

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

Minutes of the meeting held at 7.00 pm on 29 November 2017

### **Present:**

Councillor Simon Fawthrop (Chairman)  
Councillors Nicholas Bennett J.P., Mary Cooke, Ian Dunn,  
Robert Evans, Samaris Huntington-Thresher, David Livett,  
Russell Mellor, Alexa Michael, Keith Onslow (Vice-  
Chairman), Tony Owen, Michael Rutherford,  
Stephen Wells and Angela Wilkins

### **Also Present:**

Councillor Graham Arthur, Portfolio Holder for Resources  
Councillor Peter Morgan, Portfolio Holder for Renewal &  
Recreation  
Councillor Colin Smith, Leader of the Council

### **88 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence had been received from Councillor Ian Payne.

Councillor Huntington-Thresher submitted apologies as she had to leave the meeting at 8.15pm due to a prior engagement.

As the meeting had extended up to the 10pm guillotine, the Committee agree to extend the meeting by 30 minutes and continue its consideration of items up to 10.30pm.

### **89 DECLARATIONS OF INTEREST**

Councillor Simon Fawthrop declared interests in Item 15 (Exchequer Service – Contract Performance Report) as an employee of British Telecom (BT), and Item 10 on the Executive Agenda (General Data Protection Regulations) as his wife was involved in training.

Councillor Keith Onslow declared an interest as he received a pension from Zurich.

Councillors Evans and Bennett declared interests in Item 7 on the Executive agenda (Capital Programme 2017/18) as Trustees of Bromley MyTime.

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

No questions were received.

**91            MINUTES OF THE EXECUTIVE AND RESOURCES PDS  
                  COMMITTEE MEETINGS HELD ON 11 OCTOBER 2017 AND 31  
                  OCTOBER 2017 (EXCLUDING EXEMPT ITEMS)**

A Member asked for an update on the implementation date for Eclipse and it was agreed that the information would be provided following the meeting.

*Action Point 8: That an update on the implementation date for Eclipse be provided following the meeting*

It was also noted that at the E&R PDS meeting on 11<sup>th</sup> October 2017, the Chief Executive had reported that four additional staff would be employed to monitor contracts in the Environment and Community Services Department one of whom was already in post. A Member asked how many more staff had been recruited since the meeting. As the information was not available it was agreed that the Portfolio Holder for the Environment would be asked to provide a response following the meeting.

*Action Point 9: That the Portfolio Holder for the Environment be asked to provide an update on the recruitment of three additional staff employed to monitor contracts in the Environment and Community Services Department.*

**RESOLVED: That the minutes of the meetings held on 11 October 2017 and 31 October 2017, excluding exempt information, be confirmed.**

**92            MATTERS ARISING FROM PREVIOUS MEETINGS  
Report CSD17169**

The Committee received an update on matters arising from previous meetings and the Chairman noted that all the outstanding actions were being progressed.

**93            MINUTES FROM THE CONTRACTS SUB-COMMITTEE HELD  
ON 21 SEPTEMBER 2017**

The Committee noted the minutes from the Contract Sub-Committee on 21 September 2017.

In response to a question from the Chairman of the Contracts Sub-Committee the Director of Commissioning confirmed that the majority of change control documentation had now been completed and was in place. There was one

outstanding in the Waste Service and Officers were liaising with the contractor to get this signed off.

Members noted that the Executive Director for Environment and Community Services and other Senior Officers would be attending the next meeting of the Contracts Sub-Committee to provide an update on the Streetworks and Defaults Audit.

#### **94 FORWARD PLAN OF KEY DECISIONS**

The Committee noted the Forward Plan of Key Decisions which covered the period November 2017 to February 2018.

#### **95 QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

Councillor Ian Dunn submitted the following question for response by the Portfolio Holder:

**"Please provide an estimate of the annual cost of providing 100% Council Tax Support to all care leavers up to the age of 25, on the assumption that they pay Band D council tax."**

##### **Reply:**

Based on the Council Tax rates for 2017/18 and the assumption included in the question, the potential annual cost of providing 100% assistance to care leavers would be £271,838. This would reduce to £217,706 if the GLA were to contribute. The calculations take into account Bromley's 195 care leavers and not those of other boroughs residing in Bromley.

In reality, if restricting the policy to Bromley care leavers, the additional cost to the Authority would be significantly less than the amount quoted for the following reasons:

- Not all live within the borough
- Many of those living in the borough do not have a Council Tax liability
- Those on a lower income will already be receiving Council Tax Support

It should be remembered that there is a discretionary hardship scheme designed to give assistance to those council tax payers experiencing exceptional hardship.

#### **96 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY**

The Committee considered the following reports where the Resources Portfolio Holder was recommended to take a decision.

**a      TREASURY MANAGEMENT - QUARTER 2 PERFORMANCE  
2017/18 & MID-YEAR REVIEW  
Report FSD17097**

The Committee considered a report summarising treasury management activity during the second quarter of 2017/18. The report also included a Mid-Year Review of the Treasury Management Strategy Statement and Annual Investment Strategy. Investments at 30<sup>th</sup> September 2017 totalled £309.4m and there was no external borrowing. For information and comparison, the balance of investments stood at £292.3m as at 30<sup>th</sup> June 2017, £290.3m as at 30<sup>th</sup> September 2016 and at £337.1m on 20<sup>th</sup> November 2017.

In response to a question from the Vice-Chairman, the Chief Accountant confirmed that the current value of the Parallel Fund was £2.872m.

**RESOLVED: That the Resources Portfolio Holder be recommended to:**

- 1. Note the Treasury Management performance for the second quarter of 2017/18;**
- 2. Recommend that Council approves the 2017/18 prudential indicators as set out in Annex B to the report.**
- 3. Recommend that Council approves the increase in limit to £100m for pooled funds/collective investment vehicles as set out in the report.**

**b      REVIEW OF HOSTING SERVICE FOR CORPORATE  
WEBSITE  
Report CSD17167**

The Committee agreed that the report be considered as a matter of urgency due to late clarification of figures and the need for a decision to maintain prices and notice periods.

The Committee considered a report seeking approval to award a further contract via exemption to competitive tendering to Blue Sky Hosting Ltd to continue to provide a hosting service for the corporate website and associated systems for a period of 2 years commencing 1 April 2018.

In opening the discussion the Chairman expressed concern with the proposals for a further extension to the contract and queried why the market could not be tested and a tendering process pursued. In response the Director of Corporate Services reported that there was a need to test the market but the Local Authority was close to the end of its current Exchequer Services contract with Liberata and there appeared to be no obvious benefit of not making the current changes. The Head of Customer Service also highlighted that the Council was in the middle of a web update and that it was important to keep the platform stable. Members noted that the web upgrade had been going on for some time and stressed that this decision should have

been presented to Members with more than 4 months left to the end of the contract to enable time for detailed consideration. The Director of Corporate Services confirmed that if Members were not minded to approve the decision there was sufficient time to go out to tender and let the service.

In response to a comment from the Chairman surrounding the fact that the current arrangements appeared to be disparate and not well connect with each other, the Director of Corporate Services acknowledged that the current arrangements had evolved and that it would be possible to review them when the Liberata contract was reviewed later in the year.

In response to the Chairman's query concerning whether this service could be novated over to the Liberata contract, the Director of Commissioning reported that this had been previously considered and there were good reasons why this approach had not been pursued.

The Committee requested that the Portfolio Holder be provided with the reasons why the service could not be novated over to the Liberata contract to enable the Portfolio Holder to be assured that there was no way to novate or pass the contract on prior to any decision being taken.

**RESOLVED: That the Portfolio Holder be recommended to:**

- 1. Consider whether the service can be novated over to the Liberata contract prior to taking a decision to extend the current arrangements.**
- 2. Subject to the above, approve the award of contract, via exemption to competitive tendering, to continue the current arrangements for IT hosting for the corporate website and associated systems to Blue Sky hosting Limited. The proposed contract to be for a period of 2 years with a commencement date of 1 April 2018, at a total cost of £88,818, recovered from Liberata UK through the Customer Services contract.**

**97            SCRUTINY OF THE LEADER**

The Leader of the Council, Councillor Colin Smith, attended the meeting to respond to questions from the Committee. Councillor Smith gave a brief introduction highlighting the following issues:

- Current focus was drawing the 2018/19 budget into place and ensuring that it was under control for 2018/19 and 2019/20. This could involve savings and efficiencies being realised through greater integration with the health partners.
- LB Bromley had recently signed up to the Pan London Business Rate Retention Pilot Scheme.
- There was a significant reduction in the overspend in Adult Services and this had been delivered through closer working with Bromley

Clinical Commissioning Group and increasingly better working practice with the Department..

Councillor Smith then responded to questions, making the following comments:

- Since the arrival of the Deputy Chief Executive and Executive Director for Education, Care and Health Services a stronger relationship and better understanding had been developed with Health partners facilitating closer understanding amongst other things, concerning use of the Better Care Fund. The Government had made it clear that it was anticipating ever closer cooperation between local authorities and the health sector in the future in order to deliver a better service for those in need by streamlining services and eliminating waste. It was clear that the impasse that had historically existed between local authorities and the health sector concerning responsibility for funding certain services across the Country needed to be broken and it was encouraging that relationship was beginning to strengthen locally.
- In the aftermath of the Grenfell Tower disaster it was clear that a firm grip was needed on housing and how the policies of the Council were expressed and this was now an administration priority. The Leader told the Committee his advice was that no tall properties owned by Bromley RSLs had the cladding which had contributed to the speed of the fire taking hold at Grenfell. Any private owners of properties would need to address such issues themselves as the Leader had concerns with the intervention of the Council in relation to private property owners. The Leader noted that property may be devalued if it had certain types of cladding which should act as a natural incentive to upgrade it.
- In response to a question on affordable housing, a Local Development Plan was in place and Bromley compared relatively well with other London Boroughs in terms of homelessness. There was a need to ensure that affordable housing was built for Bromley residents first and the Council would continue to work closely with Housing Associations to bring such properties forward for Bromley residents wherever that proved possible. The Leader was pleased to report that the GLA indicatively supported Bromley's view that Green Belt and Metropolitan Open Land should be protected, but foresaw significant future challenges ahead with their suggestion that denser development and garden grabbing offered a solution to the problem.
- The Leader was hoping to revisit possibilities for a centre of excellence for Special Educational Needs (SEN) in the Borough. In addition to savings money this would provide in-borough services for residents.
- In terms of the direction of the Council, in the short-term very little would change as a result of the financial situation. There would be no loosening of the purse strings. However, the Leader assured the Committee that he would be taking a "shrill and more belligerent" tone

in the future when advocating for a fairer funding settlement for Bromley in order to redress the imbalance in funding that successive government's had allowed to continue since the turn of the millennium.

- The Leader would look to rebalance some of the current Portfolio responsibilities and would be discussing this with Executive colleagues in the coming weeks. Advice would be taken on a number of issues including contracts and commissioning and where possible synergies would be identified.

## **98 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 6<sup>th</sup> December 2017.

### **(6) BUDGET MONITORING 2017/18 Report FSD17088**

Members considered the second budget monitoring position for 2017/18 based on expenditure and activity levels up to the end of September 2017.

The Chairman suggested that it would be beneficial for the Committee to review anticipated budget pressures at a future meeting. In response, the Chief Accountant confirmed that the financial forecast was currently being updated and would be reported in full to the January and February meetings of the Executive.

A Member queried what was meant by "Management Action" as listed on some of the budget lines within the Education, Children and Families Portfolio and the Care Services Portfolio. The Director of Commissioning explained that action was being taken to deliver savings to reduce overspends however until these savings were delivered they would show as "Management Action". The January Budget monitoring position would confirm whether or not the savings had been delivered.

A Member noted that costs of £224k were expected in relation to costs awarded against the Council for planning appeals that had been lost. The Member queried why the costs were in this year. In response the Chairman of the Renewal and Recreation PDS Committee reported that there had been a small number of large appeals and that this had been reviewed by the Renewal and Recreation PDS Committee.

Councillor Livett noted that the Travellers' Budget was overspending by £98k due to a site not having meters and loss of income due to rent arrears. The Member queried for how long the site had not had meters and whether Travellers were liable to debt collection measure like other residents in the Borough. The Chairman requested that a response be provided to Councillor Livett following the meeting.

*Action Point 10: That a response to Councillor's queries considering meters at Traveller sites and debt collection be provided following the meeting.*

**RESOLVED:** That the Executive be recommended to:

- 1. Consider the latest financial position;**
- 2. Note that a projected net overspend on services of £221k is forecast based on information as at September 2017;**
- 3. Consider the comments from the Deputy Chief Executive and Director of Education, Care and Health Services, the Executive Director of Environment and Community Services and the Director of Corporate Services as detailed in Appendix 2 of the report;**
- 4. Note a projected variation of £459k credit from investment income as detailed in the report;**
- 5. Note a projected reduction to the General Fund balance of £271k as detailed in the report;**
- 6. Agree the release of £559k from the 2017/18 Central Contingency as detailed in the report;**
- 7. Recommend to Council the transfer of £3.5m from the Central Contingency to the Investment Fund as detailed in the report;**
- 8. Note the full year costs pressures of £3.3m as detailed the report;**
- 9. Identify any issues that should be referred to individual Portfolio Holders for further action.**

**(7) CAPITAL PROGRAMME MONITORING – 2<sup>ND</sup> QUARTER 2017/18  
Report FSD17092**

The Committee considered a report summarising the current position on capital expenditure and receipts following the 2<sup>nd</sup> quarter of 2017/18 and seeking the approval of the Executive to a revised Capital Programme.

A Member queried why in 2019/20, 2020/21, and 2021/22 money was being taken from the General Fund. The Chief Accountant explained that this was required to be presented in this way to reflect the fact that there were no capital receipts available to finance expenditure. In reality alternative options would need to be explored such as options to utilise proceeds from asset disposals or the transfer of existing reserves into a capital fund and that these options would be explored during the 2018/19 budget process.

**RESOLVED:** That Executive be recommended to:

- 1. Note the report, including a total rephasing of £11,355k from 2017/18 into future years, and agree a revised Capital Programme;**
- 2. Approve the following amendments to the Capital Programme:**
  - (i) Addition of £362k to Transport for London (TfL) funded Traffic and Highways schemes;**
  - (ii) Addition of £680k relating to the annual revenue contribution to Bromley Mytime Investment Fund;**
  - (iii) Addition of £163k to the Orpington Town Centre - Walnut Centre & New Market infrastructure scheme to reflect funding available from Section 106 receipts;**
  - (iv) Deletion of £8k residual balance on the Central Library/ Churchill Theatre – Chillers and Control scheme which has reached completion;**
  - (v) Note that a report elsewhere on the agenda requests the addition of £75k to the Crystal Palace Park Improvement report.**

**(8) COUNCIL TAX SUPPORT/REDUCTION SCHEME 2018/19**

The Committee considered a report which advised Members of the results of the public consultation exercise and sought the approval of the Executive for the scheme to be forwarded to Full Council for approval.

A Member suggested that it would be helpful for future reports to reflect information relative to the previous year in order to demonstrate the impact of any changes.

The Chairman noted that the GLA had endorsed the approach being taken by Bromley. The Chairman further noted that a sensible approach was being taken and that the response from the consultation had demonstrated support for the proposals.

Councillor Angela Wilkins proposed the following amendment to the motion:

*“That Care Leavers under 25 be exempted”*

The amendment was seconded by Councillor Dunn and put to a vote:

2 in favour  
12 against

The amendment was LOST.

The Chairman proposed that the recommendations outlined in the report be supported. The motion was put to the vote:

12 in favour  
2 against.

The motion was CARRIED.

**RESOLVED: that Executive be recommended to:**

- 1. consider the responses to the public consultation exercise;**
- 2. consider the updated Impact assessment at Appendix 1 of the report;**
- 3. consider that the Council Tax Support/Reduction scheme for 2018/19 retains the calculation of entitlement for working-age claimants on 75% of the households Council Tax liability. Thereby the maximum assistance provided to a claimant of working-age is 75% of his/her Council Tax liability;**
- 4. consider a variation to the Council Tax Support/Reduction scheme to incorporate the changes that have been made to the Housing Benefit regulations as outlined in the report;**
- 5. Subject to the outcome of 1 to 4 above, recommend to Council the Council Tax Support/Reduction scheme for 2018/19.**

**(10) THE GENERAL DATA PROTECTION REGULATIONS 2016**  
**Report CSD17173**

The Committee considered a report detailing the significant changes that would be required to ensure that LB Bromley was compliant with the General Data Protection Regulations 2016 (GDPR). The GDPR would apply in the UK from 25 May 2018 and the Government had confirmed that the UK's decision to leave the EU would not affect the commencement of the GDPR.

Members expressed concerns surrounding the size of the proposed Information Management Team as it was felt that a proposed team of 4 was excessive for the work that needed to be done. The Director of Corporate Services explained that while a lot of the work would be completed by departments the Information Management Team would provide much needed support. The Director of Corporate Services stressed that the consequences of getting the implementation of the GDPR wrong could be severe and there could be a significant risk to the Council if things were to go wrong. The investment that was being proposed was a relatively modest one to manage the risk of a possible £1m penalty. The Director of Corporate Services

highlighted that LB Bromley did not have an Information Manager at a senior level and this was a cause for concern. It was essential that the Council had tight policies in place that were GDPR compliant. The Director of Corporate Services further highlighted that GDPR could lead to a growth in Subject Access Requests similar to the growth in Freedom of Information Requests that was seen following the implementation of the 2000 Act. This was because if mistakes were made in the handling of Data, the GDPR gave people a right to compensation.

The Chairman sought confirmation that no Council held data was processed off shore. As this information was not available at the meeting it was agreed that an update would be provided following the meeting.

*Action Point 10a: An update concerning whether any Council held data is held off shore be provided to the Chairman following the meeting.*

In light of the comments that had been made by Members, the Chairman suggested that the Executive should be asked to take a sensible approach and phase any funding to ensure that any calls on funding were reasonable and represented value for money.

**RESOLVED: That Executive be recommended to:**

- 1. Note the changes proposed by the GDPR and the work to be undertaken to address them.**
- 2. Agree a one-off cost of £495k from the under spend in the 2017/18 Central Contingency, in order to progress the works required to enable the Council to become GDPR compliant.**
- 3. Agree growth of £287k for the two permanent staff, training & system running costs.**
- 4. To note that an additional member of staff may be required to take on the additional responsibility of a Data Protection Officer (DPO) as required under the Article 37 of the GDPR. A report will be brought back to Members to confirm the allocation of this role.**
- 5. To agree that a sensible approach should be taken and any funding phased to ensure that calls on funding are reasonable and represent value for money.**

**(11) BROMLEY YOUTH EMPLOYMENT SCHEME PROJECT  
EXTENSION**

The Committee considered a report which provided information in relation to the work of the Youth Employment Scheme and seeking funding for the continuation of the project, a scheme to help tackle unemployment in the Borough through supporting the creation of sustainable job opportunities.

Members supported the recommendations but felt that funding for a second year should be secured through the 2018/19 budget process in order to provide the Scheme with stability in the future.

**RESOLVED: That Executive be recommended to:**

- 1. Agree the drawdown of £137.5K for one year's funding of the Youth Employment Support contract; and**
- 2. Consider the second year's funding as part of the 2018/19 budget process to provide some stability and a longer term commitment to delivering this service.**

**(15) DISPOSAL OF OLD TOWN HALL AND SOUTH STREET CAR PARK AND IMPACT ON COVOC CENTRE DEVELOPMENT STRATEGY**  
**Report DRR17/067**

Members considered a report outlining the outcome of the work undertaken by Cushman and Wakefield concerning alternative uses for the Old Town Hall Site and how it could be utilised as part of the Civic Centre Development Strategy.

In response to a question from the Chairman concerning why the property was not being sold with planning permission in order to enhance the value of the property, the Portfolio Holder for Resources highlighted there had already been a considerable investment in the property in order to enhance its value.

Councillor Rutherford, a local ward member, reported that he and his ward colleagues held the view that this prime town centre site should not be used for housing and instead should have a community use.

Councillors Bennett and Mellor advocated the use of the Old Town Hall as a Democratic Hub. They highlighted that the property was in a principal part of the Borough and had previously served as a Democratic Hub for 60 councillors and a large council staff. The Portfolio Holder reported that an independent report on the use of the Old Town Hall as a democratic hub had been commissioned. This had concluded that the building could not be used in this way. The Portfolio Holder for Resources stressed that the building had been standing empty for too long and there was a clear need to get the building back in use.

Councillor Evans expressed concerns surrounding the time it had taken to implement decisions. He noted that it had been decided in May 2016 that the Old Palace would no longer be used and queried why, if it was clear that the Old Town Hall could not be utilised, the Council did not revert to its original plan which had been agreed 18 months previous. The Vice-Chairman concurred with the points made by Councillor Evans and emphasised that the Stockwell building and reception needed to be refurbished. There now appeared to be a state of confusion over the direction to be taken and the

Council could find itself liable for further costs from Cushman and Wakefield. It was now time for firm plans to be agreed and actioned.

Members expressed concerns that they were being asked to take a decision on scant information. It was noted that the independent report that had been commissioned had not been circulated to Members.

*Action Point 10: That the independent report on the use of the Old Town Hall as a Democratic Hub be circulated to Members.*

Councillor Bennett proposed the following motion:

“That Executive be recommended to defer consideration of the item to enable consideration of a full, properly costed report setting out the following options:

Option 1 – Retaining the Old Town Hall as a Democratic Hub  
Option 2 – Selling the Civic Centre Site  
Option 3 – Repairing the Civic Centre Site  
Option 4 – Demolishing Anne Springman, Joseph Lancaster, Adventure Kingdom, the Great Hall, and St Blaise and building a Democratic Hub  
Option 5 - Demolishing Anne Springman, Joseph Lancaster, Adventure Kingdom, the Great Hall, and St Blaise and building a Democratic Hub and Conference Centre  
Option 6 – Selling the South Street Car Park”

The motion was seconded by Councillor Rutherford and following a vote it was

**RESOLVED: That Executive be recommended to defer consideration of the item to enable consideration of a full, properly costed report setting out the following options:**

**Option 1 – Retaining the Old Town Hall as a Democratic Hub**  
**Option 2 – Selling the Civic Centre Site**  
**Option 3 – Repairing the Civic Centre Site**  
**Option 4 – Demolishing Anne Springman, Joseph Lancaster, Adventure Kingdom, the Great Hall, and St Blaise and building a Democratic Hub**  
**Option 5 - Demolishing Anne Springman, Joseph Lancaster, Adventure Kingdom, the Great Hall, and St Blaise and building a Democratic Hub and Conference Centre**  
**Option 6 – Selling the South Street Car Park**

**99            BENEFITS SERVICE MONITORING REPORT**  
**Report FSD17089**

The Committee considered a report which provided information regarding the performance of the benefit services provided by Liberata during the period 1 April 2017 to 30 September 2017. A letter from Liberata's Regional Contract

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Director provided Liberata's perspective on performance, together with an update on initiatives to be introduced in the coming months.

Members noted that the length of time taken to process claims had been increasing in recent months and queried the cause of this increase. Representatives from Liberata explained that the performance was comparable to this time last year however what was different this year was that the Department for Work and Pensions had advised that optional RTI files would be received. More files had been received than originally anticipated and this had impacted on the Service. The figures for November were now showing a reduction and the projections were indicating that the Service would achieve its processing time target of 13 days.

In response to a question for the reasons behind the reduction in caseloads the Committee was informed that Universal Credit for single people was now live and this was one of the factors contributing to the reduction in caseloads. From July 2018 there would be further reductions as Universal Credit was rolled out. The Head of Revenues and Benefits further noted that the reduction in levels of unemployment and changes to the Benefits Regulations had meant that some people were no longer eligible to claim.

The Committee requested that information setting out the point at which clients were adversely affected by any delay in the processing of claims be circulated following the meeting.

*Action Point 11: That information setting out the point at which clients were adversely affected by any delay in the processing of claims be circulated to Members following the meeting.*

**RESOLVED: That the report and update from Liberata be noted.**

**100 REVENUES SERVICE MONITORING REPORT**  
**Report FSD17090**

The Committee considered a report which provided information regarding the performance of the Revenues Services provided by Liberata for the 6 months up to 30 September 2017. A letter from Liberata's Regional Contract Director provided an update on each individual service, together with statistical data relating to the Revenues Service.

A Member noted that there was a large number of cases where, despite having a Liability Order in place, it was not possible to take further action due to the account holder lacking any realisable assets or the value of the debt being below the threshold needed to apply for a Bankruptcy or Charging Order. In response to the Member's question concerning whether there was a better way of collecting debt representatives from Liberata explained that they were running pilot programme which looked at targeting specific levels of debt. Liberata would be in a position to report the outcome of the Pilot to the Committee at its next update.

In terms of the pilot, a Member highlighted that the banking sector had developed a number of effective and efficient procedures for debt collection and suggested that it may be helpful to take advice from financial services as part of the pilot programme.

**RESOLVED: That the report and update from Liberata be noted.**

**101 CUSTOMER SERVICES - CONTRACT PERFORMANCE  
REPORT  
Report CSD17166**

The Committee considered an update provided by Liberata on the performance of the Customer Service Contract for the period 1 June 2017 to 31 October 2017. A letter from Liberata's Regional Contract Director provided an update on each individual element.

In response to a question concerning the accuracy issues that had been highlighted in the report, representatives from Liberata explained that these issues had arisen within the Out of Hours Service which was delivered by a sub-contractor (Apello). The issues of accuracy had been around addresses and post codes and had resulted in people who did not live in Bromley being referred into Bromley services. There error had occurred on more than one occasion. As a result of this there was an investigation and the sub-contractor was asked to change its processes to ensure that the error did not occur again. An Action Plan had now been agreed with Liberata, LB Bromley, and the Sub-Contractor and Liberata was responsible for monitoring the corrective action.

A Member suggested that it would assist the Committee if an additional line indicating the number of personal hours could be added to the table setting out the number of calls received by the Contact Centre.

The Vice-Chairman noted that there had been a growth in registering My Bromley accounts but questioned the actual usage of the registered accounts. The Chairman requested that information on usage of My Bromley accounts be circulated following the meeting.

*Action Point 12: That data indicating the usage of My Bromley accounts be provided following the meeting.*

**RESOLVED: That the report and update from Liberata be noted.**

**102 EXCHEQUER SERVICE - CONTRACT PERFORMANCE  
REPORT  
Report FSD17094**

Members considered a report which provided information concerning Liberata's performance in the provision of Exchequer Services for the period 1

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April 2017 to 30 September 2017. A letter from Liberata's Regional Contract Director provided an update on each individual service together with statistical data relating to the Services.

The Head of Exchequer Services tabled a supplementary document which provided a revision to Table 4 including a breakdown of the figures relating to Write Offs. The document also provided information concerning the number of temporary accommodation placement and nightly paid accommodation charges.

A Member noted that there were 4 staff monitoring the Liberata contract and questioned whether this was consistent with other local authorities. The Head of Exchequer Services confirmed that it was a thin client unit at LB Bromley and that the 4 members of staff had other responsibilities in addition to contract monitoring.

The Vice-Chairman noted that BT's debts did not appear to be reducing. The Director of Corporate Services highlighted that BT encompassed a number of subsidiary companies and that BT and Open Reach were in fact different companies. Discussions had now taken place with Open Reach and the debt was reducing. The issue had been referred to the Environment PDS Committee for a review of historic debt. The Chairman of the Environment PDS Committee confirmed that this had been considered at the last meeting of Environment PDS and the Committee was reassured that the debt had reduced and appropriate processes were now in place. A further update would be provided to the next meeting of the Environment PDS Committee.

Reviewing Graph 1 on the supplementary information that had been tabled, a Member queried the trigger in Quarter 3 2014/15 for the steady increase in temporary accommodation placements. The Head of Exchequer Services responded that she would need to seek information from colleagues in the Housing Service and would provide the information to Members following the meeting.

*Action Point 13: That information surrounding the trigger in Quarter 3 2014/15 for the steady increase in temporary accommodation placements be provided following the meeting.*

A Member noted that Thames Water would be doing further works across the Borough in the New Year and questioned whether there were good systems in place for dealing with disputed debt with Thames Water. Representatives from Liberata responded that they made sure that service department were provided with the information they needed to assess the risk of a large debt building up. As Liberata did not have a contractual relationship with Thames Water it was down to the service department to manage any debt.

**RESOLVED: That the report and update from Liberata be noted.**

**103 RISK REGISTER  
Report CSD17170**

The Committee considered a report setting out the current Risk Registers for Finance, Chief Executive's, Commissioning and Human Resources.

The Chairman noted that an amendment to Appendix A of the report (Finance Risk Register) had been tabled. In the amended document the RAG ratings had been realigned but the commentary remained broadly the same as the original report.

In response to a question from a Member concerning the risk work undertaken by Internal Audit and Commissioning the Head of Audit explained that each Directorate was responsible for identifying its key risks. There were also separate risks identified in relation to themes such as commissioning, and worked had taken place to identify contracts with the greatest risks. Internal Audit would review both areas of risk which should dovetail in relevant areas with the work of Commissioning. This would then provide an alert to help identify areas that may become a problem and enable discussions to take place. The Director of Commissioning reported that alerts would automatically be sent to contract managers and this provided a level of confidence that in future the Council's contracting risks would reduce significantly.

The Vice-Chairman queried whether the assessment of risk was as accurate as it could be, noting that there appeared to be some inconsistency around IT with some of the risk ratings appearing to be low. In response, the Head of Audit highlighted that this was the first time that this risk register had been bought together in this way. Internal Audit had discussed the ratings with the respective officers and in terms of IT risk officers understood the service and had mitigated against risk. The comments, feedback and challenge from the PDS Committee would be reflected upon. The Head of Audit reminded the Committee that this was a live document which was regularly updated and that risks were fluid.

In relation to cyber security, the Chairman queried whether the Local Authority had sufficient safeguards in place to be able to withstand an attack by a determined hacker. The Head of Audit confirmed that his team had been provided with the layered approach to security which was in operation across the Local Authority. In addition to this there had been a swift and robust response to the two ransomware attacks that had impacted on the Local Authority. Internal Audit was comfortable that the service had worked to ensure sufficient protection was in place. Patching was undertaken on a regular basis however more effort needed to go into training end users as mistakes in this area could leave the Local Authority vulnerable. The Director of Corporate Services stressed that it would not be possible to give an absolute assurance in any organisation but everything that was possible was being done to protect the Local Authority's systems and where there had been challenges these had been dealt with robustly.

In conclusion, the Head of Audit reported that the Risk Register would form the basis for the 2018/19 Audit Plan and IT security would be a key priority, and controls in place to mitigate risks would be tested.

**RESOLVED: That the risk registers be noted.**

**104 WORK PROGRAMME  
Report CSD17168**

The Committee noted its work programme for 2017/18 and requested that for the next meeting the format of the work plan be changed to reflect the format used by the Environment PDS Committee.

*Action Point 14: That the format of the Work Plan be amended.*

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

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

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

**106 EXEMPT MINUTES OF THE MEETINGS HELD ON 11  
OCTOBER 2017 AND 31 OCTOBER 2017**

**RESOLVED: That the exempt minutes of the meetings held on 11<sup>th</sup> October 2017 and 31<sup>st</sup> October 2017 be confirmed.**

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

There were no Part 2 Portfolio Holder decisions.

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

*Executive and Resources Policy Development and Scrutiny Committee*  
29 November 2017

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 1<sup>st</sup> December 2017.

**(4) INVESTMENT PURCHASE – PETERBOROUGH**  
**Report DRR17/068**

The Committee considered a report advising Members of the opportunity to purchase a property in Peterborough by utilising funds from the Investment Fund.

**RESOLVED: That Executive be recommended to agree to the purchase price plus acquisition costs to be funded from the Investment Fund, and instruct Officers to conclude terms.**

**(5) INVESTMENT PURCHASE – MEDWAY**

The Committee noted that this report had been withdrawn as the Council had not had its bid accepted.

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 6<sup>th</sup> December 2017.

**(21) CRYSTAL PALACE PARK CAFÉ**  
**Report DRR17/067**

The Committee considered a report concerning the award of contract to build the Crystal Palace Park café.

The Meeting ended at 10.23 pm

Chairman