

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 9 December 2019 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 To confirm the Minutes of the meeting of the Council held on 14th October 2019 (Pages 3 - 44)
- 4 Petitions
- 5 Questions

In accordance with the Council's Constitution, general questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting - the deadline was 5pm on Monday 25th November 2019.

Questions specifically on reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that these questions are received by the Democratic Services Team by **5pm on Tuesday 3rd December 2019.**

- (a) Questions from members of the public for oral reply.
 - (b) Questions from members of the public for written reply.
 - (c) Questions from members of the Council for oral reply.
 - (d) Questions from members of the Council for written reply.
- 6 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.

Recommendations from the Executive –

- 7 Council Tax Support/Reduction Scheme 2020/21
(Pages 45 - 94)
- 8 TEC Delegation for the Regulation of Dockless Vehicle Hire Schemes
(Pages 95 - 114)
- 9 Capital Programme Monitoring - 2nd Quarter 2019/20
(Pages 115 - 130)
- 10 Treasury Management Quarter 2 Performance 2019/20 and Mid Year Review
(Pages 131 - 156)
- 11 To consider Motions of which notice has been given.
- 12 The Mayor's announcements and communications.

.....

Ade Adetosoye

Ade Adetosoye OBE
Chief Executive

BROMLEY CIVIC CENTRE
BROMLEY BR1 3UH
Friday 29 November 2019
Vol.56 No.5

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 14 October 2019

Present:

**The Worshipful the Mayor
Councillor Nicholas Bennett J.P.**

**The Deputy Mayor
Councillor Kira Gabbert**

Councillors

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

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Nicholas Bennett J.P.

The Mayor was wearing the chains of the former borough of Beckenham, and the Beckenham Mace was used.

Before the meeting started, the Mayor reported that he and Councillor Aisha Cuthbert had taken part in a sponsored swimathon at West Wickham pool for

the Rotary Club, with profits going to the Royal Lifeboat Institute, and he awarded Councillor Cuthbert her medal.

142 Apologies for absence

Apologies for absence were received from Councillor Mark Brock. Apologies for lateness were received from Councillor Samaris Huntington-Thresher. Apologies for leaving the meeting early were received from Councillors Julian Benington, Melanie Stevens and William Huntington-Thresher.

143 Declarations of Interest

In relation to the question on Biggin Hill Airport, Councillor Hannah Gray declared an interest as she had a contract with the airport, and Councillor Colin Hitchins declared an interest as an employee of the airport.

144 To confirm the Minutes of the meeting of the Council held on 15th July 2019

RESOLVED that the minutes of the meeting held on 15th July 2019 be confirmed.

145 Petition - Chislehurst War Memorial Junction
Report CSD19143

A petition had been received from Chris Wells of Chislehurst Safer Streets, calling for the Council to install a push-button pedestrian crossing phase at the traffic light controlled junction at Chislehurst War Memorial.

Mr Wells addressed the Council in support of the petition. He suggested that the A222 was a busy and dangerous road, and he contrasted the provision of numerous controlled crossing places on the Sidcup and Bickley/Plaistow sections of the A222 with the lack of crossing points in Chislehurst, other than one pelican crossing near Chislehurst School for Girls. The War Memorial junction was used by many pupils from the three local schools, as well as pupils from other schools and many elderly and disabled adults. He reported that the Council had said that the refusal to install a pelican crossing was due to the additional congestion and rat-running that would result, but he claimed that the Council had never modelled this. The petition had been signed by 3,000 people who were protesting against the Council's refusal which, he asserted, was discriminatory against vulnerable members of the community in favour of drivers.

Cllr William Huntington Thresher responded, welcoming the interest in this issue, but explaining that providing a pedestrian phase required an increase in the highway space, which was not possible without the agreement of the adjacent landowners, the Commons Conservators. The Council was seeking a holistic solution and remained willing to consider junction remodelling, but in the absence of agreement with the landowners a pedestrian phase would result in congestion with exceedingly long queues at peak times leading to rat-

running by speeding traffic on local roads. Councillor Katy Boughey also spoke on behalf of ward councillors who had been working hard to find a suitable solution.

A motion to agree that no changes be made to the Council's response already provided to the petitioners, and that the Council's Assistant Director, Traffic and Parking, write to all petitioners explaining the facts of the situation, was moved by Councillor William Huntington-Thresher and seconded by Councillor Colin Smith.

An amendment that the Portfolio Holder be asked to bring back deliverable proposals for consideration by the Environment and Community Services PDS Committee within six months was moved by Councillor Ian Dunn and seconded by Councillor Angela Wilkins. This amendment was put to the vote and **LOST**.

The substantive motion proposed by Councillor William Huntington-Thresher and seconded by Councillor Colin Smith was put to the vote and **CARRIED**.

(During consideration of this item Councillor Tony Owen declared an interest in that his daughter was a teacher at Coopers School.)

146 Questions

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

(During consideration of public oral question 3, Councillors Aisha Cuthbert and Robert Evans declared interests as they were Council-appointed board members of Mytime Active, and the Mayor, Councillor Nicholas Bennett, declared an interest as he had a Mytime Active swimming pass.)

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

Fifteen questions had been received from members of the Council for oral reply, plus one urgent question. The questions, with the replies given, are set out in Appendix C to these minutes.

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

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

Two requests had been made to receive statements as follows –

(A) From the Leader of the Council, Councillor Colin Smith, on the Council's preparations and contingency plans given the now-likely exit of the UK from the EU without a deal, requested by Councillors Simon Jeal and Angela Wilkins.

Councillor Smith stated that he had nothing to add to his earlier comments in response to Councillor Dunn's question – there was nothing to report and project fear did not live here.

Councillor Jeal stated that the Government had given local authorities a total of £77m to prepare for no deal, and asked whether the Leader thought that this was a waste of money – project fear or project common sense? Councillor Smith stated that this was a waste of money – Bromley had held every penny in reserve and he hoped to be able to spend the money on something useful for the residents of Bromley.

Councillor Wilkins asked whether Councillor Smith could substantiate his accusations about project fear. Councillor Smith responded that there had been a constant attempt to put fear into the people of Bromley, and that this was a disgrace.

Councillor Simon Fawthrop asked whether the Leader had read project cheer on the Brexit Central website – Councillor Smith replied that he had not.

(B) From the Portfolio Holder for Public Protection and Enforcement, Councillor Kate Lymer, explaining why, given recent increases in muggings, a spate of burglaries in Chislehurst and the theft of antique horse troughs, she persisted in refusing to accede to requests from councillors, the public and the police to increase use of CCTV cameras in the Borough, requested by Councillors Kathy Bance MBE and Angela Wilkins.

Councillor Lymer explained that she was not personally impeding anything, and that mobile CCTV had been used in Chislehurst in the last two years to tackle anti-social behaviour and fly-tipping. The Independent Surveillance Commissioner had to be satisfied that CCTV was appropriate or it could be removed. Councillor Sharma had been vociferous in support of CCTV from his first month in office; earlier this year she had asked the Council's independent CCTV consultant to review Police crime statistics for Chislehurst High Street and his view was that it would not meet the legal parameters. Since then, she had asked for the crime statistics to be reviewed and a meeting to discuss options was being arranged.

Following claims of an increase in muggings and burglaries in Chislehurst, Councillor Lymer had requested ward specific data from the Police. Due to the climate change protests in central London, the Police had not had the capacity to provide these statistics for this meeting, but data on the Metropolitan Police website showed that in September 2019 there had been 12 burglaries, below the average for the borough and for London. Burglaries across the borough had fallen from 203 in August 2018 to 182 in August 2019. There had been one mugging reported in Chislehurst across the

summer. The Police reported 15 shop burglaries in Chislehurst within the last six months – in comparison, there were often that number each day in Bromley town centre. They had offered crime prevention advice to shop owners, including moving high value goods away from the front door, but not all shop owners had accepted the advice. Chislehurst shop owners had, collectively, decided not to use pull-down metal blinds as they were not visually appealing. Nearly all the shops that had been burgled had their own CCTV systems, indicating that CCTV was not deterring criminals.

Councillor Lymer concluded that it was essential that the restricted budget for CCTV was used appropriately and where it was most needed. The situation in Chislehurst would continue to be monitored and reviewed.

Councillor Bance complained that the statement had focused entirely on Chislehurst, and had not covered requests for CCTV across the borough. The Police in Penge had requested that the CCTV that had been moved away three times to cover other urgent areas, should be reinstated and this had been agreed, but the equipment could not be moved back for a couple of weeks due to the climate change and Brexit protests in central London. Councillor Bance felt that CCTV was needed in Bromley to safeguard residents and traders. The Penge BID Team did not understand why they were now responsible for providing CCTV in a black-spot high crime area such as Penge High Street, rather than the London Borough of Bromley. Councillor Lymer responded that the camera was a Police camera, so she could not comment on their tactics. There were already numerous Council-run cameras in Penge, but she would look into the position regarding the BID.

Councillor Wilkins asked the Portfolio Holder to concede that CCTV provided a third function – evidence for the Police to use for prosecutions. Councillor Lymer agreed, but it was still not possible to just install it without the right legal case.

Councillor Tickner asked whether the Police could not provide and pay for their own CCTV – was it always necessary for the Borough to deal with CCTV? Councillor Lymer responded that the Council was continually making this case, although the Police were refusing so far.

148 Proposals for Integration of Health and Social Care in Bromley
Report CSD19147

A motion to approve, pursuant to the Localism Act 2011, the recruitment and selection to a joint role between the Council and the CCG to lead commissioning on a salary package higher than £100k, was moved by Councillor Graham Arthur, seconded by Diane Smith and **CARRIED**.

149 Salix Street Lighting LED Upgrade
Report CSD19146

A motion to add the SALIX Street Lighting LED Upgrade Scheme to the capital programme at an estimated cost of £1.124m was moved by Councillor

William Huntington-Thresher, seconded by Councillor Colin Smith and **CARRIED.**

150 Award of Contract: Provision of Housing in Burnt Ash Lane
Report CSD19144

A motion to approve the addition of £3,786k to the capital programme, funded from Section 106 contributions (£500k) and the Investment Fund earmarked reserve (£3,286k) for the provision of up to 25 residential units for the purposes of temporary accommodation on the site known as Burnt Ash Lane Car Park was moved by Councillor Peter Morgan, seconded by Councillor Colin Smith and **CARRIED.**

151 Update from Renewal, Recreation and Housing PDS Committee - Motions

It was noted that two motions referred to the Committee by Council had been considered at the meeting on 3rd September 2019 - the minutes had been circulated to Members.

152 To consider reports from the Urgency Committee (if any)

The draft minutes from the Urgency Committee's meeting on 11th October 2019 were received and noted.

153 To consider Motions of which notice has been given.

(A) Motion Congratulating Dina Asher-Smith

The following motion was proposed by Councillor Simon Fawthrop and seconded by Councillor Christine Harris -

“This Council sends its heartfelt congratulations to Blackheath and Bromley Harriers’ Dina Asher-Smith on her amazing achievement of an individual Gold Medal in the Women’s 200M and two Silver Medals in the Women’s 100M and the Women’s 100M relay respectively at the 2019 Athletics World Championships held in Doha.

This Council recognises that this achievement by Dina reflects positively on her Bromley antecedents, and thanks her accordingly. On top of her achievements, the Council also sends its best wishes for every success in the future, particularly the 2020 Olympics.

Furthermore this Council requests that the Mayor write to Dina Asher-Smith on behalf of the Council to ensure that a framed copy of this resolution is presented to her at the earliest opportunity.”

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

The Mayor confirmed that he would write to Ms Asher-Smith, and that a Mayoral Reception would be arranged to which all Members of the Council would be invited.

(B) Motion on Relationships Education and Relationships and Sex Education

The following motion was moved by Councillor Simon Jeal and seconded by Councillor Kathy Bance MBE -

“Bromley Council welcomes the introduction of statutory Relationships Education and Relationships and Sex Education (RSE) from September 2020. The Council confirms its full support for schools delivering compulsory LGBT+ inclusive Relationships and Sex Education as part of RSE, in line with new Government guidance, in all state funded primary and secondary schools. The Council resolves to ask the Director of Education to write to all schools in the Borough to communicate this support.”

An amendment was moved by Councillor Peter Fortune and seconded by Councillor Michael Rutherford so that the motion would read as follows -

“Bromley Council welcomes the introduction of statutory Relationships Education and Relationships and Sex Education (RSE) from September 2020. The Council confirms its full support for schools developing their policy, which includes LGBT+ relationships, and should be sensitive and age appropriate in approach. It also recognises the continued right of parents to withdraw their child from the sex education element if they so wish. Further, the Council confirms its support of the Conservative Government’s continuing initiatives to ensure the curriculum is fit for purpose in the modern age via the academy agenda, passing control over to schools and parents and will ask the Director of Education to ensure that such advice is issued to schools.”

Councillor Kevin Brooks raised a point of order that he did not recall having been asked to contribute issues for potential scrutiny at the Children, Education and Families PDS Committee. Councillor Nicky Dykes, responding with a point of personal explanation, offered to circulate the email concerned. (She subsequently confirmed that the email had been sent to Councillors Brooks and Ahmad on 8th June 2019.)

On being put to the vote, the amendment was **CARRIED**.

The substantive motion was put to the vote and **CARRIED**.

154 The Mayor's announcements and communications.

The Mayor reported that his first charity event on 25th September at the Tamasha Restaurant had been very successful, raising just over £3,000. The Mayor thanked all those who had attended, including many Members as well as eight other Mayors and their guests and Bob Neill MP.

Council
14 October 2019

Flyers had been circulated for the next event - a bowling evening at the Pavilion on 29th October. There was also a "Guess who that is?" competition.

The Mayor thanked Members who had offered to represent him at Remembrance Sunday events, and urged other Members to reply to the Office.

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

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

**The following summary
refers to matters
involving exempt information**

156 Exempt Minutes - 15th July 2019

RESOLVED that the exempt minutes of the meeting held on 15th July 2019 be confirmed.

The Meeting ended at 9.21 pm

Mayor

COUNCIL MEETING

14th October 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Steve Barnes, Chair, Downe Residents' Association, to the Portfolio Holder for Environment and Community Services

Given the extreme disruption to local people, bus services, school runs, local businesses, tourists and visitors by sudden and un-announced road closures by utility companies – witness several examples by Thames Water in Downe village recently - what actions will the Council take to minimise such disruption?

Reply:

The Council has powers to co-ordinate planned works undertaken by statutory undertakers to minimise traffic congestion, however, in the case of new supplies and emergencies, utility companies have their own legal responsibility to complete all necessary works to ensure safety and restore supplies, and in the case of emergencies do not need to notify the Council until the works are underway. The Council will continue to work closely with all utility companies in an effort to reduce the inconvenience of works on the highway, but until the utility companies have upgraded all of their infrastructure we will be susceptible to the need for emergency works.

Supplementary Question:

I understand that the Council can take action against utility companies who abuse the permit system, for example, claiming a repair is an emergency when in fact there is evidence that the problem has existed for some time. What actions will the Council take in such instances?

Reply:

If anybody does supply us with the information and evidence that a utility company is abusing those powers then we will take action under the powers we have. We will need to have the information provided to us. It is a challenge for us to know what exactly is an emergency and what isn't when you come to gas and water.

Additional Supplementary Questions from Cllr Simon Fawthrop

We have had Thames Water again in Petts Wood and Knoll ward, and it is funny how it is an emergency and they can rush out, stick up temporary traffic lights and then there is nobody there for about three weeks whilst it is being repaired, and then even when they have repaired it they leave it as a mess for another three weeks so that it is not actually repaired with any urgency. There's an urgency for them to get the traffic lights up, but no urgency for them to actually repair it. What is being done to enforce with Thames Water, particularly with the examples that we have already given in Petts Wood?

Reply:

As linked within our statutory works, we will do what we can. However, I would make the point that, given the amount of repairs that, certainly, Thames Water has to do it may not be possible for them to get a contractor on site to repair it but at the same time, particularly with Thames Water, where the water can actually excavate under road caverns it will be necessary to make sure vehicles do not drive over aspects and then sink into a hole, which has been seen elsewhere in the borough. We do encourage utility companies to get sufficient contractors available to them to repair them, but in some cases I can see that lights will be necessary to protect the motorist and protect the road. We are doing everything we can to try to keep traffic flowing on our roads. It goes back to the petition as well. We are doing that and we will continue to do that, using the powers we have.

2. From Andy Richardson to the Portfolio Holder for Renewal, Recreation and Housing

Why does Bromley Council not have a Stakeholder's Group of library users, staff and local interest groups to inform their Library Service contracts managers of the current and future service requirements of the contracted out library service?

Reply:

The Council does not currently have a Stakeholder Group because there are many existing ways that users, residents and their elected representatives are able to comment on service requirements. These include constant online customer surveys as well as more detailed annual surveys; hard copy customer feedback forms in each library; a dedicated e-mailbox for customers to raise issues on the website; customer social media feedback and interaction through Facebook and Twitter; stock suggestion books in each library; a review of the contract performance twice a year by elected Members; Ward Member comments passed to the contract managers on behalf of residents. All of this means that a wider range of views is taken into account than would be the case with one Stakeholder Group.

Supplementary Question:

In my previous career as an NHS librarian for 15 years I served on the National Core Content Stakeholders Group. I was also a contract manager with the National Library for Health. Stakeholder Groups were written into the NHS contracts monitored, and advised contract managers over issues and development of service. Key performance indicators were closely monitored. I would like to know that, having had the experience of a stakeholder group meeting, would the Councillor agree with me that the establishment of a stakeholder group to aid the library contract management team, would enhance the future delivery of Bromley libraries?

Reply:

I will certainly have a look at it, but I think that what we have at the moment is more than what you are suggesting. I am very happy to talk about this with officers to see if there is any point or purpose in having such a group.

Additional Supplementary Question from Cllr Angela Wilkins

Is it not the case that one of the benefits of a stakeholder group is that it is actually a conversation, whereas all the things that you have referred to are, at least most of them, for comments? It is not a conversation or a dialogue.

Reply:

I am sure you are right, but it depends on how often the stakeholder group meets. What we have here is an ongoing ability to make comments, and we do, of course, reply if it is a question or a suggestion that we want to talk about.

3. From Andy Richardson to the Portfolio Holder for Renewal, Recreation and Housing

Is it legitimate for the current administration to commit its Leisure Centre management to a contract for forty years - ten times the life span of its present regulatory responsibility?

Reply:

This is about the Mytime contract. The Council has not entered into a 40 year service contract. It has granted a suite of leases many of which contain break clauses which can be exercised if circumstances change. This is an innovative approach to leisure provision which ensures that valued leisure facilities continue to remain available to residents of the borough whilst also providing a more economically beneficial service model for the Council and council tax payers than traditional leisure contracting.

Supplementary question:

Does the leisure centre contract have a stakeholders group of leisure staff, leisure users and sports groups in Bromley?

Reply:

Not so far as I am aware.

(During consideration of this question, the Mayor, Councillor Nicholas Bennett, declared an interest as he had a Mytime Active swimming pass. Councillors Aisha Cuthbert and Robert Evans declared interests as they were Board Members of Mytime Active.)

This page is left intentionally blank

COUNCIL MEETING

14th October 2019

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Dermot McKibbin to the Portfolio Holder for Renewal, Recreation and Housing

Which residential high rise blocks and care-homes have been served with notices by the London Fire Brigade and which have yet to be complied with? As details of the notices are freely available on the Fire Brigade website, how does the Council deal with the issue of fire safety in residential properties in the borough and which Committee is responsible for this area of policy? How many Council officers does the Council employ to approve the fire safety in new high rise blocks?

Reply:

With regards to the number of outstanding Notices served on high rise blocks and care-homes, and the issue of fire safety associated with them, this information is kept by the London Fire Brigade (LFB) and is not automatically shared with the Council, and the responsibility for these Notices and the enforcement of them lay with the LFB, and does not fall to the Council.

2. From Dermot McKibbin to the Portfolio Holder for Renewal, Recreation and Housing

What correspondence has the Council received from central government about the enforcement of the Tenant Fees Act 2019? In the light of the answers to my questions at the meeting of the Executive Committee on 6 December 2017 and at other Council meetings, when will a report be presented to a Council committee on this statute which came into force on 1 June 2019? Can a temporary officer be employed to deal exclusively with this work with the funding to come from an underspend in one of the Council's budget? How does the Council demonstrate its commitment to enforce legislation passed by a Conservative Government?

Reply:

The Council received general enforcement guidance from Central Government. A temporary Trading Standards Officer was engaged at the start of 2019 to carry out letting agent enforcement work, as part of this project the Officer provided guidance on the Tenant Fees Act 2019, and a report on this work was presented to the Public Protection and Enforcement Policy Development & Scrutiny Committee on 26 June 2019 7.00pm. As compliance in the area was high, there are no plans to carry out proactive work, however, if we receive complaints alleging letting agents are not

complying with the new requirement (which bans most letting fees and caps tenancy deposits paid by tenants in the private rented sector) then we will respond according to the associated risk, as encouraged by the Regulators Code 2014.

With regards to enforcing legislation, regulatory compliance and enforcement are common operational activities carried out by many service areas within the Council, and the approach adopted by Officers is in accordance with the Regulators Code 2014, which is a central part of the Government's better regulation agenda. Its aim is to embed a risk-based, proportionate, consistent and targeted approach to regulatory activity and enforcement among the regulators it applies to.

COUNCIL MEETING

14th October 2019

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

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

A number of authorities give one or more chairs of scrutiny committees to opposition parties. Is this something you would consider for next year?

Reply:

No.

Supplementary Question:

I wonder whether the Leader would like to pass comment please on what he thinks the public would judge of the fact that the Cabinet meets in private, the Conservative Group meets in private and prior to every scrutiny meeting there is a Conservative Group meeting to discuss what is and is not going to be said?

Reply:

I am very clear that it is for the ruling administration to both set policy and also take overall responsibility for ensuring proper scrutiny and service delivery are maintained efficiently at all times. I see the opposition's role as assisting in that task by providing effective challenge, constructive critical comment and positive policy amendment wherever it is justified and appropriate to do so.

Marking the hypocrisy given that in both Harrow and another borough that will come to me presently, there are no Conservatives on Labour-controlled Councils, I would merely mention to the questioner that members of the public seem to have a fairly good idea of the way we run the Council as evidenced by every election going back to 2002.

(Note: The Leader confirmed after the meeting that he was referring to the London Borough of Redbridge.)

2. From Cllr Vanessa Allen to the Leader of the Council

The recent Planning Advisory Service Peer Review of Bromley's planning processes was heavily critical and made numerous recommendations. What is your view of this report?

Reply:

Having personally approved the PAS' non-statutory visit to Bromley leading to the ensuing report that was produced, I regard it as having offered very helpful advice to Members and Officers alike in terms of getting service improvements, rather than being "heavily critical" as the questioner rather sadly seeks to portray for shallow political purposes.

As such, I obviously very strongly welcome the findings and furthermore strongly commend both Cllrs Alexa Michael and Yvonne Bear for bringing about the changes in such a positive and pro-active manner.

The highly successful outcome of this initiative has been that the Planning Inspectorate's recent decision to allow Bromley's appeal against the earlier threat to suspend our ability to decide upon major planning applications has now been overturned.

Supplementary question:

The letter which we received from the PAS said designation/non-designation is subject to clear and immediate improvements, and the clear implication is that we still have to make these improvements and continue with the improvements, so we are by no means in the clear. I would like to know when everyone who serves on Planning Committees and development Control Committees is going to see training and changes in procedure, which were some of the things in the well over twenty recommendations made by the PAS?

Reply:

I know for a fact that Councillors Michael and Bear are driving that agenda very positively at the moment. I don't have the dates for their planned meetings but I am sure that Cllr Bear or Cllr Michael would be pleased to elaborate if asked.

Additional Supplementary Question from Councillor Simon Fawthrop:

Is Councillor Smith aware that at the last Development Control Committee meeting a whole swathe of recommendations from PAS were already approved and taken forward, and there is more in the pipeline.

Reply:

Yes indeed - I know it is a very proactive arrangement at the moment.

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

The corporate risk of "potential detrimental impact of BREXIT upon service delivery" was reported to the July Executive, Resources and Contracts PDS as having a likelihood of 3 (likely) and an impact of 2 (minor). How have the likelihood and impact of this risk changed since then?

Reply:

I observe that Project Fear is still alive and kicking on the opposite side of the Chamber this evening.

At the risk of disappointing Cllr Dunn, and others, nothing has changed since the last time Brexit was raised in this chamber.

Senior Officers across the Council continue to confirm that there are no obvious risks to the Council post Brexit and in the highly unlikely scenario they are wrong, the Council continues to hold a significant contingency reserve to deal with any issues arising.

Contingency reserves incidentally which would have long since already been spent had this administration followed the spending priorities and budget amendments tabled by the party opposite over many years.

As an aside, the only reason the subject was raised in the risk register in the first place being at the direction of what many see as being the over cautious advice of the Council's External Auditor, in line with a policy direction from their national authorities.

Supplementary question:

It is not really Project Fear. The guidance describes minor impact as disruption to one service for a period of up to two weeks. Why was that impact chosen for this risk?

Reply:

The only reason it was on the risk register was at the insistence/request/expectation of the external auditor. That is why it is there - you will not get your audit report approved if it isn't in there. No other reason that I am aware of.

Additional Supplementary Question from Councillor Angela Wilkins:

Could the Leader please answer the question, which was how have the likelihood and impact of this risk changed since then?

Reply:

They haven't in my view - there has never been any risk.

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

Can the Portfolio Holder please comment on GLL's efforts to resolve the strike in the Borough's library service which is now into its fourth month, given at the September Renewal, Recreation and Housing PDS committee it was clear from discussions that GLL had not even met with the union side?

Reply:

GLL has met with representatives from Unite on a number of occasions since the start of the strike, specifically on 7th June, 2nd August, 19th September and 2nd October.

Supplementary question:

Does the Portfolio Holder not agree that with over 130 children's events and over 50 adults events being cancelled due to the industrial action it is not correct to say that library services are running as normal and that GLL must engage effectively to resolve the dispute.

Reply:

Any disruption to the Library Service is extremely regrettable. It is good that all the libraries have remained open for their stated hours - that is a tremendous effort by GLL. Yes, it is regrettable and it is regrettable that they are on strike. I do not know why they are on strike - GLL are simply trying to improve the service for the benefit of all our residents and yet these people are on strike and not letting it happen.

Additional Supplementary Question from Cllr Simon Jeal

Does the Portfolio Holder agree that a stakeholder group for the libraries might help him to understand why the strike has arisen?

Reply:

Probably not.

Additional Supplementary Question from Cllr Angela Wilkins

Could the Portfolio Holder actually answer and comment on the question, rather than just give us a list of dates when GLL have met. What happened at those meetings? Has GLL made a major effort or not?

Reply

GLL have made a major effort, but it needs a major effort from the other side.

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

Pages 27, 28 & 29 of the LBB Lease with Biggin Hill Airport Limited (BHAL) dated 6th May 1994 requires the Tenant to provide the Landlord with a Profits Certificate for Relevant Developments. Can the Portfolio Holder confirm that this requirement is followed by BHAL and provide a schedule showing the 50% payments received by the Council from BHAL during the last two years?

Reply:

The requirement for BHAL to provide the Council with a Profits Certificate is triggered by a Relevant Development, defined as development involving the construction of a new building or refurbishment of an existing building for a third party who has agreed to take an underlease, either at a premium or a rack rent. As it is understood that, to date, a Relevant Development has not taken place, there has been no requirement for BHAL to make any payment to the Council under this provision.

Supplementary question:

Could the Portfolio Holder confirm that if a major hangar was to be developed would that trigger such a certificate and payment?

Reply:

If it were let at a rack rent or premium then yes, it would.

6. From Cllr Kathy Bance MBE to the Portfolio Holder for Adult Care and Health

Since the Greenwich Service Plus contract ended, the Council appears to be using various modes of transport to escort vulnerable people to day care centres in Bromley. Have the current staff been trained in first aid, Passenger Assistant, movement and handling, epilepsy and risk assessments and do they all have enhanced DBS checks?

Reply:

The Council continues to, and has always used various modes of transport. All of the providers have a history of providing a TFL registered and regulated transport service which includes compliance with rules regarding DBS. The mode of transport and if necessary the requirement for a service user to have a personal assistant will be based on the individual needs of a person following a risk assessment which is undertaken by a Care Manager.

Supplementary Question:

On 3rd July, everybody that was going to have a change of transport service was written to saying that the Council were well under way with negotiations on alternative transport. When can we expect to see this in place?

Reply:

I am assured by the officers that vulnerable service users are matched to the appropriate transport option now. The previous contractor was the one who withdrew from the contract, so there was a bit of a rush to get things in place so that our residents could have access to day centre opportunities. This was mobilised on 1st September and, looking at your second question tonight, we will then be going into the details around any complaints, of which I understand there has only been one.

7. From Cllr Simon Jeal to the Portfolio Holder for Environment and Community Services

At the last full council meeting Bromley council passed a motion committing to reduce its emissions to net zero by 2029. What is the Portfolio Holder's plan to achieve this?

Reply:

A plan to achieve the goal is evolving and will be reported to the PDS in due course. Whilst developing that plan, we are continuing with actions to actually reduce emissions, such as the investment proposal on tonight's agenda to update our street lights with highest energy consumption with LEDs. More information can be found in the latest Carbon Management Programme.

Supplementary question:

In the motion that was passed at the previous Council meeting, the Portfolio Holder was strongly encouraged to include the commitment to net zero by 2029 in the Portfolio Plan and provide annual reports to the PDS. Will he be doing so?

Reply:

To some extent, the Portfolio Plan is scrutinised by the PDS, but I will certainly be proposing that it is in there.

Additional Supplementary Question from Cllr Ina Dunn:

Could the Portfolio Holder clarify what our carbon emissions actually are at the moment, so that we know what the baseline is?

Reply:

I refer you to our carbon management programme.

8. From Cllr Kevin Brooks to the Portfolio Holder for Environment and Community Services

What special measures are taken to enforce speed limits outside schools, particularly when children are entering or leaving the school?

Reply:

The Council is not responsible nor does it have legal powers to enforce speed limits – this is a Police function. However, the Council, in liaison with each school through the development of their School Travel Plan, examines safety around schools. Where appropriate, additional signs are added or physical changes are made. Signage may include changes to speed limits, either temporary (part-time) or permanent.

The Police have committed, London-wide, to increase the amount of speed enforcement they will be conducting. I will be meeting them shortly to see how they are progressing with that promise within the borough.

Supplementary question:

I appreciate that this is a subject that has been raised before, and has been responded to, but I am raising this due to concern within the community in Penge, especially raised by one of the local priests, who is very concerned about speeding down Padua Road, which is next to St Anthony's School in Penge. Will the Portfolio Holder commit, whether within the Council or with the Police, to review speeding down this road as soon as possible, along with other hot-spots around schools in the borough?

Reply:

When I have the meeting with the Police I will certainly be asking them how they are doing with that. All of us have our Safer Neighbourhood Teams and our Safer Neighbourhood Panel meetings - speed of traffic is clearly a safer neighbourhood issue and we should all be taking it up, as indeed I have, at our safer Neighbourhood Panels because that is where you have the direct interaction with your local team, who can start doing that. I would encourage you to do that. On a borough-wide basis, I will be talking to the Police.

Additional Supplementary Question from Cllr Kathy Bance:

At a PDS Committee there was talk of increasing CCTV cameras outside schools. Can you confirm that that is still going to happen?

Reply:

That is nothing to do with speeding - that is to do with parking on zig-zags, but yes.

9. From Cllr Marina Ahmad to the Portfolio Holder for Children, Education & Families

Can the Portfolio Holder please explain why the number of school exclusions for BAME pupils in Bromley is disproportionate to the number of BAME pupils attending Bromley schools?

Reply:

The question is a little bit challenging, as the proportion of excluded BAME pupils is not disproportionate.

Supplementary question:

Is the Portfolio Holder aware that according to the UK Government figures for 2017/18, which are the most recent figures, show that permanent exclusions of black African Caribbean students in Bromley figure at 0.24%, and white students at 0.6% and fixed term exclusions of black children are 5.92% and white children 4.99%?

Reply:

I thought that you might mean black Caribbean, as opposed to BAME, because there are certain complexities looking at that group of children as one whole group. I too have got the 2017/18 data which looks at permanent exclusions and if we look at the data here for black pupils it is broadly proportionate. The slight exception to this are Asian and Chinese pupils for whom the level of exclusions is slightly fewer than some of their white counterparts. Looking at our proportions across the local area, looking at Lambeth and Lewisham, they are both performing worse than Bromley schools. It is worth knowing that the schools in Lambeth and Lewisham are, broadly, state-run schools by their Labour boroughs. Politics aside, this is an important issue. Broadly speaking, exclusions are coming down in the borough because of the excellent work we are doing. The Councillor will be aware from her time on the PDS, indeed we were talking about this last week, that Bromley Primary School exclusions, because of the work, effort and finance that has been put in, working with schools, we have driven those primary exclusions down to pretty much zero. The work is now including secondary schools.

10. From Cllr Julian Benington to the Portfolio Holder for Resources, Commissioning and Contract Management (urgent question)

Could the Portfolio Holder please explain why the London Aerospace and Technology College and the 56 bedroom hotel are outside of the Permitted User Clause within the lease issued by the Landlord, London Borough of Bromley. This specifies that such development should conform to the following statement contained within the lease.

..“Airport providing facilities for business aviation, flight training and private flying and other airport and aviation related uses”

Could the Portfolio Holder also explain the view given by Cushman and Wakefield, the LBB consultants in this matter, who have advised that they will require the relevant committee formal approval and they have also advised that a form of public/resident consultation might be necessary?

(The Urgency is that the London Aerospace and Technology College is about to commence construction in order to be Open for September 2020, otherwise it will mean a 12 month delay in this very important Educational Asset Opening Date.

I have read again the Lease comment and I would consider that the College as it is for Aviation training and the Hotel is to cater for Airport Users, i.e. Pilots and aircrew is also Aviation related.)

Reply:

There are ongoing discussions between London Borough of Bromley as the landlord, and Biggin Hill Airport as its tenant, regarding both the proposed Aviation College and the Hotel. Cushman and Wakefield, acting on behalf of the Council, have advised the Airport that the information in support of the submission for the development of the College, so far submitted, has not satisfied them that the case has been made that the terms of the lease permit such a development under clause 5.5.2. They are seeking further and better details.

It is right that both the Council and its advisers ensure that the terms of its leases are strictly adhered to. Council Officers and Members have further discussions scheduled and the current situation should be very much viewed as work in progress.

All applications under the Biggin Hill lease for new buildings and facilities require member approval.

Reply:

The reason I have raised this issue particularly in relation to the College. The funding for that has come from the Greater London Authority under their Skills for Londoners further education capital investments. That money - £6.3m - which is a major part of the construction and development costs of the college is likely to be lost if this goes on too long, particularly as we have an election next year and we do not know who will be the new Mayor and who will be the controlling authority in the Greater London Assembly.

Can we ask that the matter is expedited within the Council so that none of these risks arise?

Reply:

I hear your concerns and I share your concerns. You and I have attended meetings at Biggin Hill where we are both supportive of the principle of the College, and also the hotel, and it is something that I would dearly love to see come to fruition. I would be very disappointed if the Council did anything in terms of slowing down the process, which could jeopardise those funds. I hear what you are saying and I do share your concern. I will attempt to do everything that I can, and I know our officers will, to make sure that this is expedited as best as we possibly can.

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

You recently initiated a Loneliness Summit. Who was invited and who attended?

Reply:

GDPR prohibits the authority from publishing the names of attendees without their explicit consent. Disclosure of the full list would amount to a data breach and would be beyond that which is reasonably expected by those who have attended the Loneliness Summit. As a best alternative we have provided proxy job titles and names of the organisations they represented. ([Appendix A.](#))

Supplementary question:

Could the Leader please tell me what the outputs from that meeting were? I do not want outcomes, I want outputs. (The Mayor ruled that this supplementary question did not arise from the first reply.)

12. From Cllr Vanessa Allen to the Portfolio Holder for Renewal, Recreation & Housing

Will the Portfolio Holder join me in thanking all the Bromley Council officers, volunteers, building representatives and owners, who helped make Open House weekend so successful in September?

Reply:

Open House was a great success this year. Nine sites opened their doors, including the ever popular Crystal Palace Subway and, I think for the first time for ages, the Royal Bell in Bromley. In addition, the borough hosted four talks and tours. The volunteering effort to

make this happen was great, so our thanks go out to everyone who made this happen to such a high standard.

Supplementary question:

I wholeheartedly second that - it was a very good weekend and we were lucky with the weather this year. Considering that this event does bring thousands of people to Bromley, can we engage earlier and get more buildings open next year?

Reply:

I will see what we can do. I thoroughly endorse your desire there.

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

What are the Council's criteria for the implementation of 20 mph speed limits both in a single street and over a wider area?

Reply:

As stated in Bromley's LIP3, the Council will adopt a targeted approach to the introduction of 20mph limits or advisory limits, focusing on the areas around schools, key walking routes to schools, and other high pedestrian footfall areas, thereby also supporting Council strategic ambitions for vibrant thriving town centres.

Supplementary question:

My supplementary question relates to my question for written response. That shows that of the 120 or so schools in the borough only 24 or about one in five have a 20mph speed limit outside them. Would the Portfolio Holder like to comment on what he plans to do to make that number higher?

Reply:

When we look at schemes we work with the schools, we encourage the schools to get to a silver or gold accreditation for the School Travel Plan and we work with them to work out what are going to be the most effective changes to implement increased active modes of travel to schools. They may not always request a 20mph or advisory 20pmh - that may not be what will help them achieve a higher pedestrian footfall, particularly those where they are on cul de sacs and nobody can get up to 20mph anyway. We will continue to work on a targeted approach particularly focusing on those schools which have high speed traffic outside them, but equally, this has got to be done in partnership with the schools - it is not being done to the schools, and also working to change their pupils' behaviours.

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

Can the Portfolio Holder give a date when residents of flats will be provided with the new waste and recycling collections i.e. small electrical items, clothes and batteries?

Reply:

No, I can't. Flats pose a challenge for recycling services. Many do not have storage space for recycling in addition to residual waste, others see frequent contamination of recycling. Contaminated recycling is not collected, until the residents/caretakers have removed the contamination - this can give the impression the collection has been missed. The recycling banks, otherwise known as green banks, spread across the borough are

primarily intended for residents of flats and other properties with limited storage space, particularly internal storage space – many of those already offer clothes recycling. We will be considering alternative collection models for recycling from flats. At this stage, it is too early to provide a definitive date for full borough coverage.

15. From Cllr Kathy Bance MBE to the Portfolio Holder for Adult Care and Health

What is the Portfolio Holder doing to address the complaints from Carers and parents of vulnerable people being transported by taxis without wheelchair access? Why are they arriving at the centres at midday and being picked up too early when they pay for a full day of day-care support?

Reply:

Officers have confirmed that the service has only received one formal complaint which incidentally was not related to wheelchair access. This complaint has been dealt with to the complainant's satisfaction.

Service users assessed as requiring a wheel chair, with their own chair have been transported by a mobility vehicle.

During the first two weeks there were some teething problems relating to arrival and departure times as the routing was new. Officers have worked closely with carers, day centres and the transport providers to remedy any issues and the service is not aware of any issues at this time.

Any concerns that have been raised with the service have been immediately dealt with and speedily resolved.

Supplementary Question:

You mentioned my second question in my first question, so I thought you were going to answer. Do we know when there will be an alternative proper service contract in place, because people are still arriving by taxis without wheelchairs, no matter what you say?

Reply:

If you would like to refer to me the specific evidence you have around that then obviously I would be happy to look at that outside of this meeting. What I can say is that the transport team are absolutely sure that people who need wheelchair access are being offered that opportunity. I would like to say that it is important to note that the service we have at the moment is more person-centred. For example, some service users have requested a door to door transfer into a car and the Council has loaned wheelchairs to facilitate this. Additionally, it appeared to be standard practice with the old provider for a wheelchair transfer to be undertaken even if it was not needed. One carer has positively commented that it is good that under the new arrangements their mother is encouraged to mobilise to and from the vehicle with her walking aid whereas before the chair was the only option. The new service is going to be mobilised by April 2020 and will be fully in place by August 2020.

16. From Cllr Simon Jeal to the Portfolio Holder for Public Protection and Enforcement

Following another knife-point mugging recently, this time in Whitehall Recreation Ground, again in an area with no CCTV coverage - would you agree that the lack of CCTV in Bromley parks continues to put residents at risk?

Reply:

CCTV is effective when there are no blind spots or multiple exits that can be exploited by criminals. Given the size of most of our parks, which often have multiple exits, CCTV cameras could easily be evaded. Furthermore, successive Bromley Police borough commanders or their equivalents, who are the experts in crime, have supported our policy. So, no, I do not agree that the lack of CCTV in Bromley parks puts residents at risk.

Additional Supplementary Question from Cllr Simon Fawthrop:

Can I ask the Portfolio Holder if she would agree with me that it is the lack of urgency on behalf of the Mayor of London who is responsible for the Police, a lack of his urgency and a lack of getting a grip on this issue that is causing part of the problem?

Reply:

Absolutely.

Additional Supplementary Question from Cllr Vanessa Allen:

If CCTV cameras are not visible people will not know where they are and they won't hide from them. Will she put CCTV cameras in and hide them, so that people do not know where they are?

Reply:

No, CCTV cameras in public places are there as preventatives and deterrent, and are not hidden away.

This page is left intentionally blank

Questions from Members of the Council for oral reply

Attendees at the Loneliness Summit

129 Delegates attended -

| Attended | Organisation |
|--|--------------------------------|
| Trustee | Age Concern Ravensbourne |
| Befriending | Age UK, Bromley & Greenwich |
| Senior Manager | Age UK, Bromley & Greenwich |
| Fundraising and Communications | Age UK, Bromley & Greenwich |
| n/a | Age UK/St Christophers Hospice |
| Admin | Anchor Hanover Group |
| Service Delivery | Anchor Hanover Group |
| Service Delivery | Anchor Hanover Group |
| n/a | Artemis Team |
| n/a | Ashcroft Care Home |
| n/a | Asphaleia |
| Senior Manager | Bertha James Day Centre |
| Adult Social Care | Bromley Council |
| Adults & Housing | Bromley Council |
| Adults & Housing | Bromley Council |
| Adults & Housing | Bromley Council |
| Adults & Housing | Bromley Council |
| Assistant Director, Strategy, Performance & Engagement | Bromley Council |
| Children & Education | Bromley Council |
| Children & Education | Bromley Council |
| Children & Education | Bromley Council |
| Children & Families | Bromley Council |
| Children's Social Care | Bromley Council |
| Children's Social Care | Bromley Council |
| Commissioning | Bromley Council |
| Commissioning | Bromley Council |
| Commissioning | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Councillor | Bromley Council |
| Director, Adult Social Care | Bromley Council |
| Director, Children's Social Care | Bromley Council |
| Early Years/Adult Education | Bromley Council |
| Environment | Bromley Council |
| Environment | Bromley Council |
| Environment | Bromley Council |
| Housing | Bromley Council |

| | |
|------------------------------------|---|
| Housing | Bromley Council |
| Interim Chief Executive | Bromley Council |
| Public Health | Bromley Council |
| Public Protection | Bromley Council |
| Public Protection | Bromley Council |
| Strategy | Bromley Council |
| Strategy | Bromley Council |
| Community Matron | Bromley Healthcare |
| Senior Manager | Bromley Mencap |
| Methodist Minister | Bromley Methodist Church |
| Trustee | Bromley Neighbourhood Watch Association |
| Volunteer | Bromley Parish Church |
| Volunteer | Bromley Parish Church |
| n/a | Bromley Reform Synagogue |
| Senior Manager | Bromley Third Sector Enterprise |
| n/a | Bromley Voluntary Sector Trust |
| Carers Support | Bromley Well |
| Carers Support | Bromley Well |
| Befriender | Bromley, Lewisham & Greenwich Mind |
| Dementia Services | Bromley, Lewisham & Greenwich Mind |
| Mental Health Information & Advice | Bromley, Lewisham & Greenwich Mind |
| Worker | Bromley, Lewisham & Greenwich Mind |
| Project Worker | Bromley, Lewisham & Greenwich Mind |
| Senior Mental Health | Bromley, Lewisham & Greenwich Mind |
| Coordinator | Careplus |
| Senior Manager | CASPA |
| Senior Manager | Citizens Advice Bureau, Bromley |
| n/a | Clairleigh Nursing Home |
| Neighbourhood Investment | Clarion Futures |
| Tenancy Sustainment | Clarion Housing |
| Tenancy Sustainment | Clarion Housing |
| Senior Manager | Community Links Bromley |
| Development | Contact the Elderly |
| n/a | Glebe Housing |
| Senior Manager | GLL - Biggin Hill Library |
| Senior Manager | GoodGym |
| n/a | Grace Café, St Mary's Church |
| n/a | Grace Café, St Mary's Church |
| n/a | Hayes Village Association |
| n/a | Hayes Village Association |
| Senior Manager | Headway SELNWK |
| n/a | Homefield -Missioncare |
| n/a | Homefield -Missioncare |
| n/a | Homefield -Missioncare |
| Psychotherapist | Institute of Group Analysis |
| n/a | Interested individual |
| n/a | Interested individual |
| n/a | Interested individual |
| Senior Manager | Lambeth Council |
| n/a | Latch Project |
| n/a | Leader, Bromley Council |
| Senior Manager | Mills Care Group |
| Senior Manager | Mills Care Group |
| Neighbourhood | Moat |

| | |
|------------------------------------|---------------------------------------|
| Me & My Baby Programme | Mytime Active |
| n/a | Mytime Active |
| Primetime | Mytime Active |
| Senior Representative | New Creation Church London |
| Youth Pastor & Metro Kids | New Creation Church London |
| Associate Director of Primary Care | NHS Bromley CCG |
| Senior Representative | Orpington U3A |
| Senior Representative | Orpington U3A |
| Family Nurses | Oxleas NHS Foundation Trust |
| Health Visiting Bromley | Oxleas NHS Foundation Trust |
| Trustee | Penge Forum |
| Volunteer | Rotary Club |
| Consultant | Shape It Consultancy |
| n/a | Shaw Trust |
| n/a | Shaw Trust |
| n/a | Shaw Trust |
| n/a | St Christopher's Hospice |
| Vicar | St Edwards Church, Mottingham |
| Senior representative | St John's URC Orpington |
| Senior representative | St Mark's Biggin Hill |
| n/a | St Mark's Church Bromley |
| Senior representative | St. John's URC, Orpington |
| Counsellor | StEP (St Edwards Development Project) |
| Project Development | StEP (St Edwards Development Project) |
| Senior representative | Sundridge Residents Association |
| Manager | The Glades Shopping Centre |
| n/a | Waitrose |
| n/a | Waitrose |
| n/a | West Wickham Rotary Club |
| Activity Staff | Willett House |

Delegates invited

| Invited | Organisation |
|---|--|
| Housing Associations | A2 Dominion |
| Housing Associations | Abbeyfield Bromley |
| Voluntary, Social third Sector Enterprise | Advocacy for All |
| Voluntary, Social third Sector Enterprise | Age UK - Bromley |
| Residents Association | Alexandra Residents' Association |
| Faith Groups | All Saints Church - Orpington (C of E) |
| Faith Groups | All Souls Church - Pratts Bottom (Cof E) |
| Housing Associations | Amicus Horizon |
| Housing Associations | Anchor |
| Residents Association | Anerley Association |
| Housing Associations | Anerley Housing Co-operative |
| Care Homes | Antokol |
| Voluntary, Social third Sector Enterprise | Aperfield WI |
| Care Homes | Archers Point |
| Care Homes | Ashcroft - Bromley |
| Care Homes | Ashglade |
| Voluntary, Social third Sector Enterprise | Assembly Halls - West Wickham |
| Voluntary, Social third Sector Enterprise | Association of Wrens - Bromley and District Branch |

| | |
|---|---|
| Faith Groups | Avenue Baptist Church, Beckenham |
| Residents Association | Babbacombe Road Residents Association |
| Care Homes | Baycroft |
| Residents Association | Beadon Road Residents' Association |
| Voluntary, Social third Sector Enterprise | Beckenham and District Retired Men's club |
| Faith Groups | Beckenham Baptist Church |
| Voluntary, Social third Sector Enterprise | Beckenham BID |
| Faith Groups | Beckenham Methodist Church |
| Residents Association | Beckenham Village Residents' Association |
| Care Homes | Beechmore Court |
| Residents Association | Beechwood Residents' Association |
| Voluntary, Social third Sector Enterprise | Bereavement Centre - Bromley |
| Voluntary, Social third Sector Enterprise | Bertha James |
| Residents Association | Bexley LA 21 Natural Environment Focus Group |
| Voluntary, Social third Sector Enterprise | Biggin Hill Community Care Association |
| Residents Association | Biggin Hill Residents' Association |
| Residents Association | Biggin Hill Society |
| Voluntary, Social third Sector Enterprise | BL&G Mind |
| Care Homes | Blyth House |
| Residents Association | Broad Oaks Estate Association |
| Voluntary, Social third Sector Enterprise | Bromley & Croydon's Women's Aid |
| Voluntary, Social third Sector Enterprise | Bromley and District Talking Newspaper |
| Voluntary, Social third Sector Enterprise | Bromley Association of Retired Teachers |
| Faith Groups | Bromley Baptist Church |
| Voluntary, Social third Sector Enterprise | Bromley BID |
| Voluntary, Social third Sector Enterprise | Bromley Borough Foodbank |
| Residents Association | Bromley Common 2,4,6,8 Residents Group |
| Residents Association | Bromley Common Action Group |
| Faith Groups | Bromley Common Methodist Church |
| Voluntary, Social third Sector Enterprise | Bromley Maternity Voices |
| Voluntary, Social third Sector Enterprise | Bromley Mencap |
| Faith Groups | Bromley Methodist Church |
| Voluntary, Social third Sector Enterprise | Bromley Neighbourhood Watch Association |
| Residents Association | Bromley North Residents' Association |
| Voluntary, Social third Sector Enterprise | Bromley Parent Voice |
| Faith Groups | Bromley Parish Church (Church of England) |
| Care Homes | Bromley Park Dementia Nursing Home |
| Faith Groups | Bromley Reform Synagogue |
| Voluntary, Social third Sector Enterprise | Bromley Rotaractors |
| Faith Groups | Bromley United Reformed Church |
| Voluntary, Social third Sector Enterprise | Bromley Well |
| Voluntary, Social third Sector Enterprise | Bromley/North Kent RAF National Service Association |
| Residents Association | BRONSPART |
| Faith Groups | Brook Lane Community Church |
| Care Homes | Burrell Mead |
| Care Homes | Burrows House |
| Residents Association | Bushell Way Residents Association (BWRA) |
| Residents Association | Camden Park Road Committee |
| Voluntary, Social third Sector Enterprise | Care Plus |
| Voluntary, Social third Sector Enterprise | CASPA |
| Health and Wellbeing Board | CCG Chairman |
| Housing Associations | Cedarmore Phill Beak |
| Residents Association | Central Beckenham Residents' Association |
| Residents Association | Chancery Lane/Limes Road Residents' Association |

| | |
|---|---|
| Residents Association | Charmwood Farm House |
| Voluntary, Social third Sector Enterprise | Chartwell Cancer Trust |
| Residents Association | Chelsfield and Pratts Bottom |
| Residents Association | Chelsfield Park Residents' Association |
| Residents Association | Chelsfield Park Residents' Association Limited |
| Residents Association | Chelsfield Village Society |
| Housing Associations | CHISEL |
| Housing Associations | Chislehurst & Sidcup |
| Faith Groups | Chislehurst (St. Nicholas) |
| Sport Clubs/Groups | Chislehurst and West Kent Cricket Club |
| Sport Clubs/Groups | Chislehurst Lawn Tennis Club |
| Faith Groups | Chislehurst Methodist Church |
| Residents Association | Chislehurst Society |
| Faith Groups | Christ Church (Church of England) - Anerley |
| Faith Groups | Christ Church (Church of England) - Bromley |
| Faith Groups | Christ Church (Church of England) Beckenham |
| Faith Groups | Christ Church (United Reformed Church) Petts Wood |
| Faith Groups | Christ Church Chislehurst |
| Faith Groups | Christ Church Orpington |
| Faith Groups | Christ Lutheran Church - Petts Wood |
| Voluntary, Social third Sector Enterprise | Citizen's Advice Bureau |
| Faith Groups | Citygate Church (Christian) - Beckenham |
| Faith Groups | Citygate, Beckenham |
| Voluntary, Social third Sector Enterprise | Civil Service Pensioners Alliance - Bromley |
| Care Homes | Clairleigh NH |
| Extra Care Housing | Clarion |
| Housing Associations | Clarion |
| Care Homes | Coloma Court |
| Voluntary, Social third Sector Enterprise | Community House |
| Health and Wellbeing Board | Community Links |
| Residents Association | Coney Hall Village Residents Association |
| Voluntary, Social third Sector Enterprise | Contact the Elderly |
| Residents Association | Copers Cope Area Residents' Association |
| Residents Association | Copers Cope Area Residents' Association |
| Voluntary, Social third Sector Enterprise | Cotmandene Centre |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Health and Wellbeing Board | Councillor |
| Residents Association | CRA20Ten |
| Residents Association | Cray Valley West (CRA20Ten) |
| Sport Clubs/Groups | Cray Wanderers |
| Extra Care Housing | Creative support Ltd |
| Faith Groups | Crofton Baptist Church |
| Residents Association | Crofton Place & Sparrow Drive |
| Residents Association | Crofton Residents' Association |
| Residents Association | Crystal Palace Community Association |
| Voluntary, Social third Sector Enterprise | Crystal Palace Community Trust |

| | |
|---|--|
| Sport Clubs/Groups | Crystal Palace Football Club Foundation |
| Residents Association | Crystal Palace Triangle Planning Group |
| Residents Association | Cudham Residents' Association |
| Voluntary, Social third Sector Enterprise | Darrick Wood Evening Townswomens Guild |
| Voluntary, Social third Sector Enterprise | Deaf Access |
| Health and Wellbeing Board | Director of Adult Services |
| Health and Wellbeing Board | Director of Childrens Services |
| Health and Wellbeing Board | Director of Public Health |
| Residents Association | Downe Residents' Association |
| Housing Associations | Ekaya |
| Care Homes | Elmstead |
| Faith Groups | Elmstead Baptist Church |
| Sport Clubs/Groups | Eric Liddell Sports Centre |
| Care Homes | Eversleigh Residential Care Home |
| Housing Associations | Evolve Housing |
| Care Homes | Fairlight and Fallowfield |
| Care Homes | Fairmount |
| Housing Associations | Family Mosaic |
| Residents Association | Farnborough Park Estate Ltd |
| Residents Association | Farnborough Village Society |
| Residents Association | Fernwood Close Residents' Association |
| Residents Association | First Stapleton Management Co.Ltd Residents' Association |
| Care Homes | Florence Nursing Home |
| Care Homes | Foxbridge House |
| Residents Association | Friends of Warren Road |
| Voluntary, Social third Sector Enterprise | Gates Green Womens Institute |
| Residents Association | Geffreys Estate Residents' Association |
| Faith Groups | Giggs Hill Church - St Paul's Cray |
| Residents Association | Gipsy Hill Residents Association |
| Care Homes | Glebe Court |
| Housing Associations | Glebe HA |
| Residents Association | Goddington Park Preservation Association |
| Voluntary, Social third Sector Enterprise | Green Gym |
| Residents Association | Green Street Green Village Society |
| Care Homes | Greenhill |
| Voluntary, Social third Sector Enterprise | Group 88 - Bromley Branch |
| Voluntary, Social third Sector Enterprise | Group 88 - Hayes Branch |
| Housing Associations | Guinness Trust |
| Extra Care Housing | Hanover Housing |
| Faith Groups | Hawes Lane Methodist Church - West Wickham |
| Faith Groups | Hayes Lane Baptist Church |
| Residents Association | Hayes Village Association |
| Residents Association | Hayesford Park Company Ltd |
| Voluntary, Social third Sector Enterprise | Headway |
| Health and Wellbeing Board | Health Watch Bromely |
| Housing Associations | Hestia |
| Housing Associations | Hexagon |
| Residents Association | Hilda Lane Community Association Ltd |
| Residents Association | Holwood Estate Residents' Association |
| Faith Groups | Holy Innocents Roman Catholic Church - Orpington |
| Faith Groups | Holy Trinity, Beckenham |
| Housing Associations | Home Group |
| Care Homes | Homefield |
| Care Homes | Homelands |

| | |
|---|---|
| Faith Groups | Hope Church |
| Housing Associations | Horizon Housing |
| Housing Associations | Hyde Housing |
| Voluntary, Social third Sector Enterprise | Icare Day Centre |
| Health and Wellbeing Board | Independent Chair BASB |
| Health and Wellbeing Board | Independent Chair BCSB |
| Care Homes | Jansondean |
| Faith Groups | Jubilee Church (New Church) - Bromley |
| Voluntary, Social third Sector Enterprise | KAB |
| Residents Association | Kemnal Residents Association |
| Housing Associations | Keniston HA |
| Residents Association | Kesley Estate Preservation Association (KEPA) |
| Residents Association | Keston Mark & Bromley Common Residents' Association |
| Faith Groups | Keston Parish Church (Church of England) |
| Residents Association | Keston Park (1975) Ltd |
| Residents Association | Keston Village Residents' Association |
| Voluntary, Social third Sector Enterprise | Keston WI |
| Residents Association | King William IV Gardens (Penge) Management Limited |
| Residents Association | Knoll House Residents' Association |
| Residents Association | Knoll Residents' Association |
| Housing Associations | L&Q |
| Residents Association | Langley Park Residents' Association |
| Voluntary, Social third Sector Enterprise | Latch project |
| Care Homes | Lauriston House |
| Health and Wellbeing Board | Lay Member |
| Residents Association | Leaves Green & Keston Vale Residents' Association |
| Voluntary, Social third Sector Enterprise | Libraries |
| Residents Association | Links Estate Residents' Association |
| Residents Association | London Borough of Bromley Residents' Federation West Wickham Residents Association |
| Housing Associations | Lookahead |
| Faith Groups | LWFCI |
| Residents Association | Madeline & Versailles Road Residents' Association |
| Health and Wellbeing Board | Managing Director of CCG |
| Voluntary, Social third Sector Enterprise | Maypole Project |
| Housing Associations | Mears Group |
| Voluntary, Social third Sector Enterprise | Mindful Mums |
| Housing Associations | Moat |
| Voluntary, Social third Sector Enterprise | Monday Social Club |
| Residents Association | Monks Orchard Road Residents' Association |
| Residents Association | Mottingham Big Local |
| Residents Association | Mottingham Residents Association |
| Voluntary, Social third Sector Enterprise | Mytime Active |
| Residents Association | Nash & District Residents' Association |
| Voluntary, Social third Sector Enterprise | National Childcare Trust - Beckenham and Borders |
| Voluntary, Social third Sector Enterprise | National Childcare Trust - Bromley and Chislehurst |
| Voluntary, Social third Sector Enterprise | National Malaya and Borneo Veterans Association - North Kent and S.E. London |
| Care Homes | Nettlestead |
| Residents Association | Norwood Society |
| Care Homes | Oatlands |
| Care Homes | Oatleigh |
| Residents Association | Old Hill & Cudham Lane North Residents' Association |
| Residents Association | Old St. Paul's Cray Village Res Society |
| Housing Associations | One Housng Group |

| | |
|---|---|
| Housing Associations | Optivo |
| Housing Associations | Orbit |
| Housing Associations | Orchard & Shipman |
| Residents Association | Oregon Park Residents' Association |
| Faith Groups | Orpington Baptist Church |
| Voluntary, Social third Sector Enterprise | Orpington First |
| Sport Clubs/Groups | Orpington Football Club Petts Wood |
| Voluntary, Social third Sector Enterprise | Orpington Friendship Club |
| Faith Groups | Our Lady of the Crays RC Church |
| Residents Association | Palace Estate Residents' Association |
| Residents Association | Park Avenue |
| Residents Association | Park Avenue Kinnaird Park Estate |
| Residents Association | Park Avenue Residents' Association |
| Residents Association | Park Langley Residents' Association |
| Housing Associations | Peabody |
| Faith Groups | Penge Baptist Church |
| Voluntary, Social third Sector Enterprise | Penge BID |
| Housing Associations | Penge Churches |
| Faith Groups | Penge Congregational Church |
| Residents Association | Penge Forum |
| Voluntary, Social third Sector Enterprise | Penge Over Sixties Network |
| Residents Association | Perry Hall Residents' Association |
| Residents Association | Petts Wood & District Residents' Association |
| Sport Clubs/Groups | Petts Wood Cricket Club |
| Voluntary, Social third Sector Enterprise | Petts Wood WI |
| Housing Associations | Phoenix Housing |
| Voluntary, Social third Sector Enterprise | Pineapple Luncheon Club |
| Voluntary, Social third Sector Enterprise | Positive Pete |
| Residents Association | Pratts Bottom Residents' Association |
| Education partners | Primary Schools Forum |
| Care Homes | Prince George Duke of Kent Court |
| Voluntary, Social third Sector Enterprise | Proactive Bromley |
| Voluntary, Social third Sector Enterprise | Probus Club - Beckenham |
| Voluntary, Social third Sector Enterprise | Probus Club – Bromley |
| Care Homes | Queen Elizabeth House |
| Residents Association | RA Society |
| Housing Associations | Radcliffe |
| Housing Associations | Raglan |
| Voluntary, Social third Sector Enterprise | Ramblers Association |
| Residents Association | Ravensbourne Valley Preservation Society |
| Voluntary, Social third Sector Enterprise | Ravenswood (West Wickham) Women's Institute |
| Voluntary, Social third Sector Enterprise | Ravenswood WI (West Wickham) Branch |
| Housing Associations | Riverside |
| Voluntary, Social third Sector Enterprise | Rotary - Langley Park |
| Voluntary, Social third Sector Enterprise | Rotary Club - Beckenham |
| Voluntary, Social third Sector Enterprise | Rotary Club - Chislehurst |
| Voluntary, Social third Sector Enterprise | Rotary Club - Orpington |
| Care Homes | Rowena House |
| Voluntary, Social third Sector Enterprise | Royal British Legion - Hayes Branch |
| Voluntary, Social third Sector Enterprise | Royal British Legion - Orpington and District Branch |
| Voluntary, Social third Sector Enterprise | Royal British Legion - West Wickham Branch |
| Voluntary, Social third Sector Enterprise | Royal British Legion Womens Section - Petts Wood |
| Voluntary, Social third Sector Enterprise | Royal British Legion Womens Section - Petts Wood Branch |
| Voluntary, Social third Sector Enterprise | Royal British Legion Womens Section - West Wickham Branch |

| | |
|---|--|
| Voluntary, Social third Sector Enterprise | Royal Voluntary service - Bromley |
| Residents Association | Royston Estate Residents' Association |
| Voluntary, Social third Sector Enterprise | RVS |
| Community Safety Partners | Safer Neighbourhood Board |
| Faith Groups | Salvation Army |
| Housing Associations | Sanctuary Housing |
| Voluntary, Social third Sector Enterprise | Saxon Centre |
| Education partners | Secondary School Forum |
| Housing Associations | Servite Housing |
| Voluntary, Social third Sector Enterprise | Shaw Trust (Scadbury Park) |
| Residents Association | Shortlands Residents Association |
| Voluntary, Social third Sector Enterprise | Soroptimists - |
| Education partners | South East London Colleges |
| Housing Associations | Southern HG |
| Care Homes | Springfield |
| Voluntary, Social third Sector Enterprise | SRA |
| Faith Groups | St Andrews Church (Church of England) - Bromley |
| Faith Groups | St Anthony of Padua Church (Catholic) - Anerley |
| Faith Groups | St Barnabas Church (Church of England) - Beckenham |
| Care Homes | St Cecilia's |
| Voluntary, Social third Sector Enterprise | St Christopher's Hospice |
| Faith Groups | St Edward the Confessor (Church of England) |
| Faith Groups | St Edwards, Mottingham |
| Faith Groups | St Georges Church (Church of England) - Bickley |
| Faith Groups | St Georges Parish Church (Church of England) - Bec |
| Faith Groups | St Giles the Abbot (Church of England) - Farnborou |
| Faith Groups | St John the Baptist Church (C of E) |
| Faith Groups | St John the Evangelist Parish Church (Church of En |
| Faith Groups | St Marks Catholic Church - West Wickham |
| Faith Groups | St Marks Church (C of E) Bromley |
| Faith Groups | St Marks Church (Church of England) - Biggin Hill |
| Faith Groups | St Martin of Tours (C of E) - Chelsfield |
| Voluntary, Social third Sector Enterprise | St Mary and St Paul's Cray WI |
| Voluntary, Social third Sector Enterprise | St Mary and St Pauls Cray Womens Institute |
| Faith Groups | St Mary of Nazareth (Church of England) - West Wic |
| Faith Groups | St Mary the Virgin Parish Church |
| Faith Groups | St Marys Church (Church of England) - Bromley |
| Faith Groups | St Marys Church (Church of England) - Shortlands |
| Faith Groups | St Mary's Roman Catholic Church |
| Faith Groups | St Michael and All Angels (Roman Catholic) - Orpi |
| Faith Groups | St Nicholas Church (Church of England) - Farnborough |
| Faith Groups | St Patricks RC Chislehurst |
| Faith Groups | St Paul's Crofton |
| Faith Groups | St Swithuns Church (Roman Catholic) - Bromley |
| Faith Groups | St Therasas Catholic Church - Biggin Hill |
| Residents Association | St. Mary Cray Action Group |
| Residents Association | St. Paul's Cray Community Association |
| Voluntary, Social third Sector Enterprise | Successful Mums |
| Care Homes | Sundridge Court |
| Residents Association | Sundridge Park Preservation Society |
| Residents Association | Sundridge Residents' Association |
| Faith Groups | Temple United Reformed Church - St Mary Cray |
| Residents Association | The Chislehurst Society |
| Residents Association | The Federation of Private Residents' Associations |

| | |
|---|---|
| Residents Association | The Gardens Residents' Association |
| Voluntary, Social third Sector Enterprise | The Glades |
| Care Homes | The Heathers |
| Faith Groups | The Oak Community Church |
| Voluntary, Social third Sector Enterprise | The Oddfellows |
| Residents Association | The Quinton Close Residents Association |
| Residents Association | The Ravensbourne Residents' Association |
| Faith Groups | The Salvation Army - Penge |
| Faith Groups | The Salvation Army St Mary Cray Corp |
| Care Homes | The Sloane |
| Housing Associations | Town & Country |
| Voluntary, Social third Sector Enterprise | U3A - Beckenham |
| Voluntary, Social third Sector Enterprise | U3A - Bromley |
| Voluntary, Social third Sector Enterprise | U3A - Orpington |
| Residents Association | Vale Road Residents' Association |
| Housing Associations | Viridian |
| Housing Associations | Wandle |
| Voluntary, Social third Sector Enterprise | Welcare |
| Residents Association | Well Hill Residents' Association |
| Residents Association | West Beckenham Residents' Association |
| Residents Association | West Wickham Residents' Association |
| Care Homes | Whiteoak Court |
| Residents Association | Wickham Common Residents' Association |
| Care Homes | Willett House |
| Residents Association | Windsor Drive Community Association |
| Housing Associations | Women's Aid |
| Residents Association | Woodlands Valley Residents' Association |
| Residents Association | Yester Park Residents Association |

COUNCIL MEETING

14th October 2019

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

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

Please provide a list of each Primary and Secondary School in the Borough, with the speed limit in force outside each.

Reply:

Please see attached spreadsheet. Speed limit is 30mph unless otherwise stated. (Appendix 1.)

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

Please provide a schedule of all the road safety improvements which have been implemented over the past 4 years as a result of the analysis of clusters of collisions, and the number of collisions which have happened at each since the improvements were made.

Reply:

Our analysis shows that we have undertaken the following mid to large scale casualty reduction schemes at collision cluster sites (excluding minor VAS / lining / surfacing schemes and schemes relating to local speed management concerns) in the past 4 years. The number represents the incidents of PICs (personal injury collisions) since known completion of each scheme.

- # Copers Cope / Bridge Road – 0
- # Shire Lane / Farnborough Hill – 1
- # Warren Rd / Windsor Drive – 0
- # Court Road / Charterhouse Road – 0
- # Heathfield Rd / Westerham Rd roundabout – 1
- # Skid Hill Lane / Layhams Road – 1

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

Please provide the number of properties which have been empty longer than 2 years, broken down by Council Tax Band.

Reply:

**Count of account ref Council
Tax Band**

| Council Tax Band | A | B | C | D | E | F | G | H | Grand Total |
|-----------------------------|-----------|-----------|-----------|-----------|-----------|-----------|----------|----------|--------------------|
| Number of Properties | 10 | 54 | 59 | 48 | 19 | 18 | 8 | 1 | 217 |

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

What plans does the Council have to ensure the requirements of the new Tenant Fees Act 2019 are enforced within the Borough?

Reply:

Trading Standards have previously undertaken a pilot to establish compliance of this sector, and where necessary follow up any failures with appropriate enforcement action, which may include the use of Penalty Charge Notices. The pilot ran from January to March 2019, during which time an Officer delivered education and guidance to the sector, and the compliance level was found to be high.

Should complaints be received alleging letting agents are not complying with the new requirement (which bans most letting fees and caps tenancy deposits paid by tenants in the private rented sector), Officers will investigate accordingly.

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

What action has the Council taken for category one fire hazard notices in the last 18 months and has the Council liaised with the London Fire Authority/Brigade?

Reply:

There have been 5 Category 1 Fire Hazard Notices served in the last 18 months, of which 1 was cancelled due to a change of tenure categorisation, 2 were complied with, and 2 remain live and are within the compliance period. The Officers within the Private Sector Housing Enforcement Team regularly liaise with the LFB in accordance with local protocols and national guidance.

6. From Cllr David Jefferys to the Portfolio Holder for Environment and Community Services

Welcoming the recent initiative on reducing vehicle emissions outside schools from the “anti- idling” policy, would the Portfolio Holder provide estimates for the second half of the fiscal year 2019/20 and for 2020/21 of -

- a) the reduction in emitted particulates
- b) the saving on carbon (CO 2) emissions
- c) the health benefits

from the introduction of this policy.

Reply:

We have not modelled the reductions in emissions from the anti-idling project specifically so those reductions in emissions are not and will not be quantified, given the cost and resource implications of doing so. Health benefits will be at a localised level with activity focused around schools so will reduce the exposure of children to particulate matter and Nitrous Oxide emissions which are more concentrated at children’s height. This will reduce the impact of pollutants on children’s lung development reducing risk of developing respiratory diseases such as childhood asthma or even cardio-vascular issues in later life. However, it must be noted that action for the short period at the end of the school day, whilst welcome, represents a small proportion of the typical family’s emissions and exposure to emissions. Transport is not the only source of gases and particulate emissions.

7. From Cllr David Jefferys to the Portfolio Holder for Resources, Commissioning and Contract Management

Noting the recent decisions by the Environment and Community Services PDS Committee and the Health and Wellbeing Board to move to paperless meetings, what would be the total resource saving in FY 2020/21 of the (i) full Council meetings moving to "paperless operations" and (ii) all the other "Council Committees" moving to paperless operations?

Reply:

The annual budget for printing agendas is £8k. The saving for the full Council meeting only going paperless would be in the region of £500 pa.

This page is left intentionally blank

| School Name | | 20MPH | Road | Comments |
|---------------------------------------|-------------|-------|-------------------------|--|
| Alexandra Infants School | Primary | | Kent House Road | Is to become Full Time 20 limit in 19/20 |
| Alexandra Junior School | Primary | | | |
| Ashgrove School | Independent | | | |
| Babington House School | Independent | | | |
| Balgowan Primary School | Primary | | | |
| Baston School | Independent | | | |
| Bickley Park School | Independent | | | |
| Bickley Primary School | Primary | YES | Nightingale Lane | Advisory Part Time 20 |
| Biggin Hill Primary School | Primary | YES | Old Tye Avenue | Part Time 20 |
| Bishop Challoner School | Independent | | | |
| Bishop Justus School | Secondary | YES | Magpie Hall Lane | Full Time 20 |
| Blenheim Primary School | Primary | YES | Blenheim Road | Advisory Part Time 20 |
| Breaside School | Independent | | | |
| Bromley Beacon Academy (Burwood) | SEN | | | |
| Bromley College | College | | | |
| Bromley High School | Independent | | | |
| Bromley Road Infant School | Primary | | | |
| Bromley Trust Academy (Midfield & H) | SEN | | | |
| Browns School | Independent | | | |
| Bullers Wood School | Secondary | | | |
| Burnt Ash Primary School | Primary | YES | Rangefield Road | Advisory Part Time 20 |
| Castlecombe Primary School | Primary | YES | Castlecombe Road | Full Time 20 |
| Charles Darwin | Secondary | YES | Jail Lane | Part Time 20 |
| Chelsfield Primary School | Primary | | | |
| Chislehurst CE Primary School | Primary | | | |
| Chislehurst School for Girls | Secondary | | | |
| Churchfields Primary School | Primary | | | |
| Clare House Primary School | Primary | | | |
| Coopers Technology College | Secondary | | | |
| Crofton Infant School | Primary | | | |
| Crofton Junior School | Primary | | | |
| Cudham CE Primary School | Primary | YES | Jail Lane | Part Time 20 |
| Darrick Wood Infant School | Primary | | | |
| Darrick Wood Junior School | Primary | | | |
| Darrick Wood School | Secondary | | | |
| Darul Uloom School | Independent | | | |
| Dorset Road Infant School | Primary | YES | Dorset Road | Full Time 20 |
| Downe Primary School | Primary | | | |
| Eden Park High School | Secondary | | | |
| Edgebury Primary School | Primary | YES | Edgebury / Belmont Lane | Advisory Part Time 20 |
| Eltham College | Independent | | | |
| Farnborough Primary School | Primary | | | |
| Farringtons School | Independent | | | |
| Glebe School | SEN | | | |
| Gray's Farm Primary School | Primary | YES | Grays Farm Road | Full Time 20 |
| Green Street Green Primary | Primary | | | |
| Harris Academy Beckenham | Secondary | | | |
| Harris Academy Bromley | Secondary | | | Is to become Full Time 20 limit in 19/20 |
| Harris Primary Academy Beckenham | Primary | | | |
| Harris Primary Academy Crystal Palace | Primary | | | |
| Harris Primary Academy Kent House | Primary | | | |
| Harris Primary Academy Orpington (H) | Primary | | | |
| Harris Primary Academy Shortlands | Primary | | | |
| Hawes Down Infant School | Primary | | | |
| Hawes Down Junior School | Primary | | | |
| Hayes Primary School | Primary | | | |
| Hayes School | Secondary | | | |
| Highfield Infant School | Primary | | | |
| Highfield Junior School | Primary | | | |
| Holy Innocents RC Primary School | Primary | | | |
| James Dixon Primary School | Primary | | | |
| Kemnal Technology College | Secondary | | | |

| School Name | | 20MPH | Road | Comments |
|--------------------------------------|-------------|-------|-------------------------|-----------------------|
| Keston CE Primary School | Primary | | | |
| La Fontaine Academy | Primary | YES | Nightingale Lane/Tlyney | Advisory Part Time 20 |
| Langley Park Boys School | Secondary | | | |
| Langley Park Girls School | Secondary | | | |
| Langley Park Primary | Primary | | | |
| Leesons Primary School | Primary | | | |
| Manor Oak Primary School | Primary | YES | Sweeps Lane | Advisory Part Time 20 |
| Marian Vian Primary School | Primary | | | |
| Marjorie McClure School | Primary | | | |
| Mead Road Infant School | Primary | YES | Green Lane | Advisory Part Time 20 |
| Midfield Primary School | Primary | | | |
| Mottingham Primary School | Primary | YES | Ravensworth Road | Full Time 20 |
| Newstead Wood School | Secondary | | | |
| Oak Lodge Primary School | Primary | | | |
| Oaklands Primary School | Primary | | | |
| Parish CE Primary School | Primary | | | |
| Perry Hall Primary School | Primary | YES | Perry Hall Road | Part Time 20 |
| Pickhurst Infant School | Primary | | | |
| Pickhurst Junior School | Primary | | | |
| Poverest Primary School | Primary | | | |
| Pratts Bottom Primary School | Primary | | | |
| Princes Plain Primary School | Primary | | | |
| Raglan Primary School | Primary | | | |
| Ravens Wood School | Secondary | | | |
| Red Hill Primary School | Primary | YES | Red Hill | Part Time 20 |
| Riverside School | SEN | | | |
| Scotts Park Primary School | Primary | | | |
| Southborough Primary School | Primary | | | |
| St Anthony's RC Primary School | Primary | YES | Genoa Rd | Full Time 20 |
| St Christopher's School | Independent | | | |
| St David's College | Independent | | | |
| St George's CE Primary School | Primary | YES | Tylney Road | Advisory Part Time 20 |
| St James' RC Primary School | Primary | | | |
| St John's CE Primary School | Primary | YES | Maple Road | Full Time 20 |
| St Joseph's RC Primary School | Primary | | | |
| St Mark's CE Primary School | Primary | | | |
| St Mary Cray Primary School | Primary | YES | High Street, SMC | Full Time 20 |
| St Mary's RC Primary School | Primary | | | |
| St Olave's School | Secondary | | | |
| St Paul's Cray CE Primary School | Primary | | | |
| St Peter & St Paul RC Primary School | Primary | | | |
| St Philomena's RC Primary School | Primary | | | |
| St Vincent's RC Primary School | Primary | YES | Harting Road | Full Time 20 |
| Stewart Fleming Primary School | Primary | YES | Felmingham Road | Full Time 20 |
| The Highway Primary School | Primary | | | |
| The Priory School | Secondary | YES | Tintagel Road | Advisory Part Time 20 |
| The Ravensbourne School | Secondary | | | |
| The Tutorial Foundation | SEN | | | |
| Tubbenden Primary School | Primary | | | |
| Unicorn Primary School | Primary | | | |
| Valley Primary School | Primary | | | |
| Warren Road Primary School | Primary | | | |
| Wickham Common Primary School | Primary | | | |
| Wickham Court School | Independent | | | |
| Worsley Bridge Junior School | Primary | | | |

Report No.
CSD19173

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 9 December 2019

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

Title: COUNCIL TAX SUPPORT/REDUCTION SCHEME 2020/21

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 Wards);

1. Reason for report

- 1.1 At its meeting on 28th November 2019 the Executive considered the attached report proposing the adoption of the Council Tax Support/Reduction Scheme for 2020/21. The report included an updated Impact Assessment (Appendix 1) and summaries of the consultation undertaken (Appendices 2 and 3.) The proposed scheme retains the calculation of entitlement for working-age claimants on 75% of the household's Council Tax liability. The report has also been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 20th November 2019.
-

2. **RECOMMENDATIONS**

That Council

(1) Considers the updated Impact Assessment and the responses to the public consultation exercise.

(2) Adopts the proposed Council Tax Support/Reduction Scheme for 2020/21 retaining the calculation of entitlement for working-age claimants on 75% of the household's Council Tax liability; thereby, the maximum assistance provided to a claimant of working age is 75% of his/her Council Tax liability.

Impact on Vulnerable Adults and Children

1. Summary of Impact: 3,964 households with children and 1,428 working age disabled claimants.
-

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: Estimated Cost: £10m with 25% liability.
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Benefits and Admin
 4. Total current budget for this head: £6,989m
 5. Source of funding: Government funding (although not separately identified in the grant notification.)
-

Personnel

1. Number of staff (current and additional): 8 + Liberata staff
 2. If from existing staff resources, number of staff hours: Once the scheme is adopted the work will fall onto Liberata which has been taken into account in the costings provided.
-

Legal

1. Legal Requirement: Statutory Requirement:
 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): 14,280 (the number of households currently in receipt of council Tax Support/Reduction.)
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

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

Decision Maker: EXECUTIVE

Date: Wednesday 27 November 2019

Decision Type: Non-Urgent Executive Key

Title: COUNCIL TAX SUPPORT/REDUCTION SCHEME 2020/21

Contact Officer: John Nightingale, Head of Revenues and Benefits
Tel: 020 8313 4858 E-mail: john.nightingale@bromley.gov.uk

Chief Officer: Peter Turner, Director of Finance

Ward: (All Wards);

1. Reason for report

To advise Members of the result of the public consultation exercise and seek approval of the scheme to be forward to Full Council.

2. RECOMMENDATION(S)

Members are asked to:

2.1 consider the updated Impact Assessment at Appendix 1.

2.2 consider the responses to public consultation exercise at Appendix 2 & 3.

2.3 consider that the Council Tax Support/Reduction scheme for 2020/21 retains the calculation of entitlement for working-age claimants on 75% of the households Council Tax liability. Thereby the maximum assistance provided to a claimant of working-age is 75% of his/her Council Tax liability.

2.4 Subject to the outcome of 2.1 to 2.3 above recommend to Council the Council Tax Support/Reduction scheme for 2020/21.

Impact on Vulnerable Adults and Children

1. Summary of Impact: 3964 households with children and 1428 working- age disabled claimants.
-

Corporate Policy

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

Financial

1. Cost of proposal: Estimated annual cost of the scheme with 25% liability is £10m
 2. Ongoing costs: Recurring cost
 3. Budget head/performance centre: Benefits and Admin
 4. Total current budget for this head: £6,989m
 5. Source of funding: Government funding (although not separately identified in the grant notification)
-

Personnel

1. Number of staff (current and additional): 8 + Liberata staff
 2. If from existing staff resources, number of staff hours: once the scheme is adopted the work will fall onto Liberata which has been taken into account in the costings provided.
-

Legal

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

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 14,280 (the current of households in receipt of Council Tax Support/Reduction)
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

3.1 Introduction

From the 1 April 2013 the national scheme for providing assistance with Council Tax (Council Tax Benefit) ceased to exist and was replaced by a local authority designed scheme for those claimants of working-age. The scheme is known as Council Tax Support/Reduction (CTS/R). For those of pensionable age, the scheme continued to be based on national rules and regulations.

In the financial year 2013/14, working-age claimants were liable to pay a minimum of 8.5% of their Council Tax liability. For the financial years 2014/15 and 2015/16 working-age claimants were liable for a minimum of 19% of their Council Tax liability, before this increased to 25% in 2016/17.

At the 2nd August 2019 meeting of the Executive, it was agreed that a minimum liability of 25% be the Authority's preferred option for inclusion in the public consultation exercise, the results of which are contained later in the report.

Members are asked to note the content of the updated Impact Assessment when considering the third recommendation contained in this report. The updated Impact Assessment based on the re-adoption of a scheme retaining the minimum contribution for a working-age household at 25% of the Council Tax liability can be found at Appendix 1

It should be noted that the scheme needs to be adopted at Full Council by the 31st January prior to the financial year it relates to.

3.2 Consultation

At the 2 August 2019 meeting of the Executive it was agreed to undertake a consultation exercise, with the recommendation being that CTS/R continue to be based on 75% of the households Council Tax Liability. The consultation exercise closed on the 6 October 2019 by which time 268 responses had been received. Included in this was a response from the GLA which is attached as Appendix 2.

Responses to the questions contained in the consultation exercise are entered as Appendix 3.

To summarise the main findings were:

- In respect of financial year 2020/21, 68% of respondents confirmed their preference to keep the minimum contribution at 25%. The responses were weighted in favour of maintaining this level of support irrespective of whether the respondent was in receipt of CTS/R
- Of those indicating that the current level of assistance should not be maintained, 67% said the scheme should be more generous and 33% less.
- 94% of respondents said that there should be a hardship fund, with 79% agreeing that it should remain at the current level (£100k)

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

There are currently 1428 disabled, working-age claimants and 3964 working-age households with children affected by the policy. This excludes pensioner claimants whose entitlement continues to be based on 100% of their Council Tax liability.

The impact on vulnerable adults and children is mitigated by building into the scheme disregards and additional assistance contained in the Housing Benefit scheme. In addition a hardship fund is available to those faced with exceptional circumstances.

Summary of Equality Impact Assessment (EIA)

The EIA recognises that the requirement of working-age claimants to contribute a minimum of 25% towards their Council Tax liability disproportionately impacts upon several of the protected characteristic groups. Lone parents (who are predominately women) and the disabled are both over represented in the Council Tax Support\Reduction caseload. Mitigation of the impact is supplied by the retention of the safeguards included in the Housing Benefit scheme for these client groups, for example the disregard of certain income types for the disabled and child care costs. Further mitigation is supplied by the Hardship Fund from which assistance can be granted for those facing exceptional circumstances.

A copy of the Equality Impact Assessment can be found at Appendix 3.

5. POLICY IMPLICATIONS

5.1 A copy of the 2019/20 scheme can be accessed by the following web link:

https://www.bromley.gov.uk/downloads/file/2860/council_tax_support_scheme_2018

This scheme will be revised in light of any changes agreed by Members, required by legislative change and/or resultant of the annual uprating of the benefit system

The Authority's scheme needs to be adopted on an annual basis following a public consultation exercise.

6. FINANCIAL IMPLICATIONS

6.1 The below table shows the projected expenditure of the scheme based on working-age claimants having their entitlement based on 75% of the households Council Tax liability:-

| Minimum Working Age CTS\R Liability | 25% |
|---|----------------------|
| | £'000 |
| LBB estimated annual CTS\R expenditure costs (79.14%) | 9,994 |
| GLA estimated costs (20.86%) | 2,634 |
| Total estimated annual costs for CTS\R | <u>12,628</u> |

6.2 The sums included in the above table are based on the Council Tax levels for 2019/20 and the number of households in receipt of CTS\R at the beginning of November 2019.

6.3 In addition to the amounts contained in the above table, there will be a Discretionary fund of £100k per annum.

6.4 The above proposal reflects no changes to the existing scheme for 2020/21.

7. LEGAL IMPLICATIONS

7.1 Full legal implications were set out in the report considered by members of the Executive on the 2 August 2019. Members should have regards to these and the Equality Impact assessment undertaken. However, in summary Section 33 (1) (e) of the Welfare Reform act 2012 abolished

the national of Council Tax benefit. Section 10 (1) of that Act introduced a new Section 13A (2) into the Local Government Finance Act 1992 which obliged each local authority to make its own scheme for those it considered to be in financial need.

7.2 Schedule 1A of the 1992 Act sets out the procedural steps required to make a revised scheme. These include the obligation to consider whether or not to change a scheme for any financial year. Where changes are made there is a statutory obligation to publish a draft scheme and to consult with such persons as we deem to have an interest. This will include both individuals who receive benefit and those who don't. Any new scheme must be adopted by 31st January in the financial year preceding that in which it is to apply. Bromley has undertaken the required consultation exercise. Members' must have regard to the consultation exercise but they are not obliged to follow the majority view. However, introducing new proposals or disregarding consultation views which point to a strong preference without clear reasoning will create risk of challenge. Members' also have to consider the impact of the scheme and any changes on individuals with protected characteristics in line with public sector equality duty and equality impact assessment which identifies appropriate mitigation measures which is appended to this report.

| | |
|---|---------------------------|
| Non-Applicable Sections: | Personnel and Procurement |
| Background Documents: (Access via Contact Officer) | |

This page is left intentionally blank

Impact Assessment for Council Tax Support

London Borough of Bromley

Part 1: Description of policy change and its relevance to equality

Category of trigger for Impact Assessment: Re-adoption of existing policy

Background

Council Tax Benefit (CTB) was abolished on the 01 April 2013. The Local Government Act replaced CTB for working age claimants with a scheme to be designed by the local authority – Council Tax Support (CTS). Funding was no longer demand led, but based on an estimate of Borough caseloads, with an initial overall budget 10% lower than that of CTB. Residents meeting the state pension credit age being eligible for a separate national scheme to "leave them no worse off than they are now".

Reason for review

Bromley adopted a 2 year scheme in January 2013 for the financial years 2013/14 and 2014/15. The scheme was based on a minimum liability of 8.5% for 2013/14 and 19% for 2014/15. This scheme was retained for 2015/16 before revision to a 25% minimum contribution for 2016/17. It remained at this level for 2017/18, 2018/19 and 2019/20 it is proposed that the minimum contribution remains at 25% for 2020/21

CTS is a local scheme to assist those who are on a low income to meet their Council Tax liability. Individuals apply for CTS and if their income is below a certain level, which takes account of their circumstances, they are eligible for a reduction on their Council Tax bill.

The "generosity" of the scheme has a direct impact on the Authority's finances. Therefore, the cost of the scheme will influence service provision in other areas, reserves and/or the Council Tax level.

Consultation on the scheme for 2020/21

Views on the retention of the proposed scheme will be sought from the Greater London Authority and a sample of Bromley households. Those households include current CTS claimants as well as those meeting their Council Tax liability from their own means.

Part 2: Collection of Evidence — what do we know?

Description of data used

In order to assess the impact of this policy change, Bromley has used information from a variety of different sources including:

- Data collected from records from the Council Tax and Housing Benefit systems;
- Census 2011 data;
- Bromley's Budget Strategy & other financial information about the service
- Office for National Statistics (NOMIS)
- Bromley Joint Strategic Needs Assessment 2017

Financial Information and Impact

The impact of this proposed scheme will affect all working-age claimants from the 1/4/20. For the financial year 2020/21 it is proposed that the maximum amount of assistance available to working-age claimants under the CTS scheme will be unchanged. Calculations have been supplied based on a minimum liability of 25% using the current years (19/20) Council Tax levels.

Table 1 - Financial Impact of Introduction of Local Scheme

| | 2019/20 Liability | 2019/20 Maximum assistance Pensionable Age | 2019/20 Maximum assistance under proposed CTS (75%) | 2019/20 Minimum weekly amount to pay (25%) |
|-----------------------------------|--------------------------|---|--|---|
| Band A - Full Charge | £1,024.51 | £1,024.51 | £768.39 | £4.91 |
| Band A - with 25% discount | £768.39 | £768.39 | £576.29 | £3.68 |
| Band B - Full Charge | £1,195.27 | £1,195.27 | £896.45 | £5.73 |

| | | | | |
|-----------------------------------|-----------|-----------|-----------|--------|
| Band B - with 25% discount | £896.45 | £896.45 | £672.33 | £4.30 |
| Band C -Full Charge | £1,366.02 | £1,366.02 | £1,024.51 | £6.55 |
| Band C - with 25% discount | £1024.51 | £1024.51 | £768.38 | £4.91 |
| Band D - Full Charge | £1,536.77 | £1,536.77 | £1,152.58 | £7.39 |
| Band D - with 25% discount | £1,152.58 | £1,152.58 | £864.44 | £5.53 |
| Band E - Full Charge | £1,878.27 | £1,878.27 | £1,408.70 | £9.00 |
| Band E - with 25% discount | £1,408.70 | £1,408.70 | £1,056.52 | £6.75 |
| Band F- Full Charge | £2,219.78 | £2,219.78 | £1,664.84 | £10.64 |
| Band F - with 25% discount | £1,664.84 | £1,664.84 | £1,248.63 | £7.98 |
| Band G - Full Charge | £2,561.28 | £2,561.28 | £1,920.96 | £12.28 |
| Band G - with 25% discount | £1,920.96 | £1,920.96 | £1,440.72 | £9.21 |
| Band H - Full Charge | £3,073.54 | £3,073.54 | £2,305.15 | £14.74 |
| Band H - with 25% discount | £2,305.15 | £2,305.15 | £1,728.86 | £11.05 |

Breakdown of current claimants

In order to understand how the proposed changes will impact on different protected groups Bromley has examined data, where available, based on the current benefit caseload. Data is available on the following: age, gender and disability which are noted in Table 2. There is very limited data available on the ethnic breakdown of current claimants as the appropriate section is seldom completed on the application form.

Table 2 - Breakdown of Current claimants Council Tax Support

| Type | Total | Female | Male | Disabled | Disabled female | Disabled male | DLA/PIP Income |
|---|--------------|-------------|-------------|-------------|--------------------|------------------|-------------------|
| Working age - Passported (equalisation definition) | | | | | | | |
| Single no child dependant | 2943 | 1527 | 1416 | 899 | 471 | 428 | 1584 |
| Single with child dependant | 1765 | 1709 | 56 | 156 | 145 | 11 | 592 |
| Couple no child dependant | 248 | 104 | 144 | 70 | 26 | 44 | 198 |
| Couple with child dependant | 313 | 175 | 138 | 63 | 24 | 39 | 218 |
| Working age - Non Passported | | | | | | | |
| Single no child dependant | 1157 | 636 | 521 | 151 | 83 | 68 | 234 |
| Single with child dependant | 1495 | 1433 | 62 | 41 | 39 | 2 | 179 |
| Couple no child dependant | 230 | 97 | 133 | 34 | 13 | 21 | 85 |
| Couple with child dependant | 391 | 176 | 215 | 14 | 6 | 8 | 81 |
| Total Working age | 8542 | 5857 | 2685 | 1428 | 807 | 621 | 3171 |
| Pensioner- Passported | 3748 | 2497 | 1251 | 1069 | 770 | 299 | 710 |
| Pensioner- Non Passported | 1990 | 1113 | 877 | 461 | 271 | 190 | 247 |
| Total Pensioner | 5738 | 3610 | 2128 | 1530 | 1041 | 489 | 957 |
| Overall Total | 14280 | 9467 | 4813 | 2958 | 1848 | 1110 | 4128 |

The table below provides some additional evidence by protected characteristic that has been used to complete this EIA.

| Protected Characteristic | Evidence | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------------|--|----------------|---|----------------------|--|--|--|--------------------|----------------|---------------|----------------------|-------------------|--|--|--|--|--------------|--------|------|------|------|----------------|--------|------|------|------|----------------------------------|-------|------|------|------|-----------------------|---|---|-----|-----|-----------------------|--------|------|------|------|--------------------|---|---|-----|-----|----------------|-------|------|-----|------|--------------|-------|------|------|------|--------------------|-------|------|------|------|----------------------------|--------|------|------|------|
| Age | <p>Please see table 2 for detailed breakdown</p> <p>8,542 (59.86%) of current claimants are under Pension Credit age and will be affected by the Authority's Council Tax Support policy. <i>Data based on June 2019 caseload. Caseload numbers may fluctuate on a daily basis.</i></p> <p>The data demonstrates that 3260 (38.2%) of current working-age claimants are single parent families with child dependents</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disability | <p style="text-align: center;">Bromley's population</p> <p>The following table shows the number and percentage of residents aged 16-64 who were deemed economic inactive during the period Jan 2018 to December 2018. You will note that the percentage of economic inactivity in Bromley is lower; however a higher proportion is a result of long-term sickness.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th colspan="4" style="text-align: center;">Economic inactivity (Jan 2018-Dec 2018)</th> </tr> <tr> <th></th> <th style="text-align: center;">Bromley (level)</th> <th style="text-align: center;">Bromley (%)</th> <th style="text-align: center;">London (%)</th> <th style="text-align: center;">Great Britain (%)</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">All people</td> </tr> <tr> <td style="text-align: center;">Total</td> <td style="text-align: center;">37,700</td> <td style="text-align: center;">18.3</td> <td style="text-align: center;">21.8</td> <td style="text-align: center;">21.5</td> </tr> <tr> <td style="text-align: center;">Student</td> <td style="text-align: center;">11,500</td> <td style="text-align: center;">30.4</td> <td style="text-align: center;">31.4</td> <td style="text-align: center;">26.9</td> </tr> <tr> <td style="text-align: center;">looking after family/home</td> <td style="text-align: center;">7,600</td> <td style="text-align: center;">20.1</td> <td style="text-align: center;">28.7</td> <td style="text-align: center;">23.6</td> </tr> <tr> <td style="text-align: center;">temporary sick</td> <td style="text-align: center;">!</td> <td style="text-align: center;">!</td> <td style="text-align: center;">2.3</td> <td style="text-align: center;">1.9</td> </tr> <tr> <td style="text-align: center;">long-term sick</td> <td style="text-align: center;">10,100</td> <td style="text-align: center;">26.7</td> <td style="text-align: center;">17.4</td> <td style="text-align: center;">22.7</td> </tr> <tr> <td style="text-align: center;">discouraged</td> <td style="text-align: center;">!</td> <td style="text-align: center;">!</td> <td style="text-align: center;">0.3</td> <td style="text-align: center;">0.4</td> </tr> <tr> <td style="text-align: center;">retired</td> <td style="text-align: center;">3,900</td> <td style="text-align: center;">10.3</td> <td style="text-align: center;">6.8</td> <td style="text-align: center;">13.2</td> </tr> <tr> <td style="text-align: center;">other</td> <td style="text-align: center;">4,300</td> <td style="text-align: center;">11.5</td> <td style="text-align: center;">13.2</td> <td style="text-align: center;">11.3</td> </tr> <tr> <td style="text-align: center;">wants a job</td> <td style="text-align: center;">9,400</td> <td style="text-align: center;">25.1</td> <td style="text-align: center;">21.7</td> <td style="text-align: center;">20.8</td> </tr> <tr> <td style="text-align: center;">does not want a job</td> <td style="text-align: center;">28,200</td> <td style="text-align: center;">74.9</td> <td style="text-align: center;">78.3</td> <td style="text-align: center;">79.2</td> </tr> </tbody> </table> <p>Source: ONS annual population survey ! Estimate is not available since sample size is disclosive (see definitions) Notes: numbers are for those aged 16-64. % is a proportion of those economically inactive, except total, which is a proportion of those aged 16</p> <p style="text-align: center;">Breakdown of current claimants</p> <p>Please see table 2 for detailed breakdown of information on our current claimants</p> <ul style="list-style-type: none"> • 1428 (16.7%) of current claimants below pension credit age have declared a disability • 3171 (37.1%) are receiving DLA/PIP | | Economic inactivity (Jan 2018-Dec 2018) | | | | | Bromley (level) | Bromley (%) | London (%) | Great Britain (%) | All people | | | | | Total | 37,700 | 18.3 | 21.8 | 21.5 | Student | 11,500 | 30.4 | 31.4 | 26.9 | looking after family/home | 7,600 | 20.1 | 28.7 | 23.6 | temporary sick | ! | ! | 2.3 | 1.9 | long-term sick | 10,100 | 26.7 | 17.4 | 22.7 | discouraged | ! | ! | 0.3 | 0.4 | retired | 3,900 | 10.3 | 6.8 | 13.2 | other | 4,300 | 11.5 | 13.2 | 11.3 | wants a job | 9,400 | 25.1 | 21.7 | 20.8 | does not want a job | 28,200 | 74.9 | 78.3 | 79.2 |
| | Economic inactivity (Jan 2018-Dec 2018) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Bromley (level) | Bromley (%) | London (%) | Great Britain (%) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All people | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | 37,700 | 18.3 | 21.8 | 21.5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Student | 11,500 | 30.4 | 31.4 | 26.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| looking after family/home | 7,600 | 20.1 | 28.7 | 23.6 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| temporary sick | ! | ! | 2.3 | 1.9 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| long-term sick | 10,100 | 26.7 | 17.4 | 22.7 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| discouraged | ! | ! | 0.3 | 0.4 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| retired | 3,900 | 10.3 | 6.8 | 13.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| other | 4,300 | 11.5 | 13.2 | 11.3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| wants a job | 9,400 | 25.1 | 21.7 | 20.8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| does not want a job | 28,200 | 74.9 | 78.3 | 79.2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | |
|--|--|
| <p>Sex</p> | <p style="text-align: center;">Bromley population</p> <p>According to nomis official labour market stats Bromley's population (2018) is 51.9% female and 48.05% male</p> <p style="text-align: center;">Breakdown of current claimants</p> <p>Please see table 2 for detailed breakdown of information on our current claimants</p> <p style="text-align: center;">68.57% of current claimants under pensionable age are female</p> <p>Indicates that women are over represented amongst our CTS claimants</p> |
| <p>Gender reassignment</p> | <p>The Council does not anticipate this policy will have a particular equality impact on this protected group.</p> |
| <p>Pregnancy & Maternity</p> | <p>No specific evidence. We do not anticipate this policy will have a particular equality impact on this protected group.</p> |
| <p>Race</p> | <p style="text-align: center;">Bromley population - Current claimants</p> <p>As advised earlier, there is very limited data available on the ethnic breakdown of the current claimants as only a few complete the non-mandatory section of the form.</p> <p style="text-align: center;">Borough wide information</p> <p>The 2017 GLA population projection estimates show that 19% of its population is made up of black and minority (BME) groups. This percentage does not include Gypsy Travellers, Bromley has a large settled Gypsy Traveller community living in "brick and mortar" concentrated chiefly in the Crays.</p> |
| <p>Religion & Belief</p> | <p>No specific evidence. We do not anticipate this policy will have a particular equality impact on this protected group.</p> |
| <p>Civil Partnerships & Marriage</p> | <p>No specific evidence. We do not anticipate this policy will have a particular equality impact on this protected group.</p> |
| <p>Sexual Orientation</p> | <p>No specific evidence. We do not anticipate this policy will have a particular equality impact on this protected group.</p> |

Part 3 - Analyse of evidence and description of the impact

| <p>Characteristic</p> | <p>Actual or likely impacts (negative/positive/no impact) and justification</p> | <p>Actions to be taken to mitigate potential negative impacts (include name of lead and estimated date of completion)</p> |
|------------------------------|---|---|
| <p>Age</p> | <p>Neutral impact for pension age claimants as the Government has stipulated this group must have their claims assessed as they are now.</p> <p>Given the large number of CTS</p> | <p>It is proposed a hardship fund be retained for those faced with exceptional circumstances. It is further planned to retain all aspects of the current CTS scheme that provides</p> |

| | | |
|-------------------|--|---|
| | <p>claimants that are single parent families with dependent children increases in the minimum contribution would have a negative impact on levels of child poverty. It is not possible to evaluate the scale of this impact.</p> | <p>assistance by way of disregards of income and increased allowances.</p> <p>The Council will monitor the impact on this Client group through monitoring of communications, complaints, appeals, request for discretionary awards</p> <p>Responsible Officer(s) Welfare Reform Manager & Head of Revenues & Benefits — Monitoring to be ongoing</p> |
| <p>Disability</p> | <p>Any increased level of 'contribution' will have a negative impact on current and future disabled CTS claimants as working age claimants would have to pay more towards their council tax bill.</p> | <p>The proposed Council Tax Support scheme allows for the complete disregard of certain income types such as Disability Living Allowance/PIP and the award of Disability premiums in the benefit calculation. These will be retained to mitigate the impact on those who are disabled. The planned continuation of the hardship scheme for those faced with exceptional circumstances will further alleviate any impact on the disabled.</p> <p>Responsible Officer(s) Welfare Reform Manager & Head of Revenues & Benefits — Monitoring to be ongoing</p> |

| | | |
|-----------------------|--|--|
| Sex | <p>Females are disproportionately represented amongst current CTS claimants.</p> <p>Any reduction in the level of assistance given would have a negative impact on current and future working age CTS claimants (regardless of gender) as claimants would have to contribute more towards their council tax bill then they have had previously.</p> <p>Although any change in the scheme would be applied universally (i.e. men and women would face the same reduction in CTS) our evidence makes clear that a greater proportion of current CTS claimants are women and therefore as a protected group women would feel the impact of any change in greater numbers.</p> | <p>Monitoring of the impact on women who claim Council Tax Support will continue. In order to mitigate impact it is proposed that the scheme retains the income disregards and allowances that are predominately received by females for example allowances in respect of child care costs. The planned continuation of the hardship scheme will provide a further safeguard for those faced with exceptional circumstances.</p> <p>Responsible Officer(s) Head of Revenues & Benefits — Monitoring to be ongoing</p> |
| Gender reassignment | <p>No specific impact identified other than all claimants will have to contribute more towards their council tax bill</p> | |
| Pregnancy & Maternity | <p>No specific impact identified other than all claimants will have to contribute more towards their council tax bill</p> | |
| Race | <p>Any reduction in the level of assistance provided would have a negative impact on current and future CTS claimants (regardless of race) as some claimants will have to contribute more towards their council tax bill then they have had previously.</p> <p>There is very limited evidence available to quantify if there will be a differential impact on the different ethnicities.</p> | <p>In order to mitigate any adverse impact is proposed that a hardship fund is retained for those faced with exceptional circumstances.</p> <p>Responsible Officer(s) Head of Revenues & Benefits — Monitoring to be ongoing.</p> |

| | | |
|-------------------------------|--|--|
| | There is evidence to indicate that BME communities are more likely to be unemployed or in lower paid employment and, therefore, possibly more reliant on CTS. However, there is insufficient evidence on current claimants to demonstrate this is in fact the case in Bromley. | |
| Religion & Belief | No specific impact identified other than all claimants will have to contribute more towards their council tax bill | |
| Civil Partnerships & Marriage | No specific impact identified other than all claimants will have to contribute more towards their council tax bill | |
| Sexual Orientation | No specific impact identified other than all claimants will have to contribute more towards their council tax bill | |

Part 5 — Completion and authorisation

| | |
|--|---|
| Officer completing assessment | John Nightingale, Head of Revenues and Benefits |
| EIA completed | 1/7/19 |
| Officer responsible for monitoring impact | John Nightingale |
| Date EIA is scheduled to be reviewed | July 2020 |

GREATER LONDON AUTHORITY
RESOURCES GROUP FINANCE

City Hall
The Queen's Walk
More London
London SE1 2AA
Switchboard: 020 7983 4000
Minicom: 020 7983 4458
Web: www.london.gov.uk

John Nightingale
Head of Revenues and Benefits
Financial Services
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
BR1 3UH

Our ref: CTS
Your ref:
Date: xx September 2019

Dear John

LONDON BOROUGH OF BROMLEY: COUNCIL TAX SUPPORT SCHEME 2020-21

Thank you for your email of 13 August informing the GLA about the Council's consultation on the council tax support scheme for 2020-21 and in particular whether the minimum working-age contribution for 2020/21 should remain at 25 per cent of the council tax liability. The GLA responded in brief ahead of the launch of the consultation, published on 19 August. This letter sets out the GLA's formal response to the consultation.

Introduction

As in previous years, the GLA recognises that the determination of council tax support schemes, under the provisions of the Local Government Finance Act 2012, is a local matter for each London borough. Individual schemes need to be developed which have regard to specific local circumstances, both in respect of the potential impact of any scheme on working age claimants (particularly vulnerable groups) and, more generally, the financial impact on the council and local council tax payers – and therefore the final policies adopted may, for legitimate reasons, differ across the capital's 33 billing authorities.

This fact notwithstanding the GLA also shares in the risks and potential shortfalls arising from the impact of council tax benefit localisation in proportion to its share of the council tax in each London billing authority. It is therefore important that we are engaged in the scheme development process and have an understanding of both the factors which have been taken into account by boroughs in framing their proposals, as well as the data and underlying assumptions used to determine any forecast shortfalls which will inform the final scheme design.

Framing Proposals

As part of the introduction of council tax support in 2013-14, the Government set out its expectation that, in developing their scheme proposals, billing authorities should ensure that:

- Pensioners see no change in their current level of awards whether they are existing or new claimants;
- They consider extending support or protection to other vulnerable groups; and

- Local schemes should support work incentives and, in particular, avoid disincentives to move into work.

The GLA concurs with those general broad principles and would encourage all billing authorities in London to have regard to them in framing their schemes.

Proposed 2020-21 Scheme

Under Bromley's existing scheme, the maximum level of council tax support available to working age claimants is 75 per cent of their council tax liability, after any other discounts or exemptions. The Council is consulting on maintaining this level of support, whilst continuing to uprate benefit levels in line with changes to Housing Benefit, including the level of non-dependant deductions.

Minimum Contribution

The council's consultation seeks views on whether the minimum working-age contribution for 2020-21 should remain at 25 per cent of claimants' council tax liability. We note the council's preference to maintain the current minimum contribution level and the consultation does not propose an alternative.

The diversity of council tax support schemes developed in London since 2013-14 means there is now a wide range of minimum contribution rates, varying from no minimum contribution to 30 per cent. In addition to Bromley, six other London boroughs have contribution rates of 25 per cent and four London boroughs currently require a minimum contribution level of over 25 per cent. The GLA notes therefore that Bromley is within the third of boroughs that require a minimum contribution of at least 25 per cent.

The GLA recognises that local authorities have faced difficult choices on CTS schemes, as overall funding from central government has reduced and funding for CTS is no longer identifiable within the settlement. The consultation states that if the minimum contribution rate was reduced, this would have to be funded by either one or a combination of the following options: a council tax increase, use of reserves, reducing council services. Therefore, notwithstanding the comments elsewhere in this response, the GLA is content for the council to maintain its minimum contribution rate at the current level.

Hardship Fund

The consultation also seeks views on the councils hardship fund, which provides assistance to residents who are experiencing exceptional financial hardship and are unable to pay their council tax. The GLA welcomes the assurance that the Council will continue to make a discretionary hardship fund available and notes its level appears appropriate. We would encourage the Council to take a proactive approach to informing those council tax support claimants facing difficulties paying council tax bills about the help available.

Technical Reforms to Council Tax

The GLA considers that in formulating its council tax support scheme each billing authority should consider the impact of the additional revenue it may be possible to raise through powers introduced in the Local Government Finance Act 2012 and the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

The council does not currently provide any discounts for properties undergoing major repairs or structural alterations, unoccupied or unfurnished homes or second homes. The GLA is responding separately to the council's consultation on proposals for the introduction of an empty homes premium from April 2020. However, we would urge the council to consider the impact on income levels of adopting the maximum levels of empty homes premium.

We would encourage the council to inform us as soon as possible of finalised changes to its empty homes premium policy, in order to assist us in assessing the potential impact on the Mayor's funding and tax base for 2020-21 and future years.

Council Tax Protocol

In recent years the issue of council tax collection practices has become more high profile. The GLA, of course, recognises the importance of ensuring council tax arrears are collected wherever possible. However, in some instances poor collection practices can worsen debt problems for vulnerable residents.

Citizens Advice, in partnership with the Local Government Association, has developed a council tax protocol¹, which outlines a number of practical steps for early intervention to support people struggling with payments. In London, eight boroughs have now signed up to the protocol and the GLA would encourage all boroughs to consider adopting the protocol.

Providing Information on Schemes

Whilst we recognise that the detailed rules on council tax support schemes are inevitably complex, the GLA would encourage all boroughs to make every effort to set out information on their schemes as clearly as possible. Information that may help potential claimants could include an online calculator, to identify whether potential claimants are likely to be entitled to support, as well as 'Frequently Asked Questions' and a summary document outlining concise details of the scheme. In addition, for existing claimants we would encourage boroughs to consider how the process for reporting changes in circumstances can be made as straightforward as possible.

Setting the Council Tax Base for 2020-21 and Assumptions in Relation to Collection Rates

The council will be required to set a council tax base for 2020-21 taking into account the potential impact of any changes to the council tax support scheme and changes linked to the empty homes premium. The GLA would encourage the council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval, in order that it can assess the potential implications for the Mayor's budget for police, fire and other services for 2020-21. This should ideally be accompanied by supporting calculations disclosing any assumptions around collection rates and discounts granted having regard to the final council tax support scheme design.

Collection Fund and Precept Payments

By 23 January 2020, the council is required to notify the GLA of its forecast collection fund surplus or deficit for 2019-20, which will reflect the cumulative impact of the localisation of council tax support since it was introduced in 2013-14. The GLA would encourage the council to provide it with this information as soon as it is available.

I would like to thank you again for consulting the GLA on proposals for Bromley's council tax support scheme for 2020-21.

Yours sincerely



Martin Mitchell
Finance Manager

¹<https://www.citizensadvice.org.uk/Global/CitizensAdvice/campaigns/Council%20Tax/Citizens%20Advice%20Council%20Tax%20Protocol%202017.pdf>

This page is left intentionally blank

London Borough of Bromley
Council Tax Reduction – Consultation Report

16th October 2019

1) Consultation

A public consultation exercise was undertaken for the 20/21 Council Tax Reduction Scheme during a period from 19th August 2019 until 6th October 2019.

The survey was available through a variety of channels:

- A link was available on the Bromley website
- A paper copy was issued to 2,000 households comprising of a mix of CTR recipients and non CTR recipients (1,000 households not in receipt of CTR, 500 recipients of working age and 500 recipients of pensionable age)
- A paper flyer enclosed with all Council Tax Bills issued during this period advising of the link on the website.

In total there were 268 responses received, 36 being via the website and the majority 232 received by post.

Supplementary questions were asked, for monitoring purposes, to determine whether respondents were currently in receipt of Council Tax Reduction or were completing the consultation on behalf of a representative body.

Of those who chose to respond to these questions, 55% stated that they were not currently in receipt of CTR.

The consultation exercise was based on 6 simple questions to residents of the Borough, 3 of which required specific responses with the remaining 3 being less direct and allowing a degree of free text response.

Of those that were specific, they sought responses in respect of:

Q1: Whether it was agreeable to maintain the level of assistance at 75%

Q2: If LBB were to increase the level of support, how should this be funded?

Q3: Whether there should be a hardship fund available and whether the sum of £100,000 was reasonable.

Standard Equality and Diversity questions were also asked but it was made clear that providing this information was voluntary.

2) Outcomes.

Details of the full consultation question and analysis responses, both overall and broken down, are detailed below.

Question 1

Q1 The current maximum level of support for working-age claimants is 75% of the household's Council Tax liability after any discounts or exemptions have been applied. This would require working age claimants to pay a minimum of 25% of their liability.

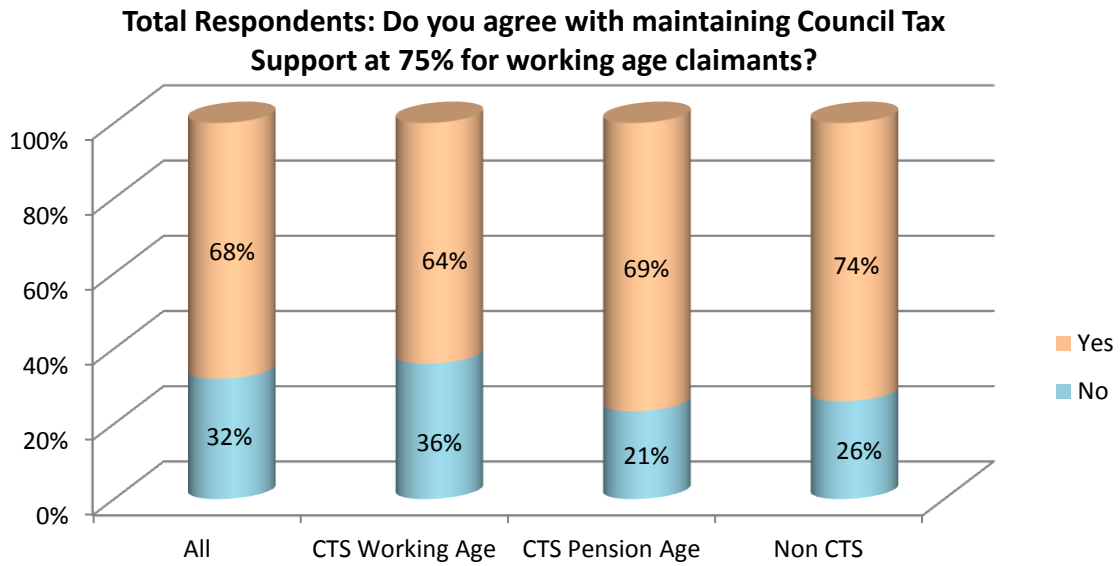
| | Yes | No |
|---|--------------------------|--------------------------|
| Please confirm whether you: | | |
| a. Agree with maintaining the assistance at 75% | <input type="checkbox"/> | <input type="checkbox"/> |
| b. If <i>NO</i> do you think Council Tax Support claimants should; | | |
| <i>Pay more Council Tax e.g. receive less support</i> | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Pay less Council Tax e.g. receive more support to</i> | <input type="checkbox"/> | <input type="checkbox"/> |

If you disagree with maintaining assistance for working-age claimants at 75%, please state why:

.....

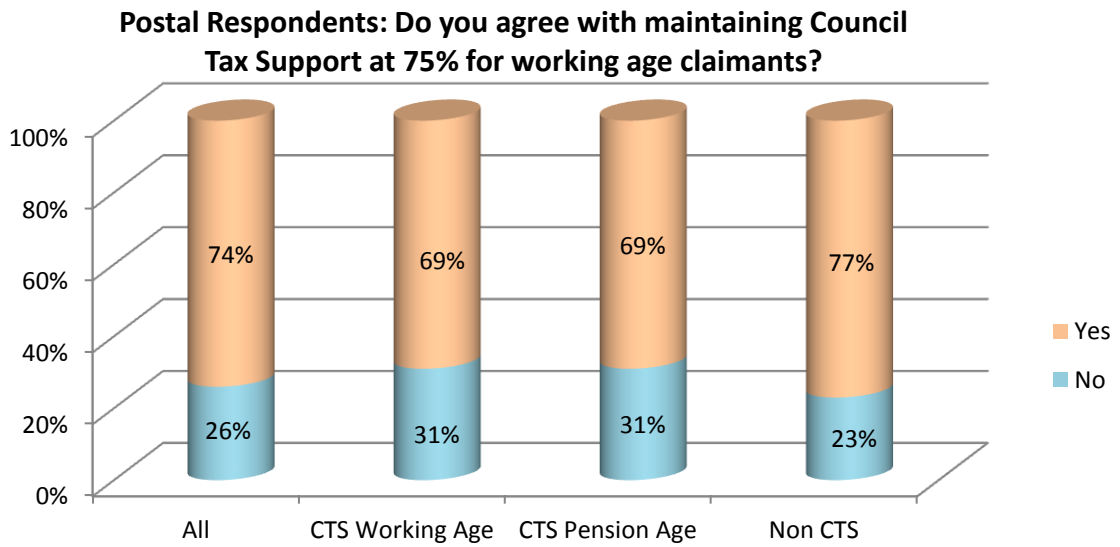
Overall response.

Of those who responded the *overall* outcome was that they wished to keep the scheme the same with 68% confirming this to be their preference. This was a higher percentage when this question was asked last year as in 2019/20 it was 67%. The responses were weighted in favour of keeping support at this level irrespective of whether the respondent was in receipt of Council Tax Reduction or not.

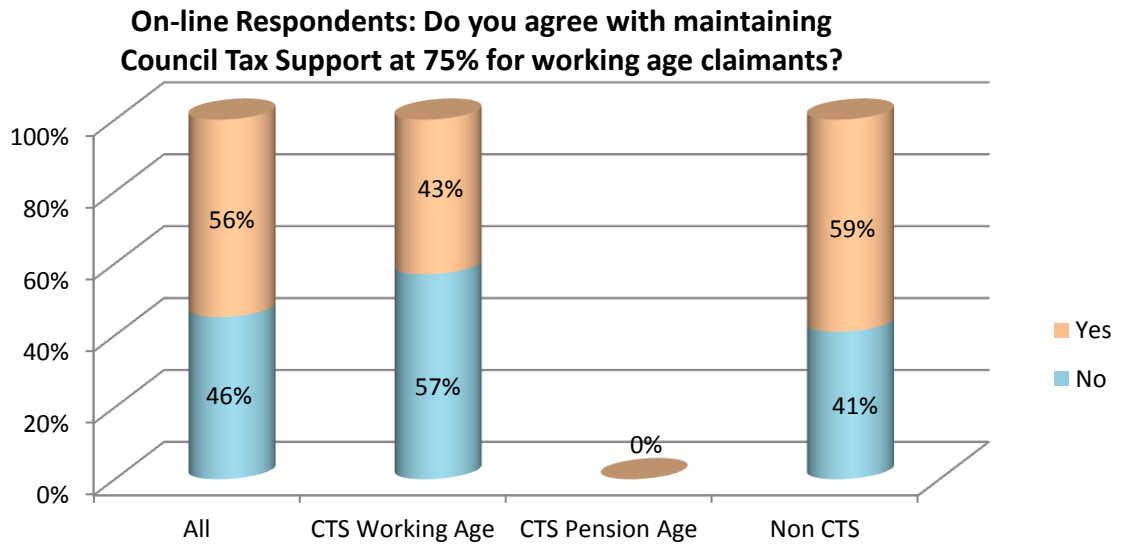


Analysis of Respondents by Survey Type.

Of the postal responses received, overall 74% were in favour of retaining the level of support at a maximum of 75%. Again the result was irrespective of whether they were in receipt of Council Tax Reduction or not.



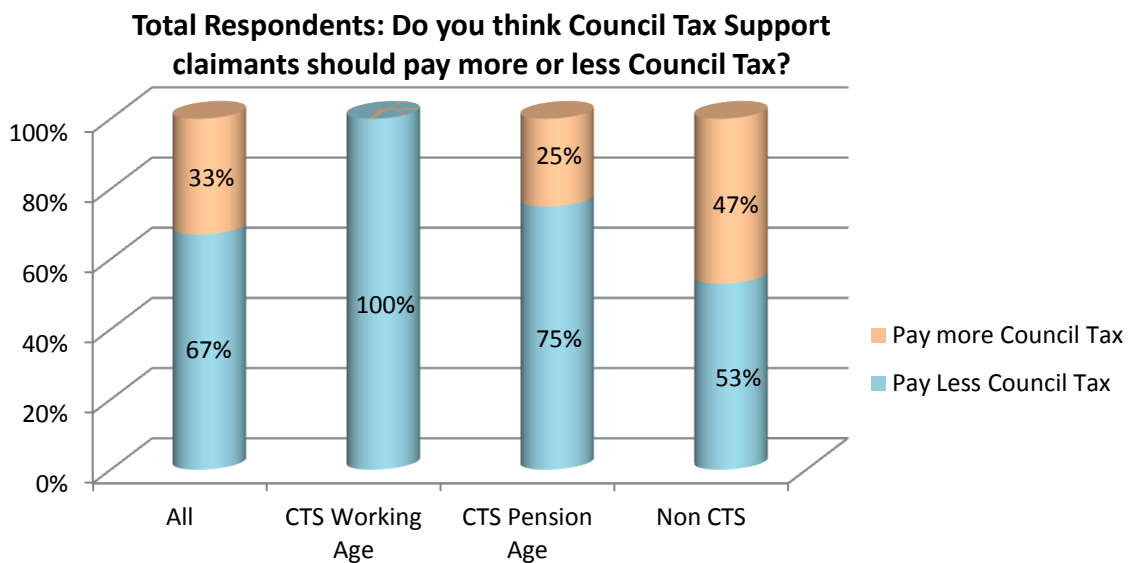
For on-line responses received, overall 56% were in favour of retaining the level of support at a maximum of 75%. However for Council Tax Support working age there were 57% against retaining the level of support however this accounted for only 7 replies. But, 59% for non-Council Tax Support claimants were in favour of retaining the same level of support. Finally there wasn't any pension age responses received on-line.



Question 1b.

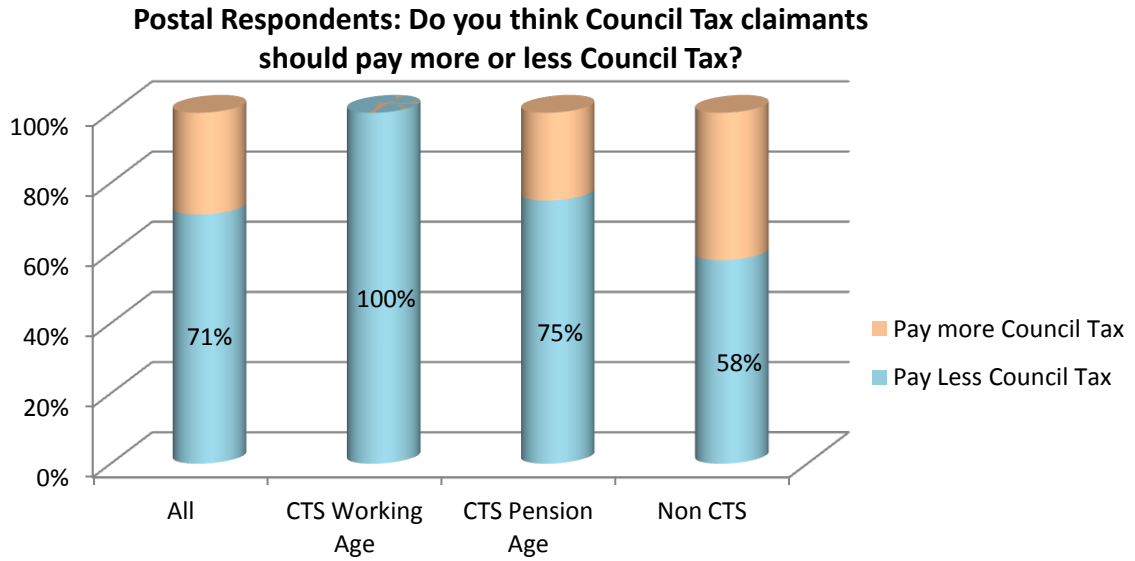
Overall response.

Of those who responded to state that they believe assistance should not be maintained at 75%, the *overall* outcome was that they wished to increase the level of support thereby decreasing the levels of Council Tax which recipients would need to pay.

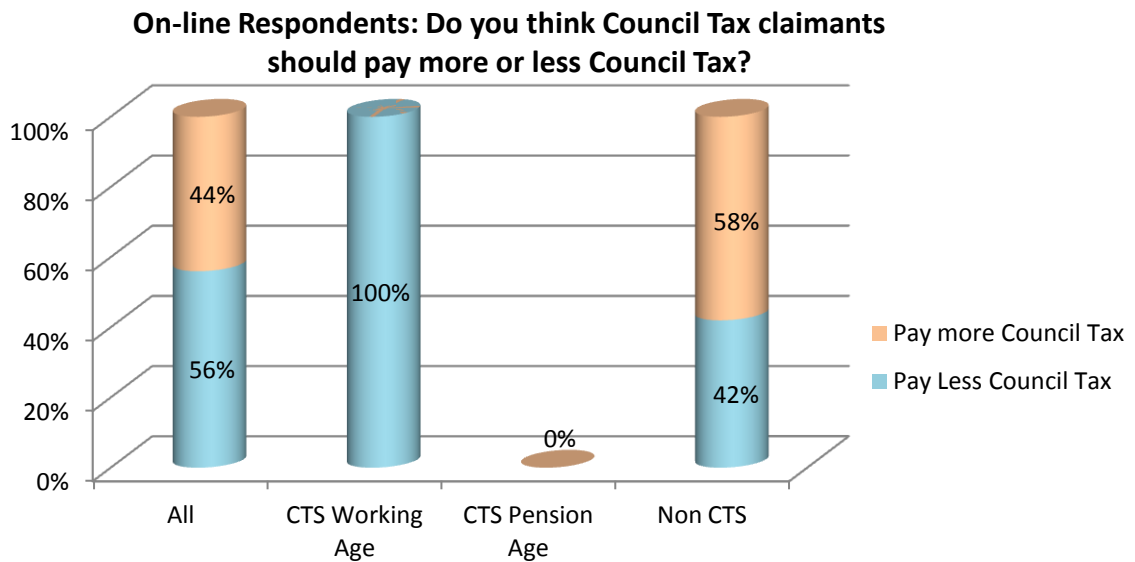


Analysis of Respondents by Survey Type.

Of the postal responses received, overall 71% were in favour of Council Tax Reduction claimants receiving more support and paying less Council Tax, and this was supported by the majority of respondents not currently in receipt of support.



Of the on-line responses received, overall 56% were in favour of Council Tax Reduction claimants receiving more support and paying less Council Tax. However this was not supported by the majority of respondents not currently in receipt of support.



Question 2.

Q2 If you think that Council should increase the level of assistance for working-age people from 75%, how do you think this should be funded? In particular, should the Council increase Council Tax or cut other Council services or use the Council reserves, or all three?

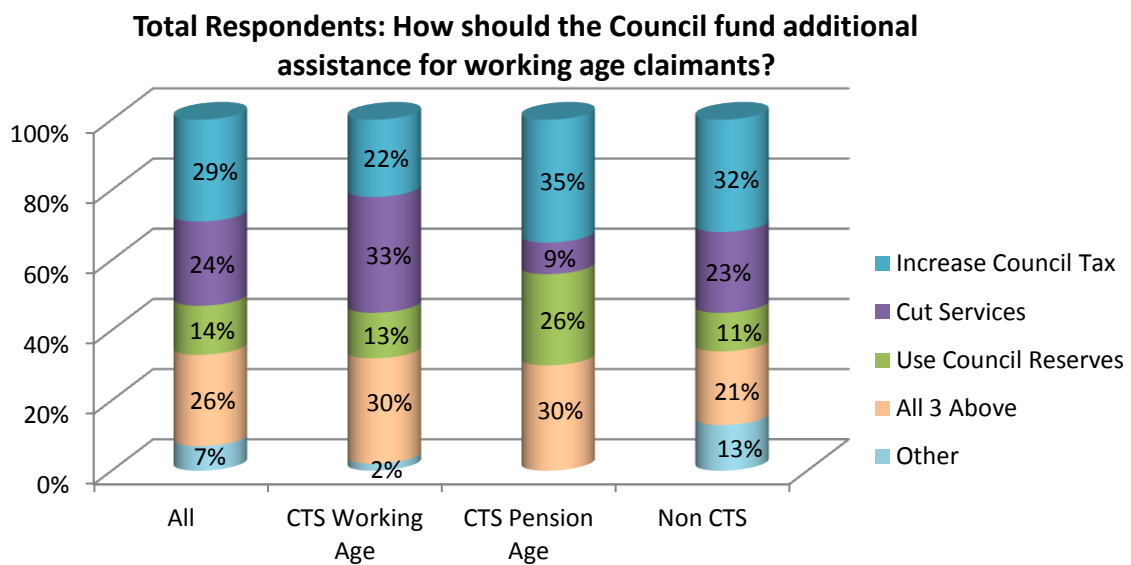
Please choose any of these that apply:

- a. Increase Council Tax
- b. Cut services
- c. Use Council reserves
- d. All three above
- e. Other

If you think services should be cut or have another suggestion, please write your answer here:

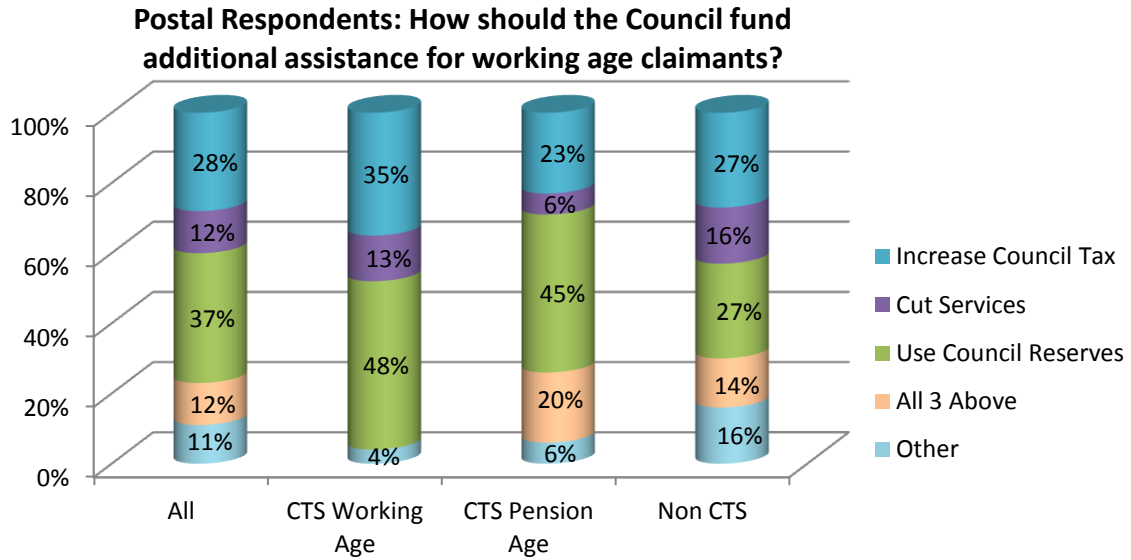
Overall response

The overall response to this question was that the Council should increase council tax to fund any additional contribution to the Council Tax Reduction scheme with 29% stating this to be their preference. The next highest preference at 26% was to increase Council Tax, cut services and use Council Reserves to fund any additional contribution to the Council Tax Reduction scheme.

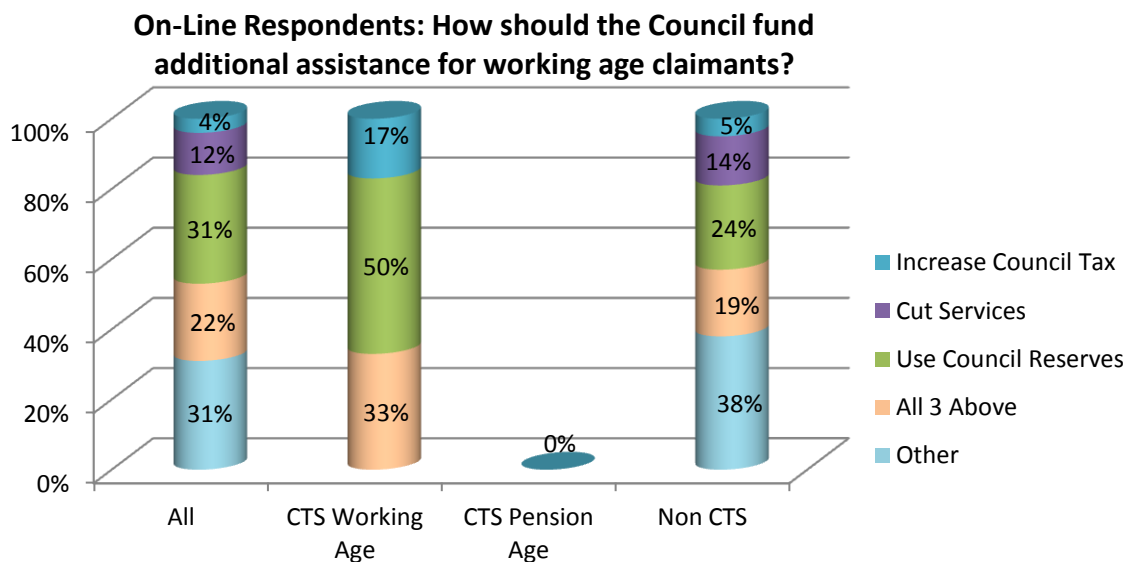


Analysis of Respondents by Survey Type.

Of those who completed the postal survey, 37% confirmed the use of Council reserves to be their preference to fund any additional contribution to the Council Tax Reduction scheme. The next highest preference at 28% was to increase council tax.



Of those who completed the on-line survey 31% confirmed to using Council reserves as well as other options to be their preferred choice with the highest percentage of respondents choosing to use Council reserves being those of working age who are currently in receipt of Council Tax Reduction.



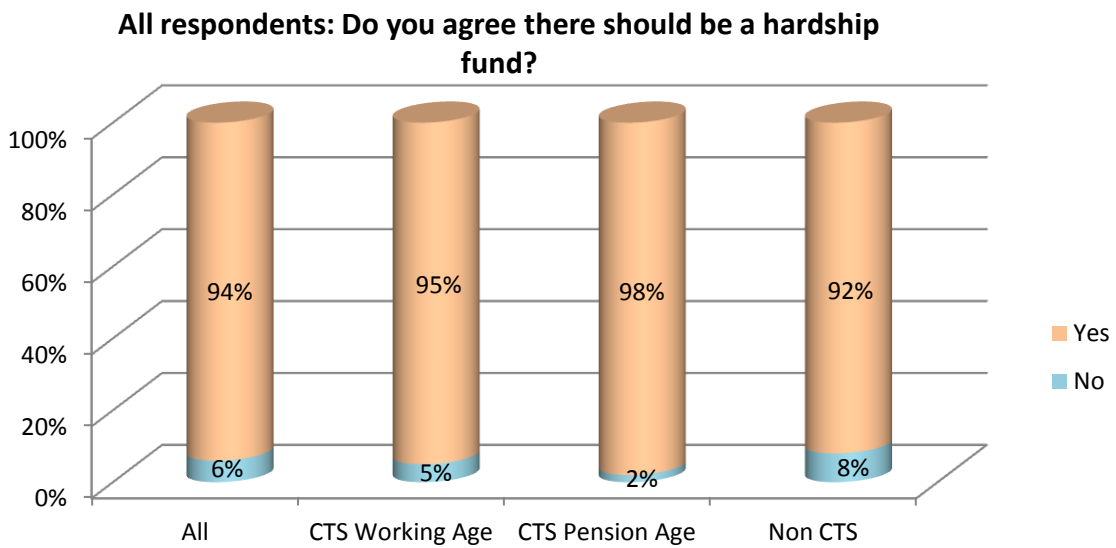
Question 3.

Q3 The Council has a hardship fund of £100,000 to protect the most vulnerable. This is to provide extra help to residents who are experiencing exceptional financial hardship and are unable to pay their Council Tax.

| | Yes | No |
|--|--------------------------|--------------------------|
| a. Do you agree that there should be a hardship fund? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Do you agree the level of funding at £100,000 is correct? | <input type="checkbox"/> | <input type="checkbox"/> |
| If you disagree please write your answer here: | | |

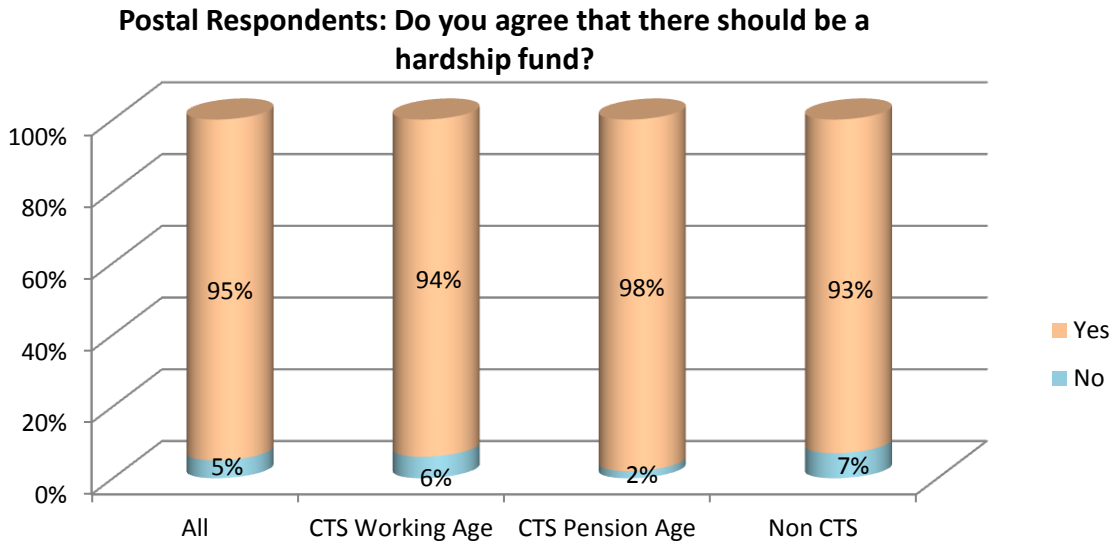
Overall response – part a.

The overall response to part (a) of this question was that, yes, the Council should have a hardship fund with 94% agreeing with this statement.

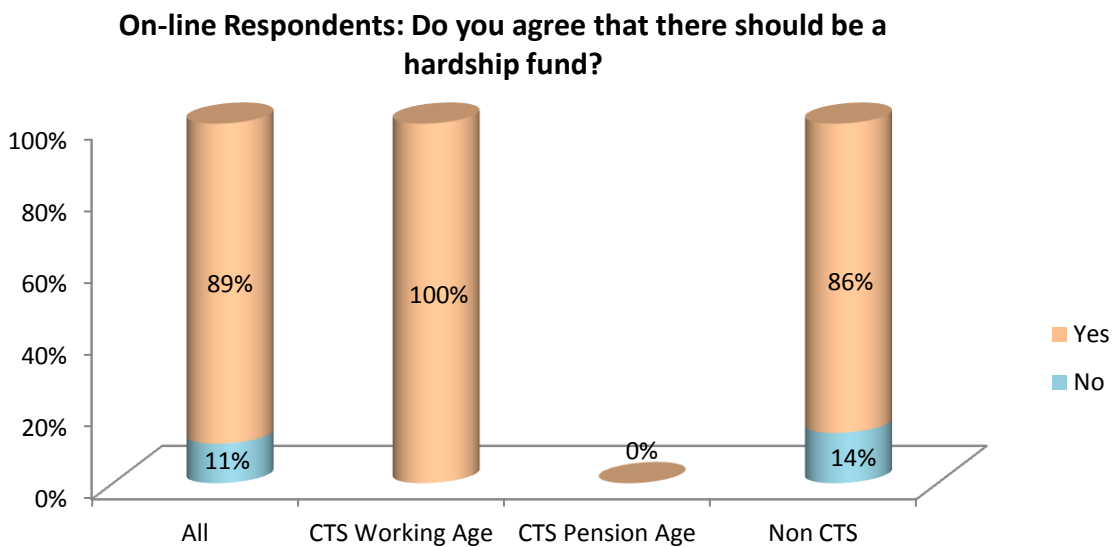


Analysis of Respondents by Survey Type.

Of those who completed the postal survey 95% confirmed that there should be a hardship fund with a 98% of those in receipt of CTS who were pension age agreeing with this statement.



Of those who completed the on-line survey 89% confirmed that there should be a hardship fund with a continued high support at 100% of those at Working Age in receipt of CTR agreeing with this statement.



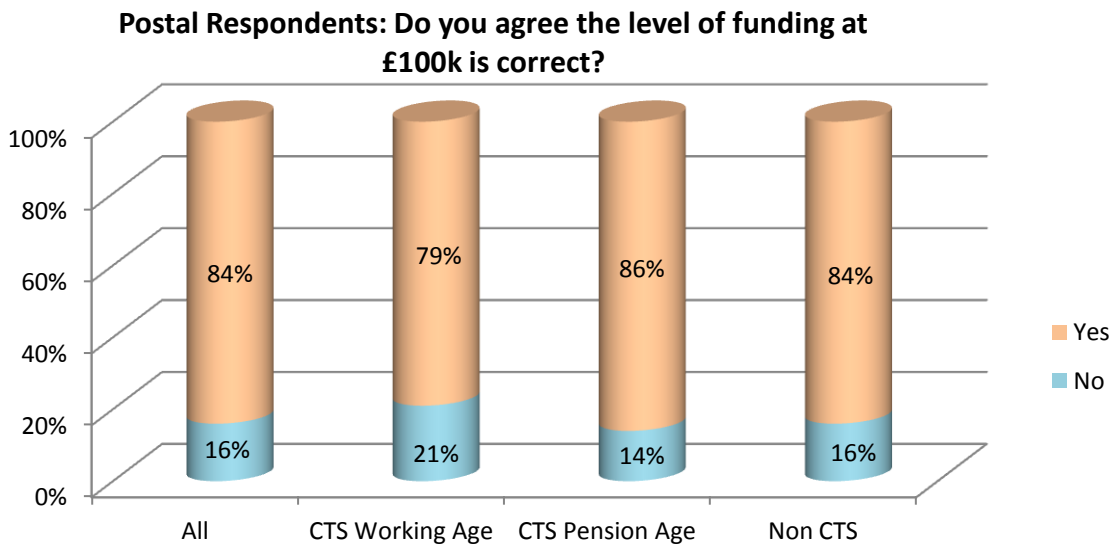
Overall response – part b.

The overall response to part (b) of this question was that, yes, the level of £100,000 for a hardship funding was correct with 79% agreeing with this statement.

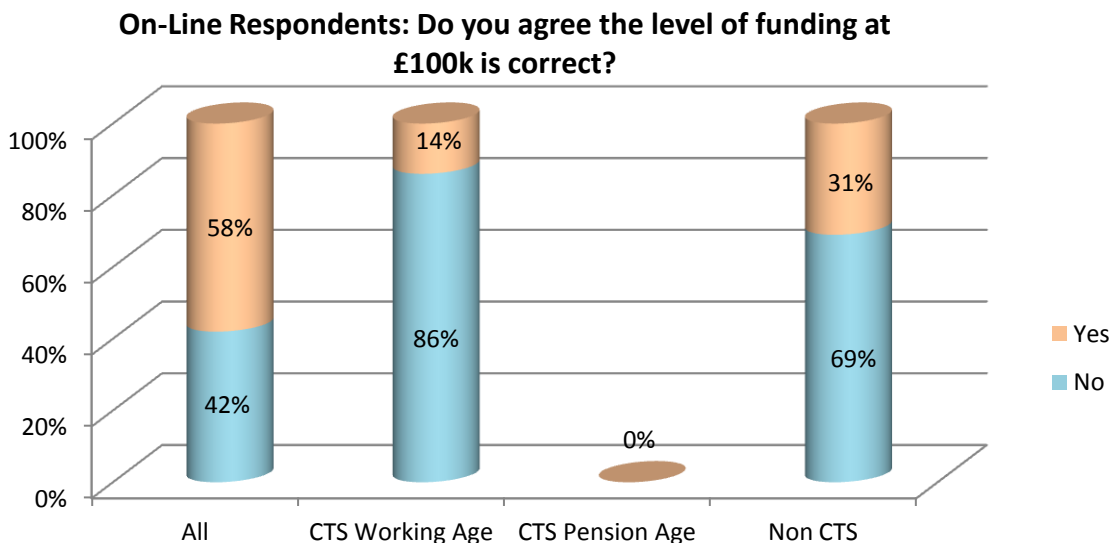
A number of respondents felt that they were unable to comment without any further facts and figures being provided regarding the potential spend, numbers affected and the criteria qualifying for this fund.

Analysis of Respondents by Survey Type.

Of those who completed the postal survey 84% confirmed that the sum of £100,000 was correct.



Of those who completed the on line survey only 58% confirmed that the sum of £100,000 in respect of a hardship fund was correct, however for working age and non CTS they did not agree that the level of funding is correct.



Question 4 provided the respondents with the opportunity to raise anything else which they believed should alter in respect of the CTR scheme.

Q4 Are there any other changes you would like to see to the Council Tax Support scheme 2019/20 or any further comments you would like to make regarding the scheme?

Please write your answer here:

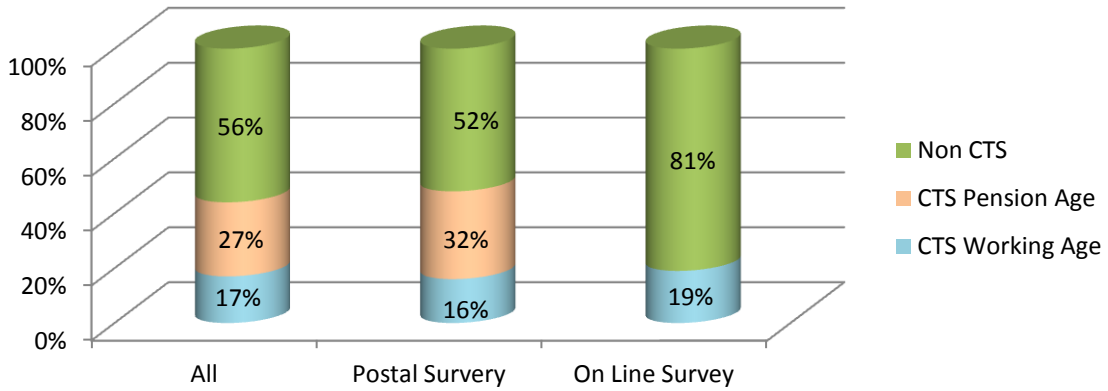
Where respondents did suggest changes, responses here fell into a number of broad categories with many suggesting the following:

- Increased protection for certain categories of people such as the disabled
- Difficult to agree or not as no basis for comparison
- Helping citizens to help themselves through employment opportunities
- More help for single working age claimants

| Q5 | Please choose any of these that apply: | Yes | No |
|----|---|--------------------------|--------------------------|
| | a. Are you currently in receipt of Council Tax Support? | <input type="checkbox"/> | <input type="checkbox"/> |
| | If you answered yes to (5a) please tick one of the following: | | |
| | bi. Are you a pensioner? | <input type="checkbox"/> | <input type="checkbox"/> |
| | bii. Are you of working age? | <input type="checkbox"/> | <input type="checkbox"/> |

Overall response

Of those who completed the survey, overall 56% were from respondents not in receipt of Council Tax assistance, and 44% confirmed they were either pension age or working age currently receiving Council Tax Support.



Details of all the narrative responses, to this question and others, have been included at Appendix 1.

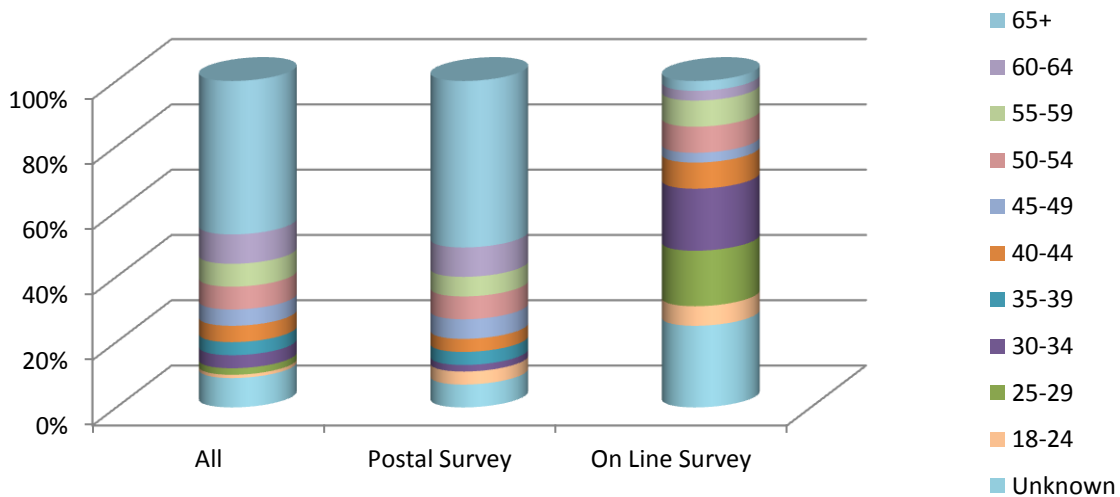
Equality and Diversity.

Standard questions relating to Equality and Diversity were included on the survey but it was made clear that answering these was not compulsory.

While 268 responses were received, not all respondents chose to complete the questions regarding their circumstances or ethnic background.

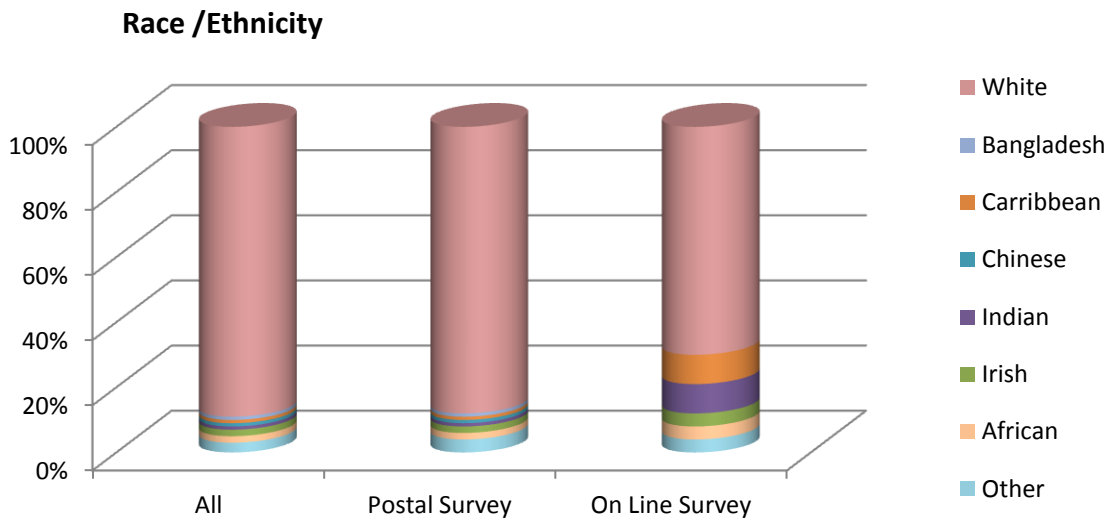
Overall, 243 people confirmed their age with the highest volumes of respondents being from those aged over 65 years of age.

Age Profile of Respondants



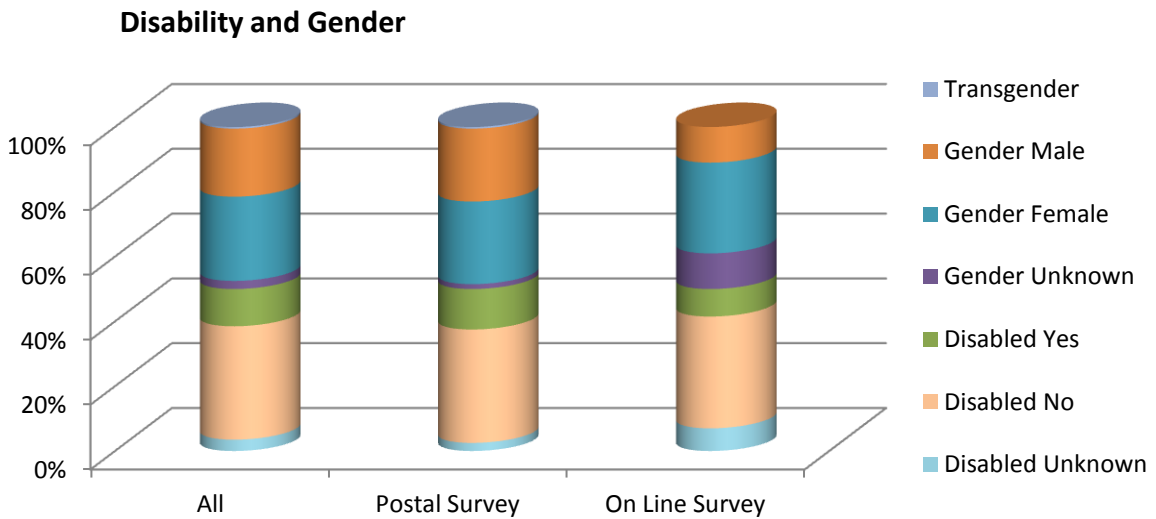
Ethnic Background.

208 respondents confirmed their ethnic background with the majority of respondents, 89%, stating that they were from a white background.



Disability and Gender.

246 respondents were happy to confirm whether they were disabled or not. 241 confirmed their gender of which 55% were female and 45% were male respondents. The analysis is shown below.



4. Response from the Great London Authority (GLA)

LONDON BOROUGH OF BROMLEY: COUNCIL TAX SUPPORT SCHEME 2020-21

Thank you for your email of 13 August informing the GLA about the Council's consultation on the council tax support scheme for 2020-21 and in particular whether the minimum working-age contribution for 2020/21 should remain at 25 per cent of the council tax liability. The GLA responded in brief ahead of the launch of the consultation, published on 19 August. This letter sets out the GLA's formal response to the consultation.

Introduction

As in previous years, the GLA recognises that the determination of council tax support schemes, under the provisions of the Local Government Finance Act 2012, is a local matter for each London borough. Individual schemes need to be developed which have regard to specific local circumstances, both in respect of the potential impact of any scheme on working age claimants (particularly vulnerable groups) and, more generally, the financial impact on the council and local council tax payers – and therefore the final policies adopted may, for legitimate reasons, differ across the capital's 33 billing authorities.

This fact notwithstanding the GLA also shares in the risks and potential shortfalls arising from the impact of council tax benefit localisation in proportion to its share of the council tax in each London billing authority. It is therefore important that we are engaged in the scheme development process and have an understanding of both the factors which have been taken into account by boroughs in framing their proposals, as well as the data and underlying assumptions used to determine any forecast shortfalls which will inform the final scheme design.

Framing Proposals

As part of the introduction of council tax support in 2013-14, the Government set out its expectation that, in developing their scheme proposals, billing authorities should ensure that:

- Pensioners see no change in their current level of awards whether they are existing or new claimants;
- They consider extending support or protection to other vulnerable groups; and
- Local schemes should support work incentives and, in particular, avoid disincentives to move into work.

The GLA concurs with those general broad principles and would encourage all billing authorities in London to have regard to them in framing their schemes.

Proposed 2020-21 Scheme

Under Bromley's existing scheme, the maximum level of council tax support available to working age claimants is 75 per cent of their council tax liability, after any other discounts or exemptions. The Council is consulting on maintaining this level of support, whilst continuing to uprate benefit levels in line with changes to Housing Benefit, including the level of non-dependant deductions.

Minimum Contribution

The council's consultation seeks views on whether the minimum working-age contribution for 2020-21 should remain at 25 per cent of claimants' council tax liability. We note the council's preference to maintain the current minimum contribution level and the consultation does not propose an alternative.

The diversity of council tax support schemes developed in London since 2013-14 means there is now a wide range of minimum contribution rates, varying from no minimum contribution to 30 per cent. In addition to Bromley, six other London boroughs have contribution rates of 25 per cent and four London boroughs currently require a minimum contribution level of over 25 per cent. The GLA notes therefore that Bromley is within the third of boroughs that require a minimum contribution of at least 25 per cent.

The GLA recognises that local authorities have faced difficult choices on CTS schemes, as overall

funding from central government has reduced and funding for CTS is no longer identifiable within the settlement. The consultation states that if the minimum contribution rate was reduced, this would have to be funded by either one or a combination of the following options: a council tax increase, use of reserves, reducing council services. Therefore, notwithstanding the comments elsewhere in this response, the GLA is content for the council to maintain its minimum contribution rate at the current level.

Hardship Fund

The consultation also seeks views on the councils hardship fund, which provides assistance to residents who are experiencing exceptional financial hardship and are unable to pay their council tax. The GLA welcomes the assurance that the Council will continue to make a discretionary hardship fund available and notes its level appears appropriate. We would encourage the Council to take a proactive approach to informing those council tax support claimants facing difficulties paying council tax bills about the help available.

Technical Reforms to Council Tax

The GLA considers that in formulating its council tax support scheme each billing authority should consider the impact of the additional revenue it may be possible to raise through powers introduced in the Local Government Finance Act 2012 and the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

The council does not currently provide any discounts for properties undergoing major repairs or structural alterations, unoccupied or unfurnished homes or second homes. The GLA is responding separately to the council's consultation on proposals for the introduction of an empty homes premium from April 2020. However, we would urge the council to consider the impact on income levels of adopting the maximum levels of empty homes premium.

We would encourage the council to inform us as soon as possible of finalised changes to its empty homes premium policy, in order to assist us in assessing the potential impact on the Mayor's funding and tax base for 2020-21 and future years.

Council Tax Protocol

In recent years the issue of council tax collection practices has become more high profile. The GLA, of course, recognises the importance of ensuring council tax arrears are collected wherever possible. However, in some instances poor collection practices can worsen debt problems for vulnerable residents.

Citizens Advice, in partnership with the Local Government Association, has developed a council tax protocol¹, which outlines a number of practical steps for early intervention to support people struggling with payments. In London, eight boroughs have now signed up to the protocol and the GLA would encourage all boroughs to consider adopting the protocol.

Providing Information on Schemes

Whilst we recognise that the detailed rules on council tax support schemes are inevitably complex, the GLA would encourage all boroughs to make every effort to set out information on their schemes as clearly as possible. Information that may help potential claimants could include an online calculator, to identify whether potential claimants are likely to be entitled to support, as well as 'Frequently Asked Questions' and a summary document outlining concise details of the scheme. In addition, for existing claimants we would encourage boroughs to consider how the process for reporting changes in circumstances can be made as straightforward as possible.

Setting the Council Tax Base for 2020-21 and Assumptions in Relation to Collection Rates

The council will be required to set a council tax base for 2020-21 taking into account the potential impact of any changes to the council tax support scheme and changes linked to the empty homes premium. The GLA would encourage the council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval, in order that it can assess the

¹<https://www.citizensadvice.org.uk/Global/CitizensAdvice/campaigns/Council%20Tax/Citizens%20Advice%20Council%20Tax%20Protocol%202017.pdf>

potential implications for the Mayor's budget for police, fire and other services for 2020-21. This should ideally be accompanied by supporting calculations disclosing any assumptions around collection rates and discounts granted having regard to the final council tax support scheme design.

Collection Fund and Precept Payments

By 23 January 2020, the council is required to notify the GLA of its forecast collection fund surplus or deficit for 2019-20, which will reflect the cumulative impact of the localisation of council tax support since it was introduced in 2013-14. The GLA would encourage the council to provide it with this information as soon as it is available.

I would like to thank you again for consulting the GLA on proposals for Bromley's council tax support scheme for 2020-21.

5. Timetable for Implementation

The new scheme will commence on 1st April 2020 for one year.

6. Appendix 1 – Narrative responses.

While narrative responses have been reproduced here for completeness, those respondents who simply stated "yes", "no" or "don't know" have been removed as these have been included in the analysis undertaken of the results above.

Q1 If you disagree with maintaining assistance for working-age claimants at 75%, please state why:

Keep as is.

75% is too much of a 'discount' to just give away

I am 55 year old working lady.I live on my own.My rent is too high and founding council taxes bill difficult to pay.I would like to ask for assistance or help.

I believe the council is spending too much on social welfare and not enough on basic services such as waste and recycling, highways and transport, parks, street cleaning, libraries etc.

Sickness benefits are not increasing cost of living is more expensive etc! At least help people on sickness benefits pay 100% of their council tax

Council tax support should be means tested. Maintaining a 25% contribution with 75% support for some can have a negative impact on their financial circumstances and the process of requesting a discretionary payment is lengthy. The level of assistance and how you provide this help should be reviewed and simplified. Thank you for taking my view into account.

It is a large burden for many to pay that 25% and should not be applied irrespective of their financial means; if they have to choose between paying that 25% and having the heating on in the winter, or food for everyone in the household at adequate levels it is in humane.

It will be difficult for myself to make any payment towards Council Tax due in current income.

Too much discount

Because 25% along with other bills might be difficult to cope with in some limited cases. It should be very strictly means assessed but should exist for very limited number of cases.

The amount of council tax support received has a direct impact on the lowest income families, disabled people and puts the children in our borough into further poverty. Many already reliant on the food bank in order to meet basic food requirements. This extra should come from higher earners, vacant properties and businesses operating in the area paying little or no tax!

"I believe that more support does -

NOT encourage claimants to get into a working status

NOT set an ideal example for the younger generation and it does

NOT generate or support new smaller businesses"

The council needs to make savings.

Your policy is punishing the poor and disabled. A truly nasty party (CONSERVATIVE PARTY) POLICY, You should be ashamed of yourselves.

I have three children under 16 years old the eldest has special needs. I am unemployed and my partner works under zero contract and has a low wage of £800 per month.

people of working age who are not working and are on benefits such as universal credit are already on an extremely low income requiring them to pay even 25% of council tax pushes them further below the poverty line

IF THEY ARE WORKING LET THEM PAY THEIR WAY

A reduction to the 2014/2015 level would be preferred

Before retirement I always paid council tax in full. It requires a plan to be responsible for their own bills and to budget accordingly. I'm sure if someone is in dire need there will be essential help for them but I don't believe in carte Blanche for people who are working

Max 50% support

The benefit system over the recent decade of austerity is harsh and challenging to live on for vulnerable people. I would like to ease some off that by easing the council tax burden

Because working age claimants are not always in employment and 75% is quite a high assistance

Councils are struggling to maintain services Everyone benefits from council services and should therefore support the council

Increase in council tax puts extra burden on so many families. Do not put that burden on hard working families. If possible provide any employment opportunities to other family members

Everyone no matter what their circumstances should pay all bills before being left with spending monies. To much help is given to people who do not help themselves.

I believe working people should not receive so much assistance

I think that working age claimants should receive 70% only. You have not shown anywhere the total of funds involved but a reduction of 50% would make all the difference to council funds.

Because myself and partner are on low income despite both in full time employment and manage to pay full council tax. Also those receiving assistance are more likely to use council services.

If people are struggling financially I don't think they should have to pay council tax.

Youre making it to easy.

Because everyone should be making a contribution to the services being provided in the local borough.

It is important that households make a contribution towards council tax so should contribute more.

For us paying 100% council tax it is expensive enough as it is. We hardly get by but don't qualify for any benefits.

I think you should consider the amount people have to pay (25%) as a proportion of benefits received and the amount people have to live on, particularly with disabled people who are unable to work.

Disabled people are disadvantaged in the work place eg. Autism will not earn the same as others. Bromley is a high cost area.

I am not sure Bromley council can afford to maintain the level of support. I feel council services particularly the state of roads/verges and pavements has got worse over the last few years. There is also a lot of rubbish in the streets.

Strict, control here please.

Anybody who has the ability to work should. There are plenty of jobs available. If we continue to support those who are to lazy or do not like any jobs on offer they will continue to behave the same way everyone should contribute to society

Already have enough assistance

Don't know

Cant afford it.

As I am aged 88 years old I do receive assistance with my council tax. I feel that most of the questions are no think to do with me.

Being in my 80th year I am not sure what an average working salary would be per annum so I am unable to give a proper answer to the above question.

Maintaining it at 75% should be the last resort as even now with 75% assistance the 25%

that I have to put in is too much for me. My council tax is £38.00 a month which is way too much for me.

Why should they receive so much support! I paid my way until I retired and had a much lower income. At times I worked 7 days a week to pay my bills!

With universal credit they do not receive enough to cover their utility bills so it would help them to pay less on council tax.

I just do not agree with council tax and never have. It's very unfair on all people we get no return in return except bin men who chuck rubbish all over the place and do not pick it up. Also we need black bags taken every week not every two weeks because then fly tipping becomes a problem it should be abolished.

I would rather have good services than giving more help to council tax services are for everybody so it is fair to put more support for them.

With the 75% we can still maintain other obligations instead of cutting it down

Q2 If you think that Council should increase the level of assistance for working-age people from 75%, how do you think this should be funded? In particular, should the Council increase Council Tax or cut other Council services or use the Council reserves, or all three?

If you think services should be cut or have another suggestion, please write your answer here.

I don't believe that the level of assistance should be increased. In fact I believe it should be decreased significantly.

Assistance should be there for those who truly need it. I would rather see more money spent on policing those who are taking advantage of the system

I don't think services should be cut, but I'm a single lady paying a huge amount for council tax bill and I do use all the services you provide.

The council already spend too much on social welfare such as housing benefit and council tax support.

Make people who refuse to work pay more to ease the burden on disabled and sick claimants
Manage your funds better. They are terribly mismanaged and you outsource many matters to low performing businesses.

Coming down harder on fly tippers and ensuring prosecution and fines are adhered to effectively.

Making businesses in the area paying little or no tax to be taxed more effectively.
Means testing relevant services.

Taxing hirer earners and those with large land or non-developed brown belt land.
Ensuring all privately owned, vacant properties are taxed heavily, to encourage occupation.

STOP wasting money by sending out numerous letters in April when the benefit or pension change

get more funding from government

to help part time workers

Increase council tax for bigger/more expensive properties. The wealthy should be proportionately offered by the tax system and they aren't at the moment poorly laid out form should have had more room to complete my answer

Change the law so that the council does not have any legal requirement to support immigrants

Services should be cut and leave adults responsible to provide for themselves

Ensure everyone pays council tax and ensure that the council is operating cost efficiently

Personally I believe that everyone should pay the same but less. Each area is different and this is unfair. If all areas in Bromley borough were one and not hierarchy, people may find it easier to pay and not get behind abolish the banding system

Remove free pickup/drop services & let everyone pay less a bit for using council services. There shouldn't be nothing called free money

I do not agree with the increase why do others have to suffer. any of the above for a few. I do not agree to any of the above being used

Community service should be exchanged for assistance so that shortages in other areas are also made up for. I am sure claimants have something to offer.

Reduction of parking wardens as there are enough cameras any funding should help the working people first (low pay, single or low hour contracts) how can anyone that is not at work pay. Hardship fund sounds like out of work fund.

Stay as it is.

The first step: out of hours(working) permit holders only throughout the borough, not as unaffordable charge but a process which requires the vehicles to be registered to address therefore not affecting local business or the disabled. However it is essential to share the registered vehicles with the DWP. Then you will find the number of single claimants reduce saving enough for the genuine not to be deprived of essential money to feed their families. Far too many are abusing the current systems.

N/A

The days of cuts are over we need a caring council now.

There must be something non-essential that can be cut- such as the funds that paid for the Bromley north giant sign.

cut voyeur services gardens ETC

Anyone who wants additional benefits should off their time in social projects EG cleaning streets maintaining parks, gardens assisting the elderly people etc.

Get more money from the government

Keep at present level until available alternative is available other than increasing council tax

Don't know

Use the council reserves for now and then get more funding from central government by having a

petition signed by every single household to send to the government for more refunding.

Cut the support

See if services could be offered cheaper.

The council should budget & stop wasting money. There are also other opportunities they could look in to.

No this is fair

Abolish council tax

Keep at same level

Cut pay scales to chief executive and senior management this would help all councils in the U.K
TO AVOID CUTS IN COUNCIL SERVICES

Q3 The Council has a hardship fund of £100,000 to protect the most vulnerable. This is to provide extra help to residents who are experiencing exceptional financial hardship and are unable to pay their Council Tax. Do you agree that there should be a hardship fund? Do you agree the level of funding at £100,000 is correct? If you disagree please write your answer here:

You are not helping people in the long run. Too reliant on outside support.

I agree with this, however as long as it is properly policed and governed, and those who receive the money truly need it.

As a single person on minimum wage, with no financial help towards council tax this is too low!!! I have appealed and been ignored by Bromley LB. I am considering not working because I get more help.

The council already spends too much on social welfare.

It feels slightly short knowing the cost of living and how many vulnerable people there are around which include children below the poverty line.

It is nowhere near enough. Also it is very difficult to access this via Bromley Council due to their bias against Benefit Claimants

I am not sure what the level of funding of £100,000 is relevant to and I am undecided on this question. I doubt this to be enough.

This level of funding is too low and doesn't adequately cover support to those residents who need it. Cannot comment without knowing how many experience this hardship.

Should get higher. Bromley is the biggest borough in London.

I do not actually know if it is sufficient or correct, but I trust that this has been based on previous years' spend and 'forecast'

Open to abuse. Some people have been in receipt of it for years.

Difficult to agree or not as no basis for comparison

This should be increased by government funding

people receiving benefits should receive 100% council tax support

If more was available it would help

Please help the disabled and the poor

This sounds like a very low figure for a borough with a population of over 300.000.people it is less than salary of just one of your grade1 management staff

Level should not be fixed amount but should not exceed a certain figure

The fund of £100,00 is insufficient having regard to Bromley, as population and the yield of a £1 move in council tax on a band D house

Waste less instead of sending tons papers or yearly updates to the electoral register you should spend the money more wisely

should be much higher for the same reason I gave for my answer to question 1
Only for the most severely disabled unable to work

I think there should be more funds available exceptional needs not a limited figure otherwise if the limit of funding is reached what happens to those in crisis

Cant possibly know if £100,000 is too little or too much when you ask such questions you should provide much more details as to how much of the £100,000 has been used. A very unsatisfactory question?

Impossible to answer without any context (how many people need & qualify for help how much of hardship funds used annually ECT

We all hit hardship in our life time people should make provision for such things not expect others to pay for them

Not sure

(A) should be less. (B) fund available if you have worked and lived in borough for three years or more and have been in employment not just a scrounger

How can I know whether £100.000 is correct without knowing what has been paid out to claimants previously. Presently at time the council tax goes up there may be more claimants. There could be a case for the hardship fund to be increased proportionately.

I agree but without knowing previous numbers of claimants you cant say.

It depends on need but it should be sufficient to support all those who meet the criteria.
Depends on how you define "hardship"

Unable to comment as we are unaware of the number of people applying for the funding.
Not to sure regarding the £100.000 funding.

As previously stated residents should contribute to all services they use.

It is difficult to say if £1000.000 is correct at this depends what constitutes exceptional financial hardship & it depends on the numbers experiencing this.

"However if the level of council tax support was increased this would be needed less

*I don't know if £100.000 is correct as I have no idea of how many people need this or at what level."

Not able to make a decision not sufficient information.

Insufficient information to answer Q3

For a very rich area this needs to be reflective of those who have below average pay.

Don't know

I have no way of knowing or not if £100,000 is a reasonable figure hence I cannot answer Q3
What is hardship & why? strict control needed here ?

I do believe at times people fall into hard times but this should not be a long term solution for each household.

That amount should be raised or doubled to £200,000 due to the escalating costs of living

Don't know

£100,000 is a drop in the ocean compared to the money wasted elsewhere on cosmetic town improvement schemes.

Mental health is my problem and Bromley community officer Sandra Torma has spent thousands of tax payers money on harassment and intimidating through the courts leading to suicide"

Don't know have no knowledge of the calls which may be made on the funds.

Unsure

As long as the hardship fund includes helping that 75% of working age people who need the support, then I think the £100,000 is way less and should be increased but if its sitting in an account waiting to be used then there's a waste of a £100,000.

I really think the fund should increase as life becomes more difficult -especially in the light of "Brexit" !
£100,000 Seems a little low if there are many people in hardship.

Living is so much more expensive.

I don't know the answer as council tax is disgusting

Being a large community and fairly wealthy borough a more realistic hardship fund ought to be at level £250,000 plus. This could be achieved by annual investment of £10,000 or £20,000 until substantial fund is raised and held in reserve.

It should be for everybody not only for people who don't pay their council tax (cant or wont).
Considering the recent increase of homelessness in the borough it is desirable that the hardship fund of £100,000 should be assessed on a yearly basis and increase accordingly to the borough circumstances if necessary

Surely more due to the number of Bromley residents in need, however I do understand that the hardship fund comes directly from Bromley council - if it doesn't then surely central government can give more.

Q4 Are there any other changes you would like to see to the Council Tax Support scheme 2019/20 or any further comments you would like to make regarding the scheme?

I think there should be more support for young adults private renting.

Scrap it entirely

i think it would help many people if the payments was lower.

I would like to pay less as a single person and not using any of the services

Pay less

Single people should have either 50% or 75% off their council tax, as to expensive, and no return from council

The single occupant 25% discount should be means tested.

I receive single person's discount which helps me greatly as a single working mother. My salary is categorised as over the threshold for any other assistance and I accept that but I know of couples with one salary and 3 children who find it extremely hard to keep up with their bills. I think discounts should be reviewed even if a couple is deemed to be earning over the threshold and together based on the number of children they have.

I would like to see improvement is customer service and helping people pay their council tax if liable and work towards a shared common goal as opposed to subjecting residents to fees and charges, court action which is unlikely to improve their finances and cause potential problems for future payments towards a bill.

Make it very transparent and fairer. Take more into account with finically assessing individuals. They have bills to pay.

It is imperative that the maximum council tax support level is raised to at least 80% so that it offers support to working age people, especially those with young children, who struggle to keep up with the cost of living and are on a low income.

Help when people get behind

Full waivers for less than minimum London wage residents.

More help is needed with universal credit claimants. The system is full of mistakes and it is impossible to pay what you want for council tax. I receive 290.00 a month universal credit after my rent isn't covered and council tax want 111.00 a month out of that. I also have children to support.

Help the vulnerable in our borough and train staff better to help those most in need.

Allowing people to set up payment plans at the very start of the council tax year, to manage their council tax better, BEFORE THE RED LETTER FINAL DEMAND as per your current policy!!!!"

Road safety, speed/driving pace reductions! alternatives to speed bumps, speed cameras, - anything can be provided to make the borough safer. (We live on a busy short cut road, which is extremely unsafe for children / elderly residents.

Despite numerous joyriders' incidents, fast driving, car vandalism and inconsiderate speeding without any care and -

nothing has been done."

council is doing extremely well in most aspects

update your staff when it comes to calculating council tax benefit increases / decreases

I think I pay a lot of council tax. as I have a lot of mental health condition which I,ve had

from the age off 22

More help for disabled people and mental health

A payment option to pay off the monthly amount would be a good idea for people like myself who find it hard being unemployed or to get the support fund to pay it all for people who cant afford it

For disabled people

I'd like to see more support for those like me. I'm noticing there are more people begging more people sleeping rough or using food banks

yes the council should pay the whole of the council tax for claimants

As above

I do wonder some myself included have fallen behind instead of support you get threatening letters. If you are struggling to pay the original sum how can you pay the whole balance?

Cutting branches that are to long I was on a bus and it smashed the glass so much &it goes on to the buses so much

Provide any employment opportunities to the other members don't encourage free money ,because it puts burden on hard working people .Increase the hourly national income/wage

If you are responsible for a bill payment without excuse. We would all like more money in our pockets but pay bills first and make provision to pay them when times are hard to many people rely on benefits

Why is my dad having to pay council tax when he is not working gets full housing benefits £64 a week its not enough to live on really he had to give up his job to look after me

I think they should make all wheelchair (no or little mobility) properties lower banding as I struggle to pay 25% on my E banding rented property

I am happy with the current level of council tax support

For local residents of three years or more who have been working

I do not wish to pay any more council tax than I already do so my earnings are shrinking due to rises else where that are not in line with my below inflation pay rises. I am sure job seekers and other benefit claimants could do voluntary community service that would benefit other services even for a couple of hours a week.

The removal of council tax on "Granny flat" when it is used by a family member & is part of the family not exteneded family.

Withdraw all council tax support.

Take a leaf out of Greenwich services. e.g everyone gets a wheelie bin for garden, recycle ect and a weekly collection. Not like Bromley services and this is just one example. Bromley must be sitting pretty financially.

Continue support for single working people. I live alone work all day and only use 1 black bag of rubbish a week. Mum is 75 working 2 days a week and can just about afford to pay .I'm sure if we wasn't working we would be in financial hardship.

Assistance should only be given to the elderly or disabled.

I work 16 hours with the new universal credit. I don't get no help with the council tax and pension credit age too don't understand how this is fair to people over 60.

Support for those starting work.

Funding for autism.

Council tax should be increased on home extensions

Anyone that receives these benefits should give back in other ways(non financial). It may mean that the council provides training for people to do work /provide services that the council are considering cutting

Spend money on supporting tax payers not harassing them in criminal courts to the extent that they no longer want to be live.

I would like the pensioners and disabled to not pay some of the council tax because they just cant afford it.

Please do understand that even at the current level of support I'm very happy and its helping a lot of people but I'm confident enough that we can do more.

More empathic advisors and workers would be good. I know they are probably overworked, stressed out, etc but there clients are even more stressed and officialdom can be so disheartening at a hard time.

We both feel that the council and every one concerned with the council have been helpful in everyway possible and long may it continue.

Take rubbish more often and take all rubbish including garden waste. The bin men wont take this wont take that then they get people to give them even more money to take stuff they normally don't take its disgusting.

I think the level of support you give to all is very generous.

I do not consider myself competent to comment on this .

Central government need to act now on the amount of salaries the council pay senior management

I am very grateful for the help I receive at a time of becoming redundant and being a parent/carer of a disabled child.

This page is left intentionally blank

Report No.
CSD19174

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 9 December 2019

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

Title: TEC DELEGATION FOR THE REGULATION OF DOCKLESS VEHICLE HIRE SCHEMES

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 27th November 2019 the Executive received the attached report informing them of the intention of London Councils to amend the Transport and Environment Committee (TEC) Agreement in order to pursue a pan-London byelaw for the regulation of dockless vehicle hire schemes. The report sought approval for powers to be delegated to London Councils to make the pan-London byelaw which boroughs would be able to use as they deemed appropriate. This required the agreement of all 33 London local authorities. The report was scrutinised by the Environment and Community Services PDS Committee on 13th November 2019, and at that meeting the Portfolio Holder for Environment and Community Services reported that, as some boroughs wanted to charge scheme operators for a licence, it was probable that the detail of the proposed byelaw would be changed.
-

2. **RECOMMENDATION**

That Council delegates to London Councils the power to make a pan-London byelaw for the regulation of dockless vehicle hire schemes and approves the proposed or revised amendment to the TEC Agreement required to make the proposed byelaw, authorising the Director of Environment and Public Protection to sign the delegation as required.

Impact on Vulnerable Adults and Children

1. Summary of Impact: See attached report
-

Corporate Policy

1. Policy Status: Supports Outcome 1 of Bromley's Third Local Implementation Plan (LIP)
 2. BBB Priority: Quality Environment:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: Not Applicable
 5. Source of funding: Not Applicable
-

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: None:
 2. Call-in: Not Applicable: Decisions by full Council 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): Not Applicable
-

Ward Councillor Views

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

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

Decision Maker: EXECUTIVE

FULL COUNCIL

**For Pre-Decision Scrutiny by the Environment and Community Services
PDS Committee on:**

Date: 13th November 2019

Decision Type: Non-Urgent Executive Key

Title: **TEC DELEGATION FOR THE REGULATION OF DOCKLESS
VEHICLE HIRE SCHEMES**

Contact Officer: Dan Beckett, Transport Planner
Tel: 020 8461 E-mail: Dan.Beckett@bromley.gov.uk

Chief Officer: Colin Brand, Director of Environment and Public Protection

Ward: All Wards

Reason for report

- 1.1 To inform Members of the intention of London Councils to amend the Transport and Environment Committee (TEC) Agreement in order to pursue the proposed pan-London byelaw for the regulation of 'dockless' bicycle hire schemes.
 - 1.2 To seek approval for the delegation of powers to London Councils to make a pan-London byelaw for the regulation of 'dockless' bicycle hire schemes which Boroughs will be able to use as they deem appropriate.
-

1. RECOMMENDATIONS

- 2.1 That the Environment and Community Services PDS Committee comment on the proposal of London Councils to promote and make the pan-London byelaw for dockless bicycle hire.
- 2.2 The Executive recommends to Full Council the delegation of the above to London Councils and agrees to the proposed TEC amendment that will be required to make the proposed byelaw, authorising the Director of Environment and Public Protection to sign the delegation as required.

Impact on Vulnerable Adults and Children

1. Summary of Impact: This proposal should enhance the Council's regulatory and enforcement powers in the sphere of Dockless bicycles, providing greater powers to keep footways unobstructed or dockless cycles parked in appropriate and safe places, helping to maintain accessibility for vulnerable pedestrians, those with mobility impairments and parents with buggies etc. .
-

Corporate Policy

1. Policy Status: Supports Outcome 1 of Bromley's Third Local Implementation Plan:

This outcome is focused on encouraging healthy streets and increasing levels of active travel. The policy regarding this issue is defined as follows:

The Council will continue to observe developments in the dockless cycle hire market and work with TfL and other Boroughs to develop appropriate and proportionate powers for Local Authorities to control whether and how dockless operators can operate on the Borough's streets. Any scheme launched in the Borough will have to comply with TfL's code of practice on dockless cycles.

2. BBB Priority: Quality Environment
-

Financial

1. Cost of proposal: There is no cost to the Council relating to the acceptance of the byelaw. However there may be costs incurred at a later stage depending on how Bromley intend to implement and regulate the byelaw.
 2. Ongoing cost: Ongoing running costs and potential income streams relating to the delegation for the regulation of dockless cycle hire schemes is not yet known at this early stage. Therefore it is currently not possible to quantify the financial impact of the proposal.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: N/A
 5. Source of funding: N/A
-

Personnel

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: If the Borough proceeds with using the byelaw then it is anticipated that 2 - 3 hours a week would be required for the implementation and monitoring of compliance of the byelaw.
-

Legal

1. Legal Requirement: There is no legal requirement for this proposal but also currently no legal basis to control dockless bicycle hire operators.
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: None at this stage
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All residents and visitors to the Borough potentially benefit from the Council having the ability to regulate the operation of dockless cycle hire to ensure safety and minimise the impact on the highway network.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? The issue of legislation relating to dockless bike operators was included in Bromley's LIP 3, which all ward members were invited to comment on, however no comments related to this issue were received.
2. Summary of Ward Councillors comments: N/A

3 COMMENTARY

- 3.1 Although Bromley is supportive of the option for residents to hire bicycles for trips or parts of their trips, currently there are no legal powers available to local authorities to control the operation of dockless bicycle hire operators and Central Government does not intend to introduce such legislation. At present Councils are dependent on the approach taken by each operator.
- 3.2 TfL's Borough Dockless working group of officers from across London, including Bromley, considered the most effective response to mitigating the potential negative impacts of dockless cycle hire along with realising the benefits of privately funded cycle hire and concluded that a Byelaw across London that Boroughs could opt to use was the most easily achievable and operable solution. Therefore, Transport for London and London Councils have been instructed by the London Council's Transport and Environment Committee (TEC) to develop a new regulatory approach to dockless bike sharing schemes with the intention of making a new byelaw. This byelaw is needed due to continued activity in the dockless hire market with anticipated further deployment by new operators. Whilst this report may focus on bicycles, the proposed byelaw covers dockless 'vehicles' in general, to cater for the potential introduction of e-scooters or similar products.
- 3.3 London Councils are requesting delegated authority enabling them to introduce a byelaw that would see new regulatory powers, intended to be used to compel dockless operators to use designated parking spaces, and prohibit bikes being left anywhere not agreed to by the applicable Councils.
- 3.4 The extent of dockless vehicle parking and the enforcement of the byelaw would be at the discretion of each borough.
- 3.5 Boroughs can make byelaws individually using these powers but in order for a single byelaw to be made and for it to apply uniformly across Greater London (which is what TEC members want) each London borough must delegate its authority to make the byelaws to TEC. Without the agreement of all boroughs the proposal cannot proceed.
- 3.6 The byelaw would allow the Council to regulate the market as it saw fit, this would ensure that commercially the Borough could still be seen as an attractive market for potential providers. By the same token, the byelaw would provide the Council with an element of control over operators that it does not currently possess. What the Council would not have direct control over however is the control measures undertaken by other local boroughs and how they might help or hinder the commercial viability of a dockless scheme in Bromley. Officers will endeavour to liaise with their counterparts in neighbouring boroughs to ensure they are aware of their policies and attitudes to such schemes.
- 3.7 The byelaw has been drafted and is included as an appendix. In summary the byelaw would allow the Council the following:
- 3.7.1 That all dockless bicycles/vehicles are identifiable with an individual asset number and are able to be located remotely.
- 3.7.2 That all dockless bicycles/vehicles meet the required safety and maintenance standards.
- 3.7.3 That dockless bicycles/vehicles are only 'parked' and hire terminated by the user in approved locations as defined by the Council.
- 3.7.4 The ability to serve penalty notices for any breach of the above.

4 IMPACT ON VULNERABLE ADULTS AND CHILDREN

This proposal should enhance the Council's regulatory and enforcement powers in the sphere of dockless bicycles, providing greater powers to keep footways unobstructed or dockless cycles parked in appropriate and safe places, helping to maintain accessibility for vulnerable pedestrians, those with mobility impairments and parents with buggies etc.

5 POLICY IMPLICATIONS

Bromley's third Local Implementation Plan sets out the Borough's position regarding dockless cycle as follow:

'The market for cycle hire has changed rapidly in the last year with the expansion of dockless bike operators. The Council will continue to observe developments in the dockless cycle hire market and work with TfL and other boroughs to develop appropriate and proportionate powers for local authorities to control whether and how dockless operators can operate on the Borough's streets.'

6 FINANCIAL IMPLICATIONS

There are no immediate financial implications to the Council. How the byelaw is enforced by the Council and the costs involved will be a matter for future discussion, as will the potential revenue that could be obtained through the administering of penalty notices or any financial demands related the licencing of operators or dockless parking spaces.

7 PERSONNEL IMPLICATIONS

Minimal officer time will be required to aid the introduction of byelaw.

8 LEGAL IMPLICATIONS

- 8.1 There are currently provisions in the Highways Act 1980 where, by virtue of Section 137, if a person without lawful authority or excuse in any way wilfully obstructs the free passage along a highway with a dockless bike they are guilty of an offence and liable to a fine. Further, by virtue of Section 149 Highways Act if a dockless bike is causing an obstruction of the highway and constitutes a danger (including a danger caused by obstructing the view) to users of the highway, and ought to be removed without the delay involved in giving notice or obtaining a removal and disposal order from a magistrates' court, the Council as Highway Authority may remove the dockless bike forthwith.
- 8.2 However, currently there are no specific legal powers available to local authorities to effectively regulate and control the operation of dockless bicycles and other similar hire operators, and it is understood that Central Government does not intend to introduce such legislation. Therefore local authorities will be required to make their own bylaws in this regard.
- 8.3 Under Section 235 of the Local Government Act 1972, the power to make Byelaws for Good Rule and Government and Suppression of Nuisances, relevant bylaws for the purpose of regulating dockless vehicles (and other similar class of transport device) on the highway and/or public places, can be made, which can include making it an offence for a dockless vehicle operator to cause or permit their dockless vehicle to be left on the highway or public place other than in an approved location. The matter to be regulated by the byelaw is not to be the subject of pre-existing statutory provision, or that such provision is in prospect. The confirming authority in relation to byelaws made under this section is the Secretary of State. The procedural requirements for making the bylaws as set out in Section 236 of the 1972 Act must be satisfied,

including publicity, depositing copies for inspection etc., and giving notice of intention to apply to the Secretary of State to confirm the byelaws. Unless and until confirmed, the byelaws cannot take effect.

- 8.4 It is not considered practicable for the same byelaw to be made by 33 London boroughs. The making of one byelaw across all the London boroughs is more appropriate and would require each of the 33 London local authorities participating in the TEC Joint Committee arrangement to delegate the exercise of additional functions to the Joint Committee. This requires the TEC constitution (Governing Agreement, dated 13 December 2001 (as amended)) to be varied, as local authority functions relating to the making of a pan-London byelaw for regulating dockless vehicles are not currently delegated as functions of the TEC.
- 8.5 The power to delegate the byelaw making function to London Councils is contained in section 101(5) of the 1972 Act which provides that two or more local authorities may discharge any of their functions by a joint committee. The TEC is such a joint committee which has been appointed by the 33 London local authorities. The proposed delegation would allow the TEC to make and promote a pan-London byelaw to regulate dockless vehicles on the highway and/or public places; to compel dockless operators to use designated parking spaces; and prohibit bikes being left anywhere not agreed by boroughs. The TEC has agreed that it is a suitable body to undertake both the promotion and making of such a pan-London Byelaw.
- 8.6 In principal each London Local Authority and The City of London Corporation are effectively being asked in the first instance to determine that it wishes to make such a Byelaw, and secondly that it determines the actual making of the Byelaw is delegated to the TEC so as to ensure that an appropriate pan London Byelaw can be made in accordance with the advice received by London Councils. The delegation must be mutual and London Councils would be required to formally accept this delegation.
- 8.7 Not delegating powers would impact on the ability to effectively regulate dockless cycle hire London-wide and would leave each London authority seeking to address the issues piecemeal. The proposed delegation of functions to the TEC is required to be approved by full Council as those functions include non-executive functions.
- 8.8 The proposed delegation is highly restricted; is very specific; does not mean any loss of control of the Council's assets; and it is not a transfer to the TEC of the Council's powers in respect of the parking of dockless bikes. It will, however, allow for the TEC to make, promote and establish a pan-London Byelaw. The local authorities have been assured by the TEC that the extent of dockless bike parking and the enforcement of the byelaw (including prosecution) would remain a matter for each authority's decision-making process and control, at the discretion of the Council.
- 8.9 However, for the TEC to be able to carry out the making of a pan-London Byelaw for dockless bike parking, the London Councils' TEC Agreement needs to be amended because the local authorities' byelaw making function is not currently delegated to the TEC, and the Joint Committee therefore does not currently have the authority to undertake this function on behalf of the London local authorities.
- 8.10 It has been proposed by the TEC that an appropriate amendment to Schedule 2 of the London Councils' Transport and Environment Committee Agreement, which identifies all the functions that have been delegated to it, would be by way of an addition to the Part 3(D) Functions, inserting a new paragraph 2(c) as follows: -

“(c)(i) the making of byelaws under section 235 of the Local Government Act 1972 (and, in respect of the City of London Corporation, under section 39 of the City of London (Various Powers) Act 1961) for the purpose of regulating dockless vehicles on the highway and/or public

places (including by making it an offence for a dockless vehicle operator to cause or permit their dockless vehicle to be left on the highway or public place other than in an approved location), including taking all related steps to promote, make, amend and revoke any such byelaw.

(c)(ii) The exercise of powers under Section 1 of the Localism Act 2011 for the purposes of giving effect to (i) above, including but not limited to oversight and management of the arrangements (but excluding prosecution or other enforcement).”

8.11 Amendments to Part 3(D) are made by the procedure set out in Paragraph 3(D)(1) of the TEC Agreement which provides a process for delegating the exercise of functions to the Joint Committee without requiring a separate formal variation agreement to be agreed by each authority before the delegation to the Joint Committee is effective. The procedure was adopted under an earlier formal variation to the Governing Agreement with the consent of all the London local authorities and TfL, and provides that the functions may be delegated by each London local authority to operate under the existing terms of the Governing Agreement “subject to consultation with the Participating Councils and the written agreement of each Participating Council.”

8.12 In preparation for the delegation of the bylaw function to the TEC, there is a draft Byelaw which has now been shared with borough officers, and once agreed by the local authorities it will need to be ratified by London Councils on behalf of the London Boroughs. The draft byelaw will need to be consulted upon and will need to include: -

- (i) a draft of the byelaw;
- (ii) an assessment of the regulatory burden and whether it is proportionate, informed by consultation with affected persons; and
- (iii) a statement assessing the impacts of the proposal and the proportionality of the regulatory burden.

9 PROCUREMENT IMPLICATIONS

There are no procurement issues related to the delegation.

| | |
|---|---|
| Non-Applicable Sections: | |
| Background Documents: (Access via Contact Officer) | London Councils Guidance: The Greater London Dockless Vehicle Byelaw Guidance London Councils TEC Delegation dockless byelaw – Explanatory note Draft Dockless Vehicle Byelaw |

This page is left intentionally blank

The Greater London Dockless Vehicle Hire Byelaws
Draft Bye Law Outline (based on Leading Counsel's Advice)
30 April 2019

1. General Interpretation

(1) In these byelaws:

“Dockless Parking Space” shall mean a parking place for Dockless Vehicles designated by a Local Authority or Transport for London under section 45 of the Road Traffic Regulation Act 1984 or any Public Place where a parking area for Dockless Vehicles has been approved in writing by the Local Authority as an area where Dockless Vehicles may be placed and made available for hire.

“Dockless Vehicle” means any transport device (whether mechanically propelled or not) which is made available to hire through a Dockless Hire Scheme and which is a pedal cycle, electrically assisted pedal cycle, or any similar class of transport device which may be lawfully used on the highway.

“Dockless Hire Scheme” means a scheme offering Dockless Vehicles for hire (other than from docking stations constructed and installed for their use)

“Dockless Operator” means any person offering Dockless Vehicles for hire through a Dockless Hire Scheme.

“Public Place” means an area of highway or other open land (whether or not it is fenced) under the ownership or control of a Local Authority.

“Local Authority” means a London Borough Council or the Common Council of the City of London.

(2) A reference to:

- (a) legislation (whether primary or secondary) includes a reference to the legislation as amended, consolidated or re-enacted from time to time and, in the case of regulations, includes a reference to any regulations which replace the regulations referred to;
- (b) a “person” includes a natural person and a corporate or unincorporated body;
- (c) words in the singular include the plural and vice versa.

2. Application

These byelaws apply throughout Greater London.

3. Safe condition of Dockless Vehicles.

- (1) No Dockless Operator shall offer for hire a Dockless Vehicle unless it is safe.
- (2) In determining whether a Dockless Vehicle is safe regard shall be had to whether the Dockless Vehicle complies with, or the Dockless Operator has complied with, applicable provisions of:
 - (a) in the case of a pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983 and the Road Vehicles Lighting Regulations 1989;
 - (b) in the case of an electrically assisted pedal cycle, the Pedal Cycles (Construction and Use) Regulations 1983, the Road Vehicles Lighting Regulations 1989 and the Electrically Assisted Pedal Cycle Regulations 2015; or
 - (c) in all cases, any statutory requirements applicable to a Dockless Vehicle of that class.

4. Identification and management of Dockless Vehicles

- (1) No Dockless Operator shall offer a Dockless Vehicle for hire unless:
 - (a) it has an individually identifiable asset number visibly displayed;
 - (b) it is fitted with a device which identifies the location of the Dockless Vehicle and the device is retained in operation;
 - (c) it is fitted with a device which prevents the hirer from terminating the hire period unless the Dockless Vehicle is located at a Dockless Parking Space.
- (2) No Dockless Operator shall offer a Dockless Vehicle for hire other than on terms which prohibit the hirer from leaving the Dockless Vehicle on any highway or other Public Place other than at a Dockless Parking Space,.

5. Parking of Dockless Vehicles

No Dockless Operator shall cause or permit a Dockless Vehicle to be placed on any highway or Public Place other than at a Dockless Parking Space where the Dockless Operator is permitted to park or to cause or permit a Dockless Vehicle to be parked.

6. Penalty

Any person offending against these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

London Councils TEC Delegation dockless byelaw – Explanatory note

After detailed discussions at London Councils TEC, it has been agreed that London Councils should seek amendments to the London Councils' Transport and Environment Committee Agreement (LC TEC Agreement) that would allow London Councils TEC to widen the scope of its current ability to make and promote the proposed pan-London byelaw on boroughs' behalf to prohibit bike operators from parking dockless bikes other than at approved parking spaces.

We are aware that some boroughs might have questions about the delegation process and have therefore developed this explanatory note to provide further information.

At the meeting on 21 March 2019, LC TEC agreed that the correct future approach for dockless bike sharing is to move away from the status quo, where Boroughs reach individual agreements with specific operators, and instead move to borderless operations throughout Greater London. As an existing joint committee representing all of London's local highway authorities, LC TEC has agreed that it is a suitable body to undertake both the promotion and making of such pan-London byelaw.

For TEC to be able to do this, however, the LC TEC Agreement needs to be amended. At the meeting on 13 June 2019, LC TEC agreed to start the process of amending the LC TEC agreement to delegate the boroughs' functions relating to making and promoting the pan-London dockless byelaw to TEC. The reason the Agreement needs to be amended is because none of the local authorities' functions relating to the making of a pan-London byelaw for dockless bikes parking are currently delegated as functions of LC TEC and the Committee therefore does not currently have the legal authority to undertake this function on behalf of the London local authorities.

The proposed delegation is highly restricted. The delegation is not a transfer of the authorities' powers in respect of dockless bikes parking to LC TEC but allows for LC TEC to make and promote a pan-London byelaw. There was no provision for this included when the LC TEC Agreement was first established.

Signing the amendment to the LC TEC Agreement does not mean any loss of control of your assets or powers. Every authority can be assured that the extent of dockless bike parking and the enforcement of the byelaw would be a matter for local decision-making and control, at the discretion of each London borough.

However, without all authorities signing the variation to the LC TEC Agreement the Committee would be unable to take on the promotions and making of this new byelaw. We are therefore asking authorities to go through their individual processes and return a signed declaration by **5 December 2019**.

A copy of the draft byelaw is also enclosed with the delegation document and this clarification note. Please could you provide any further feedback on the text of the byelaw no later than **6 September 2019**, to allow further changes to be considered. We intend to ask LC TEC members to sign off the wording of the byelaw at the TEC meeting on 10th October 2019. This will enable other essential procedural parts of the process for making the byelaw to be taken forward while the process of delegating powers continues in parallel.

We hope that this provides more clarity on some of the issues raised and enables you to sign the amendment. If you have any questions about this process, please contact Paulius Mackela on Paulius.Mackela@londoncouncils@londoncouncils.gov.uk or 020 7934 9832. To enable us to track progress, we would also be grateful if you could confirm receipt and provide contact details for the officer who will be leading on this matter for you.

This page is left intentionally blank

The Greater London Dockless Vehicle Hire Byelaw: Guidance

Summary

TfL and London Councils have been instructed jointly by the London Councils Transport & Environment Committee (TEC) to develop a new regulatory approach to dockless bike sharing schemes, in light of continued activity in the market, and anticipated further dockless deployments by new operators.

TEC members regard the current operating arrangements (whereby boroughs do deals with individual bike operators) as impractical. Cyclists do not know where borough boundary lines are, and limiting bike use to specific areas of London is not conducive to encouraging cycling overall.

TEC members agree that a more practical approach is to move to a pan-London operating area, but to introduce safeguards to enable boroughs to retain control of how their public space is managed.

Existing legislation does not provide controls for dockless rental schemes, and the Government does not intend to introduce new legislation to regulate these schemes.

So following discussions at the dockless bikes working group and both internal and external legal advice, TEC has endorsed an approach proposed by TfL and London Councils which would see:

- Existing powers used by councils to designate parking spaces specifically for dockless bikes; and
- New regulatory powers (which would be secured by passing a new byelaw) used to compel dockless operators to use designated parking spaces, and prohibit bikes being left anywhere not agreed by boroughs.

The powers to make such a byelaw are in a piece of local government legislation from the 1970s. Boroughs can make byelaws individually using these powers, but in order for a single byelaw to be made, and for it to apply uniformly across Greater London (which is what TEC members want), each London Borough must delegate its authority to make the byelaws to TEC.

When TEC is asked to arrange the delegation of powers, provision should be made at the same time to issue a Section 101 agreement which will enable TfL to enforce the bye-laws on its own road network, as the boroughs can on theirs.

The byelaws have now been drafted. This guidance document accompanies the draft. It sets out how the byelaws would work, explains each section, and provides draft text for the various orders that boroughs may choose to use to designate parking space. The byelaws have been drafted in such a way that they could apply to other types of transport devices, not just dockless bikes. This is for future proofing, as explained below.

We would welcome discussion with borough officers on the bye-laws. Once boroughs are content and the delegation of powers from Boroughs to TEC is under way, TfL and London Councils will begin the compilation of the next documents required, and the initial consultation with industry which will be necessary to secure Secretary of State approval in principle for the bye-laws to be made.

Byelaw Detail

The byelaw includes six key areas. The following explanatory text provides an overview of each section, and clarifies any terminology/sets out what it is trying to achieve.

1. General Interpretation

This section provides legal definitions for a number of currently undefined terms relating to the dockless business model.

- § Dockless Parking Space: this defines what a dockless parking space is and how Local Authorities or Transport for London formally designates spaces. This approach allows Local Authorities to choose whether they want to say that bikes can be left only in specific locations (for example if space is at a premium), or instead agree a more flexible and permissive approach, whereby bikes can be left on certain parts of the highway or other public places except specific “no parking” locations.
- § Dockless Vehicle: this defines what a dockless vehicle is, highlighting how it includes both pedal and pedal assist cycles (e-bikes). In including reference to “any similar class of transport device” the intention is to ensure the byelaw is future proof, so that if other forms of micromobility should come to market (such as electric kick scooters), these too would be captured by the byelaws.
- § Dockless Hire Scheme: this defines what a dockless hire scheme entails, making sure to differentiate it from fixed docking schemes. However, this definition does include bikes which are capable of being locked to physical infrastructure, as opposed to applying exclusively to bikes or other transport devices that are free standing.
- § Dockless Operator: this defines what constitutes a dockless operator. This definition is designed to capture all relevant operators in the market, and compel them to comply with the requirements set out in the byelaw.
- § Public Space: defines public areas of land under the ownership or control of a Local Authority that are eligible for parking by council designation. This could be land both on and off the highway.
- § Local Authority: in the London context this means a London Borough Council, Common Council (i.e. the City of London) and TfL. This is to ensure a common approach to enforcement can be taken by all highway authorities.

2. Application

This section makes clear that the byelaw will apply throughout Greater London to ensure the political mandate from TEC to deliver a borderless and uniform approach is met.

3. Safe condition of Dockless Vehicles

This sets out minimum expectations in terms of safety with Dockless Vehicles. This includes ensuring pedal cycles and pedal assist cycles (e-bikes) comply with relevant safety regulation.

4. Identification and management of Dockless Vehicles

This sets out requirements that all Dockless Operators must ensure their Dockless Vehicles include an individually identifiable asset number, a means of providing the location of the cycle and a means to prevent the hirer from terminating their hire unless in a designated Dockless Parking Space. This is to ensure that bikes and their owners are clearly identifiable at all times for enforcement purposes, that a fleet level overview of bike locations can be maintained, and that customers understand that they must park bikes in an approved place or they will be unable to halt their rental payments. We are

taking further advice on whether in addition, operators could reasonably be asked to ensure the locations of all bikes is provided in real time on an open API.

5. Parking of Dockless Vehicles

This section clarifies that Dockless Operators must ensure their Dockless Vehicles are only parked in designated Dockless Parking Spaces. By having the ability to designate parking spaces, which will be the places Dockless Operators and their customers must use, Boroughs will be able to enforce against irresponsible parking, and better control the management of public spaces. As previously stated, this approach to parking allows Local Authorities either to require bikes only to be left in specific locations, or that they may be left on the highway or public places *except* specific locations.

6. Penalty

This is the final section of the byelaw, and sets out the penalty offence for being in breach of the byelaw.

Additional information

Designating parking spaces/areas

As noted above, we have sought to word the byelaw in order to enable boroughs to make local choices about providing dockless parking, in line with the needs, available space, and political will of the council in question. This should allow boroughs either to designate specific parking places where space is at a premium, or instead allow larger areas to be used for parking, with "no parking" places identified.

We propose that there are 3 potential mechanisms through which this can be achieved:

1. Designating specific dockless parking places by way of an order under Section 45 of the Road Traffic Regulation Act 1984;
2. Alternatively, agreeing in writing that a footpath or pedestrianised section of highway may be used for parking, by way of an order under Section 115E of the Highways Act 1980; or
3. If allowing parking on land which is owned by the local authority (other than highway), permission may be given as by the land owner.

It is important that the authority opts for the appropriate mechanism taking into account the site-specific circumstances. .

The first mechanism, Section 45, will be familiar to borough officers, and requires any spaces mooted for allocation as dockless parking to be subject to consultation and advertisement etc.

The second, Section 115E, cannot be used for designating space on the carriageway, but can be used for designating space on footpaths and/or pedestrianised areas. Where S115E is to be used, any frontagers¹ must consent. This may be disproportionately onerous, depending on the location proposed, but there may be other areas where using S115E is useful.

The final mechanism is based on the authority's powers as landowner. Permission to use land is normally evidenced by licence, and whether this is appropriate will depend on the area proposed.

Taken in combination, these 3 mechanisms should provide boroughs with sufficient flexibility to designate only the space they want to make available for dockless parking. It

¹ Owners of property adjoining the highway

will be important to be precise about exactly what space is made available, however. Where boroughs wish to be permissive and designate large areas for dockless parking, care will still be necessary to exclude areas where leaving dockless vehicles will unacceptably restrict access to properties or appropriate passage of traffic as the operator of any dockless vehicle could rely on "lawful authority or excuse" as a defence to any enforcement against obstructions under Section 137 of the Highways Act 1980 within permitted areas even if the vehicles were parked badly and causing an obstruction.

To make it as simple as possible for boroughs to take a uniform approach to designating space for dockless parking, a template for each type of order is attached to the end of this guidance note. This is included by way of suggestion as to what the approach might look like, for each of the three methods. However, it will be for each Borough to decide which mechanisms are open to it in relation to any area, which is the most suitable, and on the form of wording used.

TfL and London Councils are looking for ways to ensure that cost and drain on officer time is kept to a minimum. This is particularly true with regard to consultation and signage, where we will discuss what the most proportionate approach is with officials at the DfT. We will hold these discussions soon and share our findings, but concluding them should not be a barrier to the byelaw being progressed.

Public information

TfL is launching a new online tool later this year called the Cycling Infrastructure Database. It will show all existing physical cycling infrastructure, and be accessible to boroughs so that new infrastructure can be added. There will also be an accompanying open API to give third parties an overview of cycling infrastructure which will be available under TfL's open data policy.

We expect it will be possible to indicate in the CID where dockless parking has been made available, and for boroughs to update this as and when provision changes. TfL is seeking to ensure that it is quick and simple to see where it is ok to place dockless bikes for hire, and for cyclists to leave them at the end of hires. We hope also to make it simple for Dockless Operators to display this information in their apps to guide customer behaviour.

TfL will provide more information on this in the coming weeks.

Enforcement

Once the drafting of the byelaw is agreed, TfL and London Councils will convene a workshop to discuss enforcement. An even handed approach will be required, because breaching the byelaw will be a criminal offence. Enforcement needs to be accurate, consistent, proportionate, and fair.

We will arrange this workshop shortly.

Charging for Parking

The combination of a) using existing powers to designate spaces/areas; and b) using new powers conferred by the byelaw to compel dockless operators to use those designated parking places, will provide an operational framework for dockless/free floating transport business models, and a level of control currently unavailable to boroughs.

Boroughs already have the right to charge for parking in designated spaces, and this will also apply to dockless parking. The free floating nature of dockless bikes is such that boroughs may wish to work collaboratively to develop a collectively agreed approach to allocating parking permits. This has already been done by a number of boroughs in relation to free floating car clubs.

This will require co-ordination and further discussion, and TfL and London Councils stand ready to assist in any subsequent discussions on the matter.

Timeline

The sooner the requisite powers are delegated by Councils to TEC, the sooner the byelaw can be made. Elements like enforcement detail and parking charges do not feature in the drafting of the byelaw, so the approach to these can be developed in parallel. We aim to request that TEC authorises the delegation process at the June TEC meeting.

Annex - Templates

Illustrative templates for the different mechanisms that Local Authorities can potentially use to create Dockless Parking Spaces are attached. However, it is for each Borough to decide on the appropriate mechanism and on the exact form of wording appropriate to its requirements.

1. S45 (RTRA 1984)

[PLEASE SEE SEPARATE DOCUMENT]

2. S115E (HA 1980)

[PLEASE SEE SEPARATE DOCUMENT]

3. License to use Local Authority Land

[PLEASE SEE SEPARATE DOCUMENT]

This page is left intentionally blank

Report No.
CSD19171

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: 9 December 2019

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

Title: CAPITAL PROGRAMME MONITORING - 2ND QUARTER
2019/20

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 27th November 2019 the Executive considered the attached report and approved a revised Capital Programme. Two matters require formal approval by full Council -
- (i) an increase of £1,208k to the Special Educational Needs and Disabilities (SEND) provision capital funding to reflect additional funding received (see paragraph 3.3.4 of the attached report); and
 - (ii) a net increase of £1,385k to the Capital Programme budget for Education Section 106 in respect of additional receipts as detailed in paragraph 3.3.6 of the attached report.
-

2. **RECOMMENDATIONS**

That Council approves -

- (1) an increase of £1,208k SEND Provision capital funding to the Basic Need scheme; and
- (2) an increase of £1,385k to the Section 106 receipts from developers.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy: See attached report
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: See attached report
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: total £146.6m over 4 years 2019/20 to 2022/23
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions.
-

Personnel

1. Number of staff (current and additional): 1 fte
 2. If from existing staff resources, number of staff hours: 36 hours per week
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 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): Not Applicable
-

Ward Councillor Views

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

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

Decision Maker: Executive Council

Date: Executive 27th November 2019
Council 9th December 2019

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING – 2nd QUARTER 2019/20

Contact Officer: Tracey Pearson, Chief Accountant
Tel: 020 8313 4323 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All

1. Reason for report

This report summarises the current position on capital expenditure and receipts following the 2nd quarter of 2019/20 and seeks the Executive's approval to a revised Capital Programme.

2. RECOMMENDATION(S)

2.1 The Executive is requested to:

- (a) Note the report, including a total rephasing of £10,323k from 2019/20 into future years and agree a revised Capital Programme (see paragraph 3.3.7);
- (b) Approve the following amendments to the Capital Programme:
 - (i) Reduction of £177k on Devolved Formula Capital 2019/20 scheme (see para 3.3.1);
 - (ii) Deletion of £2k residual balance on Care Home Improvements to Environment for Older People scheme (see para 3.3.2);
 - (iii) Increase of £2k on Carbon Management Programme scheme (see para 3.3.3);
 - (iv) Recommend that Council approves an increase of £1,208k SEND Provision Capital funding to the Basic Need scheme (see para 3.3.4);
 - (v) Increase of £499k on London Private Sector Renewal scheme and £117k on Disabled Facilities Grant scheme to reflect the total funding available (see para 3.3.5); and

(vi) Recommend that Council approves an increase of £1,385k to the Section 106 receipts from developers - as detailed in paragraph 3.3.6.

2.2 Council is requested to:

- (a) Approve an increase of £1,208k SEND Provision Capital funding to the Basic Need scheme (see para 3.3.4); and**
- (b) Approve an increase of £1,385k to the Section 106 receipts from developers - as detailed in paragraph 3.3.6.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: None arising directly from this report
-

Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring and review is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Effective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. For each of our portfolios and service priorities, the Council reviews its main aims and outcomes through the AMP process and identifies those that require the use of capital assets. The primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Building a Better Bromley".
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Total increase of £3,032k over the 4 years 2019/20 to 2022/23, mainly due to £1,208k SEND Provision Capital funding on Basic Need scheme, and additional £1,385k on Section 106 receipts (uncommitted balance) to reflect the funding available.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: Total £146.6m over 4 years 2019/20 to 2022/23
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

Personnel

1. Number of staff (current and additional): 1fte
 2. If from existing staff resources, number of staff hours: 36 hours per week
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: None arising directly from this report
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Capital Expenditure

- 3.1 Appendix A sets out proposed changes to the Capital Programme following a detailed monitoring exercise carried out after the 2nd quarter of 2019/20. The base position is the programme approved by the Executive on 10th July 2019, as amended by variations approved at subsequent Executive meetings. If the changes proposed in this report are approved, the total Capital Programme 2019/20 to 2022/23 would increase by £3,032k, mainly due to additional £1,208k SEND Provision Capital funding on Basic Need scheme and £1,385k increase on Section 106 receipts (uncommitted balance) to reflect the funding available.

The variations are summarised in the table below with further detail set out in Appendix A.

| | 2019/20 | 2020/21 | 2021/22 | 2022/23 | TOTAL 2019/20 to 2022/23 |
|--|---------------|---------------|---------------|---------------|--------------------------------|
| | £000 | £000 | £000 | £000 | £000 |
| Programme approved by Executive 10/07/19 | 52,211 | 73,878 | 3,858 | 2,240 | 132,187 |
| Variations approved at subsequent Executive meetings | 865 | 9,414 | 1,104 | 0 | 11,383 |
| Approved Programme prior to 2nd Quarter's Monitoring | 53,076 | 83,292 | 4,962 | 2,240 | 143,570 |
| Variations requiring the approval of the Executive / Council | 1,647 | 1,385 | 0 | 0 | 3,032 |
| Variations not requiring approval: | | | | | |
| Net rephasing from 2019/20 into future years | Cr 10,323 | Cr 43,290 | 24,613 | 29,000 | 0 |
| Total Amendment to the Capital Programme | Cr 8,676 | Cr 41,905 | 24,613 | 29,000 | 3,032 |
| Total Revised Capital Programme | 44,400 | 41,387 | 29,575 | 31,240 | 146,602 |
| Assumed Further Slippage (for financing purposes) | Cr 5,000 | Cr 5,000 | 5,000 | 5,000 | 0 |
| Assumed New Schemes (to be agreed) | 0 | 3,500 | 3,500 | 3,500 | 10,500 |
| | Cr 5,000 | Cr 1,500 | 8,500 | 8,500 | 10,500 |
| Projected Programme for Capital Financing Forecast (see appendix C) | 39,400 | 39,887 | 38,075 | 39,740 | 157,102 |

3.2 Variations approved at subsequent Executive / Full Council meetings

As detailed in Appendix A, variations of £11.383m have been approved since the July Executive meeting. This mainly comprises £6m for Modular Homes at York Rise Site, £3.786m for the Provision of Housing Supply in Burnt Ash Lane, £0.624m (net) on Salix Street Lighting LED upgrade scheme, and £0.822m (net) for Customer Services I.T System Review.

3.3 Variations requiring the approval of the Executive (£3,032k net increase)

3.3.1 Devolved Formula Capital Scheme (£177k decrease in 2019/20)

The Devolved Formula Capital (DFC) scheme is funded by a grant from the Department for Education, which is passed straight onto Council maintained schools. Members are asked to approve a reduction of £177k on the DFC scheme to reflect the funding available in 2019/20.

3.3.2 Care Homes Improvements to Environment for Older People Scheme (£2k reduction in 2019/20)

Following completion of the Care Homes Improvements to Environment for Older People scheme, it is recommended that the residual balance of £2k to be deleted from the Capital Programme.

3.3.3 Carbon Management Programme Scheme (£2k increase in 2019/20)

The Carbon Management Programme Scheme is funded from a revolving loan (£250k from SALIX provided by DEFRA, and £250k from the Council). All remaining projects have completed and all outstanding repayments have now been received. Members are asked to approve an increase of £2k on the scheme to reflect the funding available. The full budget of £500k will be used to partly fund the Salix Street Lighting LED Upgrade, as approved by Full Council on 14th October 2019.

3.3.4 Basic Need Scheme (£1,208k increase in 2019/20)

The Updated Basic Need Programme was reported to the Children, Education and Families PDS Committee on 9th July 2019. The Council has received an additional £1,208k on the 2018 to 2021 allocation for SEND (Special Educational Needs and Disabilities) Provision Capital funding. Members are asked to approve an increase of £1,208k to the Basic Need scheme to reflect the total funding available.

3.3.5 Loan Repayment (Net increase £616k in 2019/20; London Private Sector Renewal Scheme £499k, Disabled Facilities Grant (DFG) Scheme £117k)

The London Private Sector Renewal Scheme is a revolving loan fund provided by the GLA and South East London Housing Partnership (SELHP) to allow Authorities to assist vulnerable home owners to maintain their properties to an adequate condition to allow them to remain safely in their own homes and promote and support empty property work. There is no longer any new money provided by the funders and the scheme now functions on recycled funding.

The Disabled Facilities Grant (DFG) scheme offers essential housing adaptations to help disabled people to access facilities and remain safely in their home. The Council has a charging regime for DFG's above £5k where, in the event of the sale of a property within 10 years of completion of the works, an element of the grant is refunded to the Council.

Following a reconciliation of a number of significant repayments and recoveries from previous years, Members are asked to approve a net increase of £616k in 2019/20; £499k on the London Private Sector Renewal Scheme and £117k on the Disabled Facilities Grant Scheme to reflect the total accumulated funding available. This includes repayments of £31k on Home improvement loans, £94k on Empty Homes grant, £374k on SELHP grant, and £117k on DFG renovation grant repayments.

3.3.6 Section 106 receipts (uncommitted balance) (net increase of £1,385k in 2020/21)

In July 2015, Executive agreed that the Capital Programme budget should reflect the total of S106 receipts available to fund expenditure. Members are asked to agree a net increase of £1,385k in the Capital Programme budget for Education Section 106 in respect of additional receipts since the last report.

A further report on the Updated Basic Need Programme (see paragraph 3.3.4) will be submitted to Executive within this financial year and will request approval to allocate the Education Section 106 receipts available to specific projects, in accordance with the Section 106 agreements.

3.3.7 Scheme Rephasing

In the quarter 2 monitoring exercise, slippage of £10.3m from 2019/20 and £43.3m from 2020/21 has been identified and this has been re-phased into future years to reflect the latest estimates of when expenditure is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. Further details are provided in Appendix B.

Capital Receipts

3.4 Details of the receipts forecast in the years 2019/20 to 2022/23 are included in Appendix E to this report to be considered under part 2 proceedings of the meeting.

The latest estimate for 2019/20 has decreased to £7.5m from £9.5m reported in July (excluding “other” capital receipts). Estimates for 2020/21, 2021/22, 2022/23 are now £5.7m, £20.6m and £9.3m respectively (£15.5m, £11.7m and £9.3m were reported in July). A total of £1m per annum is assumed for receipts yet to be identified in later years. These projections, as detailed in Appendix E, reflect prudent assumptions for capital receipts, and do not include estimated disposal receipts from the review being undertaken by Cushman and Wakefield.

Financing of the Capital Programme

3.5 A capital financing statement is attached at Appendix C and the following table summarises the estimated impact on balances of the revised programme and revised capital receipt projections which, as noted above, reflect prudent assumptions on the level and timing of disposals. Total balances would reduce from £49.3m (General Fund £20.0m and capital receipts £29.3m) at the end of 2018/19 to £20.8m by the end of 2022/23 and remain at that level through to 2025/26. It is therefore likely that any significant future capital schemes not funded by grants/contributions or revenue, may have to be funded from external borrowing.

| | Balance 01/04/19 | Estimated Balance 31/03/23 | Estimated Balance 31/03/26 |
|------------------|---------------------|----------------------------------|----------------------------------|
| | £m | £m | £m |
| General Fund | 20.0 | 20.8 | 20.8 |
| Capital Receipts | 29.3 | 0.0 | 0.0 |
| | <u>49.3</u> | <u>20.8</u> | <u>20.8</u> |

Investment Fund and Growth Fund

3.6 To help support the achievement of sustainable savings and income, the Council has set aside funding in the Investment Fund earmarked reserve (formerly known as the Economic Development and Investment Fund) to contribute towards the Council’s economic development and investment opportunities. To date, total funding of £144.0m has been placed in the Investment Fund and Growth Fund earmarked reserves to contribute towards the Council’s economic development and investment opportunities. In November 2014, £10m was set aside in the Growth Fund to support growth initiatives in Biggin Hill, the Cray Valley and Bromley Town Centre. Council approved additional allocations of £6.5m in December 2015, £6m in March 2016, £7m in June 2016, £4m in March 2017, £3.3m in June 2017 and £2.3m in May 2018 to the Growth Fund.

Appendix D provides a detailed analysis of the Funds dating back to their inception in September 2011. To date schemes totalling £121.5m have been approved (£92.3m on the Investment Fund, and £29.2m on the Growth Fund), and the uncommitted balances as at the end of October 2019 stand at £12.5m for the Investment Fund and £10.0m for the Growth Fund.

Feasibility Works – Property Disposals

- 3.7 At its meeting on 24th May 2017, Executive agreed to the creation of a new Earmarked Reserve with an initial allocation of £250k to be funded from the Growth Fund to allow feasibility works to be commissioned against specific sites so as to inform the Executive of sites' viability for disposal or re-development and potential scheme optimisation together with an appraisal as to worth.

Members requested that an update from Strategic Property be included in these quarterly capital monitoring reports, and the latest update is provided in Appendix F. Formal instructions are being processed for four locations, with three more estimated for April 2020 onwards. To date expenditure of £171k has been incurred leaving a remaining budget of £79k.

Section 106 Receipts

- 3.8 In addition to capital receipts from asset disposals, the Council is holding a number of Section 106 contributions received from developers. These are made to the Council as a result of the granting of planning permission and are restricted to being spent on capital works in accordance with the terms of agreements reached between the Council and the developers. These receipts are held as a receipt in advance on the Council's Balance Sheet, the balance of which stood at £8,876k as at 30th September 2019, and will be used to finance capital expenditure from 2019/20 onwards. The current position on capital Section 106 receipts (excluding commitments) is shown below:

| | Balance 31/03/19 | Receipts 2019/20 | Expenditure 2019/20 | Balance 30/09/19 |
|--------------------------------|---------------------|---------------------|------------------------|---------------------|
| | £'000 | £'000 | £'000 | £'000 |
| Specified capital works | | | | |
| Housing | 3,510 | 0 | 67 | 3,443 |
| Education | 2,751 | 533 | 125 | 3,159 |
| Highways | 83 | 0 | 83 | 0 |
| Local Economy | 2,006 | 0 | 0 | 2,006 |
| Other | 0 | 300 | 32 | 268 |
| TOTAL | 8,350 | 833 | 307 | 8,876 |

The Council's budgets are limited and, where a developer contribution can be secured, this will be required as a contribution towards projects, notwithstanding any other allocation of resources contained in the Council's spending plans.

Post-Completion Reports

- 3.9 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme's non-financial objectives. Post-completion reports on the following schemes are due to be submitted to the relevant PDS Committees:

- Banbury House Demolition/Site Prep
- Review of Corporate Customer Services IT System
- Upgrade of MS Dynamics CRM System
- Care Homes – improvements to environment for older people

- Performance Management/Children’s Services IT scheme
- Widmore Centre
- Beacon House Refurbishment
- Phoenix Centre
- Langley Park Boys School (BFS)
- The Highway Primary
- Suitability / Modernisation Issues in School
- Universal Free School Meals
- The Woodland Improvement Programme
- Upgrade of Core Network Hardware
- Replacement of Storage Area Network
- Rollout of Windows 7 and Office 2000
- Replacement of MD110 telephone switch
- Windows Server 2003 Replacement Programme

4. POLICY IMPLICATIONS

4.1 Capital Programme monitoring and review is part of the planning and review process for all services.

5. FINANCIAL IMPLICATIONS

5.1 These are contained in the main body of the report and in the appendices. Attached as Appendix C is a capital financing statement, which gives a long-term indication of how the revised Programme would be financed if all the proposed changes were approved and if all the planned receipts were achieved. The financing projections assume approval of the revised capital programme recommended in this report.

| | |
|---|--|
| Non-Applicable Sections: | Legal, Personnel & Procurement Implications, Impact on Vulnerable Adults and Children |
| Background Documents: (Access via Contact Officer) | Capital Programme Monitoring Q1 2019/20 (Executive 10/07/19); Approved Capital Programme (Executive 10/07/19); Salix Street Lighting LED upgrade (Full Council 14/10/19); Basic Need Programme Update (Children, Education and Families Policy Development and Scrutiny Committee 09/07/19) |

APPENDIX A - VARIATION SUMMARY

CAPITAL PROGRAMME MONITORING - NOV 2019 - SUMMARY OF VARIATIONS FROM APPROVED PROGRAMME

| Variations on individual schemes | Date of Portfolio meeting | Revised 2019/20 £'000 | Revised 2020/21 £'000 | Revised 2021/22 £'000 | Revised 2022/23 £'000 | TOTAL 2019/20 to 2022/23 £'000 | Comments / reason for variation |
|---|---------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------------------|---------------------------------|
| Current Approved Capital Programme | | | | | | | |
| Programme approved by Executive 10/07/2019 | Exec 10/07/19 | 52,211 | 73,878 | 3,858 | 2,240 | 132,187 | |
| Write out of I.T costs to Revenue | Exec 21/05/19 | 151 | 0 | 0 | 0 | 151 | |
| Modular Homes at York Rise Site | Full Council 15/07/19 | 500 | 5,000 | 500 | 0 | 6,000 | |
| Provision of Housing in Burnt Ash Lane | Full Council 14/10/19 | 250 | 3,000 | 536 | 0 | 3,786 | |
| Salix Street Lighting LED Upgrade | Full Council 14/10/19 | 500 | 624 | 0 | 0 | 1,124 | |
| - Deletion of Carbon Management Programme Scheme | Full Council 14/10/19 | Cr 500 | 0 | 0 | 0 | Cr 500 | |
| Customer Services IT System Review: | Exec 16/10/19 | 100 | 790 | 68 | 0 | 958 | |
| - Deletion of Review Customer Services IT Scheme | Exec 16/10/19 | Cr 48 | 0 | 0 | 0 | Cr 48 | |
| - Deletion of Upgrade of MS Dynamics CRM System | Exec 16/10/19 | Cr 88 | 0 | 0 | 0 | Cr 88 | |
| Approved Programme prior to 2nd Quarter's Monitoring | | 53,076 | 83,292 | 4,962 | 2,240 | 143,570 | |
| Variations in the estimated cost of approved schemes | | | | | | | |
| (i) Variations requiring the approval of the Executive/Council | | | | | | | |
| Reduction of DFC funding on Devolved Formula Capital scheme | | Cr 177 | 0 | 0 | 0 | Cr 177 | See paragraph 3.3.1 |
| Deletion of residual balance of Care Homes Improvements to Environment for Older People scheme budget | | Cr 2 | 0 | 0 | 0 | Cr 2 | See paragraph 3.3.2 |
| Increase of £2k to the Carbon Management Programme Scheme | | 2 | 0 | 0 | 0 | 2 | See paragraph 3.3.3 |
| Increase of £1,280k SEND Provision Capital funding on Basic Need Scheme | | 1,208 | 0 | 0 | 0 | 1,208 | See paragraph 3.3.4 |
| Addition to London Private Sector Renewal Scheme | | 499 | 0 | 0 | 0 | 499 | See paragraph 3.3.5 |
| Addition to Disabled Facilities Grant Scheme | | 117 | 0 | 0 | 0 | 117 | See paragraph 3.3.5 |
| Section 106 receipts from developers - uncommitted balance | | 0 | 1,385 | 0 | 0 | 1,385 | See paragraph 3.3.6 |
| | | 1,647 | 1,385 | 0 | 0 | 3,032 | |
| (ii) Variations not requiring approval | | | | | | | |
| Net rephasing from 2019/20 into future years | | Cr 10,323 | Cr 43,290 | 24,613 | 29,000 | 0 | See paragraph 3.3.7 |
| | | Cr 10,323 | Cr 43,290 | 24,613 | 29,000 | 0 | |
| TOTAL AMENDMENT TO CAPITAL PROGRAMME | | Cr 8,676 | Cr 41,905 | 24,613 | 29,000 | 3,032 | |
| TOTAL REVISED CAPITAL PROGRAMME | | 44,400 | 41,387 | 29,575 | 31,240 | 146,602 | |
| Less: Further slippage projection | | Cr 5,000 | Cr 5,000 | 5,000 | 5,000 | 0 | |
| Add: Estimate for further new schemes | | 0 | 3,500 | 3,500 | 3,500 | 10,500 | |
| TOTAL TO BE FINANCED | | 39,400 | 39,887 | 38,075 | 39,740 | 157,102 | |

APPENDIX B - REPHASING

CAPITAL PROGRAMME MONITORING - NOVEMBER 2019 - SUMMARY OF VARIATIONS FROM APPROVED PROGRAMME - SCHEME REPHASING

| Variations on individual schemes | 2019/20 £'000 | 2020/21 £'000 | 2021/22 £'000 | 2022/23 £'000 | TOTAL £'000 | Comments/reason for variation |
|---|------------------|------------------|------------------|------------------|----------------|---|
| Rephasing of schemes | | | | | | |
| Social Care Case Management System | Cr 670 | 670 | 0 | 0 | 0 | Contract awarded Sept 2019 to engage specialist staff resources to support procurement and implementation of a new Social Care Information Management System, value up to £450k by March 2021. Procurement strategy agreed, likely award of contract for new system by May 2020. Anticipate to spend £100k in this FY; £670k to be rephased to 2020/21. |
| PCT Learning Disability / Reprovision Programme - Walpole Road | Cr 170 | 170 | 0 | 0 | 0 | Astley Day Centre: A report is being presented to the November 2019 Executive seeking agreement to a full review of day centre provision; this will result in a project plan to be drawn up and considered by Members in the spring of 2020. £170k to be rephased to 2020/21. |
| Payment in Lieu Fund - Properties Acquisitions | Cr 60 | 60 | 0 | 0 | 0 | £1m budget used to purchase 9 properties with remaining budget allocated for Capital refurb. £57k of current budget to be used for replacement of boilers, roofing etc. with remaining £60k to be rephased to 2020/21. |
| Provision of Housing Supply in Anerley & Chislehurst | Cr 3,200 | Cr 1,800 | 1,000 | 4,000 | 0 | Currently out to tender to appoint contractor. £3.2m of current years budget to be rephased and £1.8m of 2020/21 budget to be rephased to £1m to 2021/22 and £4m 2022/23. |
| Central Depot Wall Scheme | Cr 216 | 216 | 0 | 0 | 0 | Structural Engineer (consultant) appointed. Tenders received and under evaluation. Programme and financials to be agreed; currently anticipate to take 4-6 months to complete; likely to commence in November 2019 and complete by Q1 2020/21. Requested to rephase £216k into next FY. |
| Depot Improvement Works | Cr 750 | Cr 4,250 | 4,000 | 1,000 | 0 | Project Manager and project board for the scheme have been recruited. Only consultancy costs anticipated this FY - budget to be rephased to reflect this. Design work anticipated to take 9 months with delivery of scheme a further 12-18 months. |
| Disabled Facilities Grant (DFG) - Renovation Grants | 0 | Cr 1,153 | 1,153 | 0 | 0 | New procurement system being used to increase output. Anticipate to spend £1.5m this financial year. Requesting Executive to rephase £1,153k from 2020/21 budget to 2021/22 to reflect when expenditure will take place. |
| Site G | Cr 3,157 | Cr 11,343 | 6,500 | 8,000 | 0 | Approval for rephasing of £3,157k from 2019/20 and £11,343k from 2020/21 to future years to reflect when expenditure will take place. |
| Replacement of District Heating System Boilers & Works to Walnut Leisure Centre | Cr 1,250 | 1,250 | 0 | 0 | 0 | Consultant to be appointed. Programme likely to be for 6-12 months as long as design is fast tracked. Anticipate spend of £250k in 2019/20. Remaining budget to be rephased to future years. |
| Property Investment Fund | 150 | Cr 15,150 | 5,000 | 10,000 | 0 | Approval for rephasing of £150k to 2019/20, and rephasing £15,150k of the 2020/21 budget into future years to reflect when expenditure is likely to take place. |
| Civic Centre Development Strategy | Cr 1,000 | Cr 11,960 | 6,960 | 6,000 | 0 | Current budget approval is only for feasibility studies only. Once studies have been completed a new business case will be reported back to Executive for approval. £1m to be rephased from 2019/20 as only consultants costs anticipated this financial year, and £11,960k rephased from 2020/21 to future years. |
| TOTAL REPHASING ADJUSTMENTS | Cr10,323 | Cr 43,290 | 24,613 | 29,000 | 0 | |

CAPITAL FINANCING STATEMENT - EXECUTIVE 27/11/19 - ALL RECEIPTS

(NB. Assumes all capital receipts - see below)

| | 2018-19 | | 2019-20 | 2020-21 | 2021-22 | 2022-23 | 2023-24 | 2024-25 | 2025-26 |
|------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | Estimate | Actual | Estimate | Estimate | Estimate | Estimate | Estimate | Estimate | Estimate |
| | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 |
| Summary Financing Statement | | | | | | | | | |
| Capital Grants | 12,939 | 11,221 | 15,383 | 10,109 | 2,423 | 0 | 0 | 0 | 0 |
| Other external contributions | 10,289 | 7,732 | 10,617 | 6,572 | 2,200 | 2,200 | 2,200 | 2,200 | 2,200 |
| Usable Capital Receipts | 5,367 | 8,905 | 7,664 | 14,860 | 32,087 | 22,387 | 3,171 | 3,171 | 1,000 |
| Internal Borrowing | 0 | 0 | 0 | 0 | 0 | 14,824 | 0 | 0 | 2,400 |
| Revenue Contributions | 3,518 | 3,056 | 5,736 | 8,346 | 1,365 | 329 | 329 | 329 | 107 |
| General Fund | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Borrowing (external) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total expenditure | 32,113 | 30,914 | 39,400 | 39,887 | 38,075 | 39,740 | 5,700 | 5,700 | 5,707 |
| Usable Capital Receipts | | | | | | | | | |
| Balance brought forward | 25,695 | 25,695 | 29,313 | 31,729 | 22,569 | 11,089 | 0 | 0 | 0 |
| New usable receipts | 12,396 | 12,523 | 10,080 | 5,700 | 20,607 | 11,298 | 8,489 | 9,906 | 1,000 |
| | 38,091 | 38,218 | 39,393 | 37,429 | 43,176 | 22,387 | 8,489 | 9,906 | 1,000 |
| Capital Financing | Cr 5,367 | Cr 8,905 | Cr 7,664 | Cr 14,860 | Cr 32,087 | Cr 22,387 | Cr 3,171 | Cr 3,171 | Cr 1,000 |
| Repayment of Internal Borrowing | 0 | 0 | 0 | 0 | 0 | 0 | Cr 5,318 | Cr 6,735 | 0 |
| Balance carried forward | 32,724 | 29,313 | 31,729 | 22,569 | 11,089 | 0 | 0 | 0 | 0 |
| Internal Borrowing | | | | | | | | | |
| Balance brought forward | 0 | 0 | 0 | 0 | 0 | 0 | Cr 14,824 | Cr 9,506 | Cr 2,771 |
| Capital Financing | 0 | 0 | 0 | 0 | 0 | Cr 14,824 | 0 | 0 | Cr 2,400 |
| Repaid from new Capital Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 5,318 | 6,735 | 0 |
| Balance carried forward | 0 | 0 | 0 | 0 | 0 | Cr 14,824 | Cr 9,506 | Cr 2,771 | Cr 5,171 |
| General Fund | | | | | | | | | |
| Balance brought forward | 20,000 | 20,000 | 20,000 | 20,814 | 20,814 | 20,814 | 20,814 | 20,814 | 20,814 |
| Less: Capital Financing | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Less: Use for Revenue Budget | Cr 1,085 | 0 | 814 | 0 | 0 | 0 | 0 | 0 | 0 |
| Balance carried forward | 18,915 | 20,000 | 20,814 | 20,814 | 20,814 | 20,814 | 20,814 | 20,814 | 20,814 |
| TOTAL AVAILABLE RESERVES | 51,639 | 49,313 | 52,543 | 43,383 | 31,903 | 20,814 | 20,814 | 20,814 | 20,814 |

Assumptions:

New capital schemes - £3.5m p.a. from 2020/21 for future new schemes.

Capital receipts - includes figures reported by Property Division as at 16/10/19 - as shown in Appendix E

Current approved programme - as recommended to Executive 27/11/19

Internal Borrowing to fund until Capital Receipts pay Back - Site G, Depot Improv,

APPENDIX D - INVESTMENT FUND AND GROWTH FUND

INVESTMENT FUND & GROWTH FUND - NOV 2019

| <u>Investment Fund</u> | <u>£'000</u> |
|---|-----------------|
| <u>Revenue Funding:</u> | |
| Approved by Executive 7th September 2011 | 10,000 |
| Approved by Council 27th February 2013 | 16,320 |
| Approved by Council 1st July 2013 | 20,978 |
| Approved by Executive 10th June 2014 | 13,792 |
| Approved by Executive 15th October 2014 | 90 |
| Approved by Executive 26th November 2014 (Transfer to Growth Fund) | Cr 10,000 |
| New Home Bonus (2014/15) | 5,040 |
| Approved by Executive 11th February 2015 (New Homes Bonus) | 4,400 |
| Approved by Executive 10th June 2015 | 10,165 |
| Approved by Executive 2nd December 2015 (New Homes Bonus) | 141 |
| Approved by Executive 10th Feb 2016 (New Homes Bonus) | 7,482 |
| Approved by Executive 6th December 2017 | 3,500 |
| Approved by Executive 21st May 2018 | 2,609 |
| | 84,517 |
| <u>Capital Funding*:</u> | |
| Approved by Executive 11th February 2015 (general capital receipts) | 15,000 |
| Approved by Executive 10th February 2016 (sale of Egerton Lodge) | 1,216 |
| Approved by Executive 7th November 2017 (Disposal of 72-76 High Street) | 4,100 |
| | 20,316 |
| Total Funding Approved: | 104,833 |
| <u>Property Purchase</u> | |
| Approved by Executive 7th September 2011 (95 High St) | Cr 1,620 |
| Approved by Executive 6th December 2012 (98 High St) | Cr 2,167 |
| Approved by Executive 5th June 2013 (72-76 High St) | Cr 2,888 |
| Approved by Executive 12th June 2013 (104 - 108 High St) | Cr 3,150 |
| Approved by Executive 12th February 2014 (147 - 153 High St) | Cr 18,755 |
| Approved by Executive 19th December 2014 (27 Homesdale) | Cr 3,938 |
| Approved by Executive 24th March 2015 (Morrisons) | Cr 8,672 |
| Approved by Executive 15th July 2015 (Old Christchurch) | Cr 5,362 |
| Approved by Executive 15th July 2015 (Tilgate) | Cr 6,746 |
| Approved by Executive 15th December 2015 (Newbury House) | Cr 3,307 |
| Approved by Executive 15th December 2015 (Unit G - Hubert Road) | Cr 6,038 |
| Approved by Executive 23th March 2016 (British Gas Training Centre, Thatcham) | Cr 3,666 |
| Approved by Executive 15th June 2016 (C2 and C3) | Cr 6,394 |
| Approved by Executive 14th March 2017 (Trinity House) | Cr 6,236 |
| Approved by Executive 1st December 2017 (54 Bridge Street, Peterborough) | Cr 3,930 |
| | Cr 82,869 |
| <u>Other Schemes</u> | |
| Approved by Executive 20th November 2013 (Queens's Garden) | Cr 990 |
| Approved by Executive 15th January 2014 (Bromley BID Project) | Cr 110 |
| Approved by Executive 26th November 2014 (BCT Development Strategy) | Cr 135 |
| Approved by Executive 2nd December 2015 (Bromley Centre Town) | Cr 270 |
| Approved by Executive 15th June 2016 (Glades Shopping Centre) | Cr 400 |
| Approved by Executive 11th January 2017 (Disposal of Small Halls site, York Rise) | Cr 46 |
| Approved by Executive 10th July 2019 (Modular Homes at York Rise Site) | Cr 3,500 |
| Approved by Executive 2nd August 2019 (Provision of Housing in Burnt Ash Lane) | Cr 3,286 |
| Valuation for 1 Westmoreland Rd | Cr 5 |
| Valuation for Biggin Hill - West Camp | Cr 10 |
| Growth Fund Study | Cr 170 |
| Crystal Park Development work | Cr 200 |
| Civic Centre for the future | Cr 50 |
| Strategic Property cost | Cr 258 |
| Total further spending approvals | Cr 9,430 |
| Uncommitted Balance on Investment Fund | 12,534 |
| *Executive have approved the use of specific and general capital receipts to supplement the Investment Fund | |

APPENDIX D - INVESTMENT FUND AND GROWTH FUND

| <u>Growth Fund:</u> | £'000 |
|---|--------------|
| <u>Funding:</u> | |
| Approved by Executive 26th November 2014 (Transfer from Investment Fund) | 10,000 |
| Approved by Executive 2nd December 2015 | 6,500 |
| Approved by Executive 23rd March 2016 | 6,000 |
| Approved by Executive 15th June 2016 | 7,024 |
| Approved by Executive 22nd March 2017 | 4,000 |
| Approved by Executive 14th June 2017 | 3,311 |
| Approved by Executive 21st May 2018 | 2,319 |
| Total funding approved | 39,154 |
| <u>Schemes Approved and Committed</u> | |
| Approved by Executive 24th March 2015 (Housing Zone Bid (Site G)) | Cr 2,700 |
| Approved by Executive 24th March 2015 ((Site G - Specialist) | Cr 200 |
| Approved by Executive 18th May 2016 (Feasibility Studies and Strategic Employment Review) | Cr 180 |
| Approved by Executive 18th May 2016 (Broadband Infrastructure Investment) | Cr 50 |
| Approved by Executive 20th Jul 2016 (BID - Penge & Beckenham) | Cr 110 |
| Approved by Executive 1st Nov 2016 (19-25 Market Square) | Cr 10,705 |
| Approved by Executive 1st Nov 2016 (63 Walnuts) | Cr 3,804 |
| Approved by Executive 22nd March 2017 (Bromley Town Centre Public Realm Improvement Scheme) | Cr 2,844 |
| Approved by Executive 7th November 2017 (Bromley Town Centre and Public Realm) | Cr 464 |
| Approved by Executive 17th October 2018 (Bromley Town Centre - Mirrored Canopies & Shops) | Cr 415 |
| Approved by Executive 22nd March 2017 (Project Officer - Bromley Town Centre Public Realm improv) | Cr 40 |
| Approved by Executive 22nd March 2017 (Community Initiative) | Cr 15 |
| Approved by Executive 24th May 2017 (Feasibility Works/Property Disposal) | Cr 250 |
| Renewal Team Cost | Cr 310 |
| Approved by Executive 28th November 2018 (Housing Development Feasibility) | Cr 100 |
| Approved by Executive 27th March 2019 (West Wickham BID) | Cr 75 |
| Approved by Executive 21st May 2019 (Specialist advice for setting up local Housing company) | Cr 100 |
| Total further spending approvals | Cr 22,362 |
| <u>Schemes Approved, but not committed</u> | |
| Approved by Executive 26th November 2014 (for Biggin Hill and Cray Valley) | Cr 6,790 |
| Uncommitted Balance on Growth Fund | 10,002 |

APPENDIX F - FEASIBILITY WORKS

CAPITAL PROGRAMME MONITORING - NOV 2019

| Location | Estimated Feasibility / Viability Cost (£'000) | Description | Nov 2019 Status |
|---|--|--|---|
| West Wickham Leisure Centre | 87 | To fund study to deliver optimal new leisure facilities based on market evidence as to rents from third party operators', together with residential development, to generate a capital receipt to fund the cost of re-provision of facilities. | Programme in development and consultants now instructed. |
| The Glades Department Store | 14 | To fund work to progress the business case for the development of a new Department Store at the Glades Shopping Centre, utilising the Council's business interests at Market Square, so as to improve footfall and therefore improve the asset value and return on income derived from the Council's ownership of The Glades. | Work progressing with landlord and advisors to future proof Glades operation in the event of further downturn in retail supply. Likely re-gear of Glades Lease to release value from Alaskan Owners - specialist valuation work to progress - costs to be sought post meeting with Retailers. |
| The Walnuts Centre | 16 | To fund work to progress the business case for the development at the Walnuts utilising the Council's interests at and around the Walnut's Centre including the Leisure Centre so as to provide larger retail opportunities and improve footfall and therefore improve the asset value and return on income derived from the Council's ownership of The Walnuts. | Requirement for Orpington masterplan to include Walnuts now being progressed with bid HM govt high street fund having been made . |
| Old Town Hall/Civic Centre | 39 | To fund a review of the Council's accommodation strategy at the Civic Centre based on the addition of the former Town Hall becoming available as part of the Council's property portfolio and how that asset could be utilised as a Democratic Centre and associated offices/meeting space. | Old Town Hall / South St car park site disposed off. Monies to be utilised to further CCG/Office development opportunity. |
| Depots Review - Disposal Options | 5 | To fund disposal viability studies as to density and permitted development, together with initial planning briefs, so as to be in a position to take to market after the outcome of the Depot review. | Programme of capital works developed with newly appointed waste contractor. |
| Biggin Hill Aviation College - Alternative | 5 | To fund potential alternative site viability studies for Biggin Hill should the Council decide not to pursue Area 1 purchase for an Aviation College/Enterprise Zone. | Not progressing - budget to be transferred to Walnuts Centre. |
| Libraries (Chislehurst model roll out) | 4 | To fund the investigation of viability of renewing other library facilities, by redeveloping their sites, and using the capital receipt proceeds to develop replacement facilities within said schemes. | Not actioned as yet - due to Dev Agreement not yet entered into - model being developed for other sites. |
| Further Sites Development Feasibility (Hill Car Park, Chipperfield Road, LSH Sites) | 80 | To fund various studies to ascertain site potential | Ongoing with studies; fruition likely before year end. |
| TOTAL | 250 | | |

Report No.
CSD19172

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Monday 9 December 2019

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

Title: TREASURY MANAGEMENT - QUARTER 2 PERFORMANCE
2019/20 AND MID YEAR REVIEW

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 20th November 2019 the Executive, Resources and Contracts PDS Committee considered the attached report summarising treasury management activity during the second quarter of 2019/20 and supported the proposed decision by the Resources, Commissioning and Contract Management Portfolio Holder. The report also includes a mid-year review of the Treasury Management Strategy Statement and Annual Investment Strategy (Annex 1.) Council is recommended to approve the changes to the 2019/20 prudential indicators.
-

2. **RECOMMENDATION**

That Council notes the attached report and approves changes to the 2019/20 prudential indicators, as set out in Annex B1.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

1. Policy Status: Existing Policy: To maintain appropriate levels of risk, particularly security and liquidity, whilst seeking to achieve the highest rate of return on investments.
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Interest on balances
 4. Total current budget for this head: £3,291k 9net) in 2019/20; £500k surplus currently projected.
 5. Source of funding: Net investment income
-

Personnel

1. Number of staff (current and additional): 0.25 fte
 2. If from existing staff resources, number of staff hours: 9 hours per week
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 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): Not Applicable
-

Ward Councillor Views

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

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

Decision Maker: Resources, Commissioning and Contracts Management
Portfolio Holder
Council

Date: For pre-decision scrutiny by Executive, Resources and Contracts PDS
Committee on 20th November 2019
Council 9th December 2019

Decision Type: Non-Urgent Executive Non-Key

Title: **TREASURY MANAGEMENT - QUARTER 2 PERFORMANCE
2019/20 & MID YEAR REVIEW**

Contact Officer: Tracey Pearson, Chief Accountant
Tel: 020 8313 4323 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All

1. Reason for report

1.1. This report summarises treasury management activity during the second quarter of 2019/20. The report also includes a Mid-Year Review of the Treasury Management Strategy Statement and Annual Investment Strategy (Annex A). The report ensures that the Council is implementing best practice in accordance with the CIPFA Code of Practice for Treasury Management. Investments as at 30th September 2019 totalled £346m and there was no outstanding external borrowing. For information and comparison, the balance of investments stood at £331.8m as at 30th June 2019, £311.6m as at 31st March 2019, and, at the time of writing this report (11th November 2019) it stood at £365.7m.

2. RECOMMENDATION(S)

2.1. The Resources, Commissioning and Contracts Management Portfolio Holder is requested to:

- (a) note the Treasury Management performance for the second quarter of 2019/20;
- (b) recommend that Council approves the 2019/20 prudential indicators as set out in Annex B1.

2.2. Council is requested to:

- (a) note the report and approve changes to the 2019/20 prudential indicators, as set out in Annex B1.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Corporate Policy

1. Policy Status: Existing policy. To maintain appropriate levels of risk, particularly security and liquidity, whilst seeking to achieve the highest rate of return on investments.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Interest on balances
 4. Total current budget for this head: £3,291k (net) in 2019/20; £500k surplus currently projected
 5. Source of funding: Net investment income
-

Personnel

1. Number of staff (current and additional): 0.25 fte
 2. If from existing staff resources, number of staff hours: 9 hours per week
-

Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is applicable
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1. General

- 3.1.1. Under the requirements of the CIPFA Code of Practice on Treasury Management, the Council is required, as a minimum, to approve an annual treasury strategy in advance of the year, a mid-year review report and an annual report following the year comparing actual activity to the strategy. Until recently, the Director of Finance reported quarterly on treasury management activity as well as reporting the annual strategy before the year and the annual report after the year-end. Following consideration by this Committee, on 10th December 2018 Council approved the non-reporting of treasury management activity quarterly. This effectively means that in-year monitoring will be incorporated into the three reports required by the Code of Practice and that Quarter 1 monitoring will no longer be reported unless there are any matters that officers feel should come before the Committee sooner.
- 3.1.2. This report includes details of investment performance in the second quarter of 2019/20. The 2019/20 annual treasury strategy, including the MRP (Minimum Revenue Provision) Policy Statement and prudential indicators, was originally approved by Council in February 2019. The annual report for financial year 2018/19 was submitted to the Executive, Resources and Contracts PDS Committee on 3rd July 2019 and Council on 15th July 2019 and included no proposed changes to the 2019/20 strategy.
- 3.1.3. Changes in the regulatory environment have placed a much greater onus on Members to undertake the review and scrutiny of treasury management policy and activities. This report is important in that respect as it provides details of the actual position for treasury activities and highlights compliance with the Council's policies previously approved by Members.
- 3.1.4. The Council has monies available for Treasury Management investment as a result of the following:
- Positive cash flow;
 - Monies owed to creditors exceed monies owed by debtors;
 - Receipts (mainly from Government) received in advance of payments being made;
 - Capital receipts not yet utilised to fund capital expenditure;
 - Provisions made in the accounts for liabilities e.g. provision for outstanding legal cases which have not yet materialised;
 - General and earmarked reserves retained by the Council.
- 3.1.5. Some of the monies identified above are short term and investment of these needs to be highly 'liquid', particularly if it relates to a positive cash flow position which can change in the future. Future monies available for Treasury Management investment will depend on the budget position of the Council and whether the Council will need to substantially run down capital receipts and reserves. Against a backdrop of unprecedented cuts in Government funding, which will require the Council to make revenue savings to balance the budget in future years, there is a likelihood that such actions may be required in the medium term which will reduce the monies available for investment.
- 3.1.6. The Council has also identified an alternative investment strategy relating to property investment. To date, this has resulted in actual and planned acquisitions which generated £3m income in 2015/16, £4.6m in 2016/17, £5.6m in 2017/18, £5.5m in 2018/19 and is projected to achieve £5.5m in 2019/20. This is based on a longer term investment timeframe of at least 3 to 5 years and ensures that the monies available can attract higher yields over the longer term.

3.1.7. A combination of lower risk investment relating to Treasury Management and a separate investment strategy in the form of property acquisitions (generating higher yields and risks) provides a balanced investment strategy. Any investment decisions will also need to consider the likelihood that interest rates will increase at some point. The available resources for the medium term, given the ongoing reductions in Government funding, will need to be regularly reviewed.

3.2. Treasury Performance in the quarter ended 30th September 2019

3.2.1. **Borrowing:** The Council's healthy cashflow position continues and, other than some short-term borrowing at the end of 2015/16, no borrowing has been required for a number of years.

3.2.2. **Investments:** The following table sets out details of investment activity during the second quarter of 2019/20 and 2019/20 year to date:-

| | Qtr Ended 30/09/19 | | 2019/20 Year to Date | | Paragraph |
|---|--------------------|-------------|----------------------|-------------|-----------|
| | Deposits | Ave Rate | Deposits | Ave Rate | |
| | £m | % | £m | % | |
| Balance of "core" investments b/f | 230.00 | 1.29 | 225.00 | 1.25 | |
| New investments made in period | 65.00 | 1.17 | 115.00 | 1.17 | |
| Investments redeemed in period | -60.00 | 1.27 | -105.00 | 1.14 | |
| "Core" investments at end of period | 235.00 | 1.26 | 235.00 | 1.26 | |
| Money Market Funds | 39.70 | 0.70 | 39.70 | 0.71 | 3.4.1 |
| CCLA Property Fund* | 40.00 | 0.51 | 40.00 | 2.5 | 3.4.4.5 |
| Multi-Asset Income Funds* | 30.00 | 7.86 | 30.00 | 10.92 | 3.4.4.7 |
| Project Beckenham Loan | 1.30 | 6.00 | 1.30 | 6.00 | 3.4.3 |
| "Alternative" investments at end of period | 111.00 | 2.63 | 111.00 | 4.18 | |
| Total Investments at end of Period | 346.00 | 1.70 | 346.00 | 2.20 | |
| * The rates shown in here are the total return (ie. the dividend income plus the change in capital value. | | | | | |
| A more detailed breakdown of the rates for these investments is shown in the relevant paragraphs. | | | | | |

3.2.3 Details of the outstanding investments at 30th September 2019 are shown in maturity date order in Appendix 2 and by individual counterparty in Appendix 3. An average return of 1.4% was assumed for new investments in the 2019/20 budget in line with the estimates provided by the Council's external treasury advisers, Link Asset Services, and with officers' views. The return on the new "core" investments placed during the second quarter of 2019/20 was 1.17% compared to the average LIBID rates of 0.57% for 7 days, 0.63% for 3 months, 0.70% for 6 months and 0.76% for 1 year.

3.2.4 Reports to previous meetings have highlighted the fact that options with regard to the reinvestment of maturing deposits have become seriously limited in recent years following bank credit rating downgrades. Changes to lending limits and eligibility criteria, as well as the introduction of pooled funds and housing associations have alleviated this to some extent, but there are still not many investment options available other than placing money with instant access accounts at relatively low interest rates.

3.2.5 Despite this, the Council's treasury management performance compares very well with that of other authorities. The Council was in the top decile nationally for 2014/15, 2015/16, 2016/17 and 2017/18 (the most recent CIPFA treasury management statistics available) and officers continue to look for alternative investment opportunities, both within the current strategy and outside, for consideration as part of the ongoing review of the strategy.

3.2.6 Active UK banks and building societies on the Council's list now comprise Lloyds, RBS (ring-fenced – including National Westminster Bank), Santander UK, Goldman Sachs International Bank, Close Brothers and Yorkshire, Principality, Nottingham and Skipton Building Societies and all of these have reduced their interest rates significantly in recent years. The Director of Finance will continue to monitor rates and counterparty quality and take account of external advice prior to any investment decisions.

3.2.7 The chart in Appendix 1 shows total investments at quarter-end dates back to 1st April 2004 and shows how available funds have increased steadily over the years. This has been a significant contributor to the over-achievement of investment income against budgeted income in recent years.

3.3. Interest Rate Forecast (provided by Link Asset Services)

3.3.1. The forecasts in the table below have been based on an assumption that there is some sort of 'muddle through' to an agreed deal on Brexit at some point in time. Forecasts may need to be materially reassessed in light of events over the next few weeks or months.

| Date | LATEST FORECAST (Nov19) | | | | PREVIOUS FORECAST (Aug19) | | | |
|--------|-------------------------|---------------|---------------|--------------|---------------------------|---------------|---------------|--------------|
| | Base Rate | 3 month Libid | 6 month Libid | 1 year Libid | Base Rate | 3 month Libid | 6 month Libid | 1 year Libid |
| Dec-19 | 0.75% | 0.70% | 0.80% | 1.00% | 0.75% | 0.70% | 0.80% | 1.00% |
| Jun-20 | 0.75% | 0.70% | 0.80% | 1.00% | 0.75% | 0.70% | 0.80% | 1.00% |
| Dec-20 | 1.00% | 0.90% | 1.00% | 1.20% | 1.00% | 0.90% | 1.00% | 1.20% |
| Jun-21 | 1.00% | 1.00% | 1.10% | 1.30% | 1.00% | 1.00% | 1.10% | 1.30% |
| Dec-21 | 1.00% | 1.10% | 1.30% | 1.50% | 1.00% | 1.10% | 1.30% | 1.50% |

3.4. Other accounts

3.4.1. Money Market Funds

3.4.1.1. The Council currently has 7 AAA-rated Money Market Fund accounts, with Prime Rate, Aberdeen Standard (formerly known as Ignis), Insight, Blackrock, Fidelity, Morgan Stanley and Legal & General, all of which have a maximum investment limit of £15m. In common with market rates for fixed-term investments, interest rates on money market funds have fallen considerably in recent years. The Aberdeen Standard, Prime Rate, Insight and Legal & General funds currently offer the best rate at around 0.70%.

3.4.1.2. The total balance held in Money Market Funds has varied during the year to date moving from £14.3m as at 31st March 2019 to £39.7m as at 30th September 2019 and currently stands at £54.4m (as at 11th November 2019). The Money Market Funds currently offer the lowest interest of all eligible investment vehicles with the exception of the Government Debt Management Account Deposit Facility (current indicative rate 0.5%); however they are the most liquid, with funds able to be redeemed up until midday for same day settlement.

| Money Market Funds | Date Account Opened | Actual balance 31/03/19 | Actual balance 30/09/19 | Ave. Daily balance to 30/09/19 | Ave. Rate 01/04/19 to 30/09/19 | Latest Balance 11/11/19 | Latest Rate 11/11/19 |
|---------------------------|---------------------|-------------------------|-------------------------|--------------------------------|--------------------------------|-------------------------|----------------------|
| | | £m | £m | £m | % | £m | % |
| Prime Rate | 15/06/2009 | 14.3 | 15.00 | 15.00 | 0.75 | 15.0 | 0.73 |
| Aberdeen Standard (Ignis) | 25/01/2010 | - | 15.00 | 13.50 | 0.75 | 15.00 | 0.73 |
| Insight | 03/07/2009 | - | 9.70 | 8.40 | 0.73 | 15.00 | 0.72 |
| Legal & General | 23/08/2012 | - | - | - | - | 9.40 | 0.70 |
| Blackrock | 16/09/2009 | - | - | - | - | - | - |
| Fidelity | 20/11/2002 | - | - | - | - | - | - |
| Morgan Stanley | | - | - | - | - | - | - |
| TOTAL | | 14.3 | 39.70 | 36.90 | | 54.40 | |

3.4.1.3 Current balances in MMFs are higher than usual for several reasons, mainly £20m being held for a further Pooled Investment Fund which is currently pending completion of the required legal documentation. Funds are also being held to cover cashflow requirements in February and March when income from Council Tax and Business Rates is significantly lower than the rest of the year, as well as ensuring the Council has sufficient liquidity to cover any 'non-standard' expenditure such as investment property purchases.

3.4.2. Housing Associations

3.4.2.1 Following the reduction of the counterparty rating criteria to A- for Housing Associations approved by Council in June 2017, deposits of £10m each were placed with Hyde Housing Association (A+) and Places for People Homes (A) for two years at rates of 1.30% and 1.60% respectively. Both of these investments have since matured. A further deposit of £5m was placed with Metropolitan Housing Trust (A+) in April 2018 for two years at a rate of 1.75%. On 25th February 2019, Council approved an increase in the limit for investments with Housing Associations from £25m to £50m. On 28th March 2019 a further investment of £10m was made with Southern Housing Group (A2) for two years at a rate of 1.70%. On 9th April 2019 a further £5m was invested with Metropolitan Housing Trust (A-) for two years at a rate of 1.73% and £10m on 22nd August 2019 with Optivo Housing (A2) for two years at a rate of 1.45%. Current investments in Housing Associations total £30m.

3.4.3. Loan to Project Beckenham

3.4.3.1. On 26th June 2017 Council approved the inclusion in the strategy of a secured loan to Project Beckenham relating to the provision of temporary accommodation for the homeless that had previously been agreed to be advanced from the Investment Fund. A loan of £2.3m was made in June 2017, at a rate of 6%, although that may increase to 7.5% if the loan to value ratio exceeds a specified value. In August 2019 £1m of the principal was repaid leaving a balance of £1.3m.

3.4.4. Pooled Investment Schemes

3.4.4.1. In September 2013, the Portfolio Holder and subsequently Council approved the inclusion of collective (pooled) investment schemes as eligible investment vehicles in the Council's Investment Strategy with an overall limit of £25m and a maximum duration of 5 years. The limit was subsequently increased to £40m by Council in October 2015, £80m in June 2017 and £100m in December 2017. Such investments would require the approval of the Director of Finance in consultation with the Resources Portfolio Holder.

3.4.4.2. Until March 2018, accounting rules required that the change in capital value of these investments be held in the Available for Sale Financial Assets Reserve, and only recognised in revenue on the sale of the investment. In year projections for interest on balances therefore only reflected the dividends from these investments.

3.4.4.3. However, from 2018/19 onwards, local authorities are required to account for financial instruments in accordance with IFRS9. One of the results of this is that changes in the capital value of pooled fund investments are recognised in revenue in-year. MHCLG have since issued regulations providing a statutory override to reverse the impact of IFRS9 on the Council's General Fund, which came into force in December 2018. The regulations are currently only applicable for a period of five years to March 2023, when it is intended for movements in value to be recognised in year.

3.4.4.4. Due to the regulations being time limited and the potentially volatile nature of these investments, interest/dividend earnings above 2.5% (£1,509k in 2018/19 and £2,594k to date) relating to the CCLA Property Fund and Fidelity Multi-Asset Income Fund were set aside in an Income Equalisation earmarked reserve. This will protect the council against unexpected variations in the capital value of these investments and any timing issues arising from the expiry of the statutory override.

CCLA Property Fund

3.4.4.5. Following consultation between the Director of Finance and the Resources Portfolio Holder, an account was opened in January 2014 with the CCLA Local Authorities' Property Fund and an initial deposit of £5m was made, followed by further deposits of £5m in July 2014, £5m in March 2015, £10m in October 2015, £5m in October 2016 and £10m in October 2017. The investment in the CCLA Fund is viewed as a medium to long-term investment and dividends are paid quarterly. A breakdown of the dividend earned and capital growth is provided in the table below.

| | Dividend | Capital | Total |
|-----------------------|----------|---------|--------|
| Annualised net return | % | Growth | Return |
| | % | % | % |
| 01/02/14 - 31/03/14 | 4.29 | -29.64 | -25.35 |
| 01/04/14 - 31/03/15 | 5.03 | 3.44 | 8.47 |
| 01/04/15 - 31/03/16 | 5.02 | 1.63 | 6.65 |
| 01/04/16 - 31/03/17 | 4.55 | -2.50 | 2.05 |
| 01/04/17 - 31/03/18 | 4.59 | 2.41 | 7.00 |
| 01/04/18 - 31/03/19 | 4.46 | 1.57 | 6.03 |
| 01/04/19 - 30/09/19 | 4.37 | -1.87 | 2.50 |
| Cumulative return | 4.61 | 0.51 | 5.12 |

3.4.4.6. The negative "growth", particularly in the first two months, was mainly a result of the bid-offer spread that is inherent in property funds when the original and subsequent investments were made. This has less of an effect over the longer term that these investments are expected to be held, and overall there has been modest capital growth of 0.51%.

Multi-Asset Income Fund

3.4.4.7. Following approval by Council in June 2017, the limit for pooled investment schemes was increased to £80m and an investment of £30m was made on 12th July 2017 in the Fidelity Multi-Asset Income Fund following the agreement of the Resources, Commissioning and Contracts Management Portfolio Holder. The annualised fund return for the year to 30th September 2019 was capital growth of 6.84% and dividends paid of 4.08% resulting in a total return of 10.92%.

3.4.4.8. Since inception, dividends paid have averaged 4.43% per annum and the capital value has increased by 0.08% per annum (overall increase of 0.18% to date) resulting in a net annual return of 4.51%. It should be noted that the Fund represents a longer term investment of around five years.

| | Dividend % | Capital Gain / Loss % | Total Return % |
|-----------------------|---------------|-----------------------------|----------------------|
| Annualised net return | | | |
| 12/07/17 - 31/03/18 | 4.42 | -6.27 | -1.85 |
| 01/04/18 - 31/03/19 | 4.26 | 1.45 | 5.71 |
| 01/04/19 - 30/09/19 | 4.08 | 6.84 | 10.92 |
| Cumulative Return | 4.43 | 0.08 | 4.51 |

3.4.5. Investment with Heritable Bank

3.4.5.1 Members will be aware from previous updates to the Resources Portfolio Holder and the Executive that the Council had £5m invested with the Heritable Bank, a UK subsidiary of the Icelandic bank, Landsbanki. In October 2008, the bank was placed in administration and the investment was frozen. To date, a total of £4,985k has been received (98% of the total claim of £5,087k) leaving a balance of £102k (2%). Officers and the Council's external advisers remain hopeful of a full recovery.

3.5. **Mid-Year Review of Treasury Management Strategy Statement and Annual Investment Strategy for 2019/20**

3.5.1. The CIPFA Code of Practice on Treasury Management requires the Council to receive a mid-year review report on performance against the approved strategy. The Annual Investment Strategy was originally approved by Council in February 2019. A mid-year review, including comments on the economic background during the first half of 2019/20 and on the outlook, is included at Annex A.

3.6. **Regulatory Framework, Risk and Performance**

3.6.1. The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:

- The Local Government Act 2003 (the Act) which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing that may be undertaken (although no restrictions have been made to date);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;

- Under the Act, the CLG has issued Investment Guidance to structure and regulate the Council's investment activities;
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007, the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November 2007.

3.6.2. The Council has complied with all of the above relevant statutory and regulatory requirements, which limit the levels of risk associated with its treasury management activities. In particular, its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.

4. POLICY IMPLICATIONS

4.1 In line with government guidance, the Council's policy is to seek to achieve the highest rate of return on investments whilst maintaining appropriate levels of risk, particularly security and liquidity.

5. FINANCIAL IMPLICATIONS

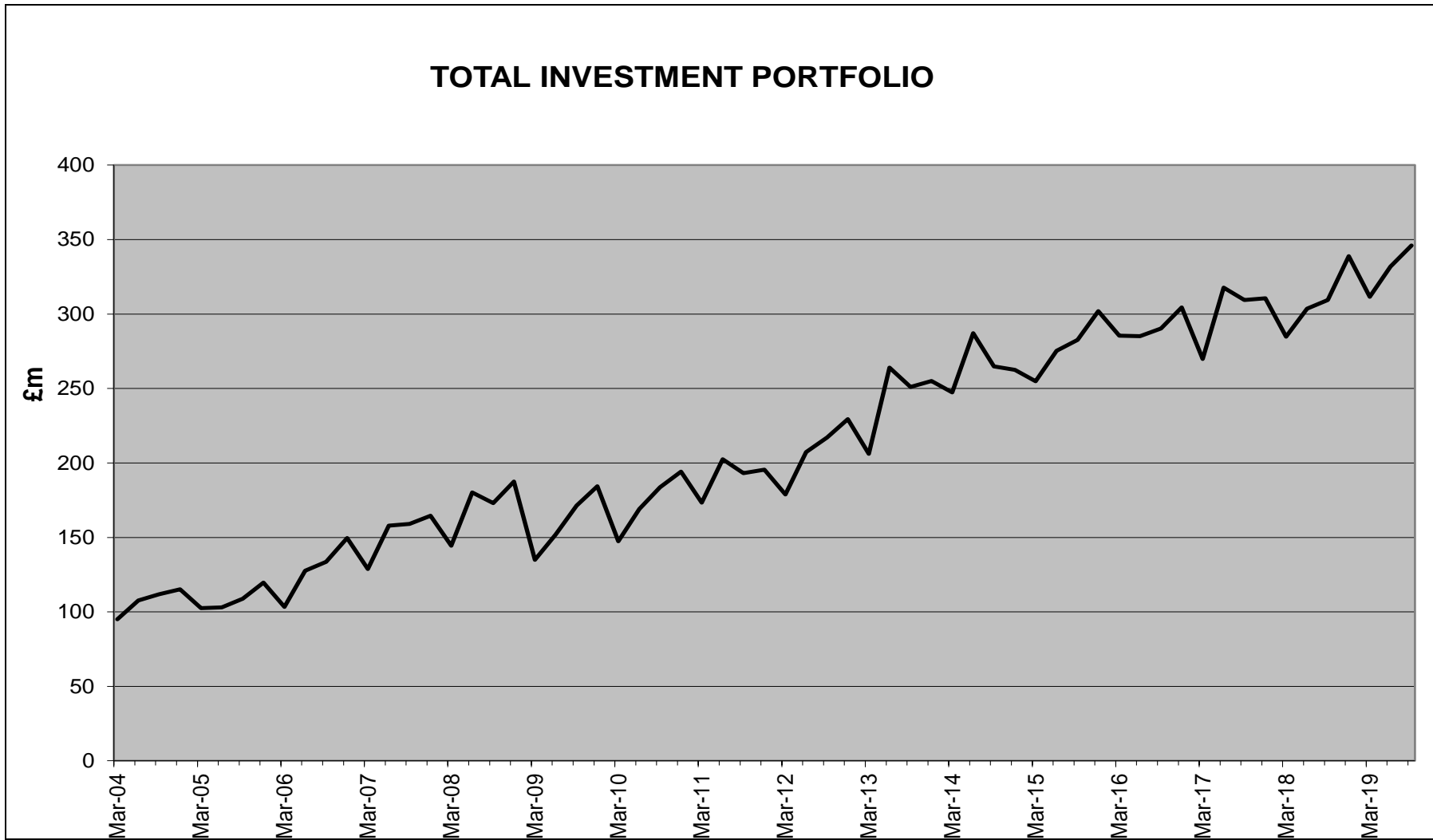
5.1 Despite an increase in the Bank of England base rate from 0.50% to 0.75%, there has been relatively little impact on interest income from lending to banks. This is partly due to banks having the continued ability to borrow from the Bank of England at very low rates as well as the strengthening of balance sheets reducing the need to borrow and the fact that expected increases in the base rate had already been priced in.

5.2 In addition, the utilisation of the Investment and Growth funds as well as the Highways Investment Scheme, have reduced the resources available for treasury management investment. However, the treasury management strategy has been revised to enable alternative investments of £100m which will generate additional income of around £2m compared with lending to banks.

5.3 Balances available for investment are anticipated to decrease in 2019/20 as a result of the utilisation of capital receipts and earmarked revenue reserves and the internal lending for the Site G development will have an impact on investment income until the future capital receipts are realised. A decrease of £200k was included in the draft 2019/20 budget to reflect this.

5.4 Although the Council has seen a significant reduction in the rates offered for new fixed term investments as well as overnight money market funds, a surplus of £500k is currently projected for the year. This is mainly due to the continued high level of balances available for investment as well as higher interest earned on the pooled funds, housing association deposits and Project Beckenham loan.

| | |
|---|--|
| Non-Applicable Sections: | Impact on Vulnerable Adults and Children, Personnel, Legal and Procurement Implications |
| Background Documents: (Access via Contact Officer) | CIPFA Code of Practice on Treasury Management CIPFA Prudential Code for Capital Finance in Local Authorities CLG Guidance on Investments External advice from Link Asset Services |



| Counterparty | Start Date | Maturity Date | Rate of Interest | Amount | Fitch | | Moody's | | S&P | | Fitch | | Moody's | | S&P | |
|--|------------|---------------|------------------|--------------|--------------------------------------|------------|-----------|------------|-----------|------------|-----------|------------|-------------------------------------|------------|-----------|------------|
| | | | | | Long Term | Short Term | Long Term | Short Term | Long Term | Short Term | Long Term | Short Term | Long Term | Short Term | Long Term | Short Term |
| | | | | | | | | | | | | | | | | |
| FIXED DEPOSITS | | | | | Ratings at time of Investment | | | | | | | | Ratings as at 30th September | | | |
| THURROCK BOROUGH COUNCIL | 30/10/2018 | 29/10/2019 | 1.15 | 10.0 | N/A (Local Authority) | | | | | | | | N/A (Local Authority) | | | |
| MEDWAY COUNCIL | 02/11/2018 | 01/11/2019 | 1.10 | 10.0 | N/A (Local Authority) | | | | | | | | N/A (Local Authority) | | | |
| NATWEST BANK | 15/11/2018 | 15/11/2019 | 1.17 | 10.0 | A- | F2 | A1 | P-1 | A- | A-2 | A+ | F1 | A1 | P-1 | A | A-1 |
| SANTANDER BANK | 19/11/2018 | 15/11/2019 | 1.25 | 5.0 | A | F1 | Aa3 | P-1 | A | A-1 | A+ | F1 | Aa3 | P-1 | A | A-1 |
| LLOYDS BANK | 05/12/2016 | 05/12/2019 | 1.37 | 25.0 | A+ | F1 | A1 | P-1 | A | A-1 | A+ | F1 | Aa3 | P-1 | A+ | A-1 |
| CLOSE BROTHERS | 01/03/2019 | 28/02/2020 | 1.25 | 20.0 | A | F1 | Aa3 | P-1 | | | A | F1 | Aa3 | P-1 | | |
| YORKSHIRE BUILDING SOCIETY | 11/04/2019 | 09/04/2020 | 1.20 | 10.0 | A- | F1 | A3 | P-2 | | | A- | F1 | A3 | P-2 | | |
| SANTANDER BANK | 17/04/2019 | 16/04/2020 | 1.03 | 15.0 | A+ | F1 | Aa3 | P-1 | A | A-1 | A+ | F1 | Aa3 | P-1 | A | A-1 |
| METROPOLITAN HOUSING TRUST | 16/04/2018 | 16/04/2020 | 1.75 | 5.0 | | | | | A+ | | | | | | A- | |
| SANTANDER BANK | 14/06/2019 | 12/06/2020 | 0.94 | 10.0 | A+ | F1 | Aa3 | P-1 | A | A-1 | A+ | F1 | Aa3 | P-1 | A | A-1 |
| CLOSE BROTHERS | 19/07/2019 | 17/07/2020 | 1.25 | 10.0 | A | F1 | Aa3 | P-1 | | | A | F1 | Aa3 | P-1 | | |
| PRINCIPALITY BUILDING SOCIETY | 02/08/2019 | 31/07/2020 | 1.18 | 10.0 | BBB+ | F2 | Baa2 | P-2 | | | BBB+ | F2 | Baa2 | P-2 | | |
| NOTTINGHAM BUILDING SOCIETY | 01/08/2019 | 31/07/2020 | 1.18 | 10.0 | | | Baa1 | P-2 | | | | | Baa1 | P-2 | | |
| SKIPTON BUILDING SOCIETY | 16/08/2019 | 14/08/2020 | 1.00 | 10.0 | A- | F1 | Baa1 | P-2 | | | A- | F1 | Baa1 | P-2 | | |
| LLOYDS BANK | 19/08/2019 | 19/08/2020 | 1.10 | 5.0 | A+ | F1 | Aa3 | P-1 | A+ | A-1 | A+ | F1 | Aa3 | P-1 | A+ | A-1 |
| GOLDMAN SACHS | 17/09/2019 | 17/09/2020 | 0.95 | 5.0 | A | F1 | A1 | P-1 | A+ | A-1 | A | F1 | A1 | P-1 | A+ | A-1 |
| GOLDMAN SACHS | 20/09/2019 | 18/09/2020 | 1.00 | 5.0 | A | F1 | A1 | P-1 | A+ | A-1 | A | F1 | A1 | P-1 | A+ | A-1 |
| WOKINGHAM BOROUGH COUNCIL | 19/12/2018 | 18/12/2020 | 1.45 | 10.0 | N/A (Local Authority) | | | | | | | | N/A (Local Authority) | | | |
| CHERWELL DISTRICT COUNCIL | 21/01/2019 | 21/01/2021 | 1.45 | 5.0 | N/A (Local Authority) | | | | | | | | N/A (Local Authority) | | | |
| CAMBRIDGESHIRE COUNTY COUNCIL | 28/02/2019 | 26/02/2021 | 1.45 | 10.0 | N/A (Local Authority) | | | | | | | | N/A (Local Authority) | | | |
| SOUTHERN HOUSING GROUP | 28/03/2019 | 29/03/2021 | 1.70 | 10.0 | | | A2 | | | | | | A3 | | | |
| NATWEST BANK | 09/04/2019 | 09/04/2021 | 1.35 | 10.0 | A+ | F1 | A1 | P-1 | A- | A-2 | A+ | F1 | A1 | P-1 | A | A-1 |
| METROPOLITAN HOUSING TRUST | 09/04/2019 | 09/04/2021 | 1.73 | 5.0 | | | | | A- | | | | | | A- | |
| OPTIVO | 22/08/2019 | 23/08/2021 | 1.45 | 10.0 | | | A2 | P-1 | | | | | A2 | P-1 | | |
| TOTAL FIXED INVESTMENTS | | | | 235.0 | | | | | | | | | | | | |
| OTHER FUNDS | | | | | | | | | | | | | | | | |
| ABERDEEN STANDARD (IGNIS) LIQUIDITY FUND | | | | 15.0 | | | | | | | | | | | | |
| INSIGHT STERLING LIQUIDITY FUND | | | | 9.7 | | | | | | | | | | | | |
| PRIME RATE STERLING LIQUIDITY FUND | | | | 15.0 | | | | | | | | | | | | |
| CCLA LOCAL AUTHORITY PROPERTY FUND | 30/01/2014 | | | 40.0 | | | | | | | | | | | | |
| FIDELITY MULTI-ASSET INCOME FUND | 12/07/2017 | | | 30.0 | | | | | | | | | | | | |
| PROJECT BECKENHAM LOAN | 09/06/2017 | | | 1.3 | | | | | | | | | | | | |
| TOTAL INVESTMENTS | | | | 346.0 | | | | | | | | | | | | |

| INVESTMENTS HELD AS AT 30TH SEPTEMBER 2019 | | | | | | APPENDIX 3 | |
|--|------------|---------------|--------------------|--------------|--------------|------------|--------------|
| | Start Date | Maturity Date | Rate of Interest % | Amount £m | Total £m | Limit £m | Remaining £m |
| UK BANKS | | | | | | | |
| LLOYDS BANK | 19/08/2019 | 19/08/2020 | 1.10 | 5.0 | | | |
| LLOYDS BANK | 05/12/2016 | 05/12/2019 | 1.37 | 25.0 | 30.0 | 30.0 | 0.0 |
| NATWEST BANK PLC | 09/04/2019 | 09/04/2021 | 1.35 | 10.0 | | | |
| NATWEST BANK PLC | 15/11/2018 | 15/11/2019 | 1.17 | 10.0 | 20.0 | 80.0 | 60.0 |
| GOLDMAN SACHS INTERNATIONAL BANK | 20/09/2019 | 18/09/2020 | 1.00 | 5.0 | | | |
| GOLDMAN SACHS INTERNATIONAL BANK | 17/09/2019 | 17/09/2020 | 0.95 | 5.0 | 10.0 | 20.0 | 10.0 |
| SANTANDER BANK | 14/06/2019 | 12/06/2020 | 0.94 | 10.0 | | | |
| SANTANDER BANK | 17/04/2019 | 16/04/2020 | 1.03 | 15.0 | | | |
| SANTANDER BANK | 19/11/2018 | 15/11/2019 | 1.25 | 5.0 | 30.0 | 30.0 | 0.0 |
| CLOSE BROTHERS LTD | 19/07/2019 | 17/07/2020 | 1.25 | 10.0 | | | |
| CLOSE BROTHERS LTD | 01/03/2019 | 28/02/2020 | 1.25 | 20.0 | 30.0 | 30.0 | 0.0 |
| UK BUILDING SOCIETIES | | | | | | | |
| YORKSHIRE BUILDING SOCIETY | 11/04/2019 | 09/04/2020 | 1.20 | 10.0 | 10.0 | 10.0 | 0.0 |
| PRINCIPALITY BUILDING SOCIETY | 02/08/2019 | 31/07/2020 | 1.18 | 10.0 | 10.0 | 10.0 | 0.0 |
| NOTTINGHAM BUILDING SOCIETY | 01/08/2019 | 31/07/2020 | 1.18 | 10.0 | 10.0 | 10.0 | 0.0 |
| SKIPTON BUILDING SOCIETY | 16/08/2019 | 14/08/2020 | 1.00 | 10.0 | 10.0 | 10.0 | 0.0 |
| LOCAL AUTHORITIES | | | | | | | |
| THURROCK BOROUGH COUNCIL | 30/10/2018 | 29/10/2019 | 1.15 | 10.0 | 10.0 | 15.0 | 5.0 |
| MEDWAY COUNCIL | 02/11/2018 | 01/11/2019 | 1.10 | 10.0 | 10.0 | 15.0 | 5.0 |
| WOKINGHAM BOROUGH COUNCIL | 19/12/2018 | 18/12/2020 | 1.45 | 10.0 | 10.0 | 15.0 | 5.0 |
| CHERWELL DISTRICT COUNCIL | 21/01/2019 | 21/01/2021 | 1.45 | 5.0 | 5.0 | 15.0 | 10.0 |
| CAMBRIDGESHIRE COUNTY COUNCIL | 28/02/2019 | 26/02/2021 | 1.45 | 10.0 | 10.0 | 15.0 | 5.0 |
| HOUSING ASSOCIATIONS | | | | | | | |
| METROPOLITAN HOUSING TRUST | 16/04/2018 | 16/04/2020 | 1.75 | 5.0 | | | |
| METROPOLITAN HOUSING TRUST | 09/04/2019 | 09/04/2021 | 1.73 | 5.0 | 10.0 | 10.0 | 0.0 |
| SOUTHERN HOUSING GROUP | 28/03/2019 | 29/03/2021 | 1.70 | 10.0 | 10.0 | 10.0 | 0.0 |
| OPTIVO | 22/08/2019 | 23/08/2021 | 1.45 | 10.0 | 10.0 | 10.0 | 0.0 |
| OTHER INVESTMENTS | | | | | | | |
| ABERDEEN STANDARD (IGNIS) LIQUIDITY FUND | 25/01/2010 | | | 15.0 | 15.0 | 15.0 | 0.0 |
| INSIGHT STERLING LIQUIDITY FUND | 15/06/2009 | | | 9.7 | 9.7 | 15.0 | 5.3 |
| PRIME RATE STERLING LIQUIDITY FUND | 15/06/2009 | | | 15.0 | 15.0 | 15.0 | 0.0 |
| CCLA LOCAL AUTHORITY PROPERTY FUND | 30/01/2014 | | | 40.0 | | | |
| FIDELITY - MULTI ASSET INCOME FUND | 12/07/2017 | | | 30.0 | 70.0 | 100.0 | 30.0 |
| PROJECT BECKENHAM LOAN | 09/06/2017 | | | 1.3 | 1.3 | 2.3 | 1.0 |
| TOTAL INVESTMENTS | | | | 346.0 | 346.0 | | |

This page is left intentionally blank

Treasury Management Strategy Statement and Annual Investment Strategy

Mid-year Review Report 2019/20

1 Background

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans or using longer term cash flow surpluses and, on occasion, any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

“The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

2 Introduction

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (last revised in 2017) was adopted by this Council on 20th February 2012.

The primary requirements of the Code are as follows:

1. Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
2. Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
3. Receipt by the full council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a **Mid-year Review Report** and an Annual Report (stewardship report) covering activities during the previous year.
4. Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
5. Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Executive, Resources and Contracts PDS Committee.

This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first part of the 2019/20 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure (prudential indicators);
- A review of the Council's investment portfolio for 2019/20;
- A review of the Council's borrowing strategy for 2019/20;
- A review of any debt rescheduling undertaken during 2019/20;
- A review of compliance with Treasury and Prudential Limits for 2019/20.

Key Changes to the Treasury and Capital Strategies

There are no key changes proposed in this Mid-Year review report.

3 Economic update (provided by Link Asset Services)

UK. This first half year has been a time of upheaval on the political front as Theresa May resigned as Prime Minister to be replaced by Boris Johnson on a platform of the UK leaving the EU on 31 October, with or without a deal. However, in September, his proroguing of Parliament was overturned by the Supreme Court and Parliament carried a bill to delay Brexit until 31 January 2020 if there is no deal by 31 October. MPs also voted down holding a general election before 31 October, though one is likely before the end of 2019. So far, there has been no majority of MPs for any one option to move forward on enabling Brexit to be implemented. At the time of writing, (first week in October), the whole Brexit situation is highly fluid and could change radically by the day. Given these circumstances and the likelihood of an imminent general election, any interest rate forecasts are subject to material change as the situation evolves. If the UK does soon achieve a deal on Brexit agreed with the EU, including some additional clarification wording on the Irish border backstop, then it is possible that growth could recover relatively quickly. The MPC could then need to address the issue of whether to raise Bank Rate when there is very little slack left in the labour market; this could cause wage inflation to accelerate which would then feed through into general inflation. On the other hand, if there was a no deal Brexit and there was a significant level of disruption to the economy, then growth could weaken even further than currently and the MPC would be likely to cut Bank Rate in order to support growth. However, with Bank Rate still only at 0.75%, it has relatively little room to make a big impact and the MPC would probably suggest that it would be up to the Chancellor to provide help to support growth by way of a fiscal boost by e.g. tax cuts, increases in government departments and services annual expenditure budgets and expenditure on infrastructure projects, to boost the economy.

The first half of 2019/20 has seen UK **economic growth** fall as Brexit uncertainty took a toll. In its Inflation Report of 1 August, the Bank of England was notably downbeat about the outlook for both the UK and major world economies. The MPC meeting of 19 September reemphasised their concern about the downturn in world growth and also expressed concern that the prolonged Brexit uncertainty would contribute to a build-up of spare capacity in the UK economy, especially in the context of a downturn in world growth. This mirrored investor concerns around the world which are now expecting a significant downturn or possibly even a recession in some major developed economies. It was therefore no surprise that the Monetary Policy Committee (MPC) left Bank Rate unchanged at 0.75% throughout 2019, so far, and is expected to hold off on changes until there is some clarity on what is going to happen over Brexit. However, it is also worth noting that the new Prime Minister is making some significant promises on various spending commitments and a relaxation in the austerity programme. This will provide some support to the economy and, conversely, take some pressure off the MPC to cut Bank Rate to support growth.

As for **inflation** itself, CPI has been hovering around the Bank of England's target of 2% during 2019, but fell to 1.7% in August. It is likely to remain close to 2% over the next two years and so it does not pose any immediate concern to the MPC at the current time. However, if there was a no deal Brexit, inflation could rise towards 4%, primarily as a result of imported inflation on the back of a weakening pound.

With regard to the **labour market**, despite the contraction in quarterly GDP growth of -0.2%q/q, (+1.3% y/y), in quarter 2, employment continued to rise, but at only a muted rate of 31,000 in the three months to July after having risen by no less than 115,000 in quarter 2 itself: the latter figure, in particular, suggests that firms are preparing to expand output and suggests there could be a return to positive growth in quarter 3. Unemployment continued at a 44 year low of 3.8% on the Independent Labour Organisation measure in July and the participation rate of 76.1% achieved a new all-time high. Job vacancies fell for a seventh consecutive month after having previously hit record levels.

However, with unemployment continuing to fall, this month by 11,000, employers will still be having difficulty filling job vacancies with suitable staff. It was therefore unsurprising that wage inflation picked up to a high point of 3.9% in June before easing back slightly to 3.8% in July, (3 month average regular pay, excluding bonuses). This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 2.1%. As the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. The latest GDP statistics also included a revision of the savings ratio from 4.1% to 6.4% which provides reassurance that consumers' balance sheets are not over stretched and so will be able to support growth going forward. This would then mean that the MPC will need to consider carefully at what point to take action to raise Bank Rate if there is an agreed Brexit deal, as the recent pick-up in wage costs is consistent with a rise in core services inflation to more than 4% in 2020.

In the **political arena**, if there is a general election soon, this could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up although, conversely, a weak international backdrop could provide further support for low yielding government bonds and gilts.

USA. President Trump's massive easing of fiscal policy in 2018 fuelled a temporary boost in consumption in that year which generated an upturn in the rate of strong growth to 2.9% y/y. Growth in 2019 has been falling back after a strong start in quarter 1 at 3.1%, (annualised rate), to 2.0% in quarter 2. Quarter 3 is expected to fall further. The strong growth in employment numbers during 2018 has reversed into a falling trend during 2019, indicating that the economy is cooling, while inflationary pressures are also weakening. The Fed finished its series of increases in rates to 2.25 – 2.50% in December 2018. In July 2019, it cut rates by 0.25% as a 'midterm adjustment' but flagged up that this was not to be seen as the start of a series of cuts to ward off a downturn in growth. It also ended its programme of quantitative tightening in August, (reducing its holdings of treasuries etc). It then cut rates again in September to 1.75% - 2.00% and is thought likely to cut another 25 bps in December. Investor confidence has been badly rattled by the progressive ramping up of increases in tariffs President Trump has made on Chinese imports and China has responded with increases in tariffs on American imports. This trade war is seen as depressing US, Chinese and world growth. In the EU, it is also particularly impacting Germany as exports of goods and services are equivalent to 46% of total GDP. It will also impact developing countries dependent on exporting commodities to China.

EUROZONE. Growth has been slowing from +1.8 % during 2018 to around half of that in 2019. Growth was +0.4% q/q (+1.2% y/y) in quarter 1 and then fell to +0.2% q/q (+1.0% y/y) in quarter 2; there appears to be little upside potential to the growth rate in the rest of 2019. German GDP growth fell to -0.1% in quarter 2; industrial production was down 4% y/y in June with car production down 10% y/y. Germany would be particularly vulnerable to a no deal Brexit depressing exports further and if President Trump imposes tariffs on EU produced cars. The European Central Bank (ECB) ended its programme of quantitative easing purchases of debt in December 2018, which meant that the central banks in the US, UK and EU had all ended the phase of post financial crisis expansion of liquidity supporting world financial markets by purchases of debt. However, the downturn in EZ growth in the second half of 2018 and into 2019, together with inflation falling well under the upper limit of its target range of 0 to 2%, (but it aims to keep it near to 2%), has prompted the ECB to take new measures to stimulate growth. At its March meeting it said that it expected to leave interest rates at their present levels "at least through the end of 2019", but that was of little help to boosting growth in the near term.

Consequently, it announced a third round of TLTROs; this provides banks with cheap borrowing every three months from September 2019 until March 2021 which means that, although they will have only a two-year maturity, the Bank is making funds available until 2023, two years later than under its previous policy. As with the last round, the new TLTROs will include an incentive to encourage bank lending, and they will be capped at 30% of a bank's eligible loans. However, since then, the downturn in EZ and world growth has gathered momentum so at its meeting on 12 September, it cut its deposit rate further into negative territory, from -0.4% to -0.5%, and announced a resumption of quantitative easing purchases of debt. It also increased the maturity of the third round of TLTROs from two to three years. However, it is doubtful whether this loosening of monetary policy will have much impact on growth and unsurprisingly, the ECB stated that governments will need to help stimulate growth by fiscal policy. On the political front, Austria, Spain and Italy are in the throes of forming coalition governments with some unlikely combinations of parties i.e. this raises questions around their likely endurance. The recent results of two German state elections will put further pressure on the frail German CDU/SPD coalition government.

CHINA. Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems. Progress also still needs to be made to eliminate excess industrial capacity and to switch investment from property construction and infrastructure to consumer goods production. The trade war with the US does not appear currently to have had a significant effect on GDP growth as some of the impact of tariffs has been offset by falls in the exchange rate and by transshipping exports through other countries, rather than directly to the US.

JAPAN - has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

WORLD GROWTH. The trade war between the US and China is a major concern to financial markets and is depressing worldwide growth, as any downturn in China will spill over into impacting countries supplying raw materials to China. Concerns are focused on the synchronised general weakening of growth in the major economies of the world compounded by fears that there could even be a recession looming up in the US, though this is probably overblown. These concerns have resulted in government bond yields in the developed world falling significantly during 2019. If there were a major worldwide downturn in growth, central banks in most of the major economies will have limited ammunition available, in terms of monetary policy measures, when rates are already very low in most countries, (apart from the US), and there are concerns about how much distortion of financial markets has already occurred with the current levels of quantitative easing purchases of debt by central banks. The latest PMI survey statistics of economic health for the US, UK, EU and China have all been sub 50 which gives a forward indication of a downturn in growth; this confirms investor sentiment that the outlook for growth during the rest of this financial year is weak.

4 Treasury Management Strategy Statement and Annual Investment Strategy update

The Treasury Management Strategy Statement (TMSS) for 2019/20 was approved by this Council on 25th February 2019. No revisions were proposed in the Annual Report 2018/19 reported to Council on 15th July 2019 or in the Mid-Year Review report.

5 Investment Portfolio

In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. As shown by forecasts in section 3, it is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the current 0.75% Bank Rate. The continuing potential for a re-emergence of a Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk and short term strategy. Given this risk environment and the fact that increases in Bank Rate are likely to be gradual and unlikely to return to the levels seen in previous decades, investment returns are likely to remain low.

Details of the Council's investment activity during the first six months of 2019/20 are provided in sections 3.2.2 to 3.4.5 of the covering report and lists of current investments are provided in Appendices 2 (in maturity date order) and 3 (by counterparty). The Council held £346m of investments as at 30th September 2019 (£331.8m as at 30th June 2019).

The Director of Finance confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2019/20.

The Council's budget for interest on investments in 2019/20 is £3.291m, which is based on an assumed interest rate of 1.4% for new investments. As a result of the higher interest rates being earned on new investments made on recent investments as well as higher levels of balances available for investment, a surplus of £500k is currently projected for the 2019/20 financial year.

Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

6 Borrowing

The Council's estimated capital financing requirement (CFR) for 2019/20 is £0.7m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The Council does not currently borrow to finance its capital expenditure and has, in recent years, only had to borrow short-term (for cashflow purposes) on very few occasions.

No borrowing is currently anticipated during this financial year, but it is possible that some may be required in future years.

Prudential and Treasury Indicators – Mid-Year Review 2019/20

The old capital control system was replaced in April 2004 by a prudential system based largely on self-regulation by local authorities themselves. At the heart of the system is The Prudential Code for Capital Finance in Local Authorities, developed by CIPFA. The Code requires the Council to set a number of prudential indicators designed to monitor and control capital expenditure, financing and borrowing. The indicators for 2019/20 were approved by Council in February 2019 and this Annex sets out the actual performance against those indicators in the first six months, updating them where necessary. Prudential and Treasury Indicators are relevant for the purposes of setting an integrated treasury management strategy.

The Council is required to indicate if it has adopted the CIPFA Code of Practice on Treasury Management. This original 2001 Code was adopted by the full Council in February 2002 and the revised 2011 Code was initially adopted by full Council in February 2012.

Prudential Indicators for Capital Expenditure

This table shows the revised estimates for capital expenditure and the changes since the Capital Programme for 2019/20 was agreed in February 2019. The decrease in the latest estimate for 2019/20 is mainly the result of slippage in expenditure originally planned for 2019/20 into future years, as highlighted in previous reports to the Executive and to PDS Committees.

| Capital Expenditure by Portfolio | 2019/20 Original Estimate £m | 2019/20 Revised Estimate £m |
|---|---------------------------------|--------------------------------|
| Education, Children & Families | 17.3 | 14.9 |
| Adult Care & Health | 1.4 | 0.3 |
| Environment & Community | 9.3 | 11.7 |
| Renewal Recreation & Housing | 17.7 | 12.5 |
| Resources, Commissioning & Contracts Mngt | 34.7 | 5.0 |
| Estimated slippage/new schemes | 6.5 | -5.0 |
| Total | 86.9 | 39.4 |

Changes to the Financing of the Capital Programme

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure.

| Capital Expenditure | 2019/20 Original Estimate £m | 2019/20 Revised Estimate £m |
|------------------------------|---------------------------------|--------------------------------|
| Supported | 86.9 | 39.4 |
| Unsupported | - | - |
| Total spend | 86.9 | 39.4 |
| Financed by: | | |
| Capital receipts | 43.5 | 7.7 |
| Capital grants/contributions | 26.4 | 26.0 |
| General Fund | - | - |
| Internal Borrowing | 12.7 | - |
| Revenue contributions | 4.3 | 5.7 |
| Total financing | 86.9 | 39.4 |
| Borrowing need | - | - |

Changes to the Prudential Indicators for the Capital Financing Requirement, External Debt and the Operational Boundary

It is a statutory duty for the Council to determine and keep under review the “Affordable Borrowing Limits”, which comprise external / internal borrowing and other long-term liabilities, mainly finance leases. The Council’s approved Treasury and Capital Prudential Indicators (affordability limits) are outlined in the approved TMSS. The table below shows the expected “worst case” debt position over the period. This is termed the Operational Boundary. Bromley has an operational “borrowing” limit (Operational Boundary) of £30m, although in practice, this limit is never in danger of being breached.

The Authorised Limit, which represents the limit beyond which borrowing is prohibited, is another of the prudential indicators and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003 and, for Bromley, this figure has been set at £60m.

The table also shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. The Council’s capital financing requirement (CFR) as at 1st April 2019 was £1.2m. If the CFR is positive, the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The Council’s CFR relates to liabilities arising from finance leases entered into in recent years in respect of various items of plant and equipment. The Council currently has no external borrowing as such.

| Prudential Indicators | 2019/20 Original Estimate £m | 2019/20 Revised Estimate £m |
|------------------------------------|---------------------------------------|--------------------------------------|
| CFR | 1.0 | 0.7 |
| | | |
| Debt – Operational Boundary | | |
| Borrowing | 10.0 | 10.0 |
| Other long-term liabilities | 20.0 | 20.0 |
| Total Operational Boundary | 30.0 | 30.0 |
| | | |
| Debt – Authorised Boundary | | |
| Borrowing | 30.0 | 30.0 |
| Other long-term liabilities | 30.0 | 30.0 |
| Total Operational Boundary | 60.0 | 60.0 |

Other Prudential Indicators

Other indicators designed to control overall borrowing and exposures to interest rate movements are included in the summary table below, which will require the approval of full Council.

Prudential and Treasury Indicators - Summary

| | 2019/20 | 2019/20 |
|--|-------------------|------------------|
| | Original Estimate | Revised Estimate |
| Total Capital Expenditure | £86.9m | £39.4m |
| Ratio of financing costs to net revenue stream | 0.0% | 0.0% |
| Net borrowing requirement (net investments for Bromley) | | |
| brought forward 1 April | £263.5m | £311.6m |
| carried forward 31 March | £205.4m | £265.5m |
| in year borrowing requirement (reduction in net investments for Bromley) | -£58.1 | -£46.1m |
| Estimated CFR as at 31 March (finance lease liability) (NB. Actual CFR as at 31 March 2019 (finance lease liability) = £1.2m) | £1.0m | £0.7m |
| Annual change in Cap. Financing Requirement | -£0.5m | -£0.5m |
| Incremental impact of capital investment decisions | £ p | £ p |
| Increase in council tax (band D) per annum | - | - |

| TREASURY MANAGEMENT INDICATORS | 2019/20 Original Estimate | 2019/20 Revised Estimate |
|---|------------------------------|-----------------------------|
| Authorised Limit for external debt - | | |
| Borrowing | £30.0m | £30.0m |
| other long term liabilities | £30.0m | £30.0m |
| TOTAL | £60.0m | £60.0m |
| Operational Boundary for external debt - | | |
| borrowing | £10.0m | £10.0m |
| other long term liabilities | £20.0m | £20.0m |
| TOTAL | £30.0m | £30.0m |
| Upper limit for fixed interest rate exposure | 100% | 100% |
| Upper limit for variable rate exposure | 20% | 20% |
| Upper limit for total principal sums invested beyond year-end dates | £170.0m | £170.0m |

This page is left intentionally blank