act 1994	Power to remove unauthorised traveller encampments

ACT/REGULATION	DESCRIPTION OF DELEGATION
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 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

ACT/REGULATION	DESCRIPTION OF DELEGATION
	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 Act 2012	Designation of powers to weights and measures authorities
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
Firearms Act 1968	To perform functions and investigate offences connected to the supply of air weapons to persons under age.
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]

ACT/REGULATION	DESCRIPTION OF DELEGATION
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
Food Safety Act 1990	To perform functions in relation to food safety
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.
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
Health Act 2006	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
Health and Safety at Work etc Act 1974	Section 18(4) of Act – duty of local authority to enforce relevant provisions. Appointment of inspectors Authority to exercise power of inspector
Health and Social Care Act 2008	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease
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

ACT/REGULATION	DESCRIPTION OF DELEGATION
	Powers of authorised officers to issue penalty charge 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.
Housing Grants, Construction and Renovation Act 1996	Whole Act
Home Energy Conservation Act 1974	The provisions requiring local authorities to adopt a strategy for improving energy efficiency
Insurance Brokers (Registration) Act 1977	To perform functions and investigate offences connected to false registration
Intoxicating Substances (Supply) Act 1985	To perform functions and investigate offences connected to the sale of solvent based products to persons under age.
Knives Act 1997	To perform functions and investigate offences connected to the unlawful marketing of knives and the publication of associated material.
Legal Services Act 2007	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
Licensing Act 2003 and associated regulations	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 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	Power to require information, the provision of sanitary appliances, and the removal of obstructions from private

ACT/REGULATION	DESCRIPTION OF DELEGATION
1976	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.
National Assistance Act 1948	Power of entry to inspect property
National Lottery Act 1993	To perform functions and investigate offences related to the supply of lottery tickets etc to persons under age
Noise Act 1996	Power to issue warning notices and fixed penalty notices for noise and the power to enter premises and seize equipment

ACT/REGULATION	DESCRIPTION OF DELEGATION
Noise & Statutory Nuisance Act 1993	Provisions for powers in relation to noise and nuisance in the street, control of alarms and recovery of costs
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.
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.
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
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
Protection of Animals Act 1911	Provisions relating to animal welfare
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
Public Health (Control of Diseases) Act 1984	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease
Registered Designs Act 1949 as amended	Provisions relating to the protection of registered designs

ACT/REGULATION	DESCRIPTION OF DELEGATION
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 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].
Road Traffic (Foreign vehicles) Act 1972	Provisions relating to the powers of authorised persons to prohibit overloaded vehicles
Safety of Sports Grounds Act 1975	The provisions relating to the safety of sports grounds
Scotch Whiskey Act 1988	Provisions relating to the supply and sale of products described as scotch whiskey.
Scrap Metal Dealers Act 2013	The provisions relating to the registration of scrap metal dealers
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
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
Sunday Trading Act 1994	Controls over hours of opening on Sundays and Easter for large shops.
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].
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.

ACT/REGULATION	DESCRIPTION OF DELEGATION
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 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</i>

ACT/REGULATION	DESCRIPTION OF DELEGATION
	<i>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.
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
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	Duty of feed authority to enforce the Regulations. Power to enter premises, inspect, seize and detain suspect feed and serve notices
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

ACT/REGULATION	DESCRIPTION OF DELEGATION
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)
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
Cigarette Lighter Refill (Safety) Regulations 1999/1844	Regulations on prohibition of sale of cigarette lighter refill cannisters to under 18's
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
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 (Cancellation of Contracts made in a consumers home or place of	Duty of weights and measures authority to enforce.

ACT/REGULATION	DESCRIPTION OF DELEGATION
work etc) Regulations 2013	
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
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.
Cosmetic Products Enforcement Regulations 2013	Regulations on safety of cosmetic products
Cosmetic Products (Safety) Regulations 2004	To perform functions and investigate offences under the Regulations
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 Regualtions 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
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.

ACT/REGULATION	DESCRIPTION OF DELEGATION
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.
Electronic Commerce (EC Directive) 2002	The regulations stipulate information that must be provided by businesses providing information society services to consumers
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 (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 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 (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.
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
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.
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.

ACT/REGULATION	DESCRIPTION OF DELEGATION
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
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 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

ACT/REGULATION	DESCRIPTION OF DELEGATION
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 (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 (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.
Measuring Instruments (Gravimetric Filling Instruments) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations
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
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

ACT/REGULATION	DESCRIPTION OF DELEGATION
Money Laundering Regulations 2007	In specified circumstances: Power to request information, records and attendance of persons to answer questions; powers of entry, inspection, to take copies of documents and entry by warrant; power to make an application to the courts requesting person to take certain action, and power to prosecute for offences.
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
Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015	Duty of weights and measures authority to enforce Regulations
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
Packaged Goods Regulations 2006	Duty of local weights and measures authority to enforce the Regulations. Powers of entry, inspection, testing and search by warrant.
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.
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,

ACT/REGULATION	DESCRIPTION OF DELEGATION
	inspect and seize goods etc... and obtain search warrants
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
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 Indications (Bureaux de Change) (No 2) Regulations 1992	Regulations on Price Indications at Bureau de Change
Price Marking Order 2004	Regulations on Pricing
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
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.

ACT/REGULATION	DESCRIPTION OF DELEGATION
	Power to issue suspension notices, apply for forfeiture and obtain information.
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
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
Standardised Packaging of Tobacco Products Regulations 2015	To perform functions and investigate breaches under the Regulations from commencement date
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 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	To perform functions and investigate breaches under the Regulations relating to the manufacture, presentation and sale of tobacco and related products, including herbal products for smoking and electronic cigarettes and refills
Tobacco for Oral Use (Safety) Regulations 1992	Regulations prohibiting sale of tobacco for oral use

ACT/REGULATION	DESCRIPTION OF DELEGATION
Tobacco Products (Manufacture, Presentation and Sale) Regulations 2002	Regulations regarding tobacco products manufacture presentation and sale
Tourism (Sleeping Accommodation Price Display) Order 1977	Power of entry and inspection.
Toys (Safety) Regulations 2011	Regulations regarding safety of toys
Unfair terms in consumer contracts Regs 1999	Enforcement of unfair terms in consumer contracts

Appendix B

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 Public Health England (formerly 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.
CSD18076

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 16 May 2018

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

Title: COUNCILLOR ATTENDANCE 2017/18

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 2017/18 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 2017/18 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: £1,067,960
 5. Source of funding: 2018/19 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 2017/18, plus a variety of other meetings and working groups. A schedule covering attendance of individual Members will be circulated 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 2017/18

Meeting Name	Number of meetings in 2016/17	Number of Meetings in 2017/18
Council, Committees & Sub-Committees		
Council	6	10
General Purposes & Licensing	5	6
Appeals Sub-Committee	0	3
Audit Sub-Committee	3	3
Licensing Sub-Committee	13	10
Local Joint Consultative Committee	4	3
Pensions Investment Sub-Committee	6	5
Development Control Committee	6	6
Plans Sub-Committees (x4)	26	24
Appointment Panel	1	1
Standards Committee	0	2
Urgency Committee	1	0
PDS Committees and Sub-Committees		
Care Services PDS Committee	7	7
Education Select Committee	6	4
Environment PDS Committee	7	6
Executive & Resources PDS Committee	9	10
Public Protection & Safety PDS Committee	5	5
Renewal & Recreation PDS Committee	6	4
Education Budget PDS Sub-Committee	3	4
Health Scrutiny PDS Sub-Committee	3	3
Contracts Sub-Committee	6	5
OHSEL Joint Scrutiny Committee	3	3
Executive meetings		
Executive	15	16
Portfolio Holder Meetings	3	1
Other Meetings		
Health & Wellbeing Board	5	4
SACRE	3	3
Economic Partnership	4	4
Safer Bromley Partnership	1	4
Adoption Panel/Fostering & Adoption Panel	11	17
Foster Panel	18	12
Chief Executive Remuneration Panel	1	0
Crystal Palace Park Executive Project Board	3	1
Honorary Aldermen WG	0	1
Executive Working Groups		
Constitution Improvement WG	2	1
Children's Board	7	0
Child Safeguarding & Corporate Parenting WG	1	0
Local Development Framework Advisory Panel	8	1
Town Centres WG	0	0
Children's Services Governance WG	16	11
PDS Working Groups		
Beckenham Town Centre WG	7	5
School Places WG	1	1
Highways and Footways WG	2	0
Environmental Services Contract WG	1	0
TOTAL	235	206

Report No.
CSD18077

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 16 May 2018

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

Title: **REPORTS FROM COUNCILLORS APPOINTED TO OUTSIDE BODIES IN 2017/18**

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: £1,067,790
 5. Source of funding: 2018/19 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? 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 2017/18 on outside bodies with significant roles and budgets -

Clarion Housing Group – London & East Regional Scrutiny Board: Cllr Chris Pierce

Design and Heritage Champion: Cllr Nicholas Bennett

Mytime Active Board: Cllrs Nicholas Bennett & Robert Evans

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

**Design and Heritage Champion
Cllr Nicholas Bennett JP**

There were fewer calls on my time with regard to planning matters in 2017-18 but I was delighted to support the successful application for cash match funding in order to receive a Heritage at Risk Grant from Historic England to secure repairs and stabilisation of brickwork at the Medieval Manor in Scadbury Park.

The Council is a member of Urban Design London, a most valuable forum for Transport, Environment and Planning officers and Members with an interest in these areas. All councillors are welcome to attend at no charge.

During the past year I have participated in the following sessions:

- 13th June 2017* History of London's Suburbs and Town Centres
- 15th June 2017* Creating the Enjoyable Street
- 14th July 2017* Design and the Historic Environment
- 15th July 2017* Housing site visit at Cane Hill, Croydon
- 11th January 2018* London Plan Briefing
- 14th March 2018* Zone 2 and Beyond; What's next for Town Centres?
- 29th March 2018* Croydon Growth Zone Walking Tour

The municipal year 2016-17 including the commemoration of the Battle of the Somme, this year has seen unveiling ceremonies by Her Worship the Mayor of memorial stones to the two Bromley residents who were awarded the VC. I was delighted to attend that for Lt Commander Geoffrey Saxton White on January 29th at the Bromley War memorial was sorry not to be able to attend the unveiling for Private Herbert Columbine at Penge Memorial on March 22nd.

This year's Remembrance Day will be the 100th anniversary of the end of World War One and I hope to work with interested organisations and individuals to ensure that, in addition to the annual service of Remembrance, we can commemorate this special anniversary in other ways.

Next year sees the 100th anniversary of the first '*Just William*' story by local author Richmal Crompton. The '*Just William*' Society will be holding their annual meeting in Bromley and it is hoped that other events will be organised to celebrate the event.

**Mytime Active Board
Cllr Nicholas Bennett**

Governance

The past year, 2017/18, was the first full year in post for the new Chairman of Trustees, Mark Oakley, who succeeded Dennis Barkway on his retirement in December 2016. Mark is Senior Partner in Judge Priestly and was previously Vice Chair. The transition has been smooth and positive for all concerned.

In May 2017, Cllr Robert Evans was nominated by the Council to take up one of the Council nominated positions the Board, joining Cllr Nicholas Bennett. He brings valuable experience in both sport and working with children and young people as well as using his connections across the borough to help strengthen partnership working. Cllr Bennett, who has served two separate terms of four years in the past twelve years as a Trustee has indicated that he will stand down after the May elections to enable a new member to be nominated by the Council to the Trust.

The new Chairman has established a new style of Board meeting, where a more informal, workshop style session is held for 90 minutes, allowing Trustees to deepen their understanding and inquiry into one or two key matters. This is followed by a short break and then the main Board meeting where formal business is conducted matters of governance as well as escalation from the Audit and Risk sub-committee on which Cllr Bennett sits. This approach is valued by the Trustees for using their time more efficiently and allowing for more productive debate.

Having surveyed the views of Trustees at the start of his tenure in January 2017, the Chairman is leading a second process of Board self-appraisal in April 2018.

Regional approach

Mytime Active has reinvigorated its mission to focus on improving the wellbeing of the local community. This gives more prominence to the public benefit and public health aspects of encouraging more people to adopt a healthy lifestyle.

As part of this focus, the management has restructured all the activities in Bromley, to fall under a single regional management structure, led by our new Regional Manager, Matthew Eady. In addition to the breadth of leisure and golf sites managed on behalf of the council, Matthew and his team also run the large Orpington Golf Canter (Cray Valley and Ruxley golf clubs) where we work closely with Clarion Housing and hard to reach young people who live locally, and the health work we undertake in partnership with the CCG.

Social benefit

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 Trust continued for a second year of the “family” membership where three or more people can join together for under £25 each a month. This has grown the overall numbers joining and taking part on a regular basis. It continues to seek ways to reduce the barriers to participation, in particular for groups such as the over 60s, new mums, older inactive men, and young people with special educational needs.

Building on the established programmes of “Heart Smart” and “Fresh Start” in partnership with the CCG, Mytime Active initiated the first programme for exercise Referral through Golf. Based at Bromley Common Golf Centre, the resulting positive impact on participants health is was monitored and evaluated independently by ukactive Institute of Research and has been entered for the industry awards.

Mytime Active were delighted to support Team Bromley winning gold in the 2017 London Youth Games for the second year in a row. It benefits both the hundreds of young people taking part as well as raising the profile of the Borough. The Trustees appreciated the attendance of Council members and officers at the celebration event to recognise the young athletes as well as the volunteer team coaches.

The Trust’s work in reaching young people stretches into music. The “Arts Train” project has been a creative music hub for many years, partnering with the local Bromley Youth Music Trust, and has grown from strength to strength. Arts Council England invited the Trust to apply for a 4 year grant, which was duly awarded making it the only organisation in Bromley to be part of the Arts Council England National Portfolio.

Investment

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 agreed allocation of the investment fund for the period 2018/19. Although the nature of some of the investment is complex, nevertheless it is anticipated that the funds for 18/19 will all be complete by March 2019.

The Board continues to take 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.

Relationship with the council

During the summer, we initiated a round table meeting with Mark Oakley, the Chairman of Mytime Active and the then Leader of the Council, Cllr Stephen Carr. A similar introductory meeting was held in March between the Chairman of Trustees and the new Leader Cllr Colin Smith, accompanied by Cllr Peter Morgan as Portfolio Holder, the two respective Chief executives and Matthew Eady, Mytime Active's Regional manager for Bromley. We understand that the meeting was positive and it was noted that the relationship at officer and at member level continues to improve.

The Board of Mytime Active is keen to build on the positive public benefit that Mytime Active can add, has authorised the officers to explore the future of the partnership with the Council. Any changes to the existing arrangements will need to be fully discussed with the Trustees.

Clarion Housing Group (Affinity Sutton) London and East Regional Scrutiny Board (RSB) Cllr Chris Pierce

1. Until September 2017, the Board was one of a number of established Regional Scrutiny Boards comprising representatives from Affinity Sutton (now Clarion), tenants and local authorities.
2. Until September 2017, the Board continued to receive comments from Resident Area Panels (RAPs) which enable tenants in smaller areas within the region to voice their views and opinions. The annual Residents Engagement Day (RED) was held at the Amba Hotel, Charing Cross on 13th October.
3. Two Scrutiny Board meetings have been held in London on;

20th June 2017
21st September 2017

The next meeting has yet to be scheduled, primarily due to uncertainties about the new organisational structure following the merger (see section 6).

4. During the year scrutiny was carried out on the following topic and an action plan was developed and progressed to deal with the findings;
 - Managing Anti-Social Behaviour

In addition, the tragic events at Grenfell Tower, and the potential impact on Clarion properties, were discussed at length. The Board was kept apprised of the actions Clarion was undertaking to keep its residents updated and reassured.

5. Scrutiny topics for the financial year 2018-19 have yet to be selected, primarily due to uncertainties about the new organisational structure following the merger (see section 6).

6. During the financial year Affinity Sutton Group and Circle Housing Group merged under a single parent organisation, Clarion Housing Group. It has yet to be established how Resident Involvement and scrutiny will operate under the new organisation, hence why further meetings and scrutiny topics have yet to be scheduled. Members and Officers will be kept updated on developments.

To follow:

**Bromley Youth Music Trust Board of Directors
Cllr Kate Lymer**

**Community Links Bromley
Cllrs Peter Fortune and William Huntington-Thresher**