

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 Monday 8 October 2018 at 7.00 pm which meeting the Members of the Council are hereby summoned to attend.

Prayers

A G E N D A

- 1 Apologies for absence
- 2 Declarations of Interest
- 3 Petitions
- 4 To confirm the Minutes of the meeting of the Council held on 16th July 2018
(Pages 3 - 66)
- 5 Questions from members of the public where notice has been given.

Questions must be received by 5pm on Tuesday 2nd October 2018
- 6 Oral questions from Members of the Council where notice has been given.
- 7 Written questions from Members of the Council where notice has been given
- 8 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.
- 9 Outcome of the Education, Children and Families Select Committee Review of the Investigation into St Olave's Grammar School
(Pages 67 - 74)
- 10 First Report of the Education, Children & Families Select Committee 2018/19 - Post 16 Non-University Technical Education and Apprenticeship Opportunities in Bromley
(Pages 75 - 90)
- 11 Basic Need Programme Update
(Pages 91 - 120)
- 12 Draft Statement of Principles for Gambling 2019-22
(Pages 121 - 176)

- 13 Local Pension Board - Appointment of Board Member
(Pages 177 - 182)
- 14 To consider Motions of which notice has been given.
- 15 The Mayor's announcements and communications.
- 16 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT
(ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM
OF INFORMATION ACT 2000

To consider an item in respect of which resolutions have been passed under the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation Order 2006) and the Freedom of Information Act 2000.

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| 17 Gateway 1: Social Care Case Management System
(Pages 183 - 200) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
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Chief Executive

**BROMLEY CIVIC CENTRE
BROMLEY BR1 3UH
Friday 28 September 2018
Vol.55 No.4**

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 16 July 2018

Present:

**The Worshipful the Mayor
Councillor Kim Botting FRSA**

**The Deputy Mayor
Councillor David Cartwright QFSM**

Councillors

Marina Ahmad	Peter Fortune	Angela Page
Gareth Allatt	Kira Gabbert	Chris Pierce
Vanessa Allen	Hannah Gray	Neil Reddin FCCA
Graham Arthur	Will Harmer	Will Rowlands
Kathy Bance MBE	Colin Hitchins	Michael Rutherford
Yvonne Bear	William Huntington-	Richard Scoates
Julian Benington	Thresher	Suraj Sharma
Nicholas Bennett J.P.	Simon Jeal	Colin Smith
Mike Botting	David Jefferys	Diane Smith
Katy Boughey	Charles Joel	Gary Stevens
Mark Brock	Josh King	Melanie Stevens
Kevin Brooks	Kate Lymer	Harry Stranger
Mary Cooke	Christopher Marlow	Kieran Terry
Aisha Cuthbert	Robert Mcilveen	Michael Tickner
Peter Dean	Russell Mellor	Pauline Tunncliffe
Ian Dunn	Alexa Michael	Michael Turner
Nicky Dykes	Peter Morgan	Stephen Wells
Judi Ellis	Keith Onslow	Dave Wibberley
Simon Fawthrop	Tony Owen	Angela Wilkins

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Kim Botting FRSA

19 Apologies for absence

Apologies for absence were received from Councillors Robert Evans and Samaris Huntington-Thresher, and for lateness from Councillor Kevin Brooks.

20 Declarations of Interest

Councillor Hannah Gray declared an interest as she had a contract with Biggin Hill Airport, and stated that she would leave the room during questions related to the Airport.

Councillor Colin Hitchins declared an interest as an employee of Biggin Hill Airport.

21 To confirm the Minutes of the two special meetings of the Council held on 16th May 2018, the annual meeting on 16th May and the special meeting held on 30th May 2018

RESOLVED that the minutes of the special meetings held on 16th May 2018, the annual meeting held on 16th May 2018 and the special meeting held on 30th May 2018 be confirmed.

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

Twelve 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.

Two 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.

23 Questions for oral reply from Members of the Council where notice has been given.

Twenty seven 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.

(Councillor Neil Reddin declared an interest in question 13 as a former governor of St Olave's School.)

24 Questions for written reply from Members of the Council where notice has been given

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

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

No statements were made.

26 Depot Strategy - Capital Works
Report CSD18103

A motion to approve the addition of the scheme for Depot Improvement Works to the capital programme with a total cost of £6.5m was moved by Councillor William Huntington-Thresher, seconded by Councillor Colin Smith and **CARRIED**.

27 Capital Programme Monitoring - 1st Quarter 2018/19
Report CSD18104

A motion to approve the addition to the capital programme of £1,995k on the Disabled Facilities Grant funded scheme to reflect the latest grant funding available was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

28 Treasury Management - Annual Report 2017/18
Report CSD18110

A motion to note the Treasury Management Annual Report for 2017/18 and approve the actual prudential indicators within the report was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

29 Health and Wellbeing Board - Annual Report 2017/18
Report CSD18105

A motion to receive and note the annual report from the Health and Wellbeing Board was moved by Councillor David Jefferys, seconded by Councillor Colin Smith and **CARRIED**.

30 Councillor Attendance 2017/18
Report CSD18104

The annual attendance data for 2017/18 was noted.

31 To consider Motions of which notice has been given.

The following motion was moved by Councillor Ian Dunn and seconded by Councillor Simon Jeal -

Road Safety

“This Council recognises residents’ concerns about road safety and so instructs a review of its current policy and its implementation.”

The following amendment was moved by Councillor William Huntington-Thresher and seconded by Councillor Will Harmer -

Add “Despite the Council’s high performance in terms of road safety improvements in comparison to other boroughs,” before the text of the motion and delete from “so instructs...” and add “requests the Environment PDS review the latest Local Implementation Plan (LIP) with the target of further road safety improvements at its next meeting.”

This amendment was **CARRIED**.

The substantive motion therefore read -

“Despite the Council’s high performance in terms of road safety improvements in comparison to other boroughs, this council recognises residents’ concerns about road safety and requests the Environment PDS review the latest Local Implementation Plan (LIP) with the target of further road safety improvements at its next meeting.”

More than five Members having risen in their seats, a recorded vote was conducted.

Voting in favour -

Councillors Marina Ahmad, Gareth Allatt, Vanessa Allen, Graham Arthur, Kathy Bance MBE, Yvonne Bear, Julian Benington, Nicholas Bennett JP, Mike Botting, Katy Boughey, Mark Brock, Kevin Brooks, Mary Cooke, Aisha Cuthbert, Peter Dean, Ian Dunn, Nicky Dykes, Judi Ellis, Simon Fawthrop, Peter Fortune, Kira Gabbert, Hannah Gray, Will Harmer, Colin Hitchins, William Huntington-Thresher, Simon Jeal, David Jefferys, Charles Joel, Josh King, Kate Lymer, Christopher Marlowe, Robert Mcilveen, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Chris Pierce, Neil Reddin, Will Rowlands, Michael Rutherford, Richard Scoates, Suraj Sharma, Colin Smith, Diane Smith, Gary Stevens, Melanie Stevens, Harry Stranger, Kieran Terry, Michael Tickner, Pauline Tunnicliffe, Michael Turner, Stephen Wells, Dave Wibberley and Angela Wilkins.

Abstaining -

The Mayor, Councillor Kim Botting FRSA and the Deputy Mayor, Councillor David Cartwright QFSM

The motion as amended was **CARRIED**.

32 The Mayor’s announcements and communications.

The Mayor thanked Members who had attended the Armed Forces Day ceremony on 28th June, and reminded them about the Voluntary Service Reception on 19th July. She also announced that her first charity dinner would be at the Hisar Turkish Restaurant on 31st July, and that there would be a Charity Ball at The Warren on 27th October.

The Mayor led the chamber in a round of applause for the Bromley Team who had just won the London Youth Games for the third year in a row.

The Meeting ended at 8.46 pm

Mayor

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COUNCIL MEETING

16TH JULY 2018

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Sarah Phillips to the Environment and Community Services Portfolio Holder

How much money does the Council hold from funds raised by the good people of Beckenham and Bromley for the restoration of the bandstand in Croydon Road Recreation Ground and can the Council provide a breakdown of those funds by source i.e. Friends of the Park, Bowie Beckenham Oddity, brick sales, commercial pledges etc?

Reply:

Please find below the figures for the bandstand as we currently have them . These are based on updates provided by Finance as of the 9th July 2018. These are the total sums sitting within the dedicated Council cost-codes for the bandstand - there may be other sums in addition currently held by the Friends etc. which have not been transferred over to us yet and of which we are therefore not aware.

Collector of funds	Amount
Friends group (community fundraising activities, funds from first fundraising concert held)	£19,350.65
Memory of a Free Festival (two fundraising concerts)	£28,512.00
LB Bromley (Bandstand Bricks, Launch Party Tickets, on-line donations, raffles, Walking in Ziggy's Footsteps tour donations, collecting tins, £5k match funding towards Project Management fees previously committed)	£18,836.95
Total match-funding to date	£66,699.60

Supplementary Question:

Will the Council offer any match-funding given that so much, £66,000, has been raised by people in Beckenham for what is a Council owned asset?

Reply:

I am not in a position to make policy in answer to a question, but it would be consistent with past actions that we have made to look to match-fund or partially match-fund the funds raised by Friends Groups, but that would have to go through due process.

2. From Peter Zieminski to the Renewal, Recreation and Housing Portfolio Holder

Alternative Route to Runway 03: The increase in operating hours at the airport has caused a dramatic increase in large, low-flying aircraft. Yet the condition requesting a new route to alleviate residents North and West of the Airport has not been complied with. What are the Council's plans to provide the promised relief to residents?

Reply:

The Council has always accepted it is not in the Airport's power to unilaterally introduce an alternative route to runway 03. We are optimistic that this change will happen and know that the Airport have worked very hard to overcome technical difficulties and continue to liaise with the CAA even in recent weeks and months.

Supplementary Question:

How can it be acceptable to Council Members that the Airport has been enjoying the longer hours for over a year but the residents are still awaiting the promised mitigation? Who has really got a grip of this?

Reply:

The only people who have a grip of it, sadly, are the CAA. It is not within our power, as I said before - I wish it were. We continue ourselves to press the CAA, as do the Airport, we know that is the case and I feel sure that we will have decision within the next few weeks. It is the Civil Service that we are dealing with. An interesting fact that you might like to know is that the increase in movements in the extra hours that the Council has granted have been, in the period 1st April to 30th June this year, a total of 68 movements in approximately 100 days - fewer than one extra movement in the morning every day, sometimes more, sometimes less.

3. From David Clapham to the Renewal, Recreation and Housing Portfolio Holder

The Consultative Minutes (18th January 2018) record... "In answer to a question from the Chairman, Richard Parry advised that the Sub-Committee only upheld complaints which related to breaches of noise restrictions. Tracking deviations were picked up automatically by the NMTKS."

The NAP stated the NMTKS would provide members of the public with more than now reported in the Consultative Committee Minutes. Residents in Keston (Designated Noise Sensitive Area) are getting fed up with large jets visually approaching runway 03 flying low over their homes. The Committee is apparently in violation of Government Guidelines, The Aviation Policy Framework and in breach of the agreement with Bromley Council. Do you agree?

Reply:

The Noise Monitoring Track Keeping System (NMTKS) does provide members of the public with more than now reported in the Consultative Committee Minutes in the sense that it is a virtually live system, which also allows retrospective examination of individual aircraft flights. I am sure you are aware but I was actually present at this meeting and noted some of the welcome developments to better manage noise associated with the airport. I am supportive of the Airport focussing residents' attention on noise nuisance rather than aircraft being off-track as surely this is the primary concern of residents. That is not to say that track-keeping is not important and I welcome the fact that these are picked up automatically and that pilot behaviour is being focussed on, which the minutes make clear. I am not immediately clear which part of the 86 page aviation Policy Framework is being breached, but if you would like to advise me perhaps by email after the meeting I am happy to look at that in more detail.

Supplementary question:

The Biggin Hill Managing Director has acknowledged the incorrect data emanating from the NMTKS. Monitoring Biggin Hill's performance for impact on residents is vital. Is the Council aware that the data is wrong, and when will it be accurate? The Government requires open and effective communication with local communities - this is not happening.

Reply:

I was not aware that there was any inaccuracy and I will urgently investigate that and report back to you.

Additional Supplementary question:

Councillor Simon Fawthrop asked whether the Portfolio Holder was aware that the Noise Monitoring system was a deterrant for residents reporting because there was the best part of an hour's delay between being able to spot something and then report it. In this day and age of instantaneous communication will he agree with me that such a delay is not proper and should be revised?

Reply:

I fail to understand why that is a deterrant from reporting, though I do understand that it is less than wholly satisfactory. There has to be some delay for terrorism and safety concerns, but not perhaps an hour and I will look into that and report back.

4. From Dr Mike Roddis, co-chair Kings Hall Safety Action Group (KHSAG) to the Environment and Community Services Portfolio Holder

Could you please explain why we have not received a reply from you to our letter of 30th April 2018 despite numerous attempts to follow it up on our part?

Reply:

I am sorry that you do not feel that you have been kept up to date. The situation has not changed since my meeting with you, so there is nothing to add. We are expecting the results of the traffic survey imminently. The parking scheme that was discussed with you is being designed and once it has been designed it will be shared. We are currently trying to increase the use of the pay and display spaces around Kent House Station. As we develop the Quietway plans further aspects are being considered, this includes the possibility of a zebra crossing in Kings Hall Road. At the moment all of those are under consideration and are being developed before we can come to any conclusions.

Supplementary question:

I see the Council's motto before me that enjoins you "To serve the people." When exactly will you give us the response that we require to our question?

Reply:

As I indicated, there are things in progress; when the drawings are finished and have been reviewed they will be shared with you. When we have the data and it has been analysed and we have reviewed it then we will be sharing conclusions with you.

5. From James Pattullo to the Renewal, Recreation and Housing Portfolio Holder

Many residents have been adversely impacted by the increase in larger noisy jet aircraft resulting from the increased operational hours. The annual income from

BHAL to LBB is over £150,000 short of the forecast when the extra hours were sanctioned. Why are the figures not published openly for all to see?

Reply:

The Council does not routinely publish individual income figures for specific properties that we own, and that includes Biggin Hill Airport. As you know though, because it has already been shared with you, the rental income the Council receives from the Airport is not a secret. For the record, in 2016/17, the Council received a total of £239,627, an increase of 9% from the previous year and 15% from the year before (2014/15), which represents a welcome increase.

Supplementary question:

Considering that income to the Council is not based on objective turnover at the airport, but on a certificate produced by the airport itself after making certain deductions, when was the last time that the Council had these certificates audited, which is allowed by the lease?

Reply:

Had I had notice of that question I would have discovered the answer. Now I have the question I will discover the answer and I will let you know.

6. From Julie Ireland to the Resources, Commissioning and Contract Management Portfolio Holder

In the elections on 3rd May 2018 how many people attended a polling station but were unable to vote because they did not have valid ID with them? Please provide the data broken down by polling station. ([Appendix 1](#))

Reply:

In total 154 electors who were recorded as having attended polling stations with either no ID or incorrect ID and they did not return to vote. Rather than read out details for all our polling stations which would take up most of the available time for public questions I have made copies of the individual polling station data available in the Chamber.

Supplementary question:

Could you please describe the method used for recording people who could not vote given that I personally and several of my colleagues were in attendance at all the polling stations that day to make a note of what method was used?

Reply:

There is a large sheet which details that information which is certainly going to be made available by the Returning Officer.

I just wanted to mention that, of that 154, that is considerably less than the number of people who spoiled their votes, to try to get that into context. Interestingly, if every one of those 154 who chose not to come back if they had come back and voted for the highest losing candidate it would not have affected any result at all at any of the elections right across the borough.

That information will be made available by the Returning Officer.

(At this point the time allowed for public questions expired, and the remainder of the questions received written replies.)

7. From Sarah Phillips to the Environment and Community Services Portfolio Holder

Can the Portfolio Holder explain/outline the timeline over the last 5 years, involved in issuing tender documents to obtain quotes for the cost of restoration work at the Croydon Road Recreation Ground and give details of the current state of play?

Reply:

The original tender cost was obtained in 2015, unfortunately that is no longer valid. We have recently retendered the work and received rather higher costs for the works. The prices though have been secured until summer 2019. A HLF bid would require community outcomes and additions to the costs but with the potential benefit of a grant.

8. From Dr Mike Roddis, co-chair Kings Hall Safety Action Group (KHSAG) to the Environment and Community Services Portfolio Holder

We are aware of an underspend in Bromley Council's environmental budget in the last financial year of £1,831,000 for 2017/18. Why was some of this budget not used for the development of an enforceable parking scheme and measures to combat speeding on Kings Hall Road (section 1-166)?

Reply:

As I have previously mentioned a white line and parking bay scheme is being designed for Kings Hall Road after concerns about bad parking were raised by residents. Schemes such as this have been very effective where used in other streets. All new schemes are monitored and should an indicative scheme be abused and bad parking continue, there is always the option for the Council to install yellow lines in place of the white lines.

A speed survey has been commissioned for Kings Hall Road to assess the suggestion that unusually high speeds are being driven.

Underspends are an indication of good management of the finances and cost pressures of the relevant area. The Council operates a one Council approach to finances and it is for the Council to take a cross Council view to balance the relative priorities of the many calls on its finances.

9. From Julie Ireland to the Children, Education and Families Portfolio Holder

14 academy schools in Bromley have decided not to have their Year 6 Sats moderated in the borough. Please identify these academies and state which authority they have chosen to use for their moderation.

Reply:

Assessment at the end of Key Stage 2 (in Year 6) is subject to two checking processes: moderation of teacher assessment of writing and monitoring of test administration. This year, 15 academy schools with children taking tests at Key Stage 2 chose to have teacher assessment moderated by a different local authority. Nine of these schools had monitoring provided by that authority and 6 used Bromley:

	School	Moderation	Monitoring
1.	Blenheim Primary School	Bexley	Bexley
2.	Castlecombe Primary School	Kent	Bromley
3.	Crofton Junior School	Kent	Bromley
4.	Hayes Primary School	Kent	Bromley
5.	Leesons Primary School	Kent	Bromley
6.	Midfield Primary School	Kent	Bromley
7.	Mottingham Primary School	Bexley	Bexley
8.	Pickhurst Academy	Croydon	Croydon
9.	Raglan Primary School	Greenwich	Greenwich
10.	Red Hill Primary School	Bexley	Bexley
11.	Scotts Park Primary School	Bexley	Bexley
12.	St Mary Cray Primary School	Kent	Bromley
13.	St Peter & St Paul Catholic Primary Academy	Greenwich	Greenwich
14.	Stewart Fleming Primary School	Bexley	Bexley
15.	Valley Primary School	Kent	Kent

10. From Sarah Phillips to the Environment and Community Services Portfolio Holder

What does the Council see as the future for the bandstand in Croydon Road Recreation Ground?

Reply:

We remain committed to working in partnership with the community to secure the funds needed to carry out the restoration works, which will ensure the bandstand is available for use by the local community for generations to come. It has always been our intention to submit a second HLF application based on feedback we received from HLF previously, however this will require a match funding financial commitment from the Council. At the current time we are unable to confirm Council funding and would encourage the community to continue to raise funds in support of the project.

11. From Dr Mike Roddis, co-chair Kings Hall Safety Action Group (KHSAG) to the Environment and Community Services Portfolio Holder

When will the zebra crossings be installed in Kings Hall Road that residents have repeatedly stressed are needed to address the dangers to our children and those

attending nearby schools face when crossing the road and indeed all other pedestrians?

Reply:

We are undertaking an assessment of the feasibility of including a zebra crossing on Kings Hall Road into the final design of the Quietway route.

12. From Julie Ireland to the Resources, Commissioning and Contract Management Portfolio Holder

At the Council meeting on 26 February 2018 the Resources Portfolio Holder said that only 68% of FOI requests between July and December 2017 had been answered within the regulatory 20 working day period.

Please provide further statistics stating the number of FOI requests received between 1/7/17 and 31/3/18, the number that were answered within 20 working days, the number that were answered between 21 and 60 working days, the number refused and the category of refusal, and the number that received no response.

Reply:

The statistics for the nine months up to 31st March 2018 are as follows –

Requests received	1,185
Answered within 20 working days	773
Answered beyond 20 working days	412
Refused	3*
No Response	0

This equates to a rate of about 65% of requests answered within 20 working days.

** The 3 requests refused entirely were on the grounds that it would take in excess of 18 hours to retrieve the information requested. There are other cases where part of the request was refused, but it is not possible to produce further detail without checking hundreds of individual requests.*

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Ward	P/D	Station Number	Station Name	No. that did not return to vote
Bromley Common & Keston	BC1	B1X	St. Luke's Church Hall, Raglan Road	2
	BC1	B2X	St. Luke's Church Hall, Raglan Road	1
	BC2	B3	Nettleton Hall, Bromley Common Baptist Church, Gravel Road	2
	BC3	B4X	South Room, Holy Trinity Church Rooms, Church Lane, Bromley Common	1
	BC3	B5X	South Room, Holy Trinity Church Rooms, Church Lane, Bromley Common	0
	BC4	B6X	Southborough Lane Baptist Church, Southborough Lane	3
	BC4	B7X	Southborough Lane Baptist Church, Southborough Lane	1
	BC5	B8	Keston Village Hall, Heathfield Road	2
Copers Cope	CC1	B9Y	Worsley Bridge Primary School, Brackley Road	1
	CC1	B10Y	Worsley Bridge Primary School, Brackley Road	0
	CC1	B11Y	Worsley Bridge Primary School, Brackley Road	1
	CC2	B12Y	St. George's Beckenham Church Hall, 25-27 Albemarle Road	0
	CC2	B13Y	St. George's Beckenham Church Hall, 25-27 Albemarle Road	0
	CC2	B14Y	St. George's Beckenham Church Hall, 25-27 Albemarle Road	0
	CC3	B15Y	Beckenham United Reformed Church Hall, Oakhill Road	1
	CC3	B16Y	Beckenham United Reformed Church Hall, Oakhill Road	0
	CC3	B17Y	Beckenham United Reformed Church Hall, Oakhill Road	0
Hayes & Coney Hill	HA1	B18	Pickhurst INFANT Academy, Pickhurst Lane	0
	HA2	B19	Victory Social Club, Kechill Gardens	0
	HA3	B20X	Hayes Free Church Hall, 111 Pickhurst Lane	2
	HA3	B21X	Hayes Free Church Hall, 111 Pickhurst Lane	0
	HA4	B22X	Hayes Village Hall, Hayes Street	1
	HA4	B23X	Hayes Village Hall, Hayes Street	1
	HA5	B24X	The Assembly Halls, 16-18 Gates Green Road, West Wickham	0
	HA5	B25X	The Assembly Halls, 16-18 Gates Green Road, West Wickham	0
	HA6	B26	Coney Hill Baptist Church, Coney Hill Road	2
Kelsey & Eden Park	KP1	B27X	Azelia Hall, 258 Croydon Road	1
	KP1	B28X	Azelia Hall, 258 Croydon Road	0
	KP2	B29X	St. Edmunds Church Hall, Village Way	0
	KP2	B30X	St. Edmunds Church Hall, Village Way	0
	KP3	B31Y	Marian Vian Primary School, Shirley Crescent	1
	KP3	B32Y	Marian Vian Primary School, Shirley Crescent	0
	KP3	B33Y	Marian Vian Primary School, Shirley Crescent	1
	KP4	B34Y	St. John's Eden Park Church Hall, 251 Eden Park Avenue	1
	KP4	B35Y	St. John's Eden Park Church Hall, 251 Eden Park Avenue	0
Shortlands	SH1	B37	St. Mary's Shortlands Church Hall, St. Mary's Avenue	-1
	SH2	B38X	St. Peter's Hall, Malmains Way	-1
	SH2	B39X	St. Peter's Hall, Malmains Way	2
	SH3	B40	Highfield Junior School, South Hill Road	1
	SH4	B41X	St. Mark's C.E. Primary School, Aylesbury Road	1
	SH4	B42X	St. Mark's C.E. Primary School, Aylesbury Road	1
West Wickham	WW1	B43	St. Francis Church Hall, Ravenswood Avenue	2
	WW2	B44X	The Hawes Down Centre, Hawes Lane	0
	WW2	B45X	The Hawes Down Centre, Hawes Lane	0
	WW3	B46X	Pickhurst JUNIOR Academy, Pickhurst Lane	1
	WW3	B47X	Pickhurst JUNIOR Academy, Pickhurst Lane	0
	WW4	B48Y	Emmanuel Church Hall, The Grove	0
	WW4	B49Y	Emmanuel Church Hall, The Grove	0
	WW4	B50Y	Emmanuel Church Hall, The Grove	3
Bickley	BK1	C1X	Scotts Park Primary School, Orchard Road	0
	BK1	C2X	Scotts Park Primary School, Orchard Road	2
	BK2	C3	Bullers Wood School, Chislehurst Road	0
	BK3	C4	St. Michael's Hall, Nightingale Lane, Bromley	2
	BK4	C5X	St. George's Bickley C.E. Primary School, Tylney Road	1
	BK4	C6X	St. George's Bickley C.E. Primary School, Tylney Road	0
	BK5	C7	St. George's Bickley Church Hall, Bickley Park Road	1
	BK6	C8X	23rd Bromley (St. Augustine Scout Hall), Homemead Road	1
	BK6	C9X	23rd Bromley (St. Augustine Scout Hall), Homemead Road	0

Bromley Town	BT1	C10	Valley Primary School, Beckenham Lane	1
	BT2	C11X	Christ Church Bromley, Highland Road	4
	BT2	C12X	Christ Church Bromley, Highland Road	0
	BT3	C13	Mobile Unit at the Pavilion, Queens Mead Recreation Ground	1
	BT4	C14	The Church Rooms, Bromley Parish Church, Church Road	2
	BT5	C15	Bickley Primary School, Nightingale Lane	0
	BT6	C16X	St. Mark's Bromley Church Room, Westmoreland Road	0
	BT6	C17X	St. Mark's Bromley Church Room, Westmoreland Road	2
	BT7	C18	St. Swithun's Bromley Church Hall, Fashoda Road	2
Chislehurst	CH1	C19	The Chislehurst Sports & Country Club, Elmstead Lane	1
	CH2	C20Y	Red Hill Primary School, Red Hill, Ghg	0
	CH2	C21Y	Red Hill Primary School, Red Hill, Ghg	1
	CH2	C22Y	Red Hill Primary School, Red Hill, Ghg	0
	CH3	C23X	Edgebury Primary School, Belmont Lane	1
	CH3	C24X	Edgebury Primary School, Belmont Lane	0
	CH4	C25Y	Chislehurst C.E. Primary School, School Road	3
	CH4	C26Y	Chislehurst C.E. Primary School, School Road	0
	CH4	C27Y	Chislehurst C.E. Primary School, School Road	0
	CH5	C28	St. Peter & St. Paul Catholic Primary Academy, St. Paul's Wood Hill	1
Cray Valley West	CW1	C29	Link Youth Centre, Midfield Way	0
	CW2	C30X	Gray's Farm Primary Academy, Gray's Farm Road	0
	CW2	C31X	Gray's Farm Primary Academy, Gray's Farm Road	3
	CW3	C32Y	Leesons Primary School, Leesons Hill	0
	CW3	C33Y	Leesons Primary School, Leesons Hill	0
	CW3	C34Y	Leesons Primary School, Leesons Hill	1
	CW4	C35Y	Poverest Adult Education College, Poverest Road	1
	CW4	C36Y	Poverest Adult Education College, Poverest Road	1
	CW4	C37Y	Poverest Adult Education College, Poverest Road	0
Mottingham & Chislehurst N	MO1	C38	Odd Fellows Hall, 6A Beaconsfield Road	0
	MO2	C39X	Castlecombe Children & Family Centre, Castlecombe Road	1
	MO2	C40X	Castlecombe Children & Family Centre, Castlecombe Road	1
	MO3	C41X	Mottingham Primary School, Entrance in Mottingham Road	1
	MO3	C42X	Mottingham Primary School, Entrance in Mottingham Road	3
	MO4	C43	Elmstead Baptist Church, Elmstead Lane	2
Plaistow & Sundridge	PS1	C44	Burnt Ash Children & Family Centre, Rangefield Road	-1
	PS2	C45X	St. Andrew's Bromley Church Hall, 134B Burnt Ash Lane	1
	PS2	C46X	St. Andrew's Bromley Church Hall, 134B Burnt Ash Lane	1
	PS3	C47X	Parish C.E. Primary School, London Lane	2
	PS3	C48X	Parish C.E. Primary School, London Lane	1
	PS4	C49X	Trinity Bromley United Reformed Church Hall, Freeland Road	1
	PS4	C50X	Trinity Bromley United Reformed Church Hall, Freeland Road	0
	PS5	C51X	Warwick Hall, St. Mary's C.E. Church, 61 College Road	0
	PS5	C52X	Warwick Hall, St. Mary's C.E. Church, 61 College Road	2
Biggin Hill	BH1	O1X	Oaklands Primary Academy, Oaklands Lane	0
	BH1	O2X	Oaklands Primary Academy, Oaklands Lane	0
	BH2	O3Y	St. Mark's Biggin Hill Church Hall, 10 Church Road	1
	BH2	O4Y	St. Mark's Biggin Hill Church Hall, 10 Church Road	3
	BH2	O5Y	St. Mark's Biggin Hill Church Hall, 10 Church Road	0
	BH3	O6	Biggin Hill Children & Family Centre, Sunningvale Avenue	3
Chelsfield & Pratts Bottom	CB1	O7X	St. Nicholas Church Hall, Leamington Avenue	1
	CB1	O8X	St. Nicholas Church Hall, Leamington Avenue	0
	CB2	O9X	Warren Road Primary School, Warren Road	1
	CB2	O10X	Warren Road Primary School, Warren Road	2
	CB3	O11X	The Chelsfield Centre, Windsor Drive	0
	CB3	O12X	The Chelsfield Centre, Windsor Drive	1
	CB4	O13	Chelsfield Village Hall, Bucks Cross Road	1
	CB5	O14X	St. Mary's Green Street Green Church Hall, Worlds End Lane	1
	CB5	O15X	St. Mary's Green Street Green Church Hall, Worlds End Lane	0
	CB6	O16	Pratts Bottom Village Hall, Norsted Lane	0

Cray Valley East	CE1	O17X	St. Paul's Cray C.E.Primary School, Buttermere Road	0
	CE1	O18X	St. Paul's Cray C.E.Primary School, Buttermere Road	0
	CE2	O19	Poverest Coronation Hall, Bridge Road, Orpington	1
	CE3	O20	Vernon Hall, Temple United Reformed Church, High Street	2
	CE4	O21	Manor Oak Primary School, Sweeps Lane/Blacksmith's Lane	0
	CE5	O22	Perry Hall Primary School, Perry Hall Road	1
	CE6	O23X	Orpington Sea Cadets, T S Whirlwind, Park Road	0
	CE6	O24X	Orpington Sea Cadets, T S Whirlwind, Park Road	2
Darwin	DA1	O25	Mobile Unit, The Car Park, The Common	1
	DA2	O26	Downe Village Hall, 24 High Street	1
	DA3	O27	Hazelwood Eldon Village Hall, 7 Spinney Way	0
	DA4	O28	Greenwood Centre, 4 High Street	0
	DA5	O29	Cudham C.E. Primary School, Jail Lane	0
	DA6	O30	Cudham Parish Hall, Cudham Lane South	0
	DA7	O31	Westerham Hill Baptist Church Hall, 432 Main Road, Westerham Hill	1
Farnborough & Crofton	FC1	O32X	St. Paul's Crofton Church Hall, Crofton Road	0
	FC1	O33X	St. Paul's Crofton Church Hall, Crofton Road	0
	FC2	O34	Acorn Lounge, Crofton Baptist Church, 100 Crofton Lane	0
	FC3	O35X	Crofton Halls, York Rise	1
	FC3	O36X	Crofton Halls, York Rise	0
	FC4	O37Y	Darrick Wood Infant School, Lovibonds Avenue	1
	FC4	O38Y	Darrick Wood Infant School, Lovibonds Avenue	0
	FC4	O39Y	Darrick Wood Infant School, Lovibonds Avenue	2
	FC5	O40	Tubbenden Primary School, Sandy Bury, Off Tile Farm Road	1
	FC6	O41	Farnborough Village Hall, High Street	5
Orpington	OR1	O42	All Saints Church Hall, Bark Hart Road	1
	OR2	O43	Harris Primary Academy Orpington, Dyke Drive	0
	OR3	O44X	Blenheim Children & Family Centre, Blenheim Road	1
	OR3	O45X	Blenheim Children & Family Centre, Blenheim Road	0
	OR4	O46X	Orpington Methodist Church Hall, Sevenoaks Road	1
	OR4	O47X	Orpington Methodist Church Hall, Sevenoaks Road	0
	OR5	O48	Bromley Beacon Academy, Avalon Road	0
	OR6	O49X	Christ Church Orpington, 165 Charterhouse Road	2
	OR6	O50X	Christ Church Orpington, 165 Charterhouse Road	3
Petts Wood & Knoll	PW1	O51X	Garden Estates Association Hall, 36 Woodhurst Avenue	1
	PW1	O52X	Garden Estates Association Hall, 36 Woodhurst Avenue	1
	PW2	O53	Crofton INFANT School, Towncourt Lane, Petts Wood	2
	PW3	O54Z	Petts Wood Memorial Hall, 200 Petts Wood Road	1
	PW3	O55Z	Petts Wood Memorial Hall, 200 Petts Wood Road	0
	PW3	O56Z	Petts Wood Memorial Hall, 200 Petts Wood Road	0
	PW3	O57Z	Petts Wood Memorial Hall, 200 Petts Wood Road	0
	PW4	O58X	St. John's United Reformed Church Hall, Lynwood Grove	0
PW4	O59X	St. John's United Reformed Church Hall, Lynwood Grove	0	
Clock House	CL1	L1X	Stewart Fleming Primary School, Entrance In Suffield Road	1
	CL1	L2X	Stewart Fleming Primary School, Entrance In Suffield Road	1
	CL2	L3	Avenue Road Baptist Church Hall, 94 Avenue Road	0
	CL3	L4X	Churchfields Primary School, Churchfields Road	0
	CL3	L5X	Churchfields Primary School, Churchfields Road	0
	CL4	L6X	Neighbourhood Church, 12 Cromwell Road	1
	CL4	L7X	Neighbourhood Church, 12 Cromwell Road	3
CL5	L8	Beckenham Library, 22 Beckenham Road	4	
Crystal Palace	CP1	L9	Sydenham Lawn Tennis Club, Springfield Road, Off Lawrie Park Road	4
	CP2	L10X	St. Paul's Anerley Church Hall, Hamlet Road	4
	CP2	L11X	St. Paul's Anerley Church Hall, Hamlet Road	1
	CP3	L12X	Anerley Town Hall, Anerley Road	0
	CP3	L13X	Anerley Town Hall, Anerley Road	1
	CP4	L14	Anerley Town Hall, Anerley Road	0

Penge & Cator	PE1	L15X	Holy Trinity Church Centre, 66 Lennard Road	0
	PE1	L16X	Holy Trinity Church Centre, 66 Lennard Road	0
	PE2	L17	Christ Central Church, Green Lane	0
	PE3	L18	Harris Aspire Academy, Lennard Road	0
	PE4	L19X	St. John's C.E. Primary School, Maple Road	1
	PE4	L20X	St. John's C.E. Primary School, Maple Road	3
	PE5	L21X	Kenilworth Church Hall, Kenilworth Road	0
	PE5	L22X	Kenilworth Church Hall, Kenilworth Road	2
	PE6	L23X	Melvin Hall, Melvin Road	0
	PE6	L24X	Melvin Hall, Melvin Road	0
TOTAL				154

COUNCIL MEETING

16TH JULY 2018

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Colin Willetts to the Resources, Commissioning and Contracts Portfolio Holder

With regard to the LBB local elections 2018, could you tell us if any of the postal votes returned were scrutinised/sampled for fraud, (i) if so how many? & (ii) in what wards?

Reply:

All postal vote packs which are returned are checked against key identifiers as a fraud prevention measure.

2. From Colin Willetts to the Leader of the Council

Following complaints/ reports from the residents of Swan Close that Councillor Hitchins does not live at his current electoral address this coupled with his failure to reply to emails sent & carry out any advice surgeries, where does he actually reside now on electoral role?

Reply:

Cllr Hitchins wishes to confirm that the register of interests correctly reflects his personal circumstances.

Cllr Hitchins has no record of any un-responded to correspondence.

Although not strictly Council business, it is a matter of record that the Conservatives hold a surgery in Cray Valley West every other Wednesday and are currently evaluating options to extend their offer to a Saturday morning surgery too.

They can of course always be contacted at other times by telephone, email or letter as residents prefer.

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COUNCIL MEETING

16TH JULY 2018

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

1. From Cllr Julian Benington to the Renewal, Recreation and Housing Portfolio Holder

West Camp, Biggin Hill is the former offices, barracks, messes, hangars and storage areas for the RAF who left the airfield and West Camp in 1992, 26 years ago. It was bought by Pentridge Properties, which company is effectively owned by Bernie Ecclestone, who used the hangars and some of the buildings for storage. Many of these buildings are Listed, but little or no maintenance has or is carried out on them, the whole site is a deteriorating eyesore and total waste.

In May 2017 a letter was sent to Pentridge Properties from this borough expressing an interest in purchasing the site. The reply received was that it had already been sold, but this sale fell through almost immediately. What steps have been or are being taken now to purchase this site?

Reply:

The Council wrote to Pentridge, who are the current owner of the property concerned, on 7 June stating that the Council is still interested in acquiring the above site so as to provide a sustainable reuse of the listed barrack buildings as an enterprise centre. To date we have not had a response.

Supplementary question:

In view of the deteriorating condition of the buildings, and the waste of the site, which is within the Mayor's Strategic Outer London Development Site, if the sale is refused or cannot be agreed will a compulsory purchase order be made to secure the site for commercial development, possibly including the new Aviation Training College planned by South East London Colleges?

Reply:

As regards the Aviation Training College that is no longer going on that site - it is going on another site provided by the Airport, so that is taken care of. However, I do not disagree with your sentiments with regard to these buildings. I myself have been pressing for some time to get a reply from Pentridge or to go down the compulsory purchase route. However, this is not always that simple and I will require legal advice as to whether we will succeed in doing that.

2. From Cllr David Jefferys to the Renewal, Recreation and Housing Portfolio Holder

Would the Portfolio Holder clarify who is responsible for controlling and monitoring the air space under 2,500 feet over Bromley for both fixed wing aircraft and helicopters?

Reply:

Unfortunately, it is not the Council's responsibility. Ultimately, this is a matter for Government and the Civil Aviation Authority (CAA). Controlled airspace can go from ground level to 66,000 feet in some cases, and 'air routes' can have bases down to 3,500 ft. Outside controlled airspace, aircraft can go anywhere so long as they abide by

the Rules of the Air. Specifically, relating to Biggin Hill, we have double checked the position with the CAA who confirm that Biggin Hill is within airspace G. The CAA website says “In the UK class G airspace is uncontrolled. This means there are no restrictions on which aircraft can enter it, what equipment the aircraft must carry, or the routes taken by the aircraft.”

The CAA have said to us, “As long as pilots follow the published rules, they can largely operate autonomously.”

The CAA have essentially confirmed to us that the Council does not have a role in routes below 2,500 feet, with the Airport in charge, in that sense, albeit within the existing regulatory framework, including the controls outlined in the Lease, which includes the Noise Action Plan.

Also, it is important to note that the Council does not have additional powers as a planning authority as some mistakenly believe.

Supplementary Question:

In the light of this answer, and the two earlier answers, can he bring forward a meeting with the CAA as soon as possible, or at least request such a meeting, so that these matters can be discussed.

Reply:

I will.

3. From Cllr Alexa Michael to the Environment and Community Services Portfolio Holder

When will the measures to control the speed and volume of traffic on Heathfield Road in Keston be implemented? What form will these measures take?”

Reply:

There are no plans in place to limit the volume of traffic using Heathfield Road in Keston. There are two measures to be installed to help limit the speed of drivers using Heathfield Road. The first is the installation of a virtual speed table at the junction with Keston Avenue. Before this could be installed, a new road surface had to be laid at this location. This new surface was installed some months ago and the surface is now settled such that the required road markings and surface dressing can be laid. The new Highways contract came online at the start of July and the road markings are now programmed to be laid sometime this month.

The other speed-reducing measure planned is for a gateway feature to be installed just south of Fishponds Road. This has taken time to bring to fruition as planning permission was required to place the signs on Commons land. It is expected that the gateway feature will be installed in September.

Supplementary Question:

Given that it is exactly five years since the first measurements of speed and traffic in Heathfield Road were taken does the Portfolio Holder think it is high time that action is now taken?

Reply:

As with all schemes we will undertake measurements of the effect to determine whether there is anything further that we can realistically achieve where road users are controlling their vehicles.

4. From Cllr Angela Wilkins to the Leader of the Council

Does he support the general principle practised across the corporate and public sectors that, when something goes horribly wrong inside the organisation, the person “with whom the buck stops” should take ultimate responsibility and resign (if not be sacked)?

Reply:

Cllr Wilkins has raised an interesting philosophical question which I have given some considerable thought to over the course of the weekend.

On reflection, it would probably depend on the circumstances, and also as to whether the individual in question could reasonably have been expected to know something was wrong, then neglected to do anything about it, or wilfully engaged in an action or policy which caused significant loss or damage to their business or other 3rd parties.

For example, were a Chancellor of the Exchequer to indulge in a series of 17 gold auctions and sell half the nation’s gold reserves at levels not seen in decades running up a loss to the public purse estimated to have cost British Tax payers somewhere in the region of £8 billion pounds, then yes, I would agree that a resignation, or indeed a sacking, would be highly appropriate.

Another example would be were a Prime Minister and most of his Cabinet to decide to engage in what many regard as being an illegal war based on a false premise concerning weapons of mass destruction, leading to the death of many thousands of innocent people, at further great cost to the British tax payer. That would certainly merit sacking, if not the criminal prosecution of those responsible.

But I have a strange feeling that these are not the issues which Cllr Wilkins wishes to address in her supplementary question to me this evening.

Supplementary Question:

Would he explain please how it is that, having been Portfolio Holder for Environmental Services responsible for Waste Services, Vinci, Streetworks to name a few, all of which had extremely bad Internal Audit reports and as a consequence of failures in that Department this Council lost in excess of £1.5m, how has it come about that he has been elevated to be Leader of the Council?

Reply:

I hope it comes down to the good judgement of my colleagues on this side of the Chamber understanding the facts of the matter rather than the so called facts that Cllr Wilkins continues to try to misrepresent. The Waste Service has long since been an outstanding service, one of the best in London, it beats the benchmarks and has been the source of great pride amongst this authority in terms of performance. The fault to which Cllr Wilkins refers had long been embedded into that contract, preceding my arrival in-post, as soon as the fault was spotted (and it was spotted by Environmental Services) who alerted Internal Audit it was quickly put right, the fault corrected and the priority flags corrected within about fourteen months. I have not got much more to add

as the report is still being redacted and held back and I am sure that we will be discussing it again in the not-too-distant future.

Cllr Angela Wilkins raised a point of personal explanation stating that she had not misrepresented anything. The report was there, but unfortunately the public could not read it yet, and she was not mis-representing the audit at all. Councillor Colin Smith responded that there were on-going false reports about that audit; when the audit was reported the facts would be seen.

5. From Cllr Vanessa Allen to the Portfolio Holder for Environment and Community Services

Please describe the Council's policy for the implementation and enforcement of 20mph speed limits outside primary and secondary schools.

Reply:

20mph limits have been introduced outside 22 schools across the Borough, where a need has been identified; some of these are enforceable and some are highly visible advisory limits. In other locations, other types of warning signs have been installed, some electronic and some static. The school-time flashing advisory 20mph signs, introduced recently adjacent to three Borough schools are considered to be very effective at alerting drivers such that they adjust their speed accordingly.

The Council continues to monitor all schools, through our school travel planners, and will introduce whatever measures are deemed suitable to address safety issues or barriers to travel.

I should make clear that essentially the approach starts with the school and the School Travel Plan process to work out what is the best type of measure appropriate to that individual school in consultation with the school.

The Police are responsible for policing speed.

Supplementary Question:

I am interested to hear that the 20mph limit is enforced - I would like to know how it is enforced?

Reply:

I think I just said that the Police are responsible for policing speed.

6. From Cllr Kathy Bance MBE to the Leader of the Council

Bromley Youth Council are ambassadors for engaging with young people and they elected to have a young Mayor. The next stage in the process is for a white paper to be produced between the Chief Executive and the Leader of the Council. Can you give us an update on the status of this white paper?

Reply:

I am advised that there are issues involving the Council's constitution, finances and particularly concerns over safeguarding in the report which the Chief Executive is preparing. Those are the reasons that it is taking a little longer to prepare than he originally anticipated.

I am further advised that he will update you immediately that he has something more substantive to report.

7. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation & Housing

Does the Portfolio Holder agree that 22 affordable homes completed in Bromley in a year is not acceptable, given the level of demand for housing within the Borough?

Reply:

The Council actively seeks to ensure the provision of affordable housing on all new developments in line with national guidance and development plan policy. The target is for 35% percent on-site affordable housing provision in Bromley on all sites of nine units or more. Payments in lieu of onsite provision are an exception when the independent assessment has confirmed that affordable on-site provision is not viable and the Council has used those contributions to provide additional accommodation for local people via Housing Associations.

During the past 5 years around 155 new affordable housing units have been delivered. Payments in lieu contributions have also secured a current pipeline of approximately 198 affordable housing units with our housing associations. The Council is actively seeking to increase supply through a range of activities across the housing market and to ensure the best use of existing affordable housing becoming available for re-lets to meet housing need.

Supplementary Question:

Will the Portfolio Holder support the Mayor of London's building Council homes for Londoners programme?

Reply:

Where this is possible and viable, yes; there are certain parts of his policy which I think will provide fewer homes and therefore I would not want to go down that route. We are certainly conscious of the need to provide more affordable homes and our policies will be producing this in months to come.

Additional Supplementary Question:

Councillor Simon Fawthrop asked whether the Portfolio Holder was aware that last year the Labour authorities of Brent, Haringey, Hackney, Merton and Harrow built zero affordable housing, and is he aware that, in saying that he has met the figures this year, it appears that the Mayor of London has been telling a few "porky pies?" It looks like he has been double counting some of the figures and has actually failed to meet some of his affordable housing targets for the last year. Does it not say that the Conservative way of doing things is the better way of doing things?

Reply:

I was not aware of that particular data, but I am not surprised. The Conservative way of doing things is to work with the grain of the market, not against it.

8. From Cllr Marina Ahmad to the Portfolio Holder for Education, Children and Families

How much extra, in pounds, has been spent on the Education, Children and Families budget since the damning OFSTED report in June 2016?

Reply:

The answer is £7,251k.

(Controllable budget in June 2016 totalled £32,938k, Controllable budget in May 2018 £40,189k.)

Supplementary Question:

Will he now agree that the direct correlation between increased spending on the service and the very welcome improvements that have taken place as a result proves that this budget was cut too far in recent years?

Reply:

One of the original findings in the report was that the money spent on Children's Services was not the driving issue - it was around management of that service. The process since that damning Ofsted report which we have always accepted and committed to improving that service and not just fixing it but changing the way that we provide Children's Services in this borough is making sure that the management structure and the systems are correct, and that has been the main focus. If you look at the independent reports that have come in, we have had seven monitoring visits from Ofsted and we have had numerous visits from the DfE. That has all looked at systems and processes. They have looked at things we are doing well, like the triple lock, bringing staff in from agency to be full time, better relationships with schools - which was highlighted in the last report - better working around child sexual exploitation and gangs. In none of those reports have they said that the cash going in to those services is an issue, so I think that the focus is going to be on getting things right, and when we have spoken to other local London authorities who have failed their Ofsted inspections that is the advice that we are providing, that it is around management systems - getting it right and making sure that children are at the heart of everything that we do.

9. From Cllr Simon Jeal to the Portfolio Holder for Resources, Commissioning and Contract Management

Could you please comment on Barnet Council's plan to take around 11 current outsourced services back in house and whether the problems they have faced could be risks to the London Borough of Bromley's commissioning model?

Reply:

Bromley Council has been an outsourcing authority since the late 1980s and has in excess of 500 plus contracts with third party providers. In all of that time, only 3 or 4 contracts have been brought back in-house and these have been relatively low value contracts.

The problems experienced by Barnet are likely to be because they outsourced a high number of contracts all at the same time, including back office professional services such as finance and strategic HR, which are the ones that have now been brought back in-house. Given the seven services returning back to the Council are corporate type services it would seem likely that Barnet failed to properly fully appreciate the need to retain a strong central Client and strategic corporate resources to properly manage those outsourced services.

Understanding and specifying in detail all services before market testing should ensure successful contracts are placed. Sufficient time is included in the commissioning timetable to allow for this to be done.

10. From Cllr Ian Dunn to the Portfolio Holder for Environment and Community Services

What is the Council doing to encourage Bromley Residents to participate in World Car Free day on Saturday 22 September?

Reply:

The Council promotes and supports a number of year-round initiatives to encourage children and adults to consider alternative means of transport to the car, where this is suitable to their circumstances. The Council does not plan any extra independent activities for World Car Free Day, however consistent with our approach to work with partners, we will assist partners activities on that day, for example with publicity. In the past, a number of schools in the Borough have chosen to take part and the Borough's School Travel Plan Advisers offered appropriate support to these schools at that time.

11. From Cllr Kevin Brooks to the Portfolio Holder for Renewal, Recreation & Housing

How will the Council support businesses in Penge as they transfer onto the Business Improvement District? Will the Portfolio Holder ensure that, despite the Town Centre Team ceasing, the Council will ensure retail in smaller high streets are promoted and protected?

Reply:

The Council is working with the new BID at Penge and has provided support through the retention of its specialist BID advisor, CMS, both the local authority and CMS were recently involved in the recruitment of the BID manager and will eventually hand over to the manager.

The Council continues to support smaller retail parades through the Small Parades programme aimed at delivering targeted improvements and enhancement to small parades in conjunction with local businesses. Applications for that money need to be endorsed by ward councillors and I would urge all councillors to encourage the development of such applications.

Supplementary Question:

We are just at the stage where we are about to turn over to the BID, Penge not really being on the Small Parades list but still being one of the smaller high streets compared to Bromley and Orpington. I want to know that, on the transition, the Council will still be providing advice and support so that the turnover will be successful because there are not a lot of ratepayers there, unlike Bromley High Street so we still need the Council behind us and supporting us, even if only morally.

Reply:

Indeed, we will endeavour to give whatever support we can as we did in the case of both Orpington and Bromley. In the immediate months after the appointment of the new BID manager there are always questions which arise and we will do our best to help.

12. From Cllr Tony Owen to the Portfolio Holder for Renewal, Recreation & Housing

The LBB Report DRR16/057 15th June 2016 promised to appoint a member of LBB staff to assist with monitoring the agreement with BHAL, paid for by BHAL. When is this appointment going to be announced, as residents need a Council officer with whom to raise their very many serious concerns?

Reply:

It is true that the report you refer to “proposed that a member of staff will be employed on a temporary contract” and for context it outlined that this was “to assist with monitoring, with costs for this and other related costs, such as expert advice, being met from ring-fencing the monies BHAL pay to the Council for their application costs.” Whereas the application costs are subject to ongoing discussions, be assured that monitoring is nevertheless taking place. Residents do need to report their noise complaint to the airport as previously advised but they can contact the Council and the details remain on the Council’s website www.bromley.gov.uk/bigginhillairport. Whilst it was not necessary to appoint someone initially, this is now under review.

Supplementary Question:

Will the Portfolio Holder emulate Rushmoor District Council who receive and post on their website half-yearly written monitoring reports from their local airport? In their case it is Farnborough.

Reply:

I can see no fundamental reason why we should not do that - as long as it is practical we will do it.

13. From Cllr Nicholas Bennett to the Portfolio Holder for Children, Education and Families

Will he make a statement of the Report by Christine Whatford into St Olave’s School?

Reply:

When we received this report it was very depressing and upsetting reading. There are personal statements from parents, pupils and teachers that cannot help but fill you with regret for the awful experience that these families faced. As Councillor Bennett is aware, on Wednesday we will be having a thorough session to accept this report, where we will have some further conversations about the detail.

What I would like to say is that I would like to thank Mrs Whatford for producing this thorough, independent report because it has shone a light on some dreadful practices at that school.

Supplementary Question:

It is indeed a truly shocking report which showed an unlawful admissions policy at Year 12 in not letting pupils back, which is contrary to law, and the inhumane way in which some of the pupils were then treated. The fact that £2m was in the reserves of the school and yet staff were refused money for essential things, and the fact that a company was set up to trade with China without any approval by the Governing body. This does show an appalling state of things and I am sure that the new chairman will do something to improve the situation. Would he join me in congratulating Tony Wright-Jones and Julian Grainger, who was our local authority governor, who both raised, on a number of occasions, problems with the school and got a stony response?

Reply:

What is clear in the report is that there had been concerns both from parents right across the board and the pressure that they exerted on the school and the issues they raised towards the end of the last academic year, sending a letter in to us which triggered the whole investigation, was absolutely useful in drawing this to a conclusion. So we thank all the parents and teachers who were involved.

(Councillor Neil Reddin declared an interest in this question as a former governor at St Olave's School.)

14. From Cllr Angela Wilkins to the Leader of the Council

How does he see the work of Audit Sub Committee developing over the forthcoming year and does he anticipate any areas of the Council's activities in which an audit (or an OFSTED inspection) would find similar serious failings as in the last 2-3 years?

Reply:

Audit Sub-Committee is a sub-committee of General Purposes and Licensing Committee; as such is a non-executive function.

Its strength relies upon its independence.

With that in mind Cllr wilkins should really direct any concerns you may have regarding its operation to Cllr Reddin to consider.

If I believed any area of the Council's operation was deficient in any way, I would instruct pro-active action to correct poor practice, rather than wait for Audit (or Ofsted) to confirm same.

Supplementary Question:

Would you agree with me, having made a point about Audit Sub-Committee needing to be independent, that it is not really appropriate to have a member of the Executive on Audit Sub-Committee, and in particular to have the Executive Portfolio Holder for Environment given the recent history of the major reports that have gone through the Sub-Committee and the findings and the costs of those findings to this Council?

Reply:

No, I would not. I think the presence of the Environment Portfolio Holder has been extremely helpful both in his current role and his previous role as PDS Chairman in keeping some sense of proportion around an escalating situation which was being exaggerated at that time. It could be, if Members wish there not to be an executive member on it that might be something we bring to the Constitution Improvement Working Group - I am relaxed about that. Insofar as the Portfolio Holder's presence is concerned, I think that it has been wholly positive.

15. From Cllr Vanessa Allen to the Portfolio Holder for Resources, Commissioning and Contract Management

Will he provide a breakdown of the costs of the recent voter ID pilot and of the monies paid for this pilot by the Cabinet office?

Reply:

The Cabinet Office is meeting all our costs associated with the Pilot of approximately £200k which includes additional staffing costs. The full breakdown is very detailed but could certainly be sent to Cllr Allen electronically.

(At this point, the time allowed for questions expired. The remainder of the questions received written replies.)

16. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation & Housing

We learned recently that another of our Bromley Community Centres, Penge East Community Centre, is earmarked for development by Clarion Housing. They stated that no guarantee of a replacement Community Centre can be made. Will the London Borough of Bromley support our residents and community to ensure they provide a replacement Community Centre.

Reply:

In Planning terms, there is no planning application or proposal for this development so it is difficult to respond in specific terms. In general, under the Council’s development plan policies, planning permission will be resisted for proposals that would lead to a loss of community facilities unless alternative provision is made or there is no longer a need.

17. From Cllr Josh King to the Portfolio Holder for Environment and Community Services

In May the UK was referred to the European Court of Justice for failing to tackle illegal levels of air pollution. Can the Portfolio Holder report when the most recent air quality figures for Bromley were recorded and what the readings were?

Reply:

The monitoring results from all sites need to be independently reviewed and verified prior to publication in an Annual Status Report (ASR).

The results for 2017/18 are currently being verified, however, the latest verified results are for the 2016-17 period. These were published in August 2017, and a copy available via Council web site

http://www.bromley.gov.uk/downloads/download/816/air_quality_annual_status_reports

The results of which are summarised below:

Bromley Council has 1 site at Harwood Avenue where the air quality is monitored on a continuous basis.

This site monitors levels of Nitrogen Dioxide (NO2) and Particulate matter PM 10 and PM 2.5

The Pollutants Measured and their associated levels from this site are:

Pollutant Measured and Averaging period	Objective UK	Result for 2016-17	Achieved Y/N
NO2 1 Hour Mean	200 µg m-3 not to be exceeded more	No of hours exceeded = 0	Yes

	than 18 times a year		
NO2 Annual Mean	40 µg m-3	31.9 µg m-3	Yes
Particles - PM10 24 hour mean	50 µg m-3 not to be exceeded more than 35 times a year	No exceedances = 4 (35 allowed)	Yes
Particles PM10 Annual Mean	40 µg m-3	29.5 µg m-3	Yes
Particles PM 2.5	25 µg m-3	15.5 µg m-3	Yes

There are 8 additional sites where passive monitoring (using diffusion tubes) of NO2 is undertaken, the results of these sites are:

Site	Annual Mean Concentration (µgm-3)	40 µg m-3 Objective UK Achieved
1. Elmers End Road	68.8	No
2. London Road	52.4	No
3. Widmore Road	50.9	No
4. College Road	46.8	No
5. Homesdale Road	63.3	No
6. Anerly Hill	49.6	No
7. Anerly Road	47.9	No
8. Beckenham Road	47.9	No
9. Harwood Avenue	31.3	Yes

The annual mean concentrations for sites 1 -8 were not achieved.

18. From Cllr Marina Ahmad to the Portfolio Holder for Children, Education and Families

LBB still does not have a permanent Director of Education, despite advertising and interviewing one applicant. There is now a process of offering a secondment to Headteachers in the borough. Why has it been so difficult to attract the right person to the post?

Reply:

These posts are challenging to fill and other London authorities have needed more than one attempt. The post in Bromley is unusual in that it does not include either the school improvement work or the wider early help functions which are often included in the scope of similar posts in other areas, although the local emphasis on developing Bromley's SEN/D offer adds interest. Engaging recruitment consultants to search for suitably experienced candidates should increase the field.

19. From Cllr Simon Jeal to the Leader of the Council

Following the publication of the Government's LGBT action plan, what assessment will council officers and portfolio holders be carrying out to implement parts of the plan relevant to local authority services.

Reply:

The Council recognises and will continue to fulfil its legal obligations pursuant to the Equality Act 2010 including the public sector duty to 'foster good relations between people who share a protected characteristic (including sexuality) and those who do not'.

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

What progress has been made on the following motion agreed at the September 2017 Council Meeting?

"This Council re-confirms its commitment to the maximum possible levels of openness and transparency at all times. Council requests that a review be undertaken by Officers to be presented to the next meeting of the Constitution Improvement Working Group to establish how and whether this commitment might be better illustrated and publicised."

Reply:

I am advised that the Constitution Improvement Working Group received a report on transparency from the Director of Corporate Services at its meeting on 8th March 2018. Members did not make any recommendations to change our existing practices.

I am further advised that the Working Group's discussions focussed on part 1 (public) and part 2 (private) reports. The default position that we have followed for many years is that reports have to be published in part 1 of the agenda, unless senior officers consider there are very good reasons for them to be restricted to part 2. Even then, Members can challenge this and Committees can and do agree to bring part 2 reports into the public domain where they consider this does not cause harm to the Council or other interested parties.

Members will also be aware that in recent years we have encouraged the practice, where some information cannot be published, of providing reports in both parts 1 and 2, or providing a part 1 report with the restricted information in a part 2 appendix. In this way we maximise the information that is made available to the public and keep part 2 reports to a minimum.

21. From Cllr Kevin Brooks to the Portfolio Holder for Children, Education and Families

The Portfolio Holder has identified a small budget to support SACRE. Taking into account the extent of academisation in Bromley how does he feel this budget can most effectively be spent?

Reply:

I support the decision of the Bromley SACRE to use this resource for specialist educational advice to the SACRE so it can continue to fulfil its statutory duties. The priority this year is to review and refresh of the Bromley local Agreed Syllabus for RE, which is now 5 years old and therefore due for review. Of course, the Agreed Syllabus is available to all schools and many Bromley academies do use it.

22. Cllr Tony Owen to the Leader of the Council

What assessment have you made of the skills and talents of your Council colleagues? How do you ensure that they are deployed to the maximum benefit of local taxpayers (especially given the cost of over £1 million per year)? Is it sensible that 2 Councillors (Cllr Tickner and myself) with 69 years experience in local government between us have been denied our requested participation in the scrutiny process?

Reply:

I offered each of our new Councillors an opportunity to meet to discuss their personal strengths and preferences in terms of work commitments and areas of interest for Council responsibilities, an offer which most took up and I believe found quite helpful.

The only Councillors I can ensure are deployed to posts I deem they are best suited to are the Portfolio Holders as you are aware.

Whilst I genuinely sympathise with your frustration on a personal level, with every due respect, I do not think it is appropriate to discuss internal group arrangements in a public arena.

23. From Cllr Nicholas Bennett to the Leader of the Council

How much has been spent from the Growth Fund to support Skills and Enterprise Development in the Biggin Hill Strategic Outer London Development Area?

Reply:

I am advised zero.

24. From Cllr Angela Wilkins to Portfolio Holder for Adult Care & Health

Can the Portfolio Holder please comment on the implications of the recent report by the Local Government & Social Care Ombudsman which concluded that:-

“The Council failed to ensure Ms M’s son, Mr N, could receive the level of care that he was entitled to. Mr N has lost out on provision and Ms M, who wanted to support him, has been caused distress and time and trouble. This has been made worse because although Ms M complained to the Council, it failed to deal with this complaint.”

The report found *“Fault found causing injustice”* and recommended that the Council: *“pays £2,865 to reflect the time, trouble and distress it caused to Ms M and Mr N; and, apologises for the fault identified in this report.”*

Reply:

The Council has openly acknowledged and since apologised for its failure in this instance as you will be aware.

Notwithstanding the fact that the Council’s complaints system has been considerably strengthened since that time, the implication of this case is clearly that there might potentially still be others seeking resolution too.

With that in mind, as soon as I became aware of this particular issue and the LGO report, I immediately instructed the Director of Adult Social Care to organise an early

review of all outstanding complaints, likewise to confirm that all re-assessments are being completed in a timely fashion and that work is ongoing.

25. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection and Enforcement

Bromley has again been blighted by trespassing Travellers and although, in Penge, no costly clean up was required, there were numerous accounts of loss of income and inconvenience to our traders and residents. Will Bromley Council commit funds to support practical engineering solutions, where possible, to stop this type of access?

Reply:

Yes. The Neighbourhood Management Street Enforcement Team has an ongoing programme of works which identifies areas of risk and provides well designed infrastructure to prevent access by unauthorised encampments. This work is funded by the Member's Initiative fund to support the reduction of fly-tipping. Notably, recent incursions onto Council land have occurred by the cutting of padlocks to already existing barriers and the removal of boundary posts that are placed to deter access. When weaknesses are identified, we work with our service providers to install or repair physical deterrents immediately.

26. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation & Housing

How does the Portfolio Holder plan to house a greater proportion of those housed in temporary accommodation within the Borough?

Reply:

In accordance with legislation and statutory guidance, the Council seeks to accommodate households in or near to Bromley as far as is reasonably practicable. It is not reasonably practicable to provide accommodation within Bromley to every household to whom the Council owes a rehousing duty and there is an increasing need to secure accommodation that may be at some distance from the borough in order to meet the level and range of housing need. A risk and needs assessment is undertaken to ensure the suitability of all temporary accommodation placements. This includes prioritisation children at critical school age and those with particular support need for accommodation within the borough.

There are a range of activities being undertaken to secure a sufficient supply of suitable accommodation both in and outside of the borough

This includes:

- Prevention to assist as many people possible to remain in their existing home and thus not have to be placed in TA
- Securing alternative new home through the private rented sector
- Use of Bromley owned land and vacant buildings for new supply including for example the refurbishment of Manorfields and Bellegrove and current modular homes proposal
- Working with housing associations and private developers to secure new affordable homes
- Working with partners to secure local block booking and leasing schemes temporary accommodation placements.

- Making best use of existing housing stock to meet housing need – during 2017/18 364 homeless households were moved into permanent accommodation through the housing register.

27. From Cllr Nicholas Bennett to the Portfolio Holder for Renewal, Recreation and Housing

How many lockers at the Beckenham Spa Leisure Centre wet side changing rooms have no locks and the reasons why this is so?

Reply:

Mytime Active have advised that 68 out of 406 lockers are not working (17%). Mytime highlight that they are experiencing thefts and vandalism currently which is adding to the problem. They are working with the local police teams for prevention.

Mytime placed an order for 5k to repair all parts in mid-May but the supplier, Prospec, have given a 6 week lead time. Mytime have chased them and are hoping to have the parts by the end of the week finishing Friday 13th July.

In the long term Mytime report they are now ordering the parts monthly to try and beat the 6 week order times.

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COUNCIL MEETING

16TH JULY 2018

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

1. From Cllr Simon Fawthrop to the Environment and Community Services Portfolio Holder

For a written reply in tabular format please - can he list by Ward the number of Green Garden Waste bins currently in circulation and a similar figure for the previous year.

i.e.

	2017	2018
Biggin Hill	200	210

Reply:

(See Appendix 1 below)

Total number of Customers is: 26,420

Total number of Containers is: 27,152

This is a live snapshot in time of the number of customer / container on 07.06.2018 as a live database. As it's a live database a direct comparison figure with 2017 is not possible. As a comparator, in 2017 there were 25,723 Green Garden Waste Bins in circulation, representing 6% growth.

2. From Cllr Angela Wilkins to the Environment and Community Services Portfolio Holder

Please provide details of all default notices issued to Kier between 2014 and 2018 in relation to Crystal Palace ward.

Reply:

The table below (see Appendix 2) summarises the applied default notices issued to the service provider during the period requested. The table is caveated, as there was a period in 2015 whereby the system used to record client inspections experienced data corruption following a system platform change. However, the values applied contractually were retained, with 194 total defaults applied.

3. From Cllr Angela Wilkins to the Resources, Commissioning and Contract Management Portfolio Holder

Please provide details of how much has been spent by the council in terms of pension liabilities on contracts awarded since 2010.

Reply:

No variation to contract as a result of the 2016 triennial valuation. It is important to note that these costs can reduce as well as increase as a result of future actuarial valuations. A sum of £33k p.a has been paid to contractors to cover the cost of providing a pension bond.

No payments have been made by the Council with regard to pension liabilities. A sum of £203k was set aside in an earmarked reserve in 2017/18 (full-year effect of £347k from 2018/19) to mitigate against the risk of any future liabilities that may arise relating to the TFM, Libraries and ISD contracts.

4. From Cllr Kathy Bance MBE to the Public Protection and Enforcement Portfolio Holder

Can you please advise the number of mobile and fixed CCTV units Bromley has at its disposal and how many of those were purchased recently?

We have two hotspots where the police would like CCTVs returned because the problems had stopped whilst the CCTVs were in place but theft and ASB have returned in those areas.

Reply:

The number of cameras deployed will be dependent on the number of cameras (both mobile and fixed) that require repair, as they are taken out of service as and when technical issues arise, or are decommissioned due to being deemed beyond repair.

On average 2 mobile cameras are purchased each year.

There is a waiting list for the deployment of mobile cameras. Helen Andrews in Community Safety manages the deployment of mobile CCTV cameras as well as the waiting list. The Police are aware of this system, and they submit requests as and when area issues arise. Ordinarily, specific briefs are submitted with these requests (e.g. to gather evidence of ASB), however, due to the demand for this resource, they cannot be deployed on an indefinite basis.

5. From Cllr Kathy Bance MBE to the Children, Education and Families Portfolio Holder

At a recent public meeting I was challenged about the lack of information available about activities in Bromley for children/youths. LBB website that lists activities does not appear to be kept updated. Whose responsibility is it to update this? Is the website outdated now as an information tool for young people? Are there any plans to modernise the system to engage better with our young people.

Reply:

The Bromley.gov.uk website is maintained by Liberata, this contract is managed by the Head of Customer Services. Departments are responsible for providing updates through to both to ensure that information is kept up to date. It's worth noting however that until August 2018 there is a 'content freeze' in place because of systems upgrade. A corporate project is also underway to look at all content to improve the website.

In regards to engagement with Young People. Through the Bromley Youth Support Programme the Council provides a range of information and signposting about the activities that are available across the borough. The 'Young Bromley' section includes links to out of school activities, a directory of local organisations, details of the borough's four Youth Hubs and information regarding young people's organised activities – see www.bromley.gov.uk/info/200104/young_bromley. This sits alongside the general Events list on the Council website, see www.bromley.gov.uk/events.

Furthermore the Bromley Youth Activities Facebook page provides further information on targeted events and activities, see www.facebook.com/BromleyYouthActivities.

The Council previously had a dedicated website; however, this was decommissioned and the information was included within the Council website.

6. From Cllr Kathy Bance MBE to the Renewal, Recreation & Housing Portfolio Holder

How many residents from our housing waiting list have been permanently housed in Bromley in the past 12 months. How many of those placed were housed in mobility specifically adapted properties in Bromley?

Reply:

During the last financial year 487 households were permanently rehoused through the housing register. Of these 2 were fully adapted and 19 were partially adapted.

7. From Cllr Ian Dunn to the Resources, Commissioning and Contract Management Portfolio Holder

Please provide the number of electors per ward, with postal voters shown separately, as of the initial issue of the 17/18 register and the register used on polling day.

Reply:

The following table sets out the information requested - see [Appendix 3](#) below.

8. From Cllr Nicholas Bennett to the Children, Education and Families Portfolio Holder

What response has been made by the Council to the Government's questionnaire on Home Education?

Reply:

The questionnaire has been completed and submitted. (Copy attached as [Appendix 4](#).)

9. From Cllr Nicholas Bennett to the Renewal, Recreation and Housing Portfolio Holder

What design advice is given to applicants seeking to provide high density housing in Town Centres so as not to undermine the quality of life for existing residents and users?

Reply:

Applicants for planning permission are advised to comply with the Council's Planning Policies including those relevant to design. In addition they are advised to adhere to Supplementary Planning Guidance. The relevant policies are contained in the UDP/Local Plan, Bromley Town Centre Area Action Plan and the London Plan. The Council's Supplementary Planning Guidance includes General Design Principles and Residential Design Guidance.

10. From Cllr Nicholas Bennett to the Environment and Community Services Portfolio Holder

What action is proposed to tackle the outbreak of fly posted advertising stickers on shop fronts in West Wickham and Bromley Town Centres?

Reply:

The cleansing of flyposting is operated on request when reported by residents or business owners. The cleansing service manager has instructed the service provider to review the area and remove public facing fly posting incidents. In terms of potential enforcement of these occurrences, the Street Enforcement team can be contacted with their details of the incident and the details of what is written on the sticker. A Street Enforcement officer will then be assigned to investigate the complaint to determine if sufficient information is available to pursue a viable prosecution. If there is sufficient evidence, a statement from the shop owner or witness will be required confirming that permission was not given by them to those persons / company putting these stickers in their shopfronts and evidence will be assembled for court action.

Appendix D - Appendices

QUESTIONS FROM COUNCILLORS FOR WRITTEN REPLY - APPENDICES

Appendix 1 (Question 1)

Count of Green Garden Waste			
Ward Description	GW Number of Containers	Total Customers	Total Containers
Bickley	1	1425	1425
	2	64	128
	3	5	15
	4	2	8
Bickley Total		1496	1576
Biggin Hill	1	710	710
	2	12	24
Biggin Hill Total		722	734
Bromley Common and Keston	1	1230	1230
	2	31	62
	3	6	18
	6	1	6
Bromley Common and Keston Total		1268	1316
Bromley Town	1	1043	1043
	2	27	54
	3	1	3
Bromley Town Total		1071	1100
Chelsfield and Pratts Bottom	1	1685	1685
	2	37	74
	3	2	6
Chelsfield and Pratts Bottom Total		1724	1765
Chislehurst	1	1556	1556
	2	70	140
	3	8	24
	4	3	12
Chislehurst Total		1637	1732
Clock House	1	664	664
	2	5	10
Clock House Total		669	674
Copers Cope	1	659	659
	2	38	76
	3	1	3
	4	1	4
Copers Cope Total		699	742
Cray Valley East	1	837	837
	2	9	18
Cray Valley East Total		846	855
Cray Valley West	1	1097	1097
	2	18	36
Cray Valley West Total		1115	1133

Crystal Palace	1	159	159
	2	6	12
Crystal Palace Total		165	171
Darwin	1	365	365
	2	15	30
	3	3	9
Darwin Total		383	404
Farnborough and Crofton	1	1954	1954
	2	46	92
	3	2	6
Farnborough and Crofton Total		2002	2052
Hayes and Coney Hall	1	2129	2129
	2	28	56
Hayes and Coney Hall Total		2157	2185
Kelsey and Eden Park	1	1039	1039
	2	23	46
	3	1	3
Kelsey and Eden Park Total		1063	1088
Mottingham and Chislehurst North	1	496	496
	2	8	16
	4	1	4
Mottingham and Chislehurst North Total		505	516
Orpington	1	2037	2037
	2	26	52
	4	1	4
Orpington Total		2064	2093
Penge and Cator	1	566	566
	2	11	22
	3	1	3
Penge and Cator Total		578	591
Petts Wood and Knoll	1	2307	2307
	2	62	124
Petts Wood and Knoll Total		2369	2431
Plaistow and Sundridge	1	940	940
	2	28	56
	3	1	3
Plaistow and Sundridge Total		969	999
Shortlands	1	1004	1004
	2	47	94
	3	2	6
Shortlands Total		1053	1104
West Wickham	1	1839	1839
	2	26	52
West Wickham Total		1865	1891
Grand Total		26420	27152

Appendix 2 (Question 2)

Date	Street	Grade	Type	Feature
11-Jul-14	ANERLEY PARK	C	schedule	foot
04-Aug-14	ANERLEY PARK	D	schedule	foot
24-Sep-14	ANERLEY PARK	D	deepclean	mech(post-clean weekly)
26-Sep-14	ANERLEY PARK	D	schedule	foot
03-Oct-14	ANERLEY PARK	C	schedule	foot
23-Oct-14	ANERLEY PARK	C	deepclean	mech(post-clean weekly)
20-Nov-14	ANERLEY PARK	D	deepclean	mech(post-clean weekly)
06-May-16	ANERLEY PARK	C	Schedule	grade_foot
25-Oct-16	ANERLEY PARK	C	Schedule	grade_foot
06-Dec-16	ANERLEY PARK	C	Schedule	grade_foot
20-Dec-16	ANERLEY PARK	C-	Grade_Failure	grade_foot
24-Jan-17	ANERLEY PARK	C-	Grade_Failure	grade_foot
31-Jan-17	ANERLEY PARK	D	Grade_Failure	grade_foot
07-Feb-17	ANERLEY PARK	C	Grade_Failure	grade_foot
23-Oct-14	ANERLEY PARK ROAD	C	deepclean	mech(post-clean weekly)
20-Nov-14	ANERLEY PARK ROAD	D	deepclean	mech(post-clean weekly)
24-Sep-14	ANERLEY ROAD	C	schedule	foot
07-Oct-14	ANERLEY ROAD	C	schedule	foot
07-Feb-17	ANERLEY ROAD	D	Schedule	grade_foot
01-Mar-17	ANERLEY ROAD	C	Grade_Failure	grade_foot
19-Apr-17	ANERLEY ROAD	C-	Grade_Failure	grade_foot
03-Oct-14	ANERLEY VALE	C	schedule	foot
03-Oct-14	BEVERLEY ROAD	D	schedule	foot
24-Oct-14	BEVERLEY ROAD	C	schedule	foot
28-Oct-14	BEVERLEY ROAD	C	schedule	mech
28-Oct-14	BEVERLEY ROAD	C	schedule	foot
11-Nov-14	BEVERLEY ROAD	C	schedule	foot
27-Jan-17	BEVERLEY ROAD	C	Schedule	grade_foot
30-Jun-14	BORDER CRESCENT	C	schedule	foot
27-Aug-14	BORDER CRESCENT	D	deepclean	foot(post-clean weekly)
20-Dec-16	BORDER CRESCENT	C	Schedule	grade_foot
20-Jan-17	BORDER CRESCENT	D	Schedule	grade_foot
24-Jan-17	BORDER CRESCENT	D	Grade_Failure	grade_foot
02-May-14	BRUNSWICK PLACE	C	schedule	foot
05-Aug-14	BRUNSWICK PLACE	C	schedule	foot
08-Aug-14	BRUNSWICK PLACE	C	schedule	foot
03-Oct-14	BRUNSWICK PLACE	C	schedule	foot
07-Nov-14	BRUNSWICK PLACE	C	schedule	foot
11-Nov-14	BRUNSWICK PLACE	C	schedule	foot
13-Dec-16	BRUNSWICK PLACE	C	Schedule	grade_foot

21-Oct-16	CASTLEDINE ROAD	C	Schedule	grade_foot
24-Jan-17	CASTLEDINE ROAD	C	Schedule	grade_foot
04-Jun-14	CROYDON ROAD	C	schedule	foot
16-Jun-14	CROYDON ROAD	C	schedule	foot
16-Jun-14	CROYDON ROAD	C	schedule	mech
27-Jun-14	CROYDON ROAD	C	schedule	foot
08-Jul-14	CROYDON ROAD	C	schedule	foot
14-Jul-14	CROYDON ROAD	C	schedule	foot
17-Jul-14	CROYDON ROAD	C	schedule	foot
30-Jul-14	CROYDON ROAD	C	schedule	foot
31-Jul-14	CROYDON ROAD	C	schedule	foot
01-Aug-14	CROYDON ROAD	C	schedule	foot
04-Aug-14	CROYDON ROAD	C	schedule	foot
04-Aug-14	CROYDON ROAD	C	schedule	foot
08-Aug-14	CROYDON ROAD	C	schedule	foot
19-Aug-14	CROYDON ROAD	C	schedule	foot
02-Sep-14	CROYDON ROAD	C	schedule	foot
05-Sep-14	CROYDON ROAD	C	schedule	foot
08-Sep-14	CROYDON ROAD	C	schedule	foot
29-Sep-14	CROYDON ROAD	C	schedule	foot
30-Sep-14	CROYDON ROAD	C	schedule	foot
30-Sep-14	CROYDON ROAD	C	schedule	foot
03-Oct-14	CROYDON ROAD	C	schedule	foot
06-Oct-14	CROYDON ROAD	C	schedule	foot
08-Oct-14	CROYDON ROAD	C	schedule	foot
08-Oct-14	CROYDON ROAD	C	schedule	foot
08-Oct-14	CROYDON ROAD	C	schedule	foot
10-Oct-14	CROYDON ROAD	C	schedule	foot
24-Oct-14	CROYDON ROAD	C	schedule	foot
28-Oct-14	CROYDON ROAD	C	schedule	mech
28-Oct-14	CROYDON ROAD	C	schedule	foot
07-Nov-14	CROYDON ROAD	C	schedule	foot
11-Nov-14	CROYDON ROAD	C	schedule	mech
11-Nov-14	CROYDON ROAD	C	schedule	foot
12-Feb-16	CROYDON ROAD	C	Schedule	grade_foot
22-Apr-16	CROYDON ROAD	D	Grade_Failure	grade_foot
18-Oct-16	CROYDON ROAD	C	Schedule	grade_foot
28-Oct-16	CROYDON ROAD	C	Schedule	grade_mech
06-Dec-16	CROYDON ROAD	C	Schedule	grade_foot
13-Dec-16	CROYDON ROAD	C	Grade_Failure	grade_foot
15-Dec-16	CROYDON ROAD	C-	Schedule	grade_foot
20-Dec-16	CROYDON ROAD	C	Grade_Failure	grade_foot
17-Jan-17	CROYDON ROAD	C	Grade_Failure	grade_foot
27-Jan-17	CROYDON ROAD	C	Schedule	grade_foot
31-Jan-17	CROYDON ROAD	C	Grade_Failure	grade_foot

21-Feb-17	CROYDON ROAD	C-	Schedule	grade_foot
14-Mar-17	CROYDON ROAD	C	Grade_Failure	grade_foot
28-Mar-17	CROYDON ROAD	C-	Grade_Failure	grade_foot
09-May-17	CROYDON ROAD	D	Grade_Failure	grade_foot
15-Jul-14	CRYSTAL PALACE PARADE	C	schedule	foot
05-Aug-14	CRYSTAL PALACE PARADE	C	schedule	foot
04-Sep-14	CRYSTAL PALACE PARADE	C	schedule	foot
24-Sep-14	CRYSTAL PALACE PARADE	C	schedule	foot
28-Nov-14	CRYSTAL PALACE PARADE	C	schedule	foot
31-Jan-17	CRYSTAL PALACE PARADE	D	Schedule	grade_foot
09-May-17	CRYSTAL PALACE PARADE	C	Grade_Failure	grade_foot
05-Aug-14	CRYSTAL PALACE PARK ROAD	C	schedule	foot
08-Aug-14	CRYSTAL PALACE PARK ROAD	C	schedule	foot
28-Aug-14	CRYSTAL PALACE PARK ROAD	C	schedule	foot
01-Sep-14	CRYSTAL PALACE PARK ROAD	D	schedule	foot
02-Sep-14	CRYSTAL PALACE PARK ROAD	D	weekend	foot(post-clean weekend)
26-Sep-14	CRYSTAL PALACE PARK ROAD	C	schedule	foot
03-Oct-14	CRYSTAL PALACE PARK ROAD	C	schedule	foot
20-Jan-17	CRYSTAL PALACE PARK ROAD	C	Schedule	grade_foot
28-Mar-17	CRYSTAL PALACE PARK ROAD	C	Schedule	grade_foot
24-Jan-17	CRYSTAL PALACE STATION ROAD	C	Schedule	grade_foot
01-Aug-14	DERWENT ROAD	C	schedule	foot
04-Aug-14	DERWENT ROAD	C	schedule	mech
04-Aug-14	DERWENT ROAD	C	schedule	foot
08-Aug-14	DERWENT ROAD	C	schedule	foot
19-Aug-14	DERWENT ROAD	D	schedule	foot
01-Sep-14	DERWENT ROAD	C	schedule	mech
01-Sep-14	DERWENT ROAD	C	schedule	foot
02-Sep-14	DERWENT ROAD	C	weekend	mech(post-clean weekend)
24-Oct-14	DERWENT ROAD	C	schedule	foot
28-Oct-14	DERWENT ROAD	C	schedule	mech
25-Nov-14	DERWENT ROAD	C	schedule	mech
17-Jan-17	DERWENT ROAD	C	Schedule	grade_mech
27-Jan-17	DERWENT ROAD	C	Schedule	grade_foot
14-Feb-17	DERWENT ROAD	C	Schedule	grade_foot
14-Feb-17	DERWENT ROAD	C	Grade_Failure	grade_mech
24-Mar-17	DERWENT ROAD	C	Grade_Failure	grade_foot
07-Oct-14	GEORGE GROVES ROAD	C	schedule	foot
05-Aug-14	HADLOW PLACE	C	schedule	foot
08-Aug-14	HADLOW PLACE	C	schedule	foot
03-Oct-14	HADLOW PLACE	C	schedule	foot
07-Nov-14	HADLOW PLACE	C	schedule	foot
25-Nov-14	HADLOW PLACE	C	schedule	foot
29-Sep-14	HAMLET ROAD	C	schedule	foot

11-Nov-14	HAMLET ROAD	C	schedule	mech
11-Nov-14	HAMLET ROAD	C	schedule	foot
24-Jan-17	HAMLET ROAD	D	Schedule	grade
22-Jan-16	HAYSLEIGH GARDENS	C	Schedule	grade_foot
22-Apr-16	HAYSLEIGH GARDENS	C	Grade_Failure	grade_foot
27-Jan-17	HAYSLEIGH GARDENS	C-	Schedule	grade_foot
09-May-17	HAYSLEIGH GARDENS	C	Schedule	grade_foot
28-Aug-14	LAWRIE PARK ROAD	C	schedule	foot
24-Jan-17	LEDRINGTON ROAD	D	Schedule	grade_foot
24-Jan-17	LEDRINGTON ROAD	D	Schedule	grade
05-Aug-14	LULLINGTON ROAD	C	schedule	foot
02-May-14	MABERLEY ROAD	C	schedule	foot
20-May-14	MABERLEY ROAD	D	schedule	foot
29-Sep-14	MABERLEY ROAD	C	schedule	mech
13-Dec-16	MABERLEY ROAD	C	Schedule	grade_foot
24-Jan-17	PALACE ROAD	C	Schedule	grade_foot
24-Jan-17	PLEYDELL AVENUE	C	Schedule	grade
23-Apr-14	RIDSDALE ROAD	C	schedule	foot
24-Apr-14	RIDSDALE ROAD	C	schedule	foot
28-Apr-14	RIDSDALE ROAD	C	schedule	foot
25-Jun-14	RIDSDALE ROAD	C	schedule	foot
04-Aug-14	RIDSDALE ROAD	C	schedule	mech
04-Aug-14	RIDSDALE ROAD	D	schedule	foot
20-Oct-14	RIDSDALE ROAD	C	schedule	foot
21-Oct-14	RIDSDALE ROAD	C	schedule	foot
13-Jul-16	RIDSDALE ROAD	C-	Schedule	grade_foot
22-Jul-16	RIDSDALE ROAD	C	Grade_Failure	grade_foot
13-Dec-16	RIDSDALE ROAD	C	Schedule	grade_foot
01-Mar-17	RIDSDALE ROAD	C	Schedule	grade_foot
19-Apr-17	RIDSDALE ROAD	C-	Grade_Failure	grade_foot
28-Oct-14	SELBY ROAD	C	schedule	mech
25-Nov-14	SELBY ROAD	C	schedule	mech
18-Oct-16	SELBY ROAD	C	Schedule	grade_foot
01-Nov-16	SELBY ROAD	C	Grade_Failure	grade_foot
15-Nov-16	SELBY ROAD	D	Grade_Failure	grade_foot
06-Dec-16	SELBY ROAD	D	Grade_Failure	grade_foot
20-Dec-16	SELBY ROAD	C-	Grade_Failure	grade_foot
27-Jan-17	SELBY ROAD	C	Schedule	grade_foot
14-Feb-17	SELBY ROAD	C	Schedule	grade_mech
14-Feb-17	SELBY ROAD	C	Grade_Failure	grade_foot
24-Mar-17	SELBY ROAD	D	Grade_Failure	grade_foot
21-Apr-17	SELBY ROAD	D	Grade_Failure	grade_foot
28-Oct-14	SEYMOUR VILLAS	C	deepclean	mech(post-clean weekly)
28-Oct-14	SEYMOUR VILLAS	C	deepclean	foot(post-clean weekly)

18-Nov-16	SEYMOUR VILLAS	C	Schedule	grade_foot
28-Aug-14	SYDENHAM AVENUE	C	deepclean	mech(post-clean weekly)
28-Aug-14	SYDENHAM AVENUE	C	deepclean	foot(post-clean weekly)
24-Sep-14	THICKET ROAD	D	deepclean	mech(post-clean weekly)
26-Sep-14	THICKET ROAD	C	schedule	foot
23-Oct-14	THICKET ROAD	C	deepclean	mech(post-clean weekly)
20-Nov-14	THICKET ROAD	C	deepclean	mech(post-clean weekly)
19-Apr-16	THICKET ROAD	C	Schedule	grade_foot
15-Jul-16	THICKET ROAD	C	Schedule	grade_foot
21-Oct-16	THICKET ROAD	C	Grade_Failure	grade_foot
06-Dec-16	THICKET ROAD	C	Schedule	grade_foot
20-Dec-16	THICKET ROAD	D	Grade_Failure	grade_foot
31-Jan-17	THICKET ROAD	C	Grade_Failure	grade_foot
14-Mar-17	THICKET ROAD	C	Grade_Failure	grade_foot
12-Dec-16	TOWER CLOSE	C	Schedule	grade_mech
23-May-14	TRENHOLME CLOSE	C	schedule	foot
11-Jul-14	TRENHOLME CLOSE	C	schedule	foot
03-Oct-14	TRENHOLME CLOSE	C	schedule	foot
03-Oct-14	TRENHOLME ROAD	C	schedule	foot
23-May-14	TRENHOLME TERRACE	C	schedule	foot
11-Nov-14	VERSAILLES ROAD	C	schedule	foot
19-Nov-14	VERSAILLES ROAD	C	deepclean	mech(post-clean weekly)
28-Oct-14	WADHURST CLOSE	C	schedule	mech
25-Nov-14	WADHURST CLOSE	C	schedule	mech
27-Jan-17	WADHURST CLOSE	C	Schedule	grade_foot
03-Oct-14	WALDEGRAVE ROAD	C	schedule	foot
07-Nov-14	WALDEGRAVE ROAD	C	deepclean	foot(pre-clean weekly)
11-Nov-14	WALDEGRAVE ROAD	C	schedule	foot
25-Nov-14	WALDEGRAVE ROAD	C	schedule	foot
13-Dec-16	WALDEGRAVE ROAD	C	Schedule	grade_foot
30-May-14	WEIGHTON ROAD	C	schedule	foot
10-Jun-14	WEIGHTON ROAD	C	schedule	foot
13-Jun-14	WEIGHTON ROAD	C	schedule	foot
08-Aug-14	WEIGHTON ROAD	C	schedule	foot
24-Oct-14	WEIGHTON ROAD	C	schedule	foot
28-Oct-14	WEIGHTON ROAD	C	schedule	foot
07-Nov-14	WEIGHTON ROAD	C	schedule	foot
17-Jan-17	WEIGHTON ROAD	C	Schedule	grade_foot
27-Jan-17	WEIGHTON ROAD	C	Schedule	grade_foot
14-Feb-17	WEIGHTON ROAD	C	Grade_Failure	grade_foot
24-Mar-17	WEIGHTON ROAD	C	Grade_Failure	grade_foot
31-Jan-17	WESTWOOD HILL	D	Schedule	grade_foot
01-Oct-14	WILLIAM BOOTH ROAD	C	schedule	foot

07-Oct-14	WILLIAM BOOTH ROAD	C	schedule	foot
05-Nov-14	WILLIAM BOOTH ROAD	C	schedule	foot
21-Dec-16	WILLIAM BOOTH ROAD	C	Schedule	grade_foot
18-Jan-17	WILLIAM BOOTH ROAD	C	Grade_Failure	grade_foot
19-Apr-17	WILLIAM BOOTH ROAD	C-	Grade_Failure	grade_foot

Appendix 3 (Question 7)

Ward	1 December 2017			3 May 2018		
	Polling Station	Postal Voters	Total Electorate	Polling Station	Postal Voters	Total Electorate
Bickley	9508	2170	11678	9482	2196	11678
Biggin Hill	6891	984	7875	6839	1000	7839
Bromley Common & Keston	10588	2106	12694	10598	2084	12682
Bromley Town	11216	2020	13236	11234	2041	13275
Chelsfield & Pratts Bottom	9534	1715	11249	9396	1746	11142
Chislehurst	9648	2386	12034	9627	2384	12011
Clock House	10315	1583	11898	10246	1634	11880
Copers Cope	10250	2095	12345	10391	2160	12551
Cray Valley East	9555	1901	11456	9570	1887	11457
Cray Valley West	10542	1634	12176	10490	1608	12098
Crystal Palace	7905	1100	9005	7978	1104	9082
Darwin	3472	673	4145	3428	695	4123
Farnborough & Crofton	9687	2036	11723	9589	2059	11648
Hayes & Coney Hall	10752	1917	12669	10671	1933	12604
Kelsey and Eden Park	10378	2029	12407	10301	2033	12334
Mottingham & Chislehurst North	6413	870	7283	6442	864	7306
Orpington	10317	1871	12188	10203	1907	12110
Penge and Cator	10945	1459	12404	10982	1490	12472
Petts Wood & Knoll	9027	1714	10741	8905	1741	10646
Plaistow & Sundridge	10071	1532	11603	10065	1572	11637
Shortlands	6461	1253	7714	6449	1249	7698
West Wickham	10197	1869	12066	10068	1909	11977
TOTAL	203672	36917	240589	202954	37296	240250

Appendix 4 (Question 8)

Introduction

This page seeks information about respondents and the capacity in which they are responding to the consultation

1. What is your name? Kevin Grant

2. What is your email address?

kevin.grant@bromley.gov.uk

3. Are you responding as an individual or on behalf of an organisation?

Organisation

4. If you are responding on behalf of an organisation, what is your organisation?

London Borough Bromley

5. Which of the following best describes the capacity in which you are responding to this consultation?

Education

6. Which local authority area are you based in?

Bromley

7. Would you like us to keep your responses confidential?

No

Information provided in response to consultations, including personal information, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 1998 or the Environmental Information Regulations 2004.

If you want all, or any part, of a response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Education will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Information about home educated children

This section is about current and possible future arrangements for registration of children who are being educated at home

8. How effective are the current voluntary registration schemes run by some local authorities? What would be the advantages and disadvantages of mandatory

registration of children educated at home, with duties on both local authorities and parents in this regard?

Context

At present, 292 pupils are registered as Electively Home Educated (EHE) in Bromley. We know from anecdotal evidence and web based feedback that our Authority is perceived as non-threatening within the community of Electively Home Educating parents, but like other authorities, most (92%) of those children registered as EHE are those who have come to our attention when they stopped attending school. In other words, the number of unregistered children being home educated is not known and cannot be accurately estimated.

The effectiveness of the current arrangements is limited to the services and support provided to families who register their Elective Home Education status with us. We do not know how many children are being Electively Home Educated in Bromley, as they are unregistered and by extension, we cannot quantify their needs or ensure they receive their entitlement to services.

We believe that compulsory registration brings with it the following advantages and disadvantages:

Registration Advantages

- It enables Authorities to identify the children who are EHE and helps to reduce the number of children not receiving their educational entitlement.
- The Authority can send information and advice direct to the families.
- The Authority can offer support when requested (at present, families can only request information about provision only if they are known as being educated at home).
- The Authority can share data with the NHS to notify families of immunisation programmes usually only delivered via schools, and can prioritise any vulnerable children within the limited school nursing resources available.
- Registration allows Children's Social Care to know if the child is educated in school or registered as EHE when they have concerns and helps to meet s 437(1)

Education Act 1996 to intervene & s 436A to enable Authorities to identify children not registered at school or receiving suitable education.

Registration Disadvantages – Current and Future Systems

- Information can become obsolete– there is no current requirement for families to notify the Authority if the child moves home within or outside the area or between parents/carers etc.
- Administrative burden on the Authority will increase; therefore this will need to be resourced.
- There is a risk that some families may move further 'under the radar' to avoid what they perceive as a threat to their freedom to Home educate without external interference.

9. What information is needed for registration purposes, and what information is actually gathered by local authorities? Would it help the efficacy of these schemes, and the sharing of information between authorities, if there were a nationally agreed dataset or if data could be shared by national agencies, such as DWP or the NHS?

The Authority current collects the following information: Name, DOB, address related information, parents/carers names, parents/carers phone numbers, previous school, reason given for EHE, CSC involvement and SEND/EHCP status.

In the future, our preferred information would be the same, but an agreed inter-Authority minimum would be beneficial.

10. Does experience of flexi-schooling and similar arrangements suggest that it would be better if the scope of registration schemes included any children who do not attend a state-funded or registered independent school full-time? If so, do you think that local authorities should be able to confirm with both state-funded and independent schools whether a named child is attending that school full-time?

Flexi-schooling reduces clarity in the context of EHE. Children are either on roll at a school or not (EHE). Flexi-schooling confuses these issues and introduces the possibility of questions relating to responsibility for outcomes, safeguarding, etc. between education providers. Independent schools – the Authority believes that where children are attending independent schools whether in full time or part time provision the school has responsibility for the outcomes whilst parent still has a duty to ensure the child has suitable education – neither would be considered EHE.

Recording of children on a school roll but on reduced hours should be undertaken by the LA but responsibility for outcomes would rest with the school.

Further education colleges that provide courses for pre-16 children may be part-time or less frequently full-time. If the parent has opted to supplement their delivery of education at home/otherwise with a college placement paid for by DfE via the college – these should be considered EHE with an ‘outsourced’ provision.

If flexi schooling is going to be actively encouraged by the DfE then it would be helpful to have clearer guidance, which should consider:

- Safeguarding the child as of paramount importance; should schools be accountable for outcomes given that they are not responsible for a proportion of the teaching?
- The appropriateness of the education proposed by the parent away from the school.
- Clarity around pupil funding.
- The effect on school resources.
- The effect on school discipline and the morale and motivation of other children on roll at the school, where adhoc attendance may lead to disruptive behaviour.
- Strategies and guidance to be set in place for class teachers who will be required to differentiate and make time for a pupil who will be away from class regularly/intermittently.
- Clear agreement between the parent and school with regard to the times the Child or young person will be in school
- Schools should have a reporting mechanism for registration that does not penalise them for the attendance of these CYP.

11. Would the sanction of issuing a school attendance order for parental non-compliance with registration be effective, or is there another sanction which would be more useful?

The application of using a SAO for parental non-compliance appears suitable. However, the prime issue here relates to children who are not recorded with local authorities as they have never attended school. It may be considered whether a financial penalty related to family income levels could be a further sanction in exceptional cases, possible for those taken before a court.

12. What steps might help reduce the incidence of schools reportedly pressuring parents to remove children to educate them at home?

It should be recommended practice that a child or young person who leaves a school to be Electively Home Educated should remain on the school roll until a LA officer has visited the home and confirmed that the parent is able and/or willing to home educate their child or young person. A school should be required to provide an evidence trail to show that every effort was made to engage with the parent/child. Parents intending to EHE should develop an initial plan on how they intend to deliver suitable education, which should be attached to the letter of intent.

Where a school fails in these instances, the school should be required to return a proportion of funding for the whole of the academic year and this sum should be passed to the LA and ring-fenced for the support of genuine and capable home educators.

The outcome data of any child being EHE in years 10/11 should be kept by the school and reflected in their overall results.

Where Elective Home Education is inappropriately promoted as an option to a parent by a school, the school must be required to re-admit the child/young person immediately and without further disruption to the education of that child/young person. Identified instances should be recorded by the Authority and reported to Ofsted and the Schools Adjudicator in the LA annual report.

13. Is there an argument for some provision which allows a child to return to the same school within a specified interval if suitable home education does not prove possible?

Yes, this should be a requirement in the revised guidance. This will further encourage schools towards responsible action around EHE

Monitoring educational provision made at home or for home-educated children

The questions in this section are about ways in which oversight of children who are being home educated would be best arranged so that it helps to ensure the education provided is suitable, but also so that the oversight is proportionate to need.

14. How effective is local authority monitoring of provision made for children educated at home? Which current approaches by local authorities represent best practice?

The Authority systematically reviews Elective Home Education provision via contact with parents on a regular basis, offering 1-2-1 meetings at their home address (around 85% of family groups in Bromley currently accept the home visit route) or elsewhere by an EHE Officer, as well as the option to produce information by other means such as written summaries.

A request for information for an education plan is made as soon as the child is deregistered from school.

Where the child has an Education Health and Care Plan, the EHE Officer calls a review of the Plan when EHE decision is made by parent.

The best approach is for Authorities to view Elective Home Education support as intrinsically linked to Early Help and to have EHE support staff involvement. An opportunity to be able to speak with the child is essential as any assessment made without seeing the child is dubious.

15. If monitoring of suitability is not always effective, what changes should be made in the powers and duties of local authorities in this regard, and how could they best ensure that monitoring of suitability is proportionate?

A framework of expectations that demonstrate suitability of education is needed so that all Authorities are working to the same criteria. It is challenging to measure suitability and outcomes when there are no benchmarking requirements or assessment of progress, leaving excessive flexibility between Local Authorities and individual staff.

Lord Soley's Bill makes a common sense suggestion:

'The expectation that Elective Home Education must include provision of supervised instruction in reading, writing and numeracy, which takes into account the child's age, ability, aptitude and any special educational needs and disabilities'.

It would be useful for Ofsted and the DFE to set out a best practice guide, defining how suitable Elective Home Education should be measured. It is recognised that many home educators may introduce unconventional ways for their children to learn naturally, this is understood and welcome, but there must be evidence made available of learning or it is impossible to distinguish this with families in chaotic situations who are unable to provide evidence of learning.

16. Should there be specific duties on parents to comply with local authorities carrying out monitoring if such LA powers and duties were created, and what sanctions should attach to non-compliance?

Monitoring should be a statutory duty of Authorities and parents should be legally required to cooperate. Without a duty on parents to notify the Authority of their child's education provision and to comply with demonstrating the suitability of current systems means that parents can avoid being monitored and avoid having to provide suitable education. All Authorities need to be clear and unambiguous about this in order to establish clear expectations and common quality standards.

Home educators should be prepared to show examples of their children's learning and enable those with a duty to monitor, to see the child engaged in learning. Where parents refuse to allow officers into the home environment and prefer a neutral location like a local library to be the meeting point, monitoring officers must be given the opportunity to discuss the education provision with the child. Where children and/or families put barriers in the way of officers seeking to identify education, then the School Attendance Order should be progressed without delay and only ceased if a visit is forthcoming and confirmation of suitable education is established.

If families refuse to allow access to the child or fail to meet with the LA at reasonable prearranged appointments (in or out of the home) the child should be registered as a Child Missing Education and a School Attendance Order to be initiated. All schools & academies must be legally required to cooperate with that order. A school/academy should be named through the In Year Fair Access Process, to avoid schools with places receiving a disproportionate number of children/young people who have been out of education for some time. Unless the parent's preferred school is willing to admit the child/young person, the original school should be required to readmit that child/young person back onto their school role.

17. Is it necessary to see the child and/or the education setting (whether that is the home or some other place), in order to assess fully the suitability of education, and if so, what level of interaction or observation is required to make this useful in assessing suitability?

Yes, the majority of EHE families in Bromley agree to visits in their own homes; they are keen to show how well the child is doing. Visits do not need to be in the home and could be at a community facility or the LA office.

Home visits contribute to an effective assessment of whether a suitable education is being provided. Without the evidence of a home visit, it is possible for evidence of a suitable education to be provided to the authority through downloaded written plans or 'evidence' that bear no relation to the reality of what is being offered/delivered to the child. The current situation is that home visits provide safeguarding assurance to the Local Authority as the Authority has no powers to inspect the effect of the education on a child. The association of Authority visits with safeguarding interventions may act as a deterrent for some parents.

18. What can be done to better ensure that the child's own views on being educated at home, and on the suitability of the education provided, are known to the local authority?

One of the greatest challenges with Electively Home Educated children is that they have considerably less natural contact with professionals with whom they can share their views and feelings to, compared to their peers. It is possible to commission independent advocates just as these are commissioned for vulnerable children but such a resource that by necessity needs to be borne centrally. Web based feedback can also be used at an individual level. All attempts to see a child who is perceived to be vulnerable by themselves should be made. In Bromley we have begun a project on developing student voice amongst those children who are Electively Home Educated as well as making sure that they have representatives on the Youth Council alongside representatives from local schools.

19. What are the advantages and disadvantages of using settings which are not registered independent or state schools, to supplement home education? How can authorities reliably obtain information on the education provided to individual children whose education 'otherwise than at school' includes attendance at such settings as well as, or instead of, education at home?

The Authority operates with great caution around the use of unregistered providers because of the lack of regulation and accountability required. This creates issues significant of the variability of quality of provision and safeguarding standards in the learning provision. Once a parent has elected to educate at home, the onus should remain on the parent to provide evidence for that the education provided by supplementary sources is suitable.

20. What are the advantages and disadvantages of using private tutors to supplement home education? How can authorities best obtain information on the education provided to individual children whose education at home includes private tuition, or whom attend tuition away from home?

Many parents pay for private tutoring to supplement their child's learning at school. In these circumstances our expectation is that the private tutoring enhances what is already provided (and measured for quality).

In an Elective Home Education situation where private tuition is provided, neither provider is registered or regulated. It is difficult to be confident in all cases that one is not used to replace or compensate for the other. Quality assessment of unregistered, non-specific 'tutors' or other non-school part time settings is not the LA's responsibility and would also not be practical – it is the parent's responsibility to assess appropriateness. The DfE could take steps to regulate private tutoring or offer guidelines. A national register of local private tutors registered with the LA or an external body.

21. Are there other matters which stakeholders would wish to see taken into account in this area? If so please insert comments below.

- DBS clearance of home tutors should be regularly reviewed.
- Qualifications for teaching CORE subjects centrally recorded.
- A process to prevent school attending families from declaring EHE to take term time holidays.

Support for Home-Educating families

The questions in this section are about ways in which families who educate children at home could be best supported to do so.

22. What might be done to improve access to public examinations for children educated at home?

- All Authority schools should be required to offer to accept private examination entries with in an agreed limit of a percentage of their number on roll at KS4. These should not be counted on the schools results.
- The DfE could provide guidance on reasonable maximum costs to take into account administration, invigilators, SEN, and profit so that parents pay equitable and affordable costs.
- Parents would be required to buy an examination place and pay in advance.

A list of examination centres and exam boards/subjects covered should be published by all Authorities which could be expanded if all future funding agreements for schools required them to host external EHE candidates.

23. What good practice is there currently in local authority arrangements for supporting home-educating families? Should there be a duty on local authorities to provide advice and support and if so how should such a duty be framed?

The LA could provide support such as guidance visits, website with guidance on EHE responsibilities, links to the EHE community and signposts to other LA support. LA's will have to provide resources to register, monitor and to improve education at home where it is inadequate or to enforce an SAO.

Parents who EHE have taken full responsibility for their child's education so they cannot expect the same level of support as provided for children at school. Some LA's do pay for public examinations if known for one year to the LA.

Currently the Authority provides the following:

- Registers all EHE young people (where known) on a database.
- Provides an introductory letter and information pack with the offer of multiple visits where appropriate, together with a written report that is shared with parents.
- Undertakes an initial visit to explain what is available to parents and what they are accountable for (some families enter into Elective Home Education without fully understanding what is required) and provide sign posting to other services.
- Website advice for parents together with bespoke telephone or email advice and guidance service for schools and parents.
- Maintains good links with EHE parent groups responding to local need.

- A forum for student voice is being developed as is representation on the Youth Council.

Other matters

This section asks questions about some specific issues connected with home education. It also allows for general comments to be made on current arrangements for home education, and possible changes.

24. Should there be a financial consequence for schools if a parent withdraws a child from the school roll to educate at home?

Yes - EHE is a legal option to school attendance so the resulting financial savings should be directed to LA's to assist those families where requested.

However, where a school is proven to be persuading parents to remove the child from the register, the child is already likely to be costing the school in some way, perhaps not directly financial. Therefore, a financial penalty may be viewed as a small price to pay compared to the existing problem, or even seen as a solution to end an ongoing drain on staff resource. Then again, some schools or districts have higher numbers of children who are more likely to be removed for EHE for religious or cultural reasons such as GRT or religious groups. These schools could be unfairly impacted financially compared to schools in other areas.

25. Should there be any changes to the provision in Regulation 8(2) of the Education (Pupil Registration) (England) Regulations 2006 requiring local authority consent to the removal of a child's name from the roll of a maintained special school if placed there under arrangements made by the local authority?

It is important that LAs retain the right to consent to the removal of a child from a special school role for the following reasons:

- Where a child/young person with SEND is made an EHC Plan, the Local Authority remains legally responsible for ensuring that the provision in that EHC plan is made, until such time as the EHC Plan is no-longer maintained, which is when the child/young person no longer requires special educational provision commensurate with an EHC plan.
- LA's retain a duty to safeguard children and young people, especially those who are vulnerable. As such, it is for the LA to determine if the family is able to make the special educational provision detailed in an EHC Plan. Parents, though well-intentioned, may underestimate the expertise needed to meet the educational entitlement of a child/young person with SEND. It is a LA's duty to determine suitable education arrangements for a child/young person with an EHC Plan, not a parents
- Where cases progress to the First Tier Tribunal and the child/young person has been removed from the role of a special school, the LA's position may be prejudiced if it

cannot demonstrate that it can make suitable education, including the provision of a suitable education placement. When removing a child/young person from roll, there is inevitably another child/young person waiting to take-up that place. Parents may 'game' the system and may, after removing a child from roll which becomes filled by another child, later argue that because the LA cannot make a suitable state-funded education placement, it must then make provision and placement in the independent / non- maintained sector, at substantially higher costs.

- Where s.444 of the Education Act 1996 is cited, this may well be, but for LAs having to rely on prosecuting parents for an offence further reduces the trust and damages the potential for an alongside and collaborative relationship between the LA and the family.

There is a case for extending this to all children who have an EHCP.

26. Are there any other comments you wish to make relating to the effectiveness of current arrangements for elective home education and potential changes?

Current arrangements are inevitably ineffective either to ensure education or around safeguarding as long as LA's do not know which children within its boundary are being home educated.

Many EHE lobby groups are well intentioned and largely educate their children well. These groups however, DO NOT represent vulnerable parents/families/children whose motives to EHE may be anything but educational. The most vulnerable are unable to articulate their concerns even if they wished to do so. It is these children who we should prioritise and be concerned about. The current 'light touch'/lack of clarity may suit some EHE parents but not the most vulnerable in our society.

27. What data are currently available on the numbers of children being educated at home in your local authority area?

When a child is leaving a school to be EHE, or become aware of one, they are added to our recording database. Parents must write to school and schools must inform LA. Generally this system works well.

However, as families do not have to register if child has never attended school then there will be 'many' unknown EHE families and it is impossible to suggest a number or percentage re this total. Also, if these families move then we may not know. There needs to be a duty on EHE parents to inform the LA of a change of address. If they move out of county then LA has duty to inform next LA or report as CME.

Currently (June 2018) Bromley has around 290 recorded EHE children, plus an unknown number we are not aware of.

28. Do you have any comments on any of the contents of the call for evidence document in relation to equality issues?

Guidance around GRT needs aligning and is at present contradictory. Some areas of local authorities have more EHE than other, which may relate to religious, ethnicity or other issues. EHE families often claim they remove their child due to inadequate SEN support at school or because relationships between schools and families has broken.

Overall this call for evidence is welcomed particularly in light of potential vulnerability of some children in this cohort. Parent's right to EHE is enshrined in law but appropriate safeguards must be in place to care for all children equally as a necessary balance to this right.

Draft revised DfE guidance on home education: for local authorities

This section invites comments on different sections of the draft revised guidance document about the current framework for home education, which DfE proposes to publish for local authority use. Copies of the draft document can be downloaded from the Overview page.

29. Comments on Section 1: What is elective home education?

This needs clarity on EHE & Flexi-schooling. Flexi schooling is an agreement between parents and schools and therefore not an LA responsibility. Either a child is EHE or they are not.

Clarity around EHE attending college 14-16 courses would be welcomed - i.e. colleges must submit names to the local LA.

30. Comments on Section 2: Reasons for elective home education - why do parents choose to provide it?

Parents are not currently obliged to provide a reason and even if they do it may not be the 'real reason'. Those wanting to avoid a penalty fine for taking a holiday, parents who have fallen out with staff /other pupil's parents or may abuse their child are unlikely to give this as the reason.

The best way to determine why will be an in depth conversation with parents and child although are the reasons as important as the provision? A 20 day cooling off period would be good to explore.

Families who suddenly remove their yr10 or 11 child to EHE for ideological views are hard to accept without exploring matters further. This would also help to identify situations where schools have pushed pupils out.

31. Comments on Section 3: The starting point for local authorities

Including a statement which advises that the LA does not currently have any specific duties or powers relating to home education per se, is very disappointing and serves to add weight to arguments made by families not wishing to engage. The LA has a duty to ensure children are in receipt of education and this is impossible unless families engage.

32. Comments on Section 4: How do local authorities know that a child is being educated at home?

1. Schools have duty to inform the LA.
2. Other professionals alerting the LA - confirmed and cross referenced with school.
3. Sometimes Housing Associations, GP practices, police and hospitals ask newly registered patients about 'what school'? If EHE claimed, they might advise LA but not certain.
4. Disgruntled or estranged parent or grandparent may advise the LA.
5. As mentioned in Q8 many parents volunteer to inform the LA and these are added to the data base.
6. Other LA's inform us when a pupil moves into the area however this is inconsistent as many parents do not inform the LA of a change of address.

33. Comments on Section 5: Local authorities' responsibilities for children who are, or appear to be, educated at home

How to determine if EHE is suitable with no effective definition in place and with no 'right' to visit the home this is difficult to enact s436A of Education Act 1996. Parents can too easily prevent LA staff seeing the child and their education on a routine basis. This needs to be reviewed and changed and be replaced by a more appropriate alternative.

Local authorities have no statutory duties in relation to monitoring the quality of home education. LA's cannot be aware of poor or limited education provision if they cannot visit the child at home making s437(1) is almost worthless.

As stated 'Parents are under no duty to respond to such enquiries, but it would be sensible for them to do so'. LBB would like this strengthened to include a duty to respond in an appropriate manner and time frame.

34. Comments on Section 6: What should local authorities do when it is not clear that home education is suitable?

1. Suitable needs defining as each LA has a differing view.
2. Swifter use of School Attendance Orders.

The draft guidance does give much needed clarity around SAO's.

We would suggest that every LA has an appointed EHE officer with QTS or equivalent qualification to enable final judgement on a case where the LA decision regarding the suitability of education is challenged by a parent.

It is considered that without legislation around registration and a requirement on the LA to visit and make a judgement based on the suitability of an education then it cannot ensure children satisfy their right to education. Also, evidence of progress should be clarified during a visit; this should not be reliant on paperwork but direct observation/looking at work completed by the child in question. Access to the child is very helpful in identifying if they are in receipt of appropriate education...seeing the child/young person is not necessarily about safeguarding, but does provide an opportunity for an adult to meet the child and thereby be in a position to raise concerns with other agencies if it appears they may be ill-treated.

35. Comments on Section 7: Safeguarding: the interface with home education

LAs have general duties to safeguard but have no right to see the child if home educated.... This seems a contradiction. Yet s53 Children Act 2004 says that if reasonably practical to take account of children's wishes, but if you cannot even see the child if home educated, how can this take place?

36. Comments on Section 8: Home-educated children with special educational needs (SEN)

8.1. Parental right to home educate...but for a child with an EHC Plan only in so far as it has been established that the parent can make and/or arrange the special educational provision in the EHC Plan.

8.3. Where a parent has elected to Home Educate their child, the likelihood of the Local Authority being able to identify that they have SEN is severely hampered and most usually only comes to light if the parent request EHC assessment

8.4. The local authority would only deem Elective Home Education suitable if the parent can make the special educational provision set out in an EHC Plan. The concern here is where parents wish to make Elective Home Education arrangements but is unable to make the special educational provision in the EHC Plan. Where parents are given the absolute right to have that arrangement regardless of their capacity to make the said provision, and Local Authorities were compelled to financially support parents in ensuring the provision, that the DSG would be destabilised to such an extent that the Local Authority could not make suitable education arrangements for all of the children and young people it is responsible for.

8.5. These instances are most common and suitable where the child or young person has complex and co-morbid education, health and care needs at a severe level or life-limiting conditions. These arrangements are often more or most effectively made through a Personal Budget arrangement. Hampshire County Council is clear about the distinction made in the paragraph, and has a number of examples where this arrangement is made appropriately.

8.6. Local authorities must retain the element of consent. Parents, though well-intentioned, may underestimate the expertise needed to meet the educational entitlement of a child/young person with SEND and local authorities must not be forced into a position of having to agree to the type of Home Education arrangements described in 8.5 where it agrees and arranges special education in the home, because of a parents' desire, regardless of their capacity, to have a home education arrangement. It is a local authority's duty to determine suitable education arrangements for a child/young person with an EHC Plan, not parents.

8.7. It is wholly insufficient to compel a Local Authority to meet its statutory duties including in safeguarding a child's well-being and entitlement to education – for some of the most vulnerable children and young people – through an arrangement where parents are merely “encouraged to see a process of engagement with the child as part of the authority's overall approach to home education of pupil with SEN...”. We disagree strongly with the statement “Local authorities should not assume that because the provision being made by parents is different from that which was being made or would have been made in school that the provision is necessarily unsuitable.” Special Educational Provision in section F of an EHC Plan is determined by an evidence-based and statutory investigation into a child or young person's special educational needs. This is appealable in the First Tier Tribunal, SEND. There cannot be a system where schools and qualified teachers and SENCOs – experts in educating children and young people – are compelled to make the special educational provision set out in an EHC Plan potentially under the order of a court, but that a parent with no educational qualification or expertise is permitted to essentially do-as-they-please. It remains a crucial determinant to Local Authorities that a parent's capacity and ability to ensure the delivery of special educational provision in an EHC Plan absolves it of its statutory duty to otherwise make the arrangements.

8.8. We disagree with the premise put forward in this paragraph, e.g. that “...a parents' commitment to Home Education (or other circumstances) makes it inappropriate for their child to attend school” then compels a Local Authority to agree to Home Education, whether that it is viewed as ‘Elective’ Home Education or where the Local Authority itself arranges it. Regardless of a parents belief in the notion of Home Education, the Local Authority retains responsibility to secure suitable education including special educational provision in-line with an EHC Plan, be that through Elective Home Education (unless the parent has demonstrated their arrangements to be suitable, in which case the LA is relieved of its duties), arranged Home Education or by attendance at an education institution. If, through investigation, it becomes apparent that the parent does not have the capacity or ability to make suitable education arrangements the local authority retains the responsibility. Furthermore, agreeing to Home Education arrangements cannot be on the basis that this causes an inefficient use of the public purse. The principles of section .9 of the Education Act 1996 come into play in determining the suitability of arranged Home Education arrangements, e.g. a defensible position being that these arrangements should not cost any more than they would were the local authority to arrange education in an institution. In reality, the default position for the majority of Local Authorities is that education will be offered and made through an offer of a suitable school placement, but it will, wherever possible and suitable, support families who wish to Home Educate their children. In some circumstances and in the most contentious cases where the Local Authority had a compelling view that the parents' preferred education arrangements are wholly unsuitable, through an education attendance order, but seeking such an order invariably raises further distrust from families towards LAs.

This paragraph (8.8) is in our view confusing and open to interpretation and could potentially conflict with the already published Guidance on Personal Budgets. The suggestion that a parent who has chosen to Electively Home Educate their child who has SEN can ask for funds from the High Needs Block for additional provision related to special educational needs potentially opens the flood gates and will lead to further conflict between parents and the LA.

It will be very difficult to quantify what is different and specifically related to SEN and there is potentially no redress for the LA to turn down requests. The majority of money from the High Needs Block is allocated to schools and commissioned services; however, where a choice has been made not to take up a school place and this has effectively been agreed, a suggestion that funding could be disaggregated on an individual basis and effectively condoned via national guidance is simply not sustainable.

37. Comments on Section 9: What do the s.7 requirements mean?

Requirements are sound for parents to ensure education but how can s7 be assessed if the LA cannot meet with the family?

Section on 'Suitability' is generally helpful. However, It would be helpful for DfE to specify minimum requirements as to effectiveness in such matters as literacy and numeracy. It is a concern that, where parents decline to engage or receive a visit from the LA and are asked to give evidence of the education of their child/young person, they may provide written templates outlining the ethos of the education they are providing; which may not be an accurate account of what is actually being delivered to the child/young person. There is clear evidence that these are often downloaded from the internet in a generic form with spaces to 'insert child's name here' and are not bespoke to the individual learner nor ever intended to be applied.

38. Comments on Section 10: Further information

Children's rights and views are rarely heard as, if they are unhappy there is little they can do to express their views without going through their parents. The LA staff is unlikely to develop deep and meaningful relationships through one or two visits a year, so this area is contentious.

It is noted that free DBS checks for parents are advocated - given that DBS checks are not 'free' and LA's are struggling in terms of finance this needs more thought and financing. In addition, a reasonable question might be why it would be considered appropriate for a 'Child In Need' or a child under a 'Child Protection Order', to be Home Educated, when this places the child/young person 24/7 in the care of the family, that is already raising concerns in relation to their ability to care for the child.

Draft revised DfE guidance on home education: for parents

This section invites comments on different sections of the draft revised guidance document about the current framework for home education, which DfE proposes to publish for parents. Copies of the draft document can be downloaded from the Overview page.

39. Comments on Section 1: What is elective home education (EHE)?

1.3 If a child is EHE they are not registered at a school. By discussing flexi schooling this confuses matters.

40. Comments on Section 2: What is the legal position of parents who wish to home educate children?

This sets out the position clearly.

More 'definite' requirement on hours given to EHE although it might be helpful to suggest expectation that a minimum average of 3 to 5 hours per day.

2.11 clearly tells parents what they do not need to do but a similar table listing what is expected would be helpful as the existing text may give the impression to some parents that they need actually do very little.

2.13 - open to huge abuse...who might a child express their views to?

An emphasise that the parent has a legal duty to 'actually' educate their child if they opt to Home Educate and failure to do so would have legal consequences. It should leave the parent vulnerable to legal challenge in future years if the Child/young person considers they were denied an education during this time to which they are legally entitled.

41. Comments on Section 3: So what do I need to think about before deciding to educate my child at home?

3.2 Reasons are sound but would change 'distance to school' to preferred school place not available.

'Religious or cultural' has too much cross over with 'ideology or philosophy' - it would be hard to distinguish in practice. Suggest this list is given more thought as this would make a good basis for all LA's recording reasons and informing DFE of reasons for EHE.

3.7 - Some families chose EHE to have extended holidays, thus avoiding any Penalty Notices or other legal action. There needs to be comment that this is unacceptable and something in place to act as a deterrent.

42. Comments on Section 4: If I choose to educate my child at home, what must I do before I start?

4.2 - This is contrary to advice given, parents should inform school that they wish to EHE and school to take off roll/inform LA. By stating 'not obliged to inform school' this will make considerable extra work for schools/LA trying to find out where the child is. Some parents remove their child from school overnight without any chance to say goodbye – this may be damaging to the child.

4.3 - Any element of SEN needs to be explored whether special school or not.

4.5 - Some parents are very reluctant to admit EHE has not been a success; sadly many children miss out on a rounded education as a consequence. This may be because the parent is unable to put their child at the centre of the process. Some children are Home Educated to meet parental need, not child need. E.g. young single carers, or parents with their own mental health issues.

43. Comments on Section 5: What are the responsibilities of your local authority?

Safeguarding should include the right to speak with the child for their views.

5.7 - excellent

5.19 - Should it not come first in this section?

The minimum requirement of education to be stated should include reading, writing and numeracy. This would provide foundation guidance from which the parent can work when delivering the education they choose and the authority can have a base position when monitoring that a suitable education is taking place.

The guidance for parents provides a clear framework which better defines the roles and responsibility of both the parent and LA. It does not however refer to those children and young people who are known to be Home Educated and yet are under Child Protection Orders, these children should return to school until the LA are confident that the child/young person is no longer at risk and CP order can be lifted.

44. Comments on Section 6: Further information

Given the financial constraints on LA's checks must be paid from somewhere and if parents are taking responsibility then they should be asked for a contribution.

6.3 - Confuses the issue around flexi schooling. Please remove.

Draft guidance documents: equality issues

45. Do you think that anything in the revised guidance documents could have a disproportionate impact, positive or negative, on those with 'relevant protected characteristics' (including disability, gender, race and religion or belief) - and if so, how?

A minority of parents may use the legal status of EHE to mislead LA's and avoid educating their child. Children/young people who are carers or who are under child protection orders and those who are GRT and not in receipt of an education can be disadvantaged by being removed from the education system under the guise of EHE. A disproportion is in Year 10 and 11, and experience indicates this group are more likely to become NEET after compulsory education ends.

END

Report No.
CSD18115

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 8 October 2018

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

Title: OUTCOME OF THE EDUCATION, CHILDREN AND FAMILIES
SELECT COMMITTEE REVIEW OF THE INVESTIGATION INTO
ST OLAVE'S GRAMMAR SCHOOL

Contact Officer: Councillor Nicholas Bennett. Chairman, Education, Children & Families Select
Committee
E-mail: Nicholas.Bennett@bromley.gov.uk

Chief Officer: N/A

Ward: All Wards

1. Reason for report

- 1.1 On Wednesday 18th July 2018, a joint meeting of the Education, Children & Families Select Committee and the Education, Children & Families Budget and Performance Sub-Committee was convened to consider the Report of the Investigation into St Olave's Grammar School.
 - 1.2 This report sets out the conclusions and recommendations arising from the meeting.
-

2. **RECOMMENDATION**

- 2.1 That the report be noted and the conclusions and recommendations arising from the meeting be endorsed.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Investigation report considered some key policies and practices at St Olave's School and their impact on the children the School serves.
-

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Personnel

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Background

- 3.1.1 In the summer of 2017, a group of parents gave notice of a Judicial Review naming both St Olave's School and Bromley Council. The parents sought to challenge the School's practice of withdrawing the places of pupils who did not achieve a certain level of academic performance at the end of Year 12. The pupils were not allowed to progress to Year 13 or repeat Year 12; they had to leave the School before completing their sixth form studies. Legal advice obtained by the Local Authority (LA), confirmed that the practice was illegal. The School subsequently withdrew its policy and agreed to allow all Year 12 pupils to progress to Year 13.
- 3.1.2 While this was happening, the LA and the Diocese of Rochester received a growing volume of complaints about the School, not just in respect of the transition from Year 12 to Year 13 but also wider issues surrounding the ethos of the School. As a result, in October 2017, following discussions with the new Chair of Governors, the LA commissioned Mrs Christine Whatford CBE to undertake an independent investigation, the Terms of Reference of which reflected the areas of concern raised with the Local Authority and Diocese. These included an investigation into the circumstances of the formation of St Olave's Management Services Ltd and St Olave's Management Services (China) Limited, whether the School's governance arrangements were operating correctively and effectively, recent concerns raised by pupils, parents and staff, the transition arrangements from Year 12 to 13, and the School's safeguarding policies and practice. The full Terms of Reference for the investigation are attached at Appendix 1 of this report.
- 3.1.3 A total of 132 people were interviewed in the course of the investigation which included current and former members of staff, parents and their children, governors and former governors, LA Councillors, officers and former officers, representatives of the Diocese, the Foundation and other organisations external to the School.
- 3.1.4 The 'Report of Investigation into St Olave's Grammar School' was published on 10th July 2018. Key findings included that the School did not have the legal power to set up St Olave's Management Services Ltd and St Olave's Management Services (China) Limited in the way they were set up, and that whilst the individuals had the power of any individual to set up a company this could not be one which took ownership of and then exploited the name of St Olave's. The investigation found that since September 2011, the School had been acting illegally in preventing pupils progressing from Year 12 to 13 on the basis of their academic performance and that this had had serious implications for the wellbeing and higher education plans of affected pupils. It also found that the policy of not allowing pupils entry for individual subjects at A Level unless a B grade was obtained in the Year 13 mocks should stop, and any case where the School felt that it was in the best interests for a pupil to only sit two A Levels should be discussed with the parent and pupil. The investigation found that the Head had unconstitutionally interfered with the management of both the Parents Association and the Governing Body, and identified errors of process around the reconstitution of the Governing Body in 2015. Concerns were also highlighted around the School's 'austerity' programme which was identified as 'a sensible initial strategy [that] went too far for too long' and did not take account of a significant amount of spendable reserves available to the School, placing considerable pressure on parents and carers to make a regular financial contribution to the School. A number of allegations of staff bullying by the Head were explored during the course of the investigation, and it is notable that of more than 100 existing staff, only two came forward to express support for the Head and regret that he had left.
- 3.1.5 The Independent Investigation made a total of 49 recommendations. The School and the LA accepted all the recommendations and action was being taken to address them. Whilst most

of the recommendations were being addressed by the School's Governing Body, eight recommendations or part recommendations require action by the Local Authority.

New Chair of Governors

- 3.1.6 A new Chair of Governors, the Venerable Dr Paul Wright, Archdeacon of Bromley and Bexley, was appointed in October 2017 and took firm action to address the areas of immediate concern. With the Acting Head Teacher and with the support of the Governing body and the staff team, the Christian ethos of this Church of England School was reaffirmed. The Chair of Governors stated unequivocally that the School must serve its pupils, rather than the achievements of pupils serving to enhance the reputation of the School.

3.2 Committee's Considerations

- 3.2.1 At the meeting on Wednesday 18th July 2018, the Joint Committee, Chaired by Councillor Nicholas Bennett, received the Report and considered the findings of the Independent Investigator. The Venerable Dr Paul Wright, Archdeacon of Bromley and Bexley and new Chairman of the St Olave's Board of Governors attended the meeting to provide an update on the progress of the recommendations and to answer Members' questions. Councillor Peter Fortune, Portfolio Holder for Children, Education and Families, and Mr Ade Adetosoye, Deputy Chief Executive and Executive Director for Education, Care and Health Services also contributed to the Joint Committee's Review.

- 3.2.2 The Joint Committee heard that, having suspended the Head Teacher before the 2017 Autumn Half Term, the Governing Body set about making changes which would eventually become recommendations in the report. During the course of the investigation the Governing Body worked with the Investigator to ensure that the School was compliant in terms of both governance and values. The subsequent resignation of the Head Teacher had enabled the School and the Governing Body to address those recommendations that had remained outstanding. The Joint Committee notes that to date approximately 75-80% of the recommendations have been implemented.

- 3.2.3 The Joint Committee heard that the following action had been taken:

- The reversal of the illegal policy concerning transition from Year 12 to Year 13 meaning no pupil should feel anxious about not being allowed to remain in the School.
- Support, such as counselling, will be provided to any pupil affected by the issues outlined in the Independent Investigation report in addition to any pupil who feels that they are struggling.
- Developing more effective communications to ensure that parents' concerns are listened to and any issues raised receive an adequate response.
- The Chairman of the Governing Body holds regular meetings with pupils and parents in order to hear views.
- A new LA Governor (former Leader of Bromley Council, Stephen Carr) had been appointed as a matter of priority.
- Two new appointments have been made to the Governing Body, effective from 1st September 2018, and both Governors have accountancy experience.
- One of the two companies formed by the former Head Teacher and the former Business Manager has been wound up and the other, dealing with intellectual property rights, has been transferred to the Foundation.

- Staff and pupils are provided with the necessary teaching resources. Inappropriate practices such as 1 year fixed term contracts for teaching staff and expecting pupils to pay for their own photocopying have been ended.
- The significant reserves that had been built up will be used in a transparent manner for works such as: security of the School, building maintenance, refurbishment of toilets, and new sports facilities.
- Shared values and a shared vision for the School will be developed in consultation with stakeholders.

3.2.4 The Joint Committee welcomes news of the refurbishment of the Scout Hut as a community resource. Members are also pleased to hear that the Acting Head Teacher of St Olave's has been liaising with his counterpart at St Saviour's to identify common areas of working.

3.2.5 The Joint Committee is pleased to hear that the Chair of Governors is confident that the School now has the right people in the right place and that the individuals who had previously inhibited the School have moved on. It is recognised that the Governing Body has worked hard to shift the negative culture that existed in the past and the School is looking forward to entering a new era. Members note that the Governing Body has worked hard to provide reassurance and instil confidence through effective meetings and ensuring that staff are provided with what any teaching professional should be able to expect in terms of pay and conditions.

3.3 Conclusions & Recommendations

3.3.1 In summing up the Joint Committee's review, the Chairman, Councillor Nicholas Bennett, stated that as a former Deputy Head Teacher he had never read a report such as the one considered by the Joint Committee. The Chairman stated that in light of the catalogue of long-standing issues dating back to 2010 identified by the Independent Investigator, it was amazing that in March 2014, an Ofsted Inspection had confirmed St. Olave's to be "outstanding" in every respect.

3.3.2 The Joint Committee conclude that very few people have come out of the Investigation well. However, tribute is paid to the few that have:

- The parents who had continuously challenged and as a last resort raised the Judicial Review;
- Mr Tony Wright-Jones, the Parent Governor who raised concerns time and time again to little avail;
- The former LA Governor, former Councillor Julian Grainger who tried to challenge the Head Teacher and hold him to account;
- Councillor Reddin a former Governor at St Olave's who raised concerns and attempted to expose bad practice;
- Staff who had been bullied and intimidated but yet continued conduct themselves professionally and raise concerns; and
- Parents and Pupils at the School, particularly the pupil referenced on page 144 of the report who had raised a petition and then stood his ground and persisted to question the Head Teacher in the face of anger and threats.

3.3.3 The Joint Committee notes that it is extraordinary that the former Head Teacher was able to remain in post for seven years whilst exhibiting the behaviours referenced in the report of the Independent Investigator. Responsibility for this rests at a number of levels.

- 3.3.4 Looking forward, the Joint Committee notes that under the leadership of the new Chair of Governors positive action has now been taken in terms of improved practices and transparency. A new Governing Body is now in place and it is hoped that Governors will be in a position to effectively challenge and hold the Senior Leadership Team to account where necessary. The Joint Committee is satisfied with the measures being put in place to affect change. Despite the damning findings of the investigation, Members of the Joint Committee have been encouraged by the testimony of the Chair of Governors concerning the improvements that have been made and those that are planned.
- 3.3.5 The Joint Committee thank Mr Ade Adetosoye, Executive Director for Education, Care and Health Services for pursuing the issues and commissioning the independent investigation.
- 3.3.6 The Joint Committee thank Mrs Christine Whatford CBE for her thorough investigation and report.
- 3.3.7 At the end of the session the Joint Committee resolved the following:
- To note the report of the independent investigation into St Olave’s Grammar School and the actions being taken by the School and the Local Authority in response to that report;
 - To receive a follow up report on the implementation of the investigation in six months and twelve months; and
 - To present this short report to Full Council in October 2018 setting out the Committee’s review and findings.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Investigation report considers some key policies and practice at St Olave’s and their impact on the children it serves.

Non-Applicable Sections:	Policy Implications, Financial Implications, Personnel Implications, Legal Implications, Procurement Implications
Background Documents: (Access via Contact Officer)	Report of Investigation into St Olave’s Grammar School Minutes of the Education, Children & Families Budget and Performance Monitoring Sub-Committee held on 18 th July 2018

Independent Investigation into St Olave's Grammar School Terms of Reference

The terms of reference (TOR) of the investigation reflected the areas of concern that had been raised with the LA and the Diocese. All interviewees were made aware of the terms of reference which were:

- i. To investigate the circumstances of the formation of the two companies: St Olave's Management Services Ltd (no 10857128), St Olave's Management Services (China) Ltd (no 10857275) and, in particular, investigate whether the formation was contrary to section 11 Education Act 2002 or other relevant legislation.
- ii. To investigate whether the School's governance arrangements are operating correctly and effectively. This aspect of the investigation will include consideration of the School's rejection of various proposed local authority governors apparently on the basis that they did not meet the main criterion for the role.
- iii. To investigate recent concerns raised with the Local Authority by, inter alia, pupils, parents and staff including: -
 - a) Disregard for laws and regulations around students and governance
 - b) Reports of threats and intimidation towards staff, students and parents
 - c) Interference with Governing Body elections
 - d) Governor Terms of Office extended contrary to Regulations
 - e) Interference in the structure and management of the independent, charitable Parents Association contrary to its Constitution
- iv. To investigate the transition arrangements from Year 12 to 13 and its application;
- v. To investigate the School's safeguarding policies and practice to ensure it meets the required standards.

It is acknowledged that there will be some over-lap between point (iii) (questions raised by others) and the other terms of reference.

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Report No.
CSD18114

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 8 October 2018

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

Title: FIRST REPORT OF THE EDUCATION, CHILDREN & FAMILIES
SELECT COMMITTEE 2018/19

Contact Officer: Philippa Gibbs, Democratic Services Officer
Tel: 020 8461 7638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward:

1. Reason for report

To report the recommendations made by the Education, Children and Families Select Committee following its first meeting held on 4th July 2018

2. **RECOMMENDATION(S)**

That Council be recommended to:

1. **Comment on the first report of the Education, Children and Families Select Committee 2018/19;**
2. **Invite the Leader and appropriate Portfolio Holders to consider the recommendations and**
 - (a) **refer the recommendations within the report to Service Directors and Partners where appropriate; and**
 - (b) **Provide a written response to the Education, Children & Families Select Committee for consideration at a future meeting of the Select Committee.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: The recommendations in this report may have an impact on vulnerable adults children across the Borough although any impact has not been quantified.
-

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Not Applicable:
-

Financial

1. Cost of proposal: Not Applicable:
 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:
-

Personnel

1. Number of staff (current and additional): 8 posts (6.87fte)
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

Summary of Ward Councillors comments:

Background Documents: (Access via Contact Officer)	Minutes of the Education, Children and Families Select Committee held on 04/07/18
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**REPORT OF THE EDUCATION, CHILDREN & FAMILIES SELECT
COMMITTEE
2018/19**

**POST-16 NON-UNIVERSITY TECHNICAL
EDUCATION AND APPRENTICESHIP
OPPORTUNITIES IN BROMLEY**

Meeting Date: Wednesday 4 JULY 2018

The Committee gives its sincere thanks to the witnesses for their contribution to the Education Select Committee.

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Forward

When I left school in the 1960s only a small percentage of my generation went to university, some went straight into work, others, like me continued our education in further education colleges. Some of my contemporaries drifted from job to job but many others, encouraged often by parents already in the industry, went into apprenticeships. In some industries these could be as long as seven years and within a couple of decades they found that technological change had rendered their training obsolete. In the construction industry most professional qualifications were obtained through a mixture of on the job practical experience combined with college based day or part-time release.

Successive governments have tried to address Britain's failure to compete with the best industries in the world. An education system which has left many young people without the education and skills they need, a failure of management to adapt swiftly to technological change, and to invest in training and new machinery. As a consequence Britain has been dogged by low productivity.

A young person leaving school today is faced with a technological revolution as dramatic as the industrial revolution of the 18th and 19th Centuries. Change will be counted in years rather than decades. Artificial intelligence will transform virtually every occupation.

Brexit will provide new trading opportunities but only if we have a skilled workforce able to harness the changing technology. For some a university education will be the right career path but for many others a modern apprenticeship will be much more suitable.

The proposed 'T' level qualifications recognise that the world of work will change dramatically and that modern apprenticeships will require their participants to constantly up date and adapt their skills over their working lives.

For our Nation's future we need to ensure we rise to the challenge.

Cllr Nicholas Bennett JP
Chairman
Education, Children and Families Select Committee

1. Introduction

- 1.1 The Education Children and Families Select Committee met on 4th July 2018 to undertake a review on Non-University Technical Education and Apprenticeships.
- 1.2 In addition to this, the Committee received an update from the Education, Children and Families Portfolio Holder including the preparations being made for the Ofsted Inspection which would take place before the end of the year. Details can be found in the [minutes](#)¹ from the meeting.

2. Executive Summary of Recommendations

- 2.1 **We request that the Portfolio Holder seeks further information on London Council's request that apprenticeships created in their supply chains be included as part of the apprenticeship target, particularly given the large percentage of Bromley services which are provided by commissioned providers and if necessary makes similar representations to the Government.**
- 2.2 **That all Council departments review their staffing structure to ensure that where appropriate, posts are open to apprentices and that these as well as those in commissioned services are advertised to prospective applicants.**
- 2.3 **That any contract let by the Council in relation to commissioned services include a clause requiring that the contractor offer apprenticeship opportunities to suitable candidates.**
- 2.4 **That the work to open the available apprenticeship opportunities to a wider pool of the Local Authority's Children Looked After continue and expand.**
- 2.5 **That Bromley staff who are supporting apprentices in their work based placements continue to be offered the necessary training to enable apprentices to be provided with the required level of support and training.**
- 2.6 **That the Bromley Education Business Partnership work with Metrobus and Stagecoach to identify potential training and employment opportunities for young people in the Borough.**
- 2.7 **That the Council should give every support and encouragement for the proposed London Aerospace and Technology College at Biggin Hill Airport.**

¹ Minutes can be found on the London Borough of Bromley Website at: <https://cde.bromley.gov.uk/ieListDocuments.aspx?CId=584&MId=6319>

- 2.8 That steps are taken to ensure that Officers responsible for delivering the Bromley Apprenticeship Scheme closely monitor and evaluate the impact of T-levels following their introduction.**
- 2.9 That the Bromley Education Business Partnership continue to work with London South East Colleges to address issues surrounding the provision of funding for work experience for the T-level qualification.**
- 2.10 That the Bromley Education Business Partnership directly and in co-operation with our local secondary schools and the LSEC, promote to parents and young people the advantages of apprenticeships as a path to many worthwhile and well paid careers**

3. Non-University Technical Education and Apprenticeships

- 3.1. The Select Committee's main inquiry for this meeting focused on non-University technical education and apprenticeship opportunities available to Bromley residents. The purpose of the review was to identify the opportunities available to Bromley residents, assess the impact of this provision and consider what further support could be provided by the Local Authority.
- 3.2. A range of written evidence was provided to Members in advance of the meeting. This included a report providing an overview of the Apprenticeship Levy and Bromley Council's Apprenticeship Scheme, a submission from London and South East Colleges and an article from *The Times* (18 May 2018). The Committee also received written testimony from two residents with personal experience of apprenticeship opportunities in the Borough. Feedback from some of the current participants in Bromley's Apprenticeship Scheme was tabled at the meeting.
- 3.3 The Committee heard evidence from two main witnesses at the meeting:
- Angela Huggett, Head of HR Strategy and Education (LBB)
 - Linda King, Youth Support Programme Manager (LBB)
- 3.4 The Committee notes with disappointment and regret that the NHS, the largest employer in the Borough, was not able to send a representative to the meeting in support of the Committee's review.
- 3.5 Background
- 3.5.1 The Enterprise Act 2016 permits the Secretary of State to set targets for prescribed public bodies in England in relation to the number of apprentices working for them.
- 3.5.2 The new duty applies to public bodies in England with 250 or more employees and requires that apprenticeship numbers equivalent to 2.3% of employee headcount be delivered each year. London Councils has lobbied the

Government to allow local authorities to include apprenticeships created in their supply chains as part of their contribution to meeting the target; for Full Time Equivalent figures to be used in calculating the target, rather than a straight headcount; and for schools to be grouped separately and be made responsible for meeting their own target. However no further information has been received from the Government on these issues.

Recommendation 1: We request that the Portfolio Holder seeks further information on London Council's request that apprenticeships created in their supply chains be included as part of the apprenticeship target, particularly given the large percentage of Bromley services which are provided by commissioned providers and if necessary makes similar representations to the Government.

3.6 Apprenticeship Levy

3.6.1 The Apprenticeship Levy is a charge introduced from 1 April 2017 by the Government to help fund plans to deliver a step change in apprenticeship numbers and their quality. The levy is designed to put apprenticeship funding in the hands of employers by encouraging them to invest in and create apprenticeships. Employers in England who pay the levy and demonstrate their commitment to apprenticeship training by meeting Government requirements benefit from top-up funding which increases the funding in their digital apprenticeship accounts by 10%. This means that for every £1 that an employer pays into their digital account, £1.10 is available to the employer to invest in apprenticeships.

3.6.2 The Levy applies to all employers across all sectors in the UK, including local authorities and is set at 0.5% of an employers' pay bill. The levy is collected monthly via Pay As You Earn (PAYE) alongside income tax and national insurance contributions. All employers have an allowance of £15,000, which means that for the London Borough of Bromley, the Levy is applicable on pay bills over the first £3 million. The Levy payment is ring-fenced in the form of an electronic voucher that can be used to purchase training from recognised providers from the Digital Apprenticeship Service.

3.6.3 Based on the current pay bill the Local Authority's levy is approximately £350,000 per annum with a target to create approximately 34 new Apprenticeships. As the Council continues its commissioning journey, the levy and corresponding target for Apprenticeships is likely to reduce in line with Council staffing levels.

3.6.4 Employers choose the training they would like their apprentice to receive throughout their apprenticeship. There are currently two different types of apprenticeship scheme: Frameworks and Standards and both are funded in the same way:

- Apprenticeship Standards - each standard covers a specific job role and sets out the core skills, knowledge and behaviours an apprentice

will need to be fully competent in their job role and meet the needs of employers, standards are developed by employer groups known as 'trailblazers'.

- Apprenticeship Frameworks – a series of work-related vocational and professional qualifications, with workplace and classroom based training.

3.6.5 It is the Government's intention to phase out Frameworks by 2020, as there is transition to the employer-led Apprenticeship Standards.

3.6.6 The Government has been very specific about what apprenticeship levy funds can and cannot be spent on. Funds can be used for apprenticeship training and assessment (with an approved training provider and assessment organisation up to its funding band maximum).

Funds **cannot** be used for:

- Wages
- Statutory licenses to practice
- Travel and subsidiary costs
- Managerial costs
- Traineeships
- Work placement programmes
- The costs of setting up an apprenticeship programme.

3.6.7 Apprenticeships are open to all age groups however additional payments (£1,000 for employers and £1,000 for the training provider) from the Government are available to help with the extra costs associated with supporting younger apprentices, care leavers and young adults with additional learning needs.

3.6.8 Employers are able to use funds to allow an individual to undertake a qualification at a higher level than they already hold or at the same or lower level if the apprenticeship will allow the individual to acquire substantive new skills and the content of the training is materially different from any prior training or previous apprenticeship.

3.6.9 All training providers that want to deliver apprenticeships to any employer have to join the Register of Apprenticeship Training Providers (RoATP).

3.6.10 Since the introduction of the Apprenticeship Levy, the Council has worked to develop a range of specialist apprenticeship opportunities within growth areas including Housing, Legal and Social Work.

3.7 The Bromley Apprenticeship Scheme

3.7.1 The Bromley Apprenticeship Scheme benefits both the Council by utilising funding made available through the digital portal, and the local community as the Scheme is only available to Bromley residents and offers real

First Report of the Education Children and Families Select Committee

2018/19

opportunities for skills development and future employment. This has been enabled by the generous support of Members who agreed additional funding of £200,000 to support the scheme.

3.7.2 The Council's hybrid model scheme provides for:

- A number of permanent dedicated apprenticeship roles within Departments utilising existing vacancies
- A pool of apprentices trained in basic administration and business skills who would then be available to be utilised across the Council for relevant posts graded at circa £18,000 per annum as an alternative to using agency staff where this need was identified.
- Upskilling of existing staff

3.7.3 The Scheme is open to all ages although the Committee notes that the Council's current cohort is between the ages of 18 to 25 years. At present the Council has engaged 16 Apprentices across various departments who are studying a range of qualifications including Business Administration Level 2 and more specialist qualifications for example in Housing and Legal Services. Opportunities are open to all regardless of whether applicants have special educational or support needs.

3.7.4 All participants in the Scheme are required to pass a functional skills test. Once applicants are accepted onto the scheme specific learning needs are accommodated through a programme developed around individual need. Each apprentice has their own learning plan tailored to meet their learning and development needs both at college and within the work-based placement.

3.7.5 HR continues to work with managers and services with recruitment and retention challenges including Children's and Adult's Social Care, Environmental Health and Planning Services to develop a 'Grow your Own Scheme' using the apprenticeship route. The Committee notes that there are diverse career opportunities available throughout local government with a wealth of opportunities in more technical areas such as Planning, Property Services, and Facilities Management. The Council is able to choose a more specialist training provider if necessary; however, any training provider has to be accredited and appear on the Government's Register of Training Providers.

Recommendation 2: That all Council departments review their staffing structure to ensure that where appropriate, posts are open to apprentices and that these and those in commissioned services are advertised to prospective applicants.

3.7.6 The Committee notes that as a result of the commissioning of services the Local Authority works with a number of contractors such as Veolia, Amey, and Id Verde. These organisations have the ability to offer exciting and interesting

apprenticeship opportunities to potential apprentices across the Borough. Work should be undertaken to encourage the Local Authority's partners as well as local businesses to provide apprenticeship opportunities for residents.

Recommendation 3: That any contract let by the Council in relation to commissioned services include a clause requiring that the contractor offer apprenticeship opportunities to suitable candidates.

3.7.7 The Council, through a procurement process, has engaged London and South East Colleges to provide its apprentices with their qualification studies. Periods of apprenticeships range from 12 to 18 months dependent on the qualification being studied.

3.7.8 One of the key priorities is to work closely with colleagues within Children's Social Care to help maximise the opportunities for our Looked After Children and to look at ways to best target recruitment. The Committee notes that the take up in apprenticeship opportunities from the Local Authority's children looked after has been low. Work is being undertaken with the Children Looked After and Care Leavers Service to develop the skills of the young people and open the available opportunities to a wider pool by ensuring that they are supported through the recruitment process. Officers will be liaising with the training provider (LSEC) to see if they can assist with some support in this respect. The Committee would like to see this work continue and expand.

Recommendation 4: That the work to open the available apprenticeship opportunities to a wider pool of the Local Authority's Children Looked After continue and expand.

3.7.9 Bromley also networks very closely with other Boroughs as well as being part of a London Apprenticeship network for Local Government which enables the Council to share and benefit from any best practice.

3.7.10 Terms and conditions of employment for apprenticeships are well established and there is a national statutory minimum wage set for apprentices which is currently £3.70 per hour. Traditionally however Bromley has always paid apprentices at the National Statutory age-related minimum wage rate which is in excess of the statutory pay rate for Apprentices. The current rate for all Apprentices in Bromley is £7.83.

3.7.11 The Committee is pleased that overall there has been a good response to the launch of the Council's Apprenticeship Scheme and that interest in the Bromley Apprenticeship Scheme is growing. The Committee recognises the importance of ensuring that Bromley staff who are supporting apprentices in their work-based placements are sufficiently trained to provide the required level of support and training to ensure apprentices reach their potential.

Recommendation 5: that Bromley staff who are supporting apprentices in their work based placements continue to be offered the necessary training to

enable apprentices to be provided with the required level of support and training.

3.8 Bromley's Youth Employment Scheme (YES)

3.8.1 With the support of Members, the Council has been delivering the Youth Employment Scheme (YES) through the Bromley Education Business Partnership since August 2014. The project aims to support the generation of employment opportunities and help tackle local youth unemployment, facilitating employability support for our vulnerable young people.

3.8.2 By the end of December 2017, a total of £527,000 funding had been provided to support the delivery of the apprenticeship project. The project has supported 142 young people into employment to date, 62 of whom benefitted from apprenticeship opportunities mainly within the Borough.

3.8.3 Through the YES project, a series of Next Step Conferences are held each year for sixth form students from local schools who do not intend to move on to Higher Education when they finish their studies. Each year 350 young people from over 10 Bromley secondary schools benefit from these events which are supported by local and national employers. The aim of the event is to give young people an insight into the employment opportunities and apprenticeships that are available and how to prepare themselves and access the opportunities.

3.8.4 As part of the YES project the Council works with Community Links Bromley. Young people are encouraged to develop their own networks and work experience opportunities. Community Links Bromley supports this work by providing a network for young people to access.

3.8.5 The Committee notes that the Bromley Education Business Partnership engages with employers across the Borough and encourages them to support the work of the Partnership. A number of work-based learning opportunities are available and the Bromley Education Business Partnership engages with local employers in order to identify further opportunities. The Committee notes that the Council has not yet developed a relationship with two major employers in the Borough; Metrobus and Stagecoach. The Committee feel that these businesses would be able to offer a number of different, more practical opportunities to potential apprentices and as such their support should be actively sought.

Recommendation 6: That the Bromley Education Business Partnership work with Metrobus and Stagecoach to identify potential training and employment opportunities for young in the Borough.

3.9 London and South East Colleges

3.9.1 London South East Colleges (LSEC) offers a wide range of courses across a number of vocational areas. The curriculum is mapped across the LEAP

priority areas, and high volume, high growth areas including amongst others: Construction; Creative Arts Design and Media; Digital; Childcare and Education; Business and Administration; Hospitality and; Engineering and Manufacturing.

- 3.9.2 The curriculum will also be mapped in the future to the T-level course areas including amongst others: Digital; Construction; Childcare and Education; Engineering and Manufacturing and Health and Science.
- 3.9.3 LSEC works with over 500 employers to ensure the education and training that is delivered meets industry requirements, ensuring that students gain real, transferable skills and achieve their full potential.
- 3.9.4 The London South East Apprenticeship Company offers apprenticeship and traineeship programmes across 25 different areas including Accounting, Bricklaying, Carpentry, Customer Services and Health and Social Care. There are currently over 1500 Apprenticeships or Traineeships offered and it is planned that this is increased by 100% by 2020.
- 3.9.5 LSEC is proposing, in co-operation with London Biggin Hill Airport, to open a London Aerospace and Technology College on the airport. We believe that this is an exciting venture which will not only provide a large number of apprenticeships and teaching posts but will add to the attraction of the airport as a place for related companies to locate and provide additional employment for local people and it deserves the Council's full support and encouragement

Recommendation 7: That the Council should give every support and encouragement for the proposed London Aerospace and Technology College at Biggin Hill Airport.

3.10 T-Levels

- 3.10.1 T-Levels are new technical study programmes, announced by the Department for Education, set to be implemented in 2020/21, focusing on practical and technical education. The introduction of T-levels aims to streamline technical education and focus on developing skills that sit within 15 industry routes. The first T-levels will be introduced in September 2020 with full roll-out intended from September 2023. They will sit alongside apprenticeships and A Levels within a reformed skills training system. T-levels have been designed to create the skills needed to meet the needs of our economy going forward and are being developed in partnership with Government, business, and education. The Prime Minister has stated that these qualifications are aimed at transforming technical education in the UK, ensuring that thousands of people across the country have the necessary skills to enable the UK to compete in the global market.
- 3.10.2 Many parents and young people assume that going to university is the only path to a worthwhile career and a well-paid employment. This is not the case and for many careers and an apprenticeship is a better route. We believe that

far more needs to be done to publicise and explain the advantages for many young people of pursuing an apprenticeship rather than a university degree.

3.10.3 There is currently a nationwide concern that only limited information on the new T-level qualifications has been published. Research published by City & Guilds and the Association of Employment and Learning Providers (AELP) in May 2018² found that only 17% of UK employers feel that they have a good understanding of T-levels and 49% rated their understanding as poor. It is clear to the Committee that the impact of T-levels will need to be closely monitored and evaluated. Outstanding issues that need to be resolved include those surrounding the level of work experience that is required to go alongside the qualification and whether the expected level of work experience is, in reality, available. In addition to this, issues surrounding the provision of funding for the required work experience will also need to be further considered.

Recommendation 8: That steps are taken to ensure that Officers responsible for delivering the Bromley Apprenticeship Scheme closely monitor and evaluate the impact of T-levels following their introduction.

Recommendation 9: That the Bromley Education Business Partnership continue to work with London South East Colleges to address issues surrounding the provision of funding for work experience for the T-level qualification.

Recommendation 10: That the Bromley Education Business Partnership directly and in co-operation with our local secondary schools and the LSEC, promote to parents and young people the advantages of apprenticeships as a path to many worthwhile and well paid careers

3.10.3 The Committee notes that LSEC has successfully been awarded a grant from the DfE Work Placement Capacity and Diversity Fund to develop the College's work in preparing for the implementation of T-levels. The College is piloting a new staffing structure which works more closely with employers, software development, student incentives and barrier removal. To increase understanding across the organisation, the College has developed a series of marketing communications to explain how the new qualifications work and the progression pathways for students.

3.11 Conclusion

3.11.1 Britain needs to ensure that we have a skilled workforce able to adapt in a world with a rapidly changing technology and to produce goods and services able to compete both in the home and export markets. For some that will require a university degree but for many others there are better and more appropriate routes to vocational and technical education and training through

² https://www.cityandguilds.com/~/_media/cityandguilds-site/documents/t-levels/tlevel_research%20pdf.ashx

apprenticeships. A young person starting their career in the 21st Century will need to frequently update their knowledge and skills and it will be the responsibility of education and training bodies to ensure that lifelong learning is available.

3.11.2 There is much good work being undertaken across the Borough to offer high quality apprenticeships across a number of sectors, with further opportunities still to be explored and this good practice needs to be promoted and expanded. We are concerned that the Government's target for the number of apprenticeships is unlikely to be reached and that 'T' levels may not be fully developed for their introduction in 2020.

3.11.3 The systems in place must be sufficiently flexible and evolve to meet current and future demand. The introduction of T-levels will necessitate a change in the future delivery model of training and any impact of these changes will need to be closely monitored and evaluated.

3.11.4 Education and training is a lifelong journey. It is likely that apprentices will seek further education or training opportunities in the same or different sectors during the course of their career and that this need will have to be met.

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Report No.
CSD18136

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 8 October 2018

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

Title: BASIC NEED PROGRAMME UPDATE

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: All

1. Reason for report

- 1.1 At its meeting on 11th July 2018 the Executive received an update on the capital schemes included within the Council's Basic Need Programme with a project value over £1m. The Executive approved the recommendations in the attached report, and referred the updated Basic Need Programme to Council for approval.
-

2. **RECOMMENDATION**

That the updated basic Need Programme (as set out in Appendix 3 to the attached report) be approved.

Impact on Vulnerable Adults and Children

1. Summary of Impact: This programme is currently benefitting local children through providing 1,635 temporary and 2,550 permanent school places in both mainstream and specialist settings.
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: Estimated Cost:
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Education Capital Programme
 4. Total current budget for this head: £85,051k
 5. Source of funding: DfE Basic Need Capital Grant, DfE SEND Capital Grant, DfE Capital Maintenance Grant, S.106 contributions
-

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: Statutory Requirement:
 2. Call-in: Not Applicable: Council decisions are not subject to call-in.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): In excess of 4,000 pupils in Bromley
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	See attached report

Decision Maker: EXECUTIVE

Date: Wednesday 11 July 2018

Decision Type: Non-Urgent Executive Key

Title: BASIC NEED PROGRAMME UPDATE

Contact Officer: Robert Bollen, Head of Strategic Place Planning
Tel: 020 8313 4697 E-mail: robert.bollen@bromley.gov.uk

Chief Officer: Director: Education (ECHS)

Ward: (All Wards);

1. Reason for report

This report updates the capital schemes included within the Council's Basic Need Programme with a project value over £1million.

2. RECOMMENDATION(S)

- 2.1 That the Executive agrees the updated Basic Need Programme as set out in Appendix 3, subject to Full Council approval.
- 2.3 That the Executive agrees an increase to the Basic Need capital scheme of £604k to reflect the additional SEND Provision capital grant allocation as detailed in paragraph 3.3 and adjustment to the funding (-£8k) provided by the DfE for the MUGA at Trinity CE Primary School.
- 2.4 That approval be given to the fully costed appraisal for the new schemes at Bromley Trust Academy, Pickhurst Junior School and Red Hill Primary School in addition to the projects outlined in the previous report agreed by the Executive on 2 April 2014, 20th May 2015, 23 March 2016 and 19 July 2017 as set out in Appendix 2 to this report.
- 2.5 That where required funding be delegated to schools for local delivery subject to there being sufficient mechanisms in place to control expenditure and ensure delivery of outcomes.
- 2.6 That the Executive notes that schools will be submitting planning applications in association with these works.

Impact on Vulnerable Adults and Children

1. Summary of Impact: This programme is currently benefitting local children through providing 1,635 temporary and 2,550 permanent school places in both mainstream and specialist settings.
-

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
-

Financial

1. Cost of proposal: Estimated Cost
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Education Capital Programme
 4. Total current budget for this head: £85,051k
 5. Source of funding: DfE Basic Need Capital Grant, DfE SEND Capital Grant, DfE Capital Maintenance Grant, S106 contributions
-

Personnel

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: There are no procurement implications arising from this report. The procurement strategy for Basic Need has been set out in previous reports.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): In excess of 4,000 pupils in Bromley
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 This report updates the Council's Basic Need Capital Programme with schemes with an estimated value in excess of £1 million.
- 3.2 The Council receives Basic Need Capital Grant from the DfE to support the delivery of sufficient school places, with a total of £77.8m so far allocated for 2011-2020. The Council has received no additional mainstream allocation for 2020-21.
- 3.3 In addition, the Council has recently received an additional SEN capital allocation of £603,844 in addition to funding announced by the DfE in 2017. These allocations are provided in addition to the Basic Need Capital Grant that local authorities receive to support the capital requirement for providing new pupil places. The formula for allocation is based principally on projected population growth for children and young people aged 2-18 between the years 2018-19 and 2020-21.

Basic Need Allocation	
2011-12 allocation	£4,496,771
Autumn 2011 exceptional in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2012 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
2017-18 allocation	£8,837,573
2018-19 allocation	£6,895,846
Total allocation to date:	£77,773,224
SEND Provision Capital Funding	
2018-19 allocation	£865,510
2019-20	£865,510
2020-21	£865,510
Additional 2018-21 allocation	£603,844
Total allocation to date:	£3,200,374
Total Grant Funding	£80,973,598

- 3.3 The table above provides details of all the Basic Need Capital Grant and SEND Provision Capital Funding received by the Council.
- 3.4 In addition, the Basic Need capital programme also includes capital contributions from a range of other capital funding programmes including Capital Maintenance Grant and Section 106 contributions. These are detailed in Section 6 of this report.
- 3.5 Appendix 1 provides an update on those projects recently completed, currently being delivered or under development
- 3.6 Appendix 2 provides a financial appraisal of those capital projects that are either new to the programme, or where costs have changed since the last report to the Executive on 19 July 2017 and need reappraisal.
- 3.7 Appendix 3 provides details of the Basic Need Programme. There is currently insufficient funding provided by the DfE and other sources to deliver all the schemes within the Basic Need Programme.
- 3.7 Projects are categorised as follows:

- A Completed projects, including projects that are in defects and yet to reach Final Account.
 - B Projects in Delivery (Funded) – schemes that are in the delivery phase, including projects under construction and in procurement, and have available funding allocated to them to allow delivery
 - C Projects in Delivery (Unfunded) – schemes that are not an immediate priority and are therefore fully funded, but are being delivered to a ‘shovel ready’ status
 - D Projects in Development – schemes where feasibility studies have been, or are being carried out, but these projects are not a priority currently and therefore no funding is allocated to them.
- 3.8 Design development of schemes not in the delivery phase (funded or unfunded) of the programme will continue, but schemes will not be brought forward until there is sufficient need and funding is available. For ‘schemes in development’ to be brought forward into the pool of ‘schemes in delivery’ there will need to be clear evidence that these are priority developments.
- 3.9 Since the last Basic Need Update Report to the Executive in July 2017, works has focussed on delivery of schemes in the programme. Three new schemes are being added to the Basic Need Capital Programme:
- Bromley Trust Academy (Nightingale) PRU. This scheme with an estimated capital value of £1,205k will be provide new accommodation for the Nightingale provision, which is currently transitioning to Bromley Trust Academy. New accommodation is needed to address security and suitability needs of the service. .
 - Pickhurst Junior School (SEN Resource Provision). This scheme with an estimated capital value of £465k will provide a new SEN resource provision at the school with up to 20 places. The provision targets KS2 when there is currently a significant need for places and will help to keep pupils in borough lessening the pressure on the DSG high need budget.
 - Red Hill Primary School where a feasibility study is yet to be undertaken to ascertain the feasibility and associated costs of the school offering an entitlement to a place to all 30 pupils leaving Mead Road Infants School.

4, IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Basic Need Capital Programme has added 1,635 temporary and 2,987 permanent school places in mainstream and specialist settings.

4. POLICY IMPLICATIONS

- 5.1 Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places, the quality of those places and their efficient organisation is a priority within the Council’s strategy ‘Building a Better Bromley’ and contributes to the strategy to achieve the status of An Excellent Council. This policy also contributes to key targets within the Education Portfolio Plan.

5. FINANCIAL IMPLICATIONS

- 6.1 The Council has been allocated £81m in 100% Basic Need Capital Grant and SEND Provision Capital Funding for the financial years 2011-21 to meet the need for mainstream, specialist and alternative provision school places. The programme also includes various transfers from other schemes to support the delivery of the Council’s Basic Need Programme. Allocations have also been made to Basic Need to support other education capital schemes, resulting in a total current budget of £85.1m as shown in the table below.

Basic Need Allocation 2011-21	77,773
SEND Provision Capital Funding 2018-21	2,598
Additional SEND Provision Capital Funding 2018-21 (to be approved by the Executive)	604
Total DfE mainstream and SEND place provision funding	80,975
Other funding streams	
Approved S106 allocations	3,595
Transfers from DfE Capital Maintenance Grant	1,294
Transfer from Reconfiguration of Special Schools Scheme	113
DfE payment for Trinity CE Primary School MUGA	309
DfE MUGA payment adjustment (to be approved by the Executive)	-8
	5,303
Total Basic Need Budget	86,278
Transfer to Highway Capital Project	-650
Transfer to Beacon House Capital Project	-577
New Basic Need Capital Programme (subject to approval)	85,051

6.2 The table above sets out the Council's updated Basic Need Capital Programme subject to the Executive's agreement to the addition of the new SEND Provision Capital Funding (£604k) and adjustment of the DfE contribution to the MUGA at Trinity CE Primary School.

6.3 For the purposes of monitoring total Basic Need related expenditure, and to ensure that any underspends are returned to Basic Need, the £650k and £577k transfers to the Highway Primary Rebuild and Beacon House Refurbishment Schemes respectively have been added back in to the list of projects, and the Section 106 funding removed and shown as other funding.

6.5 To date, a total of £95.9m expenditure has been committed (completed schemes plus schemes in delivery), of which £77.8m is funded from the Basic Need Capital Grant.

7. LEGAL IMPLICATIONS

7.1 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education. Under Section 14 Education Act 1996 the Council has a statutory duty to ensure that there are enough primary and secondary school places are available to meet the needs of pupils in its area.

7.2 Section 106 monies must be spent in accordance with the Education contribution clauses

8. PROCUREMENT IMPLICATIONS

8.1 This report provides details on the funding allocations and priorities for the Council's Basic Need Capital Programme. The procurement strategy, as set out in previous Executive reports, is not altered by this report.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	

APPENDIX 1 – PROJECT UPDATE REPORT

	School Academy	Current Project Status	Description
A2	Balgowan Primary School (Access Project)	Project Complete (in defects period)	Works to improve accessibility of school to admit pupils with disabilities.
A8	Castlecombe Primary School	Project Complete (in defects period)	The project has planning consent and construction of the scheme is currently underway. The scheme expands the school to 2FE in KS2, providing certainty for parents of children at Dorset Road by creating an admissions link between the two schools. Planning consent allows the expansion of KS1 to 2 FE if Required at a later date.
A13	Crofton Junior School (Access Project)	Project Complete (in defects period)	Works to improve accessibility of school to admit pupils with disabilities including new hygiene suite and disabled lift.
A39	St George's CE Primary School	Project Complete (in defects period)	The project was completed in autumn 2017 expanding the school from 1.5 to 2 Forms of Entry.
A46	Stewart Fleming Primary School (Phase 1)	Project Complete (in defects period)	Phase 1 of works to expand the school from 2 to 3 Forms of Entry were completed in autumn 2018 and compromised a new teaching block with roof top multi use games area.
B1	Beacon Academy Orpington	Project in Delivery (Funded)	<p>This project represents the final phase in the reorganisation of arrangements for education of children with Social Emotional and Mental Health (SEMH) needs, phase 1 being the opening of Beacon House in 2016. The accommodation on site has historically been considerably under the size recommended by BB104, the DfEs guidelines for special school accommodation.</p> <p>Phase 1 which delivered external works was completed in Autumn 2019. Phase 2 which includes the new build block and partial refurbishment is currently under construction. Phase 3 which completes refurbishment will be awarded shortly.</p>

B2	Bishop Justus	Project in Delivery (Funded)	The scheme expands the school from 6 to 8 Forms of Entry. The contract for the remaining works was awarded in March 2018 with completion due in 2019.
B4	Bromley Trust Academy (Nightingale PRU)	Project in Delivery (Funded)	New facilities to tackle inadequacies in current accommodation.
B5	Oaklands Primary School	Project in Delivery (Funded)	A decision on the award of contract for Phase 1 works at the school is due. Without these works there would be insufficient suitable accommodation for the school to admit 3FE across each year group. There has been an increase in the costs of the scheme due additional surveys required to discharge the planning conditions for all phases, costs of demolishing existing building and the need to include preliminary works for services to enable later phases of the project.
B7	Pickhurst Primary School (SEN & Access)	Project in Delivery (Funded)	In support of new SEN resource provision remodel existing class spaces to provide New Hygiene and sensory room along with refurbishment of class spaces and external works.
B8	Poverest Primary School	Project in Delivery (Funded)	The project to expand the school from 2 to 3 Forms of Entry involves the development of a new dining hall and entrance block, refurbishment of the existing school and conversion of the existing dining block and children and family centre into a dedicated EYFS block. The new dining hall and entrance block was handed over in May 2018.
B9	Stewart Fleming Primary School	Project in Delivery (Funded)	Final Phase of building works was awarded in May 2018 to enable expansion of the school from 2 to 3 Forms of Entry. Involves demolition of existing building, new 2 storey block with roof top play deck and refurbishment works.
B10	Trinity CE Primary School	Project in Delivery (Funded)	Refurbishment works at the former EDC to provide sufficient space for the school to admit to expand to 3FE.
B11	Tubbenden Primary School	Project in Delivery (Funded)	The project currently under construction expands the existing SEN unit at the school, bringing together the former infant and primary classes at the heart of the school, improving hygiene and sensory facilities and providing a new dedicated outside play area.

C1	Farnborough School	Project in Delivery (On hold)	Following decision of planning appeal project is currently on hold.
C2	Red Hill Primary School	Project in Delivery (Unfunded)	Feasibility about to commence on increasing the school KS2 Published Admission Number from 110 to 120, in order to ensure that all pupils leaving Mead Road Infant School have a guaranteed place at KS1 to KS2 transfer.
C3	St John's CE Primary School	Project in Delivery (Unfunded)	Proposal to expand school from 1.5 to 2 FE. School has took bulge class in 2016. The scheme would also remove the last split year teaching in a non-rural Bromley School. Planning application has been developed but not submitted as school is currently ranked as Requires Improvement.
C4	Trinity CE Primary School	Project in Delivery (Unfunded)	Scheme has planning consent for a phased expansion from 2 to 4FE. Refurbishment works at former EDC were on hold by due to delay in La Fontaine moving to the Widmore site. Refurbishment works now in funded programme, development of link reception and new teaching block currently on hold until sufficient need and funding available.
C5	Marian Vian Primary School	Project in Delivery (Unfunded)	Local authority originally undertook feasibility of expansion from 3 to 4FE and school admitted bulge classes in 2015 and 2016. However, currently there is no need for additional school places due to 2 local Free Schools opening. Scheme being developed that would address present transports issues at site, the need to find a compliant use for the former Elmers End Children and Family Centre, provide accommodation for the bulge classes, replace the dilapidated Year 6 block and if needed allow the school to expand at a later date. The scheme will be funded from S106 when it becomes available and CIF funding (if school is successful in bidding). It is proposed that a planning application is submitted during 2018/19.
C7	St Mary Cray Primary School	Project in Delivery (Unfunded)	Feasibility was completed during 2017 investigating whether there is an option to redevelop the school, including the neighbouring former Duke Youth Centre. Outcomes of feasibility need to be considered.

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APPENDIX 2 – UPDATED AND NEW SCHEME APPRAISALS

BROMLEY TRUST ACADEMY (NIGHTINGALE) – PROJECT IN DELIVERY (FUNDED)

	2018/19	2019/20	2020/21	Total
	£000's	£000's	£000's	£000's
Land Acquisition				0
Main Contract Payments		915	48	963
Consultants Fees	45	45	6	96
Furniture and Equipment		50		50
Contingency	0	92	5	96
	45	1,102	59	1,205

OAKLANDS PRIMARY SCHOOL – PROJECT IN DELIVERY (FUNDED)

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total
	£000's	£000's						
Land Acquisition								
Main Contract Payments					1,000	824	96	1,920
Consultants Fees	5	96	18	114	100	32	5	370
Furniture and Equipment					30			30
Contingency	0	0	0	0	100	82	10	192
	5	96	18	114	1,230	938	111	2,512

POVEREST PRIMARY SCHOOL – PROJECT IN DELIVERY (FUNDED)

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
	£000's	£000's	£000's	£000's	£000's	£000's
Land Acquisition						0
Main Contract Payments			3,001	1,803	124	4,928
Consultants Fees	69	125	25	35	6	260
Furniture and Equipment			10	30		40
Contingency	0	0	300	180	12	493
	69	125	3,336	2,048	142	5,721

STEWART FLEMING PRIMARY SCHOOL – PROJECT IN DELIVERY (FUNDED)

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total
	(£'000s)						
Land Acquisition							
Main Contract Payments – Phase 1		1,840	1,000	105			2,945
Main Contract Payments – Phase 2				3,000	2,017	264	5,281
Consultants Fees	200	150	179	160	109	25	823
Furniture and Equipment			50	50			100
Contingency				300	202	26	528
	200	1,990	1,229	3,615	2,328	315	9,677

**TUBBENDEN PRIMARY SCHOOL (SEN) – PROJECT IN DELIVERY
(FUNDED)**

	2016/17	2017/18	2018/19	2019/20	Total
	(£'000s)	(£'000s)	(£'000s)	(£'000s)	(£'000s)
Land Acquisition	0	0	0		0
Temporary Accommodation		95	32		127
Main Contract Payments – Phase 1		300	546	45	891
Consultants Fees	24	40	9	2	75
Furniture and Equipment		75			75
Contingency		40	58	4	102
	24	550	645	51	1,270

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APPENDIX 3 - BASIC NEED PROGRAMME 2011-20

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources			Description	Budget Changes		
							Basic Need	SEND Capital	Other		Cost July 2017	Change	Explanation
Completed Projects													
A1	Balgown Primary School	Conversion of existing space to form single bulge class	Bulge Class	2014	Complete	£10,000	£10,000				£10,000	£0	
A2	Balgowan Primary School	Access improvement works at school	Access initiative	2017	Planning	£225,000	£200,000				£200,000	£25,000	Final Project Costs. Scheme In defects
A3	Beacon House (Beacon Academy)	Refurbishment of site to provide vocational offer and extend services to KS2 and girls.	SEN Expansion	2015-16	Final Account	£4,897,412	£197,412		£4,700,000	DSG	£4,897,412	£0	Estimated final account below estimated project cost
A4	Bickley Primary School	Kitchen and servery works to complete expansion to full 2FE	Permanent Expansion	2010-11	Complete	£103,000	£103,000				£103,000	£0	
A5	Blenheim Primary School	Minor works to support admission of additional pupils	Bulge Class	2014	Complete	£9,983	£9,983				£9,983	£0	
A6	Bromley Road Primary	Internal remodelling/ refurbishment to provide accommodation for the re-organised school	Change of age range + linked to Worsley Bridge	2015-16	Defects	£1,124,988	£1,124,988				£1,124,988	£0	Additional Final costs resulting from dealing with historic nature of building
A7	Burnt Ash Primary School	Internal SEN unit modifications to address OfSTED recommendations	SEN	2013	Complete	£50,000	£50,000				£50,000	£0	

A8	Castlecombe Primary School	Permanent expansion of the school to 2FE in KS2 including temporary accommodation	Temporary Accommodation	2016-17	In defects	£3,711,015	£3,348,849		£362,166	DSG, CIF	£3,862,000	-£150,985	Project in Defects Stage. Includes Temporary and Permanent Works
A9	Churchfields Primary School	Interbal refurbishment, infill expansion, new nursery block	3 x bulge class, 1FE permanent expansion	2011-16	Complete	£1,367,000	£1,367,000				£1,367,000	£0	
A10	Clare House Primary School	Internal modifications to existing school, 3 temporary classroom units, demolition of existing school and construction of new 2FE school building.	3 x bulge class, 1FE permanent expansion	2011-2016	Defects	£6,756,736	£6,627,736		£129,000	DSG	£6,756,736	£0	Amalgamated cost of all works. Estimated final account below estimated project cost
A11	Coopers School	Feasibility into options for expansion	Feasibility	2015	Feasibility	£5,000	£5,000				£5,000	£0	
A12	Crofton Infant School	New build class and facilities for additional 'Busy Bees' class	Additional SEN Unit Class	2014	Complete	£409,000	£384,000		£25,000	Access Initiative	£409,000	£0	Estimated final account below estimated project cost
A13	Crofton Junior School	Access Works - New hygiene room, lift and ramps	Access initiative	2017	In defects	£400,000	£400,000				£272,566	£127,434	In defects
A14	Darrick Wood School	AccessWorks - acoustic partitions and associated ICT/M&E works	SEN	2012	Complete	£45,000	£45,000				£45,000	£0	

A15	Darrick Wood Infants School	Review of space at school	Site sufficiency	2014	Complete	£3,395	£3,395				£3,395	£0	
A16	Darrick Wood Junior School	Review of space at school	Site sufficiency	2014	Complete	£3,395	£3,395				£3,395	£0	
A17	Edgebury Primary School	New build to support expansion from 1 FE to 2 FE	Permanent Expansion	2016	Defects	£4,455,174	£3,642,936		£812,238	S106 & Planned Maintenance	£4,455,174	£0	
A18	Farnborough Primary School	Internal refurbishment and FF&E	2 x bulge classes	2015 & 2016	Defects	£70,000	£70,000				£70,000	£0	Costs associated with second bulge class (2016)
A19	Glebe	New classroom block to support 2FE ASD secondary expansion	SEN Expansion	2015-16	Defects	£4,887,000	£0		£4,887,000	DSG, School,S106	£4,887,000	£0	
A20	Harris Primary Academy Crystal Palace	Minor refurbishment and temporary toilet unit to facilitate an extra form of entry in 2011 & 2012. Internal refurbishment and external works to Permanent support permanent expansion of school	3 x bulge classes and permanent expansion	2011-2016	Complete	£1,159,488	£1,138,688		£20,800	DSG	£1,159,488	£0	Almagamated Costs all Phases. Estimated final account and associated costs above estimated project cost
A21	Harris Primary Academy Kent House	Modular accommodation to provide an additional form of entry in 2011.	Bulge Class	2011	Complete	£263,000	£263,000				£263,000	£0	

A22	Harris Primary Academy Orpington	Works to SEN Unit	SEN	2010/11	Complete	£100,000	£57,000		£43,000	Primary Capital Programme	£100,000	£0	
A23	Hawes Down Infants School	Internal refurbishments for single bulge class	Bulge Class	2012	Complete	£115,000	£115,000				£115,000	£0	
A24	Hawes Down Junior School	Additional class to admit bulge class from infant school and SEN Unit class	Bulge Class	2015	Complete	£829,325	£763,299		£66,026	S106	£829,325	£0	
A25	James Dixon Primary School	Temporary reception block and relocation of contact centre	2 x Bulge Class	2014 & 2015	Complete	£851,631	£729,951		£121,680	DSG	£851,631	£0	
A26	Keston CE Primary School	Internal and external works to provide permanent facilities for 2012 class.	Bulge class	2012	Complete	£935,804	£935,804				£935,804	£0	
A27	Langley Park School for Boys	Internal refurbishment	Bulge class	2015	Complete	£56,000	£56,000				£56,000	£0	
A28	Leesons Primary School	Internal refurbishment and FF&E	3 x Bulge Class	2014-16	Complete	£30,000	£30,000				£30,000	£0	
A29	Marian Vian Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	2 x Bulge Class	2015 & 2016	Complete	£58,140	£58,140				£58,140	£0	
A30	Midfield Primary School	Internal refurbishment, new classroom block and nursery	3 x bulge classes and permanent expansion	2012 -2015	Complete	£1,624,077	£1,606,277		£17,800	S106	£1,624,077	£0	

A31	Mottingham Primary School	Internal refurbishment, kitchen and utilities works	KS2 bulge classes	2014 & 2015	Complete	£1,019,340	£1,019,340				£1,019,340	£0	
A32	Oaklands Primary School	Conversion of former KS1 classroom to kitchen	Ensuring Sufficient Accommodation	2016	Complete	£97,086	£97,086				£97,086	£0	
A33	Parish CE Primary School	3 New reception classrooms, new teaching block and secondary path to support 2 to 3FE expansion	Permanent Expansion	2012 -2014	Complete	£3,509,000	£3,509,000				£3,509,000	£0	
A34	Poverest Primary School	Internal refurbishments	3 x Bulge Class	2014-16	Complete	£81,650	£81,650				£81,650	£0	
A35	Red Hill Primary School	Improvement of toilet facilities to support increase in pupil numbers	Bulge Class	2012	Complete	£57,000	£57,000				£57,000	£0	
A36	Ravensbourne School	Move Gym to provide new classroom	Bulge Class	2015-16	Defects	£950,890	£950,890				£950,890	£0	
A37	Riverside School	New school hall and ASD specific entrance	SEN Expansion	2013-14	Final Account	£1,220,000	£817,147		£402,853	S106	£1,220,000	£0	
A38	Scotts Park Primary School	Refurbishment of early years area and temporary accommodation block	4 x Bulge Class	2012-14	Complete	£498,000	£463,000		£35,000	S106	£498,000	£0	
A39	St George's CE Primary School	Conversion of existing space to form single bulge class	Bulge Class	2015	Complete	£2,660,000	£2,581,410		£78,590	S106	£2,884,000	-£224,000	Cost of FF&E for additional bulge classes
A40	St John's CE Primary School	Reception Block Refurbishment	Bulge Class	2016	Complete	£35,000	£35,000				£35,000	£0	

A41	St John's CE Primary 2 Classroom refurbishment	Works during Summer 2017 to convert smaller spaces into classrooms	Bulge Classes		In defects	£185,000	£185,000				£200,000	-£15,000	Estimated final account below estimated project cost
A42	St Mark's CE Primary School	Refurbishment of reception classrooms	Suitability	2013	Complete	£135,000	£135,000				£135,000	£0	
A43	St Marys Cray Primary School	Minor works to support admission of additional pupils	Additional Pupils	2012	Complete	£11,000	£11,000				£11,000	£0	
A44	St Paul's Cray CE Primary School	Mixed refurbishment and new build to allow expansion from 1 to 2 FE	Permanent Expansion	2015	Complete	£2,561,720	£2,462,199		£99,521	Early Year Capital, Seed Challenge, UKPN	£2,561,720	£0	
A45	Stewart Fleming Primary School	Temporary accommodation block and internal refurbishment	2 x Bulge Class plus decant accommodation	2015	Complete	£795,000	£421,000		£374,000		£795,000	£0	
A46	Stewart Fleming Primary School	Phase 1 of main school expansion	Expansion 2 to 3 FE		In defects	£2,945,000	£2,945,000				£0	£2,945,000	Phase 1 construction cost

A47	Trinity CE Primary School	Temporary accommodation block and internal refurbishment, new access road and multi use games area	Bulge Class	2013-16	Complete	£1,781,772	£1,139,772		£642,000	S106, ESFA & DSG	£1,781,772	£0	
A48	Unicorn Primary School	Temporary Classroom and new build expansion to ensure sufficient hall space, new classroom accommodation for 'bulge' class and hygiene facilities	Bulge Class	2015	Complete	£1,438,000	£1,410,000		£28,000	DSG	£1,438,000	£0	
A49	Valley Primary School	Modular accommodation to facilitate an extra form of entry in 2011 & 2012.	Bulge Class	2011	Complete	£353,000	£353,000				£353,000	£0	
A50	Widmore Center	Review of accommodation	Feasibility		Complete	£7,000	£7,000				£7,000	£0	
A51	Worsley Pridge Primary School	Temporary modular classrooms for additional 2 classes in 2013, refurbishment and extension	Permanent Expansion and School Re-organisation	2013-16	Complete	£4,850,718	£4,756,718		£94,000	DSG	£4,850,718	£0	
A52	The Highway Primary School	Contingency to cover over-spend on project	Suitability	2010-11	Complete	£650,000	£650,000				£650,000	£0	
A53	Capitalised Staffing Costs	Capitalised Project Management Costs	n/a	2013-18	n/a	£369,878	£369,878				£300,000	£69,878	Reflects Additional Year's costs
Cost of Completed Schemes						£60,766,617	£47,802,943	£0	£12,938,674			£2,777,327	

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources			Description	Budget Changes		
							Basic Need	SEND Capital	Other		Cost July 2017	Change	Explanation
Projects in Delivery (Funded)													
B1	Beacon Academy (Orpington Phase 1, 2 & 3)	Expansion of provision to KS2	Permanent Expansion	2017	Procurement	£5,249,000	£3,741,600	£1,200,000	£307,400	CIF Funding	£5,355,800	-£106,800	Phase 2 Tender awarded below PTE and inflation increase in cost estimate for Phase 3
B2	Bishop Justus	All Phases of Scheme	Permanent Expansion	2016-17	Construction	£4,820,000	£3,224,105		£1,595,895	S106	£4,571,000	£249,000	Tenders higher than PTE
B3	Leesons Primary School	Refurbishment of area separated from former day care centre and new teaching block to support 1 to 2 FE expansion	Permanent Expansion	2017-18	Procurement	£4,426,000	£3,816,216		£609,784	S106, Early Years Capital and Seed Challenge	£4,426,000	£0	
B4	Nightingale (PRU)	New facilities				£1,205,000	£1,205,000				£0	£1,205,000	New Scheme
B5	Oaklands	Provision of New reception block to ensure school has sufficient pupil accommodation	Sufficiency and Suitability	2017-19	Procurement	£2,512,000	£2,512,000				£1,887,300	£624,700	Only Phase 1 being delivered but involves works and costs to enable later phases
B6	Parish Primary School	Kitchen works to support 2 to 3FE expansion				£175,000	£175,000				£146,620	£28,380	Tenders higher than PTE

B7	Pickhurst Junior School	Hygiene and Sensory Room and capital works to support creation of Resource Provision				£456,000	£70,000	£386,000					New Scheme
B8	Poverest Primary School	New accomodation block and refurbishment of dining hall and CFC to form new early years block, enabling 1 to 2 FE expansion	Permanent Expansion	2017-18	Procurement	£5,720,734	£5,053,734		£667,000	S106, Early Years Capital and School Contribution	£5,710,734	£10,000	Reflects updated consultant costs
B9	Stewart Fleming Primary School (Phase 2)	Demolition, new classroom block and refurbishment to enable 2 to 3FE expansion	Permanent Expansion	2016-18	Construction/Procurement	£6,732,000	£6,102,196		£629,804	School & S106	£8,587,000	-£1,855,000	Phase 1 complete
B10	Trinity CE Primary School	EDC Block Refurb	Permanent Expansion			£1,275,000	£1,025,000		£250,000	S106	£200,000	£1,075,000	Delayed due to La Fontaine remaining on site. Scope of works increased to allow school to expand to 3FE
B11	Tubbenden Primary School	New unit classroom and ancillary accommodation	SEN Expansion	2017	Feasibility	£1,270,000	£0	£1,228,000	£42,000	School	£1,203,000	£67,000	Tenders above PTE
B12	Projects In Development			n/a	Feasibility	£1,000,000	£1,000,000					£1,000,000	
B13	Access Initiative 2016-19			n/a	Programme	£100,000	£100,000					£100,000	

B14	Capitalised Staffing Costs 2018-2020			n/a	n/a	£250,000	£250,000					£250,000		
	Cost of schemes in delivery	£35,190,734	£28,274,851			£2,814,000	£4,101,883			Total complete and in delivery value	Complete + in delivery minus programme contingency			
	Programme Contingency (5%)	£1,692,036.70	£1,692,036.70											
	In delivery (Funded) Schemes Total	£36,882,771	£29,966,888											
	Completed Schemes and In delivery Schemes Total		£77,769,831	£2,814,000	£17,040,557	£97,624,388	£95,932,351							
	Current i) Basic Need Scheme Budget ii) SEN capital Budget		£77,773,224	£3,200,374										
	Remaining i) Basic Need Scheme Budget ii) SEN capital Budget		£3,393	£386,374										
	Changes to programme in delivery												£2,647,280	

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources			Description	Budget Changes		
							Basic Need	SEN	Other		Cost March 2016	Change	Explanation
Projects in Delivery (Unfunded)													
C1	Farnborough Primary School	Following failure to obtain planning consent works to bring school up to standard to accommodate 2 bulge classes	Bulge Classes	2017-18	Scheme on hold	£1,500,000	£1,500,000				£1,500,000	£0	
C2	Red Hill Primary School	To allow school to admit all children leaving Mead Road Infants School	4FE in KS2 (40 extra pupils)	TBC	Feasibility							£0	
C3	St John's CE Primary School	Refurbishment and new accommodation block to enable expansion 1.5 FE to 2 FE	Permanent Expansion	2017-18	Feasibility	£4,430,300	£4,430,300				£4,430,300	£0	
C4	Trinity CE Primary School	Remaining Phases for expansion to 4FE	Permanent Expansion	2017 -	Post Planning	£3,013,000	£3,013,000				£3,600,000	£-587,000	Reflects additional works being delivered in line B10
C5	Marian Vian Primary School			TBC		£4,002,000	£4,002,000				£4,002,000	£0	
C6	Scotts Park Primary School	New classroom block to complete 2 to 3 FE expansion	Permanent Expansion	TBC	On hold/Planning	£2,970,000	£2,970,000				£2,970,000	£0	
C7	St Mary Cray	Re-organisation of school and Duke Youth Centre	Re-development	TBC	Feasibility	£2,970,000	£2,970,000				£2,790,000	£180,000	
Total cost of schemes in delivery						£18,885,300	£18,885,300					£-407,000	

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources			Description	Budget Changes		
							Basic Need	SEN	Other		Cost March 2016	Change	Explanation
Projects in Development													
D1	Blenheim Primary School	Feasibility on options to expand the school	Potential Expansion	On hold	Feasibility	£2,972,000	£2,972,000				£2,972,000	£0	
D2	Chislehurst St Nicholas	Expansion of School to 2FE Primary School	Potential Relocation and Expansion	On hold	Feasibility	£7,220,000	£6,220,000		£1,000,000	Estimated Capital Receipt	£7,220,000	£0	
D3	Dorset Road	Works to allow school to admit 30 in each class	Potential Expansion	On hold	Feasibility		£0				£0	£0	
D4	Green Street Green	Feasibility on options to expand the school from 2FE to 3FE	Potential Expansion	On hold	Feasibility	£2,972,000	£2,972,000				£2,972,000	£0	
D5	Mead Road Infants School	Options to ensure sufficient places at KS2 transfer	Potential Expansion	On hold	Feasibility		£0				£0	£0	
D6	Ravens Wood School	Expansion of Secondary School by 2FE	Potential Expansion	On hold	Feasibility		£0				£0	£0	
D7	Oaklands Primary School	Later Stages of Development	Potential Expansion	On hold	Post planning	£5,456,700	£5,456,700				£5,456,700	£0	
Cost of Schemes in development						£18,620,700	£17,620,700	£0	£1,000,000			£0	
Total Programme Cost						£135,155,388	£77,769,831	£2,814,000	£18,040,557				
Total Funding									£98,624,388				
Potential Funding Gap						£36,531,000							
Change in cost of schemes												£5,017,607	

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Report No.
CSD18148

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 8 October 2018

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

Title: DRAFT STATEMENT OF PRINCIPLES FOR GAMBLING 2019-22

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: All

1. Reason for report

- 1.1 At its meeting on 26th September 2018 the General Purposes and Licensing Committee received the results of public consultation on the Council's proposed updated Statement of Gambling Policy under the Gambling Act 2005. A total of two responses were received; these are set out in the attached report considered by the Committee. Advice was also sought from the Gambling Commission, and a number of changes had been made to the original draft Statement. The revised policy needs to be agreed by full Council and published before 31st January 2019.
-

2. **RECOMMENDATION**

That the attached Statement of Gambling Policy under the Gambling Act 2005 be adopted to take effect on 31st January 2019.

Impact on Vulnerable Adults and Children

1. Summary of Impact: See attached report
-

Corporate Policy

1. Policy Status: Existing Policy: Statement of Gambling Policy 2016-19
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: public Protection & Enforcement Portfolio Budget
 4. Total current budget for this head: £2.103m
 5. Source of funding: Revenue budget 2018/19
-

Personnel

1. Number of staff (current and additional): 51 fte
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: See attached report
 2. Call-in: Not Applicable: Full Council decisions are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): See attached report
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: No comments were received during the consultation.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	See attached report

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: Tuesday 25 September 2018

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

Title: DRAFT STATEMENT OF PRINCIPLES FOR GAMBLING
2019- 2022

Contact Officer: Steve Phillips Team Leader Licensing: Public Protection
Tel: 020 8313 4659 [E-mail:
steve.phillips@bromley.gov.uk](mailto:steve.phillips@bromley.gov.uk)

Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

To present Members with the results of public consultation on the draft gambling policy and recommend the approval of the draft policy for adoption by Council on 8th October 2018

.

2. **RECOMMENDATION(S)**

Members are asked to:

Note and comment on the response to public consultation and recommended the Statement of Gambling Policy under the Gambling Act 2005 for adoption by full Council on 8th October 2018 to have effect from 31 January 2019.

Impact on Vulnerable Adults and Children

1. Summary of Impact: This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.
-

Corporate Policy

1. Policy Status: Existing Policy: Statement of Gambling Policy 2016-2019
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Public Protection and Safety Portfolio Budget
 4. Total current budget for this head: £2.103m
 5. Source of funding: Existing controllable revenue budgets 2018/19
-

Personnel

1. Number of staff (current and additional): 51 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement: Section 349 Gambling Act 2005 requires the Council to prepare and publish a statement of the principles they propose to apply in exercising their functions under the Act. Each statement of policy lasts for 3 years. The next three year period is from 31 January 2019 to 30 Jan 2022.
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 150 licensed premises and all residents and businesses living and trading in the vicinity of licensed premises
-

Ward Councillor Views

1. Have Ward Councilors been asked for comments? YES
2. Summary of Ward Councilors comments: No comments have been received in response to consultation on the draft statement of Gambling policy.

3. COMMENTARY

- 3.1 The Gambling Act 2005 replaced most of the existing law about gambling in Britain save that it does not include, within its scope, the National Lottery.
- 3.2 The Council is the 'Licensing Authority' under the Gambling Act 2005 and must prepare and publish a statement of its licensing policy for periods of three years (Section 349). The policy must be reviewed from time to time and before each three year period.
- 3.3 The current policy was reviewed by Members on 26 September 2015 and adopted by Full Council on 12 November and came into effect on 31 January 2016.
- 3.4 The General Purposes and Licensing Committee prepares and recommends to full Council the adoption of the Councils Statement of Gambling policy which is required by the Gambling Act 2005
- 3.5 At its meeting on 25 July 2018 Members approved a draft Statement of Gambling Policy (2019- 2022) for public consultation
- 3.6 The draft policy has been published on the Council's website and all licence holders have been written to advising them of the draft policy, highlighting the most significant changes and seeking their views. In addition the draft policy has been drawn to the attention of the statutory Responsible Authorities and a wide range of other bodies and organisations as listed on page 5 of the draft policy
- 3.7 A total of two responses have been received
1. Ms Elizabeth Speed General Council for Novomatic UK on Behalf of Talarius Limited. Identifying some inconsistencies and grammatical errors from the Gambling Act 2005. Shown at appendix 1
 2. Ms Janet Marron from Excise Processing Team HM Revenue and customs identifying an incorrect address for their contact as a responsible authority. Shown at appendix 2
- 3.8 In light of the responses to the consultation, a suggested final version of the policy is attached which Members are asked to recommend for adoption by full Council on 19 October 2015, subject to any changes agreed following public consultation. Shown at appendix 3
- 3.9 Local authorities have responsibility for publishing a three-year Statement of Gambling Licensing Policy and next revised policy must be published by 31 January 2019.
- 3.10 The consultation and adoption time table is presented in Table 1:

Table 1

Report to General Purpose 7 Licensing Committee	25 July 2018
Public Consultation	27 July - 16 September 2018
Consideration of policy in response to consultation GP&L	26 September 2018
Adoption of policy by Full Council	8 October 2018
Publication (statutory publication date)	31 January 2019

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

This policy is required under section 349 of the Gambling Act 2005, and the Act promotes safer practice at premises where gambling activities take place. Under the legislation, licensees and their operators have a legal responsibility to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.

5. POLICY IMPLICATIONS

The Council is obliged to adopt and publish a Statement of its Gambling Policy. It is also under a duty to keep the policy under review and to revise it when appropriate. Before adopting a revised policy there needs to be a process of public consultation including specified bodies.

6. LEGAL IMPLICATIONS

The Council, as the Licensing Authority has a requirement under section 349 of the Gambling Act 2005 to prepare and publish a statement of principles for gambling. 7.2 Section 349(1) requires the Licensing Authority to prepare and publish a Statement of Principles before each successive period of three years.

Non-Applicable Sections:	Financial, Personnel, procurement
Background Documents: (Access via Contact Officer)	Gambling Act 2005. Guidance issued by the Gambling Commission 5th Edition. Bromley's Gambling Policy 2016-2019

Appendix 1

From: elizabeth speed [<mailto:espeed@novomatic.co.uk>]

Sent: 08 August 2018 15:53

To: Phillips, Steve

Cc: Tracey Rose

Subject: Gambling Act 2005 - London Borough of Bromley Statement of Principles Consultation

Dear Sirs

Gambling Act 2005 – Statement of Principles Consultation

Thank you for the opportunity to make comments on the above consultation. On behalf of Talarius Limited, I make the following comments in relation to the consultation draft (the "Draft"): -

1. As the Authority will appreciate, in matters of regulation under the Gambling Act 2005 (the "Act") it is subject to the Regulators' Code. That code imposes a number of obligations on the Authority, including one that it should carry out its activities in a way that it supports those it regulates to comply and grow. Additionally, under the Code, when designing and reviewing policies, the Authority must among other things, understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. Further, the Authority should take an evidence-based approach in determining priority risks and recognise the compliance record of those it regulates. We suggest that the general applicability of the Code is confirmed in the Draft.
2. Para B3: page 12 – We note the first bullet point on the left hand side of the page. While staff training is essential for matters of Social Responsibility, including on customer interaction, the reference to "signs of excessive gambling" is, we suggest, too vague and is a subjective a concept. What might seem "excessive" to one person could be perfectly acceptable to another and asking staff to make judgement calls on the parameters is inappropriate. More pertinent, is training of staff on noting signs of distress, aggression etc. associated with the customer's gambling.
3. Para B3 3: page 14 - As the Authority appreciates, children are legally permitted to take part in limited types of gambling (Category D machines). Plainly in such instances, children should not be prevented from playing those machines nor should advertising be prohibited in relation to them. We suggest that the wording in the paragraph is adjusted.
4. Para B.9: page16 – the 5th bullet point refers to "physical separation of areas" as an appropriate measure for AGCs. As these premises are for adults only, we cannot see how that could be justified and assume it has been included in error.
5. Para B.10: page 16 - with reference to the 7th main paragraph, we support the need to protect children and other vulnerable people from harm or exploitation generally. However, as the Authority appreciates in this section, the licensing objective in question as set out in the Act, is to protect children and other vulnerable persons from being harmed or exploited by gambling. As such, whilst issues of protection from harm generally are important they are not, with respect, a matter for the Statement of Principles under the Act. To proceed otherwise would be to stray into other regulatory regimes. We suggest that this para is amended.
6. Para B.10: page 16 - with reference to the 10th bullet point: no betting machines are permitted in FECs. We suspect this reference might have been included in error.
7. Para B.10: page 16 - with reference to the 12th bullet point, the suggestion that children must be accompanied by adults is contrary to the Act which allows children to play Category D games. It is a legal and licensed activity and the licensee is obligated through law to prevent children accessing machines in any adult only areas. To suggest a condition/measure such as this would be contrary to the Act and the Code.
8. Para B.10 – page 17 – The penultimate paragraph of the section refers to operating licence conditions covering the way in which areas with Category C machines should be delineated. With respect, operating licences contain no such conditions. Rather they are covered in the

Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007. Many of the points in those Regulations are already picked up in the Draft which is duplicatory (for example, some of the measures listed at B.10)

9. Paras B.12 and B.13: page 17 – We note that the list of possible measures and conditions set out for AGCs and FECs are not repeated for Bingo or Betting premises, despite the fact that the bets/stakes/prizes at such premises can be considerably higher than in AGCs and FECs. We suggest that this unjustified inconsistency be remedied.
10. Para B.16: page 19 - We note the reference to premises needing to be “finished” to apply for a premises licence – that is not a requirement. We refer to the 2008 case of R (on the application of Betting Shop Services Limited) –V– Southend on Sea Borough Council, in which it was held that an applicant could apply for a premises licence (without the need for a provisional statement) even though the premises were not fully constructed – the applicant is not restricted to making an application for a provisional statement. It was held by the court that the then current Guidance issued by the Commission was wrong and the Guidance was subsequently amended. We suggest that the position be corrected. The premises do not have to be constructed before an application for a premises licence can be made. In fact, applications for provisional statements have been very rare since the above mentioned case was heard.
11. Appendix B: the named Responsible Authorities do not match the bodies identified by the Act at section 157. For example, HSE and Weights and Measure (trading standard) are not RAs under the Act.

We hope that the above proves useful. If you have any questions, please do not hesitate to contact us.

Yours faithfully,

Elizabeth Speed
Group General Counsel
Novomatic UK

Direct +44 (0) 191 497 8222
Mobile +44 (0) 7808 571 588
espeed@novomatic.co.uk

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Appendix 2

-----Original Message-----

From: NRUBetting&Gaming@hmrc.gsi.gov.uk
[mailto:NRUBetting&Gaming@hmrc.gsi.gov.uk]

Sent: 03 August 2018 09:30

To: Phillips, Steve

Subject: London Borough of Bromley Revised Statement of Gambling Policy
2019/22

Dear Colleague

As one of the responsible authorities quoted in your appendices can I ask you to amend our postal contact address to:-

HM Revenue and Customs
Excise Processing Teams
BX9 1GL
United Kingdom

Our contact telephone number is now 0300 322 7072 Option 7.

Our email address remain the same, NRUBetting&Gaming@hmrc.gsi.gov.uk

Kind Regards

Janet (Marron)
Excise Processing Team
HM Revenue & Customs
BX9 1GL
United Kingdom
0300 322 77072 Option 7

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This e-mail may have been intercepted and its information altered.

Appendix 3

London Borough of Bromley

LONDON BOROUGH OF BROMLEY
GAMBLING ACT 2005
DRAFT STATEMENT OF
GAMBLING POLICY
2019 – 2022

**Statement of Principles - Gambling Act 2005
Contents**

Part A - General

- A.1. Summary of the Gambling Act
- A.2. Introduction
- A.3. Declaration
- A.4. Delegation
- A.5. Responsible Authorities
- A.6. Interested parties
- A.7. Exchange of information
- A.8. Information from Operators and Premises
Licence Holders
- A.9. Inspection and Enforcement
- A.10. Licensing Authority functions

Part B - Premises licences

- B.1. General Principles
- B.2. Definition of premises
- B.3. Location of Premises
- B.4. Local Area Profiles
- B.5. Duplication with other regulatory regimes
- B.6. Licensing objectives
- B.7. Conditions
- B.8. Door Supervisors
- B.9. Adult Gaming Centres
- B.10. Licensed Family Entertainment Centres
- B.11. Casinos
- B.12. Bingo
- B.13. Betting premises
 - B.13.1 Betting Machines in Betting Premises
- B.14. Tracks
- B.15. Travelling fairs
- B.16. Provisional Statements
- B.17. Reviews

**Part C - Permits / Temporary and Occasional Use
Notices**

- C.1. Unlicensed Family Entertainment Centre gaming
machine permits

- C.2. (Alcohol) Licensed premises gaming machine permits
 - C.2.1. Automatic Entitlement
 - C.2.2. More than two machines
- C.3. Prize Gaming Permits
- C.4. Club Gaming and Club Machines Permits
- C.5. Temporary Use Notices
- C.6. Occasional Use Notices
- C.7. Small Society Lottery Registrations

Appendices

- Appendix A - Map of London Borough of Bromley
- Appendix B - Responsible Authorities details

PART A - GENERAL

A.1. Summary of the Gambling Act 2005

The Gambling Act 2005 establishes a system of licences and permits for a wide range of gambling activities.

The Gambling Act 2005 (the “Act”) requires this Licensing Authority to draft, consult on and publish a Statement of Licensing Policy in relation to its responsibilities under the Act. Once published, this Policy Statement, called the Statement of Gambling Policy, will be kept under constant review and, in any case, will be re-published after every three years. Before any revision of the Statement of Gambling Policy is published this Authority will carry out a full consultation exercise on the relevant sections.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement)(England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

This latest draft revision of the Statement of Gambling Policy is for the period 2019 – 2022. It sets out how the Licensing Authority intends to exercise its functions under the Act, for the next three years, and has been prepared having regard to the Act, secondary regulations, and the Commission’s Guidance to Local Licensing Authorities (5th Edition published September 2015 with parts 17, 18 and 19 updated September 2016).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

For the purposes of the Gambling Act 2005 the London Borough of Bromley is the

Licensing Authority.

Any decision taken by the Council in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives which are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**
- **Ensuring that gambling is conducted in a fair and open way**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

The licensing authority will make decisions about premises licences, permits and temporary use notices with reference to the following documents and guidance:

- The relevant guidance issued by the Gambling Commission
- The relevant Licence Conditions and Code of Practice issued by the Gambling Commission
- that are reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises and travelling fairs.

The council has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The council is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

[The Gambling Commission issues Licence Conditions and Codes of Practice for gambling operators. Social Responsibility Codes have the force of a licence condition. The Gambling Commission also issue Ordinary Codes, which set out best industry practice. They are not licence conditions, but operators are expected to follow them unless they have alternative arrangements in place which they can demonstrate are equally as effective.](#)

London Borough of Bromley

The Licensing Authority, when carrying out inspections of gambling operators, reserves the right to assess compliance with such matters set out in the Gambling Commission's Licence Conditions and Codes of Practice as it sees fit, and will share intelligence with the Gambling Commission about any issues of non-compliance in this respect.

A.2. Introduction

The London Borough of Bromley is situated on the borders of South East London and Kent. Geographically it is the largest of the London boroughs with an area of approximately 58 Sq. miles. The borough has a population of approximately 300,000.

The central and northern parts of the borough are urban and densely populated with the main residential centres being:

- Penge/Anerley
- Beckenham
- West Wickham
- Bromley
- Chislehurst / Mottingham
- Orpington / Farnborough
- St Paul's Cray / St Mary Cray

The Southern part of the Borough is rural with Biggin Hill as its main residential and commercial centre. See Map of Borough in **Appendix A**

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles that they propose to apply when exercising their functions.

This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.

The licensing authority is consulting widely upon this statement before finalising and publishing.

A list of those persons consulted is provided below. It should be noted that unsolicited comments may be received from other persons.

List of persons this authority consulted:

- All Councillors
- The Metropolitan Police – Bromley Police Station
- The London Fire Brigade
- Planning Department of the London Borough of Bromley
- Public Health Complaints Team
- The Director for Childrens Services
- All known premises with AWP Machines
- All known operators of licensed Betting Offices
- All known operators of licensed bingo halls
- All known registered Society Lotteries
- All known Residents Associations
- All known faith groups
- Other adjoining Councils

The consultation took place between 26th July 2018 and the 16th Sept 2018 The full list of comments made and the consideration of those comments is available by request from the:

Licensing Team Public
Protection Civic Centre

Stockwell Close
Bromley BR1 3UH

Tel 020 8313 4218 or via the council's website at: www.bromley.gov.uk

The final policy approved by Full Council will be published on the council's website at: www.bromley.gov.uk.

Should you have any comments regarding this policy statement please send them via e-mail or letter to the following contact:

Steve Phillips

Licensing Team
Public Protection
Civic Centre
Stockwell Close
Bromley BR1 3UH
Tel: 020 8313 4216
e-mail: steve.phillips@bromley.gov.uk

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

A.3. Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

A.4. Licensing Authority Delegation under the Gambling Act

X depicts the lowest levels to which decisions can be made

Matter to be dealt with	Full Council	Licensing Sub-Committee	Officers
Final approval of the Licensing Authority Policy Statement	X		
Gambling Policy not to permit casinos	X		
Fee setting (Where appropriate)		X If delegated	

		by full council	
Applications for new grant or variation of a premises licences where representations have been received and not withdrawn.		X	
Applications for new grant or variation of a premises licences where no representations have been made, or where any representations made have been withdrawn.			X
Application for the transfer of a premises licence where representations have been received from the Commission or responsible authority.		X	
Application for the transfer of a premises licence where no representations received from the Commission or responsible authority			X
Application for a provisional statement where representations have been received and not withdrawn.		X	
Application for a provisional statement where no representations have been made, or where any representations made have been withdrawn.			X
Review of a premises licence.		X	
Application for club gaming/club machine permits where objections have been received and not withdrawn.		X	
Application for club gaming/club machine permits where no objections have been received or where any objections made have been withdrawn.			X
Cancellation of club gaming/club machine permits and licensed premises gaming machine permits.		X	
Applications for other permits.			X

Consideration of temporary use notice.			X
Decision to give a counter notice to a temporary use notice.		X	

A.5. Responsible Authorities

When an application is received for a premises licence or permit, there will be a requirement to consult with a number of responsible authorities. It will be the responsibility of the applicant to send copies of their applications to the authorities listed below:

- London Borough of Bromley Licensing Authority
- The Gambling Commission
- The Metropolitan Police: Bromley Police Station
- The London Fire Brigade
- Planning Department of the London Borough of Bromley
- Public Health Complaints Team
- London Borough of Bromley Local Safeguarding Children Boards (LBCBs)
- HM Commissioners of Customs and Excise

Under the Children Act 2004, as amended by the Children and Social Work Act 2017, Local Safeguarding Children Boards, set up by local authorities, will be replaced. Under the new legislation, the three safeguarding partners (local authorities, chief officers of police, and clinical commissioning groups) must make arrangements to work together with relevant agencies (as they consider appropriate) to safeguard and protect the welfare of children in the area. At the latest the new safeguarding arrangements must be in place by 29 September 2019. Bromley safeguarding partners have agreed to maintain the existing Bromley Safeguarding Children Board arrangements at this time.

Bromley Safeguarding Children Board meets quarterly but applications relating to Gambling Licences require any comments from the 'responsible authorities' within 28 days. Therefore, it would clearly not be appropriate to designate the BSCB as the 'responsible authority' in this area. The policy of the Licensing Authority is that the 'responsible authority' in relation to the protection of children from harm will be the Council's Children's Social Care Department and, in particular, the BSCB Manager in that Department.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are set out in **Appendix B** of this policy and are also available via the Council's website at: www.bromley.gov.uk

Each responsible authority will consider an application and may make representations to the licensing authority in accordance with the 3 licensing

objectives.

A.6. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in s158 of the Gambling Act 2005. An Interested Person is someone, who in the opinion of the licensing authority:

- Lives sufficiently close to the premises to be affected by the authorised activities taking place.
- Has a business interest that might be affected.
- Represent a person of the above.

We are required by regulations to state the principles we will apply in exercising our powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. We will not apply a rigid rule to our decision-making.
- We will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested Parties will include trade associations and trade unions, and residents and tenants associations. This authority will not however generally view these bodies as interested parties unless they have a member who lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
- Interested parties can be persons who are democratically elected such as Councillors and MPs. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Other than these however, we will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter, email or fax from one of these persons requesting the representation is sufficient.

A.7. Exchange of Information

We are required to ensure that we exchange information in accordance with the Act (without contravening the Data Protection Act 2018 and the General Data Protection Regulations) with the following bodies:

- The Gambling Commission

- The Metropolitan Police
- HM Commissioners of Customs and Excise
- Gambling Appeal Tribunal
- National Lotteries Commission
- Secretary of State

London Borough of Bromley

A.8. Information from Operators and Premises Licence Holders

We require operators/ premises licence holders to supply information to the licensing authority where relevant to the licensing objectives, Licensing Conditions and Code of Practice (LCCP) this will include the following on at least an annual bases

- Premises and local area risk assessment
- How many test purchase activities have been undertaken
- How many incidents of gambling refusals due to
 - Underage
 - **Problem** gambling where staff intervention has occurred
- How many self-excluded gamblers have registered at the premises

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Information required as it occurs (notification via email, letter or phone)

- Incidents of failed age test purchases
- Incidents of crime and disorder (which required police notification or involvement)

A.9. Inspection and Enforcement

Our main aim is to ensure compliance with Premises Licences and other permissions that we authorise..

In accordance with our functions under the Gambling Act 2005 we will endeavour to be:

- **Proportionate:** and will only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** we should be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** our rules and standards must be joined up and implemented fairly;
- **Transparent:** we should be open, and keep regulations simple and user friendly; and,
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

Where inspections are undertaken the licensing authority will endeavour to be consistent with the guidance given by the Gambling Commission and where appropriate will have regard to the inspection templates they have produced. We will endeavour to avoid duplication with other regulatory regimes.

Enforcement

Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2005 Act. We will support businesses to comply with the law but view offences and breaches of licence conditions seriously.

The Licensing Authority will make arrangements to monitor premises and take appropriate enforcement action to ensure this. The Licensing Authority will work closely with the Police to establish protocols to ensure an efficient deployment of Police and Licensing Officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that High-risk premises receive the highest priority.

The enforcement action will be:

- Targeted toward those premises presenting the highest risk
- Proportional, to the nature and seriousness of the risk those premises present
- Consistent, so that we take similar approaches in similar situations
- Transparent, so those who are subject to enforcement action know what to expect
- Accountable, so that we take responsibility for our actions.

The Licensing Authority has instructed its officers to adopt a zero tolerance approach to offences and breaches of licence conditions. In practice this means that licensing officers will investigate significant complaints alleging breaches of the Act or licence conditions and act on all sources of reliable intelligence (including local residents and businesses) with a view to establishing if offences have been committed.

Such matters may include:

- Unauthorised licensable activities or breach of licence conditions
- Allowing disorderly conduct on licensed premises
- Allowing illegal Gambling to occur
- Allowing children to gamble or have access to age restricted premises or locations
- Allowing a person to gamble who is knowingly drunk

Where licensing officers have such evidence they have a range of enforcement options including:

- Offering advice /guidance (verbal or written)
- Informal written warnings
- Formal cautions
- Prosecutions
- Review of Premises Licences
- Closure of premises that are experiencing or are likely to experience crime and disorder or public nuisance.

The Licensing Authority encourages a graduated approach to enforcement as set out in the Environmental Health & Trading Standards generic enforcement policy however in the cases of offences relating to :-

1. The deliberate and persistent provision of unlicensed activities
2. The breach of licensing conditions resulting in substantial risk to the promotion of the licensing objectives
3. Persistent underage gambling or access
4. The use of licensed premises in connection with organised criminal activity
5. Allowing disorderly conduct on licensed premises

A.10. Licensing Authority functions

We are required to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- Issue Provisional Statements
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue Club Machine Permits to Commercial Clubs
- Grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')

- Maintain registers of the permits and licences that are issued under these functions

It should be noted that the licensing authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences.

Part B

PREMISES LICENCES

B.1. General Principles

The licensing authority is responsible for administering applications for premises licences and permits. The premises licences will be subject to the requirements of the Act and its regulations.

The licensing authority may issue specific mandatory and default conditions, but it will also have the discretion to exclude default conditions and attach others, where it believes it to be appropriate.

Decisions about premises will be made:

- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission;
- That are reasonably consistent with the licensing objectives
- In accordance with the authority's statement of licensing policy.

Moral objections or demand for gambling are not a valid reason to reject applications for premises licences.

B.2. Definition of premises

Premises are defined in the Act as "any place".

A premise can only hold one premises licence. A building can hold a number of premises licences if it contains a number of distinct premises within it. The question of whether different parts of the premises are separate will be considered at the time of application however the Gambling Commission does not believe that buildings that have been made temporarily or artificially separate are able to be considered as different premises.

We will ensure that when considering applications for multiple licences in a building that those areas that are used for non-gambling purposes are kept

separate from the gambling areas. In particular we will be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

We will also ensure that applications where access to the licensed premises is through other premises are carefully considered. We will be looking at the issues of whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. We want to ensure that the combination of the premises within the building will not allow an arrangement that would otherwise be prohibited under the Act.

An applicant for a premises licence may not obtain a full premises licence until the premises is constructed. We will ensure that the premises are sufficiently complete to enable a full inspection to be carried out by us and other responsible authorities where necessary.

B.3. Location of premises

When considering applications this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

With regards to these objectives it is the council's policy, upon receipt of any relevant representations to look at specific location issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. a school, or vulnerable adult centres in the area
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
- the size of the premises and the nature of the activities taking place
- any levels of organised crime in the area.

The council will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives.

From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks.

In making risk assessments, licensees must take into account relevant matters identified in this policy.

The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- a. to take account of significant changes in local circumstance, including those identified in this policy;
- b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c. when applying for a variation of a premises licence; and
- d. in any case, undertakes a local risk assessment when applying for a new premises licence.

The council will expect the local risk assessment to consider as a minimum:

- The specifics of any "Local Area Profile" so specified for the area of the premises
- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

In any case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of **problem** gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- A detailed scale plan showing the layout of the premises showing sight lines so that staff have an unobstructed view of all persons using the premises
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information is provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

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Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

B.4. Local Area Profiles

Each locality has its own character and challenges.

Where there is an issue in a local area which impacts on how an applicant should complete their own risk assessment, the council will publish Local Area Profiles.

These profiles will be approved by the Licensing Committee and will be published Councils Web site.

As at July 2018 No Local Area Profiles have been published.

Where Local Area Profiles are published the applicant should give it careful consideration when making an application.

Applicants may be asked to attend a meeting with licensing officers to discuss the measures suggested in the guidance and how they might be relevant to their application. The Local Area Profiles will be presented to any subsequent Licensing subcommittee when they determine an application that has received representations.

The council recognises that it cannot insist that applicants address the local area profiles when completing their risk assessments. However an applicant who decides to disregard the guidance may face additional representations and the expense of a hearing as a result

B.5. Duplication with other regulatory regimes

We will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions, which cannot be met by licensees due to planning restrictions, should such a situation arise.

B.6. Licensing objectives

Premises licences granted must be reasonably consistent with the licensing objectives.

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

We acknowledge that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime.

If during the course of considering a premises licence application or at any other time, we have cause to question the suitability of the applicant to hold an operating licence, we will contact the Gambling Commission as soon as possible.

We will pay particular attention to the proposed location of gambling premises in terms of this licensing objective. Where an area has known high levels of organised crime we will consider carefully whether it is a suitable location or whether conditions may be applied such as the provision of door supervisors.

We recognise that in the case of gambling premises, disorder is intended to mean activity that is more serious and disruptive than just nuisance. Factors to consider when determining whether a disturbance is serious enough to constitute disorder would include whether police assistance is required and how threatening the behaviour is to those who could see or hear it.

If the disorder is serious or persistent and the operator could do more to prevent it, then we will contact the Gambling Commission so that it can consider the continuing suitability of the operator to hold an operator's licence.

2. Ensuring that gambling is conducted in a fair and open way

We have noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences.

3. Protecting children and other vulnerable persons from being harmed or exploited by gambling

We have noted the Gambling Commission's Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). We will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

“Vulnerable persons”

Is considered by the gambling commission to include “people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” We will consider this licensing objective on a case-by-case basis.

The Department of Health document “No Secrets” offers a definition of a vulnerable adult as a person:

“who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.”

Should a more practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

B.7. Conditions

In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commissions Licensing Conditions and Code of Practice. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:

- Combating problem gambling
- Access to gambling by children and young persons
- Information on how to gambling responsibly and help for problem gamblers
- Customer interaction
- Self-exclusion
- Employment of children and young persons

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.

Applicants should consider the following proposed measures for protecting and supporting vulnerable persons, for example:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons who may be vulnerable
- trained personnel for the purpose of identifying and providing support to vulnerable persons
- self-exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements to be positioned or designed not to entice passers-by.

It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures we will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. We will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the

licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

We will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- Only adults (over 18) are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

It is noted that there are conditions that the licensing authority cannot attach to premises licences

- Any condition on the premises licence that makes it impossible to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions in relation to stakes, fees, winnings or prizes.

B.8. Door Supervisors

There is no requirement for SIA registered Door Supervisors for casinos or bingo premises. For all other premises where the Gambling Act applies there may be a need for SIA registration and this should be considered on an individual basis. This will be consistent with the Gambling Act Guidance to Local Authorities.

The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises

becoming a source of crime.

It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority.

Where door supervisors are provided at these premises the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal record (Disclosure and Baring Service) check on potential staff and for such personnel to have attended industry recognised training

B.9. Adult Gaming Centres

Adult gaming centres are a new category of premises introduced by the Act that are most closely related to what are commonly known as adult only amusement arcades seen in many city centres.

Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises

We will have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures in place

This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This Authority will expect operators to fully comply with the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Social Responsibility Codes in relation to access for children into Gambling

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premises and their policies and procedures designed to prevent underage gambling, and how they monitor the effectiveness of these. The LCCP Social Responsibility Codes, part of the Gambling Commission's LCCP, can be found on the Gambling Commission's website.

B.10. (Licensed) Family Entertainment Centres

We will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes.

Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located

Where category C or above machines are available in premises to which children are admitted then the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high
- only adults are admitted to the area where the machines (category C) are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in these premises.

The licensing authority will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from **being harmed or exploited by gambling**. Harm in this context is not limited to harm from gambling but includes wider child protection considerations

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This licensing authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/licence conditions may cover issues such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- proof of age schemes
- the manning of premises
- enhanced Disclosure and Baring Service checks of the applicant and/or staff
- support to persons with gambling addiction
- policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half terms and summer holidays
- policies to address the problems associated with truant children who may attempt to gain access to premises and gamble

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a reduction in the number of betting machines (betting premises)

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a requirement that children must be accompanied by an adult

Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Independent Safeguarding Authority to determine if their staff needs to be Disclosure and Baring Service checked.

The licensing authority will refer to the **Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Reg 20107**, to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

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This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

B.11. Casinos

This licensing authority has resolved not to issue casino premises licenses under Section 166 of the Gambling Act 2005 (Resolution made at the meeting of the Full Council on the 6th November 2006).

B.12. Bingo premises

This policy applies to applications for a Bingo Premises Licence. Bingo has its ordinary and natural meaning and includes any version of the game irrespective of by what name it is described. A holder of a bingo Premises Licence will be able to offer bingo in all its forms.

Children and young persons are permitted in bingo premises, but may not participate in the bingo. If any Category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

In determining applications for bingo premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- supervision of entrances/ machine areas
- whether children are permitted on the premises and, if so, how the operator intends to prevent them from playing bingo or being able to access adult only machine areas
- notices/ signage
- opening hours
- the times and frequency of which bingo is offered
- whether bingo is offered by a caller or only electronically
- whether the premises are clearly identifiable as being licensed for the purposes of offering bingo facilities

Deleted: Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood.¶

¶
<#>cash bingo, where the stakes paid make up the cash prizes that are won¶
<#>prize bingo, where various forms of prizes are won, not directly related to the stakes paid.¶

¶
The game and rules of bingo have evolved to the point where, despite the absence of any formal industry standard, the way in which bingo is played is broadly similar throughout Great Britain. Bingo is equal chance gaming. The Commission has published its view of what bingo is and how it differs from other forms of gambling. This can be found in the advice note [What Constitutes Bingo](http://www.gamblingcommission.gov.uk/PDF/What_constitutes-bingo-advice-note.pdf). This advice was developed with the support of key stakeholders from the Bingo industry. (available at http://www.gamblingcommission.gov.uk/PDF/What_constitutes-bingo-advice-note.pdf)¶

¶
In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act¶

This licensing authority notes that the Gambling Commission's Guidance states: It is important that if children are allowed to enter premises licensed for bingo that¶

they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that¶

¶
<#>All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.¶

¶
<#>Only adults are admitted to the area where the machines are located.¶

¶
<#>Access to the area where the machines are located is supervised.¶...

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Comment [JB1]: Suggestion only – amend to suit

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Comment [JB2]: This is a suggestion as there are some new forms of bingo around currently and there is also a GC requirement in s.9 of the Licence Conditions and Codes of Practice. However you should run this by your Legal Team to ensure this wording is ...

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- provision of responsible gambling information

Comment [JB3]: Amend if required

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

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Young persons, aged 16 and 17, may be employed in bingo premises provided their duties are not connected with the gaming or gaming machines. The Licensing Authority will not grant licences unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures they will take to protect young employees.

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Where hand held gaming devices are to be used on bingo premises, the Licensing Authority expects applicants to demonstrate how use of these devices will be monitored by staff.

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B.13. Betting premises

This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

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The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise should not make gaming machines available on the premises.

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In determining applications for betting premises, the Licensing Authority shall consider the following:

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- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- counter layout
- supervision of entrances/ machine areas
- machine privacy screens
- notices/ signage
- opening hours
- provision of responsible gambling information

Comment [JB4]: Amend if required

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

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Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT’s, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

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The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

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Comment [JB5]: You can leave this in or delete it. The idea is to ensure people betting on SSBT’s can be monitored and also to ensure a betting licence is not obtained where the shop is comprised only of SSBT’s with no counter betting – this has been done in some areas to make use of the gaming machine entitlement

Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

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- information on how to gamble responsibly and access the help referred to in the Gambling Commission’s Licence Conditions and Codes of Practice;
- the player’s guide to any game, bet or lottery under the provisions of the Gambling Commission’s Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder’s Operating Licence issued by the Gambling Commission.

Deleted: We will, as per the Gambling Commission’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.¶

B.14. Tracks

B.13.1. Betting machines in betting premises¶

Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totalizer” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on-course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained

The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.¶
When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.¶
Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable persons.¶
Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.¶

facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.

Examples of tracks include:

- Horse racecourses
- Greyhound tracks
- Point to point meetings
- Football, cricket and rugby grounds
- Athletics stadia
- Golf courses
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting fishing competitions
- Motor racing events

The offence of permitting a child or young person to enter gambling premises under section 47 of the Act does not apply to tracks. Therefore the Licensing Authority will consider the impact upon the objective of protection of children and vulnerable persons, the need to ensure that entrances to each type of licensed premises within the sporting venue are distinct, and that children are excluded from gambling areas which they are not permitted to enter.

All tracks will require a primary 'general betting premises licence' that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.

Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.

If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator's premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.

Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence

Children and young persons will be permitted to enter track areas where facilities

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for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.

The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

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In determining applications for betting at tracks, consideration will be given to appropriate measures/licensing conditions to address the matters listed below:

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- proof of age schemes such as Challenge 25
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- provision of responsible gambling information
- provision of policies and procedures in relation to social responsibility measures as set out below
- staffing levels
- staff training and records of staff training
- recording of incidents such as underage challenges, customer interactions for problem gambling, self-exclusions and complaints and disputes relating to gambling
- details of action to be taken where an on course bookmaker has breached their Gambling Commission Operating Licence conditions repeatedly, for example where children have been able to gamble.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

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B.15. Travelling Fairs

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A fair is defined in section 286 of the Act. A travelling fair must “wholly or principally” provide amusements. These criteria will have to be met before the licensing authority decides whether, category D machines and/or equal chance prize gaming without a permit are made available for use at travelling fairs. We will bear in mind the statutory requirement that the facilities for gambling shall amount to no more than an ancillary amusement. There is a 27-day maximum period that any land can be used by any travelling fair per calendar year.

We will work with neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

B.16. Provisional Statements

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which is in the authority's opinion reflect a change in the operator's circumstances.

We have also noted the Gambling Commission's Guidance that "A licensing authority should not take into account irrelevant matters.... One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

B.17. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below, as well as consideration as to whether the request is frivolous, vexatious, or whether it is substantially the same as previous representations or requests for review.

- In accordance with any relevant licensing conditions and code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives

Deleted: We have noted the Guidance for the Gambling Commission which states that "It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence" and that "Requiring the building to be complete ensures that the authority could, if necessary, inspect it fully".¶

- In accordance with the authority's statement of licensing policy

We as the licensing authority can also initiate a review of a licence based on any reason we think appropriate.

PART C Permits, Temporary & Occasional Use Notices

C.1. Unlicensed Family Entertainment Centre gaming machine permits

Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premise is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a 'licensed family entertainment centre' which requires a premises licence because it contains both category C and D gaming machines.

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.

The Gambling Commission's Guidance for local authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits, licensing authorities will want to give weight to child protection issues."

An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed Family Entertainment Centre (FEC), and if the chief officer of police has been consulted on the application.

The licensing authorities require applicants for a permit to demonstrate the following:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

It should be noted that a licensing authority cannot attach conditions to this type of permit.

This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures/training for staff as regards suspected truant school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in this section have been addressed through the application.

Applicants only need to address the issues when making their initial applications and not at renewal time.

C.2. (Alcohol) Licensed premises gaming machine permits

C.2.1 Automatic Entitlement

S.282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.

If the person ceases to be the holder of the relevant alcohol licence for the premises, the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises alcohol licence would also need to apply under s.282(2).

This is not an authorisation procedure. Licensing authorities have no discretion to

consider the notification or to turn it down. The only matter to determine is whether the person applying for the automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.

The licensing authority can remove the automatic authorisation in respect of any particular premises if

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of s.282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

C.2.2 More than two machines

If a premise has more than 2 machines, then an application must be made for a permit and the licensing authority must consider the following:

- the licensing objectives
- any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005,
- and “*such matters as they think relevant.*”

We consider that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy the authority that there will be no access may include

- the adult machines being in sight of the bar
- or in the sight of staff who will monitor that the machines are not being used by those under 18.

- Notices and signage are appropriately positioned

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority could decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for.

Conditions (other than these) cannot be attached. It should also be noted that the holder of a permit must comply with any Licence Conditions and Code of Practice issued by the Gambling Commission about the location and operation of the machine.

C.3. Prize Gaming Permits –

Prize gaming; S.288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences. A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

Prize gaming without a prize gaming permit. Some operators have an entitlement to permit prize gaming with certain restrictions they are;

- Casinos
- Bingo operators
- Adult gaming centres
- Licensed family entertainment centres
- Travelling fairs

The licensing authority expects the applicant to set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize);
- Participation in the gaming must not entitle the player to take part in any other gambling.

C.4. Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit.

The Club Gaming Permit will

- Enable the premises to provide gaming machines (3 machines of categories B4, C or D),
- Equal chance gaming and games of chance as set out in forthcoming regulations.

A Club Gaming machines permit will:

- Enable the premises to provide gaming machines (3 machines of categories B4, C or D).

Commercial clubs may apply for a 'club machine permit' only.

Gambling Commission Guidance states:

Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968.

A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

Clubs must have regard to the protection of children and vulnerable persons from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines.

These measures may include:

- the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised
- notices and signage
- the provision of information leaflets / helpline numbers for organisations such as GamCare.

The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises that hold a Club Premises Certificate under s.72 of the Licensing Act 2003 (Schedule 12). As the Gambling Commission's Guidance for local authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;

- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B4 or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

C.5. Temporary Use Notices

The definition of Temporary Use Notices is found within part 9 of the Act. It allows the use of premises for gambling where there is no premises licence but the applicant holds the relevant operator's licence.

Examples of premises that might be suitable for Temporary Use Notices are hotels, conference centres and sporting venues etc.

There are a number of statutory limits as regards temporary use notices.

Gambling Commission Guidance is noted that "The meaning of "premises" in part 8 of the Act is discussed previously. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises...This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises."

Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might find a temporary use notice useful; would include hotels, conference centres and sporting venues.

Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.

Only persons or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.

A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice can be found on the Gambling Commission's web site on the following link:

<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-14->

The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The council considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

C.6. Occasional Use Notices

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

C.7. Small society lottery registrations

A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.

The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.

A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Bromley and want to run such lottery.

A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.

To be ‘non-commercial’ a society must be established and conducted:

- for charitable purposes,
- for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or

- for any other non-commercial purpose other than that of private gain.

The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council. Or the Gambling Commission via their website at: <http://www.gamblingcommission.gov.uk>

Appendix A

Map of London Borough of Bromley Boundary



Appendix B

Contact details for “Responsible Authorities”

The Licensing Team	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	licensing@bromley.gov.uk 020 8313 4218
Public Health Complaints Team	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	ehts.customer@bromley.gov.uk 0300 300 8657
Health and Safety Team (unless the premises are visited by HSE, see below)	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	health.safety@bromley.gov.uk 0208 461 7912
Chief Inspector of Weights and Measures	Public Protection North Block, Civic Centre, Stockwell Close, BR1 3UH	trading.standards@bromley.gov.uk 0300 303 8657
Planning Department	Planning Enforcement North Block, Civic Centre, Stockwell Close, BR1 3UH	planninginvestigations@bromley.gov.uk 020 8461 7731

Bromley Safe Guarding Children Board	2nd Floor, Stockwell Building Civic Centre, Stockwell Close, BR1 3UH	BSCB@bromley.gov.uk 020 8461 7816
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Others

Metropolitan Police	Metropolitan Police Service Bromley Borough Police Station, High Street, BR1 1ER	Licensing-PY@met.pnn.police.uk 020 8284 8743
London Fire Brigade	Documents Management 169 Union Street London SE1 0LL	FSR-AdminSupport@london-fire.gov.uk Telephone: 020 8555 1200

**[HM Revenue and Customs
Excise Processing Teams
BX9 1GL](#)**

[0300 322 7072 option 7](#)

NRUBetting&Gaming@hmrc.gsi.gov.uk

Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP
http://www.gamblingcommission.gov.uk

Deleted: HSE
Only if the premises are visited by the HSE and not the Council

Deleted: HM Revenue and Customs
NRU Port Cullis House 21 India St
Glasgow G2 4P2
<https://www.gov.uk/government/organisations/hm-revenue-customs>

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Report No.
CSD18113

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 8 October 2018

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

Title: LOCAL PENSION BOARD - APPOINTMENT OF BOARD MEMBER

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: Not Applicable

1. Reason for report

- 1.1 The Local Government Pension Scheme Regulations require the appointment of a Local Pension Board (LPB) with an equal number of Employer and Scheme Member representatives, with a minimum of four in total. Following the resignation of one of the Employer Representatives, approval is sought for the appointment of a new Employer Representative. One expression of interest in the post has been received from Emma Downie, employed by the Council as Head of Human Resources Information Systems and Reward. At its meeting on 25th July 2018 the General Purposes and Licensing Committee considered the attached report (and her expression of interest form, which was attached as a confidential appendix) and decided to recommend to Council that Emma Downie be appointed.
-

2. **RECOMMENDATION(S)**

That Emma Downie be appointed as an Employer Representative to the Local Pension Board for the remainder of the current four year term of office expiring on 30th June 2019.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy: The Council's pension fund is a defined benefit scheme operated under the provisions of the Local Government Pension Scheme (LGPS) Regulations for the purpose of providing pension benefits for its employees.
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: See attached report
 4. Total current budget for this head: See attached report
 5. Source of funding: See attached report
-

Personnel

1. Number of staff (current and additional): See attached report
 2. If from existing staff resources, number of staff hours: See attached report
-

Legal

1. Legal Requirement: Statutory Requirement: The Local Government Pension Scheme Regulations 2013 (as amended)
 2. Call-in: Not Applicable: Full Council decisions are not subject to call-in.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 6,030 current employees; 5,220 pensioners; 5,627 deferred pensioners as at 30th June 2018.
-

Ward Councillor Views

2. Have Ward Councillors been asked for comments? Not Applicable
3. Summary of Ward Councillors comments: Not Applicable

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Procurement
Background Documents: (Access via Contact Officer)	See attached report

Decision Maker: General Purposes & Licensing Committee
Council

Date: 25th July 2018
8th October 2018

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

Title: **LOCAL PENSION BOARD – APPOINTMENT OF BOARD MEMBER**

Contact Officer: Fahar Rehman, Pensions Manager
Tel: 020 8461 7024 E-mail: fahar.rehman@bromley.gov.uk

Chief Officer: Director of Finance

Ward: Borough Wide

1. Reason for report

- 1.1 This report seeks the required approval for the appointment of a new Employer Representative to the Local Pension Board, following the resignation of a previous member.
-

2. RECOMMENDATION(S)

2.1 The General Purposes and Licensing Committee is requested to:

- (i) note that Josepha Reynolds has resigned as an Employer Representative on the Local Pension Board;
- (ii) nominate the Employer Representative to be recommended to Council for appointment (paragraph 3.8);

Recommend that Council

- (i) subject to recommendation (ii) formally appoint the Employer Representative to the Local Pension Board.

Corporate Policy

1. Policy Status: Existing Policy: The Council's pension fund is a defined benefit scheme operated under the provisions of the Local Government Pension Scheme (LGPS) Regulations, for the purpose of providing pension benefits for its employees.
 2. BBB Priority Excellent Council
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Any costs associated with the reimbursement to Board Members of directly incurred expenses are chargeable to the Pension Fund
 4. Total current budget for this head: £40.7m expenditure (pensions, lump sums, etc); £52.5m income (contributions, investment income, etc); £1,018m total fund market value at 30th June 2018)
 5. Source of funding: Contributions to Pension Fund
-

Staff

1. Number of staff (current and additional): The Local Pension Board comprises of two Employer Representatives and two Member Representatives. The Board is supported by the Pensions Manager.
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Statutory Requirement The Local Government Pension Scheme Regulations 2013 (as amended)
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 6,030 current employees; 5,220 pensioners; 5,627 deferred pensioners as at 30th June 2018.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Council Wide

3. COMMENTARY

- 3.1 At its meeting on 20th March 2018 the General Purposes and Licensing Committee agreed to recommend to Council the appointment of Pinny Borg and Josepha Reynolds as the two Employer Representatives to the Local Pension Board (LPB) for the remaining period of the four year term to 30th June 2019. Council subsequently approved their appointment at its meeting on 9th April 2018.
- 3.2 A meeting of the LPB was held on 10th April 2018 in which Board members noted the amended terms of reference and agreed their work plan for the coming year. Minutes of the meeting were reported to the General Purposes and Licensing Committee on 29th May 2018.
- 3.3 Unfortunately on 20th April 2018 Josepha Reynolds advised that she was leaving the council in May 2018 and was therefore resigning from the LPB. A new Employer Representative is therefore required to be appointed to the LPB.
- 3.4 In accordance with Regulation 107 of the Local Government Pension Scheme (LGPS) Regulations 2013, the Board must consist of an equal number of Employer and Scheme Member Representatives with a minimum number of four in total. In line with the Council's approved composition and, as set out in the Terms of Reference, Bromley's LPB is made up of two Employer and two Member representatives.
- 3.5 The approved LPB Terms of Reference require that the term of office for all Board members is ordinarily a period of four years. However, where members leave the LPB mid-term, replacement members are appointed to serve the balance of the remaining four year period. The current term of office is due to expire on 30th June 2019.
- 3.6 Following the resignation of the Employer Representative in April 2018, expressions of interest were sought for prospective new Board members the following month. The window during which expressions of interest could be made, remained open until 10th June 2018.
- 3.7 The response was again disappointing, but one expression of interest was received from the following individual:

Emma Downie (currently employed by LBB in the role of Head of HRIS & Reward)

The expression of interest form is included on the agenda as a confidential appendix to this report (appendix 1).

- 3.8 Although the Regulations do not specify that employer representatives be employed by a scheme employer, the applicant is currently employed by the London Borough of Bromley. No nominations were received from other scheme employers. The General Purposes and Licensing Committee is therefore requested to:
- (i) nominate Emma Downie to act in the capacity of employer representative;
 - (ii) recommend that Council formally appoint Emma Downie for the remaining term of office

4. POLICY IMPLICATIONS

- 4.1 The Council's Pension Fund is a defined benefit scheme operated under the provisions of the Local Government Pension Scheme (LGPS) Regulations for the purpose of providing pension benefits for its employees.

5. FINANCIAL IMPLICATIONS

- 5.1 Although permitted under Regulations, Local Pension Board members are not paid an allowance. As set out in the terms of reference, remuneration for Board members will be limited to a refund of actual expenses incurred in attending meetings and training.
- 5.2 As the administering authority the Council is required to facilitate the operation of the Local Pension Board including providing suitable accommodation for Board meetings as well as administrative support, advice and guidance. This is currently done within existing in-house resources.
- 5.3 Any costs arising from the establishment and operation of the Local Pension Board are treated as appropriate administration costs of the scheme and, as such, are chargeable to the Pension Fund.

6. LEGAL IMPLICATIONS

- 6.1 The Public Service Pensions Act 2013 provides primary legislation for all public service schemes including the LGPS 2014. A requirement is the establishment of Local Pension Boards.
- 6.2 The LGPS (Amendment) (Governance) Regulations 2015 – were laid before Parliament on 28th January 2015 and came into force on 1st April 2015.

7. PERSONNEL IMPLICATIONS

- 7.1 All Local Government Pension Scheme employers and members must have an equal opportunity to be nominated to become Board members through an open and transparent process.

Non-Applicable Sections:	Procurement Impact of vulnerable Adults and Children
Background Documents: (Access via Contact Officer)	Local Pension Board – Appointment of Board Members (GP&L Committee 20 th March 2018) Local Pension Board – Agenda and draft minutes 10 th April 2018) Public Service Pension Act 2013 LGPS Regulations 2013 LGPS (Amendment)(Governance) Regulations 2015

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
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