

RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 21 January 2020

Present:

Councillor Michael Rutherford (Chairman)

Councillors Gareth Allatt, Yvonne Bear, Julian Benington, Josh King, Alexa Michael, Keith Onslow and Gary Stevens

Also Present:

Councillor Nicholas Bennett MA J.P., Councillor Hannah Gray and Councillor Peter Morgan

43 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Suraj Sharma; Councillor Keith Onslow attended as substitute.

44 DECLARATIONS OF INTEREST

In respect of Minute 53 (Portfolio Plan Update), Councillor Rutherford declared an interest as an interested party concerning the covenant issues for the Y Block.

45 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

45a QUESTIONS FOR THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER

Eight questions for oral reply were received at the meeting. A copy of those questions, together with the Portfolio Holder's responses can be viewed as Annex A to these Minutes.

45b QUESTIONS FOR THE CHAIRMAN OF RENEWAL, RECREATION AND HOUSING PDS COMMITTEE

No questions were received.

46 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 5 NOVEMBER 2019 AND MINUTES OF THE SPECIAL MEETING HELD ON 20 DECEMBER 2019

In respect of the minutes of the meeting held on 20 December, the following amendments were agreed:-

Minute 40 – “Councillor Michael declared a non-pecuniary interest as she was a librarian by profession but did not currently work in *the public sector*.”

Minute 42 – “The *Equality* impact Assessment...”

RESOLVED that the Minutes of the meeting held on 5 November 2019 and the special meeting held on 20 December 2019 be confirmed and signed as a correct record subject to the amendments outlined above.

47 MATTERS OUTSTANDING FROM PREVIOUS MINUTES

Report CSD20011

The Committee noted that all outstanding actions had been completed.

RESOLVED to note that all outstanding actions from previous meetings had been completed.

48 PRE-DECISION SCRUTINY OF RENEWAL, RECREATION AND HOUSING PORTFOLIO REPORTS

The Committee considered the following reports where the Renewal, Recreation and Housing Portfolio Holder was recommended to take a decision:

48a Report FSD20009

On 27 November 2019, the Executive received the 2rd quarterly capital monitoring report for 2019/20 and agreed a revised Capital Programme for the four year period 2019/20 to 2022/23.

Members considered changes agreed by the Executive in respect of the Capital Programme for the Renewal, Recreation and Housing Portfolio.

In opening the discussion the Chairman noted a correction to the table in paragraph 3.1 of the report – the 8th line should read “Schemes rephased”. Changed from “schemes rephased from 2019/20 into 2020/21” which was not correct.

In response to a question, the Director of Housing, Planning and Regeneration confirmed that work on the Star Lane traveller site was progressing slowly but it was hoped that there would be a further update by the end of the week.

RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive on 27 November 2019.

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49 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 12 February 2020:

49a HOUSING STRATEGY 2019-2029

Report DRR20/008

Members reviewed responses to the Council's six-week public consultation on the new draft housing strategy which took place following Executive approval.

Once adopted, an action plan would be developed for delivery of the priorities set out in the Housing Strategy.

In response to a question, the Head of Compliance and Strategy confirmed that the consultation documents did not set out options for key priorities instead the key priorities were identified from the consultation responses.

Members noted that some of the data reflected in the draft strategy, particularly data concerning building and development would need to be reviewed and updated prior to publication of the final strategy. It was also suggested that further research should be undertaken into the estimated increase in the population in the next 20 years.

A Member also noted that there was nothing within the Strategy concerning utilising vacant units above shops in the High Street.

Responding to a question about the impact of responses to the consultation, the Head of Compliance and Strategy explained that the low response rate to the consultation had been disappointing. However, it was clear from the responses that had been received that people were keen for more houses to be built but the building had to be done in the right way (e.g. respecting the Green Belt etc.). A number of responders suggested that Bromley should be stockholding and should manage a small proportion of its own housing. The Director of Housing, Planning and Regeneration confirmed that a number of options arising from the consultation would be given consideration.

Noting that Bromley was the 8th most populated borough in London, a Member asked to be provided with details of the other 7 boroughs following the meeting. The Member also asked to be provided with details of the borough which had the lowest out of work benefit claimant count in London.

Referring to the "Setting the scene" box on the first page of the draft Housing Strategy, a Member suggested the following amendments, noting that the housing pressures in Bromley were associated with affordable housing:

- Bromley is experiencing severe *affordable* housing pressures.

- Although the Borough had managed to deliver slightly above its current target for new homes in recent years, demand for *affordable* housing dramatically outstrips supply...

In response to a question, the Director of Housing, Planning and Regeneration confirmed that there were approximately 18,000 people living in the socially rented sector.

In response to a question concerning whether the Council held any data in relation to the number of genuine parental evictions per annum, the Assistant Director of Housing explained that whilst the Department did not hold that data there was a lot of preventative and mediation work. If Officers felt that any application was fraudulent appropriate action would be taken however, many families receiving support were genuinely experiencing issues as a result of struggling to live in overcrowded accommodation.

RESOLVED that

1. The findings from the housing strategy consultation be noted and that thereafter an action plan be prepared to deliver agreed outcomes.

2. The Executive be recommended to

(a) approve, subject to final formatting, the final draft of the Housing Strategy and findings from the Housing Strategy Consultation; and

(b) Delegate authority to the Director of Housing, Planning and Regeneration to finalise the action plan to implement and deliver the Strategy.

49b TENANCY SUPPORT SERVICE FOR HOMELESS PEOPLE

Report DRR20-001

Members considered a request for authorisation to extend the contracts for Evolve and Hestia via an exemption to competitive tendering for a period of up to six months to allow their services to be amalgamated and retendered as one contract.

Evolve currently provided accommodation based support whilst Hestia provided floating support and specialist accommodation based support for ex-offenders.

The report sought an exemption from competitive tendering requirements as set out in the Council's Contract Procedure Rules. Further legal implications were set out in the accompanying Part 2 confidential report (agenda Item 16a).

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In response to a question concerning the length of time support was provided under the Hestia contract, the Assistant Director of Housing explained that this varied from individual to individual depending on levels of need. Support packages were subject to 6 monthly reviews although it was rare that support lasted for more than two years. Under the contract ex-offenders were provided with support to help them engage in training and employment initiatives. Members noted that it was a holistic support package which took into account all the needs of the individual.

In response to a question, the Assistant Director also confirmed that a Service Level Agreement had been developed to ensure that nightly paid accommodation met minimum standards for all service users and spot checks were undertaken to ensure that needs were being met and, in particular, that the needs of vulnerable single people were being met.

Noting the importance of getting the contract right, the Chairman proposed that Option 3 – Award a new contract, via an exemption to competitive tendering, for up to 6 months in order to go out to tender for an amalgamated service – should be recommended to the Executive. The Committee unanimously agreed.

RESOLVED that the Executive be recommended to agree Option 3 – to award a new contract, via an exemption to competitive tendering, for up to 6 months in order to go out to tender for an amalgamated service.

POLICY DEVELOPMENT AND OTHER ITEMS

50 RENEWAL, RECREATION AND HOUSING PORTFOLIO DRAFT BUDGET 2020/21

Report FSD20016

The Committee considered a report setting out the draft Renewal, Recreation and Housing Portfolio Draft Budget for 2020/21, which incorporated future cost pressures and initial draft saving options reported to the Council's Executive on 15 January 2020. Members were requested to provide their comments on the proposed savings and identify any further action that might be taken to reduce cost pressures facing the Local Authority over the next four years.

In response to a question from the Chairman concerning the significant credit in the non-controllable budget, the Head of Adults Health and Housing Finance explained that the vast majority related to capital charges, with a credit in respect of the Disabled Facilities Grant which was then partly offset by depreciation charges. The Head of Finance emphasised that these capital charges had no impact on Council Tax.

In response to a question concerning reduced social housing stock turnover silting up temporary accommodation, the Director of Housing, Planning and

Regeneration explained that this related to the disposal of older units that did not meet the decent homes standards and cost a lot to maintain. It was something over which the Local Authority had little control as Housing Associations were not required to consult with the Local Authority prior to disposing of the units. As a result, Officers were reviewing a number of options around disposals and the issue had been raised with Central Government.

In considering the draft budget Members requested that more granular detail on the costs be reviewed with the Portfolio Holder and made available to the Committee.

The Chairman noted that the draft budget demonstrated that across the Portfolio a number of measures to reduce the pressures around temporary accommodation had been taken.

RESOLVED that:-

- 1) the update on the financial forecast for 2020/21 to 2023/24 be noted;**
- 2) the initial draft 2020/21 budget as a basis for setting the 2020/21 budget be noted; and**
- 3) Members' comments on the initial draft 2020/21 budget be provided to the meeting of the Council's Executive on 12 February 2020.**

**51 HOUSING, REGENERATION AND PLANNING PORTFOLIO PLAN
2019-2020 UPDATE - QUARTER 3**

Report DRR19/036

Members considered a Quarter 3 update which outlined the aims and objectives of the Housing, Regeneration and Planning Portfolio Plan 2019-2020. The report also included a summary of the key achievements of the Portfolio Plan in 2019/2020 so far.

In response to a question, the Director of Housing, Planning and Regeneration confirmed that the sale of the Y blocks was in its final stages and a number of issues had been resolved. The Council was awaiting counsel's opinion before proceeding with the sale.

In relation to the Housing Forum, the Assistant Director of Housing reported that the Forum had reviewed areas of focus for the Homelessness Strategy and had agreed to a matrix approach. The focus would now be on developing a directory and communications group amongst partners to facilitate information sharing.

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The Chairman noted that it would be helpful for future reports to have an additional appendix detailing a breakdown of progress concerning some of the Opportunity Sites.

In response to a question from the Chairman concerning the proposed homeless development in York Rise, the Director of Housing, Planning and Regeneration confirmed that the project was still at contract mobilisation phase and a further meeting would be taking place on 22 January 2020. The Chairman noted that Councillor Joel had sent an email highlighting that following a meeting with the Director in the summer of 2019, both the Councillors of Farnborough and Crofton Ward had a number of reservations about the project which had been confirmed in writing. In response the Director of Housing, Planning and Regeneration explained that it was a complex site and Officers were seeking progress on the project as soon as possible. It was agreed that an update would be provided at the next meeting.

The Committee noted that in respect of the modular housing for Bushell Way, tenders had now closed and a complaint number of tenders had been received. The award of contract would be considered at the special meeting on 11th February 2020.

RESOLVED that progress on the actions associated with the Housing, Regeneration and Planning Portfolio Plan for Quarter 3 of 2019/2020 be noted.

52 CONTRACT REGISTER

Report DRR20/004

Members considered an extract from January 2020's Contracts Register which provided key information relating to contracts within the Renewal, Recreation and Housing Portfolio with a total value greater than £50k.

Members also considered additional confidential information set out in the accompanying Part 2 (Exempt) report noting that no contracts had been flagged for attention.

RESOLVED that:-

- 1) the report be noted; and**
- 2) the additional confidential information set out in the accompanying Part 2 (Exempt) report be noted.**

53 HOUSING, PLANNING AND REGENERATION RISK REGISTER

Report DRR20/010

The Housing, Planning and Regeneration Risk Register covered those risks which had an impact on the Service's ability to deliver its priorities and objectives. Members were requested to scrutinise those risks and the actions taken to control them in line with Audit Sub-Committee recommendations.

The Chairman noted that good progress was being made on the "Grow your own" initiative for Building Control.

RESOLVED that the revised Housing, Planning and Regeneration Risk Register and the existing control in place to mitigate the risks be noted.

54 HOUSING PERFORMANCE REPORT

Report DRR20-002

Members considered an update of key performance indicators in respect of housing. In opening the discussion, the Chairman noted that the report demonstrated steady performance.

A Member suggested that it may be helpful to have comments under graphs drawing out any emerging trends. It was agreed that Councillor Bear would work with the Assistant Director of Housing to identify further information that would be of interest for the Committee and the best way to present the information.

RESOLVED that the report be noted.

55 RENEWAL, RECREATION AND HOUSING PDS COMMITTEE WORK PROGRAMME - MARCH 2020

Report CSD20010

Members considered the Renewal, Recreation and Housing PDS Committee Work Programme for the special PDS meeting in February and the final scheduled meeting of the Municipal Year in March 2020.

The Chairman noted that an update on further work undertaken on the abolition of Section 21 of the Housing Act 1988 would be provided at the next meeting.

The Committee would also receive an update on the homeless development at York Rise at the next meeting.

RESOLVED that the Renewal, Recreation and Housing PDS Committee Work Programme for the period February-March 2020 be noted.

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

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

57 EXEMPT MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 5 NOVEMBER 2019

RESOLVED that the exempt Minutes of the Renewal, Recreation and Housing PDS Committee held on 5 November 2019, be confirmed and signed as a correct record.

58 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) EXECUTIVE REPORTS

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 12 February 2020:-

59 TENANCY SUPPORT SERVICE FOR HOMELESS PEOPLE

Report DRR20-001

Members considered further legal implications in relation to the accompanying Part 1 Report (agenda Item 7b).

RESOLVED that the report be noted and the Committee's comments be provided to members of the Executive for consideration.

PART 2 (EXEMPT) POLICY DEVELOPMENT AND OTHER ITEMS

60 CONTRACT REGISTER - PART 2

Members considered the Part 2 (Exempt) report containing commercially sensitive information in relation to the accompanying Part 1 report (DRR20/004).

RESOLVED that the report be noted.

The meeting ended at 8.07 pm

Chairman

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QUESTIONS TO THE PORTFOLIO HOLDER FOR ORAL RESPONSE

FROM COUNCILLOR NICHOLAS BENNETT JP

Question 1

Following the closure of the swimming pool at The Beckenham Spa on both January 5th and 12th without prior warning to the public, how many times in the past 12 months has the pool been closed and what was the reason given on each occasion?

Portfolio Holder's Response

The Council no longer holds the information you have requested because our relationship with My Time Active has changed. They are now leaseholders rather than contractors. However, on this occasion we have asked My Time to provide the information so that it can be reported to you this evening.

The following chart has been provided by My Time Active and distributed to the committee.

Month	Date	Reason	Duration of closure
January	nil	nil	nil
February	09/02/2019	child sick in TP	30 min
February	23/02/2019	child defecate in TP	1 hr
March	05/03/2019	child defecate in MP	90 mins
March	27/03/2019	child defecate in TP	50 mins
April	14/04/2019	High PH Main Pool	70 mins
April	16/04/2019	High PH Main Pool	2 hrs
April	18/04/2019	High PH Main Pool	6 hrs
April	18/04/2019	child sick in TP	45 mins
April	19/04/2019	Main Pool high PH & CHL	ALL DAY
April	20/04/2019	Main Pool high PH & CHL	ALL DAY
April	21/04/2019	Main Pool high PH & CHL	ALL DAY
April	22/04/2019	Main Pool high PH & CHL	ALL DAY
April	23/04/2019	Main Pool high PH & CHL	ALL DAY
April	24/04/2019	Main Pool high PH	9.5 hrs
April	26/04/2019	Main Pool high PH	10.5 hrs
April	27/04/2019	Main pool high PH	4 hrs
April	29/04/2019	Main pool high PH	7.5 hrs
May	03/05/2019	Teaching pool high CHL	5.5 hrs
May	21/05/2019	child defecated in TP	1 hr
June	04/06/2019	Main Pool high PH	3.5 hrs
June	29/06/2019	child sick in TP	30 mins
July	01/07/2019	Teaching pool high CHL	ALL DAY
July	02/07/2019	Teaching pool high CHL	12.5 hrs

July	23/07/2019	Teaching pool high CHL	10hrs
July	24/07/2019	Teaching pool high CHL	9.5 hrs
July	25/07/2019	Power Cut MP & TP Closed	ALL DAY
July	27/07/2019	Teaching pool high CHL	ALL DAY
July	28/07/2019	Teaching pool high CHL	ALL DAY
July	31/07/2019	Teaching pool floor broken	ALL DAY
August	01/08/2019	Teaching pool floor broken	ALL DAY
August	12/08/2019	teaching pool high CHL	2hrs
August	22/08/2019	child sick in TP	30mins
September	01/09/2019	Child sick in MP	30 mins
September	09/09/2019	MP high water temp	ALL DAY
September	16/09/2019	High PH Main Pool	ALL DAY
September	16/09/2019	Teaching Pool high CHL	ALL DAY
September	17/09/2019	Teaching Pool high CHL	ALL DAY
September	22/09/2019	Teaching pool low CHL high PH	1hr
September	22/09/2019	Child sick in MP	45min
October	08/10/2019	High PH Main Pool	4 hrs
October	13/10/2019	High PH Main Pool	ALL DAY
November	12/11/2019	Customer sick in MP	30 mins
November	25/11/2019	child defecated in TP	1 hr
December	10/12/2019	Customer defecated in MP	4 hrs
December	16/12/2019	Insufficient Lighting	4 hrs
December	31/12/2019	High PH Main Pool	4 hrs
January	12/01/2020	Low chlorine readings	ALL DAY
January	13/01/2020	Low chlorine readings	ALL DAY
January	14/01/2020	Low chlorine readings	6hrs

Supplementary Question

This is not a complete list as in addition to the closures noted above the swimming pool was closed all day on 11/01/2020 for a gala. Does the Portfolio Holder agreed that this is unsatisfactory?

Portfolio Holder's Response

I cannot but agree. Officers are in consultation with Mytime Active about this issue and a fuller answer will be provided to Councillor Bennett in due course.

Question 2

What steps has Mytime Active made to create an electronic system by email, website, messaging or other means to alert members when the pool is closed?

Portfolio Holder's Response

According to My Time - Staff members at all sites have been trained, and have access to website and social media platforms, in order to communicate live service updates and other relevant messages to customers directly. These channels are managed at a local level, to ensure communications can be reactive and timely to customers. Additionally, email and text messages can be used by the Central Marketing team for the purposes of communicating planned works/events or in an emergency situation.

Supplementary Question

Is the Portfolio Holder aware that as a member of MyTime Active I have never received any electronic communication about planned closure? The last Tweet is dated 14/08/2019 and there has been no attempt to keep the website up-to-date. Will the Portfolio Holder take up these issues with MyTime?

Portfolio Holder's Response

The Portfolio Holder confirmed that he has not been aware and would certainly take up the issues with MyTime.

Question 3

What steps has Mytime Active taken to ensure that the small pool at the Spa can be used by the public in the event of the main pool being unavailable for any reason?

Portfolio Holder's Response

According to My Time - Subject to programming and sufficient staffing resource the learner pool should be made available to users should the main pool be unavailable. This will also be taken up with MyTime.

Supplementary Question

Is the Portfolio Holder aware that when there was a swimming gala no attempt was made to provide alternative swimming provision? Councillor Bennett also drew to the Portfolio Holder's attention concerns around safety at the swimming pool as noting that he had needed to speak to the Duty Manager about lifeguards not paying proper care and attention whilst on duty.

Portfolio Holder's Response

Councillor Morgan shared Councillor Bennett's concerns around the safety implications of lifeguards not paying due care and attention and provided reassurances that all the issues raised would be taken up with MyTime.

FROM COUNCILLOR JOSH KING

Please provide a timetable for the RIBA Stage 2 study on the relocation of Beckenham Library, including an estimate of the date when this study will be available to this PDS?

Portfolio Holder's Response

The viability study is expected to be undertaken between February and May. The dates for next financial year's committees have not yet been published however it is expected that a report will be taken to a June meeting.

FROM ALISA IGOE

Question 1

In light of the Renewal Committee Minutes 6 March 2019 stating Bromley libraries have the third highest issuing service in London, could the Portfolio Holder please explain why (as is similarly being considered for Beckenham Library) Chislehurst Library is again being marketed for sale, with the possibility of demolition?

Portfolio Holder's Response

If a new Library is built on the current Chislehurst Library site it may be necessary to move the library to an interim site as was the case when the new Biggin Hill Library was built. The specification for this project states that a temporary modular facility or shop will be provided of sufficient size to accommodate a minimum of half of the existing library stock, with a request service is available for Customers requiring access to wider stock during this period. The minimum size for the interim library should be at least 200m².

Supplementary Question

If the library is indeed demolished would it be subject to the Supplementary Planning Guidance for the conservation area?

Portfolio Holder's Response

The Portfolio Holder confirmed that the relevant planning committee would take into account all planning considerations including supplementary planning guidance.

Question 2

Chislehurst Library redevelopment: Could you please explain how the interim library, this redevelopment will necessitate, can fulfil the current and ongoing Council obligations for library services in Chislehurst, since it will be a third of

current size, hold only half the 17,000 books and have no space for the annual 336 community events.

Portfolio Holder's Response

We accept that the library offer will be diminished for a temporary period however this will enable the long term goal of delivering a new and better library for Chislehurst to be achieved.

Supplementary Question

336 community events are held at the library each year. The proposed number of square meters for the interim library is less than half the current floor space. Does the Portfolio Holder consider there is sufficient space and for how long would the interim arrangements be in place?

Portfolio Holder's Response

If the demolition happens, it will only happen once contracts have been exchanged and planning permission granted. The interim library would be there for the length of time it takes to build the new library, which the Portfolio Holder estimated to be around 1½ to 2 years.

FROM PAMELA HICKS

Question 1

At page 103, it sets out that the estimated the part-year savings for the York Rise Modular Units will be £196,000. What is the estimated net saving per annum for the Burnt Ash Lane car park development taking account of the estimated £3,786,000.000 cost of developing the site and any other costs that may be incurred such as fees to any housing management provider?

Portfolio Holder's Response

As set out in the Contract Award Report (Part 1, DR19/044a 2 August 2019, Executive), the expected annual savings for the Burnt Ash Lane development, are £214k per annum.

Supplementary Question

Is it possible to have a copy of the report?

Portfolio Holder's Response

Yes, it is a part 1 report and I will ask Officers to forward a copy to you following the meeting.

Question 2

Is the pre-planning application, referred to at page 133, in respect of the Burnt Ash Lane development available to the public? When will the planning application be submitted?

Portfolio Holder's Response

The planning application is expected to be submitted by the end of January 2020, when it will be available for the public to view. As to the report from the pre-ap meeting, the Portfolio Holder was unsure whether this was a public document but if not, then it could certainly be made available. Ms Bowrey confirmed that any issues raised in the pre-ap discussion had been incorporated in the plans submitted with the planning application