

TO MEMBERS OF THE COUNCIL

Notice is hereby given that the annual meeting of the Council of the London Borough of Bromley is to be held on Wednesday 13 May 2020 at 6.30pm which meeting the Members of the Council are hereby summoned to attend.

(Please note that this will be a virtual meeting and a link will be available on the Council website to enable members of the press and public to see and hear the meeting. The link will be published before the start of the meeting.)

Prayers

A G E N D A

- 1 To elect the Mayor of the Borough

The Mayor to make and deliver the statutory Declaration of Office

- 2 To record the appointment of the Deputy Mayor signified to the Council in writing

- 3 Apologies for absence

- 4 Declarations of Interest

- 5 To confirm the Minutes of the meeting of the Council held on 24th February 2020 (Pages 3 - 42)

- 6 To receive an address from the Leader of the Council, if they so elect

- 7 To appoint Committees and their Chairmen and Vice-Chairmen and agree proportionality

Schedule of Committee memberships to follow.

At the end of the Council meeting, Committees will meet to appoint their Sub-Committees in line with proportionality and to appoint chairmen and vice-chairmen.

- 8 To receive the Scheme of Delegation of Executive Functions from the Leader of the Council and to approve the Scheme of Delegation of Non-Executive functions. (Pages 43 - 132)

- 9 To receive and note the Report of the Urgency Committee (Pages 133 - 138)

- 10 The Mayor's announcements and communications.

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Ade Adetosoye

**Ade Adetosoye OBE
Chief Executive**

**BROMLEY CIVIC CENTRE
BROMLEY BR1 3UH
Wednesday 6th May 2020
Vol.57 No.1**

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 24 February 2020

Present:

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

**The Deputy Mayor
Councillor Kira Gabbert**

Councillors

Gareth Allatt	Peter Fortune	Angela Page
Vanessa Allen	Hannah Gray	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
Mark Brock	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	Christopher Marlow	Kieran Terry
Peter Dean	Robert Mcilveen	Michael Tickner
Ian Dunn	Russell Mellor	Pauline Tunncliffe
Nicky Dykes	Alexa Michael	Michael Turner
Judi Ellis	Peter Morgan	Stephen Wells
Robert Evans	Keith Onslow	Angela Wilkins
Simon Fawthrop	Tony Owen	

The meeting was opened with prayers

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

169 Apologies for absence

Apologies for absence were received from Councillors Marina Ahmad, Katy Boughey, Will Harmer and Kate Lymer.

Apologies for lateness were received from Councillors Julian Benington, Aisha Cuthbert, Samaris Huntington-Thresher, Russell Mellor and Michael Rutherford.

170 Declarations of Interest

Councillor Simon Fawthrop declared an interest in relation to minute 178 (TEC Amendment) as he was about to take delivery of an electric car.

171 To confirm the Minutes of the meeting of the Council held on 9th December 2019

RESOLVED that, subject to the addition of Councillor Michael Turner to the list of those present, the minutes of the meeting held on 9th December 2019 be confirmed.

172 Petitions

There were no petitions to consider.

173 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.

Seven 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.

Sixteen questions had been received from members of the Council for oral reply. 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.

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

Two statements were made as follows -

(A) From the Portfolio Holder for Adult Care and Health, Councillor Diane Smith - The Council's vision for the future of the borough's Day Centres.

The Portfolio Holder began by explaining that the Council's strategy was clearly stated at the front of the Ageing Well Strategy - "We want to ensure that older people retain their independence for as long as possible, with the

assistance of family, friends, faith and community groups, the voluntary sector and, where necessary, the Council and Health Services.”

In 2013, the Council had moved from commissioning the service through a block contract to spot purchasing arrangements, and had put in place transitional funding arrangements to help providers secure long-term sustainability. They were also encouraged to develop their offer to self-funders. Reports to Members in early 2013 showed that the Council’s approach had been extensively discussed with providers for at least three years previously. In 2017/18, the Council had agreed a one year waiver of the full market rent for one of the Day Centre providers. In 2018/19 a similar waiver agreement was made, extending to the main Day Centre providers for older people at a cost to the Council of approximately £140k. A return to full market rent was due from 2019/20, but the Council, aware that commissioners were continuing to work with providers, agreed to reduce the rent for this financial year too.

With the support of Council commissioners, providers had taken measures to improve their sustainability, including by reviewing prices and developing new partnerships, development of a marketing strategy to promote the day centres and build up their private client-base, sharing of resources and successful business models, including reviews of pricing structures, staff ratios and work rotas, work on optimising the use of day centre buildings, and supporting care staff to study for vocational qualifications whilst working. In July 2019 a possible funding opportunity had been identified for one of the day centres, and this was just being actioned by the provider. Commissioners continued to work with the Day Centres to develop their offer in a way that was sustainable and met the changing needs of individuals.

Responding to questions, the Portfolio Holder stated that, in terms of the strategic view, Members would have the opportunity to comment on the action plan that was part of the Ageing Well Strategy. Residents did have the ability to choose where to go, and did not necessarily choose to use traditional day centres. As an example, Lewisham Council had recently reduced their day centres from three to one in view of the impact of direct payments and there being a different offer in the community. The Portfolio Holder agreed that day centres did give people choice, but they were not always choosing to use the Day Centres and there were vacancies. She also agreed that Day Centres were important for offering respite, and the views of carers needed to be taken into account. The Ageing Well action plan was due to be considered at the next Adult Care and Health PDS Committee meeting in March.

(B) From the Portfolio Holder for Resources, Commissioning and Contract Management, Councillor Graham Arthur - The proposed staff pay award for 2020/21.

The Portfolio Holder stated that, in six weeks’ time, Bromley staff would be the only local government workers in London who would know what their salary was. While the national pay rise was likely to be 2%, Bromley’s increase

would be 2.5%, payable from 1st April. The Council was also setting aside £200k for merit payments - over £1m had already been paid out since the beginning of the scheme. The Council was also giving an extra reward to those at the lowest end of the pay scale by eliminating spinal points 4-8, moving them into point 9.

The Council depended on the quality of its staff, and they deserved leadership and motivation. There were now 30 trained mental health first aiders, a break-out room and access to more than 20 staff benefits. These included a salary sacrifice leased car scheme (a suggestion from staff), a childcare deposit loan scheme to help parents get back to work (a suggestion from a Member), and the annual leave purchasing scheme (suggested by the PDS Committee.)

In November the first staff conference had been held to inform staff about the transformation programme and the investment in IT to facilitate flexible working. The roll-out of the £5.2m IT improvement had been shortlisted for a national award. The Departmental Representatives Forum continued to shape what was done - their work was much appreciated.

The Council was investing in the staff of tomorrow through the YES scheme and the Frontline scheme. Twenty four apprentices and four graduates had been recruited, and these were soon to be increased. Most had now been recruited to full-time employment, some in senior positions.

The Council would continue to motivate, consult and reward as it moved to becoming a dream organisation, a place of choice to work.

In response to questions, the Portfolio Holder agreed that the Council was competing with other boroughs for the same potential employees, particularly for social workers. While salaries were often higher in inner London, Bromley could emphasise that it was an attractive place to live and work, with excellent staff benefits and working environment. He considered that staff morale was high and that turnover and retention were improving.

175 **2020/21 Council Tax**
 Report CSD20019

Councillor Colin Smith, seconded by Councillor Graham Arthur, moved acceptance of the recommendations made by the Executive. In moving the recommendations, Councillor Smith confirmed that there were no changes to the final Mayoral precept.

The following amendments were moved by Councillor Angela Wilkins and seconded by Councillor Ian Dunn -

“The following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 55-107.

The following changes be made to the recommended budget for 2020/21:

Amended Recommendation (2.1):

- (e) Approves a revised Central Contingency sum of £12,081k to reflect the changes in (d) and (p) to (v);

Additional Recommendation (2.1):

- (l) Agrees that £635k be carried forward from underspends in the 2019/20 Central Contingency to fund costs in 2020/21 relating to:
- implement light controlled pedestrian crossing at Chislehurst Crossroads at a cost of £350k;
 - install a 20mph speed limit for schools at a cost of £285k;
- (m) Requests that officers review options to revise CPZ charges to be based on emissions with higher charges introduced for second and subsequent vehicles at the same address. The scheme proposals to be self-financing;
- (n) Agrees to additional one off funding of £2m to be utilised over 4 years towards building maintenance with monies to be met from the Council's Invest to Save Fund earmarked reserve;
- (o) Agrees the removal of the payment of council tax by care leavers up to the age of 25 years funded from a further increase in the empty homes premium for properties empty for more than two years to 100% (assume changes from October 2020);
- (p) Provision of landlord and tenant support services at an annual cost of £70k to be funded from the Council's 2020/21 Central Contingency Sum;
- (q) Agrees to additional funding of £300k per annum for respite services to be funded from the IBCF monies set aside (£1,677k to support hospital discharge);
- (r) Apply London Living Wage as the minimum pay level for Council staff at an annual cost of £25k per annum to be funded from the Council's 2020/21 Central Contingency Sum. Also agree to commission a review at a cost of £25k to consider the implication of applying London Living Wage as a minimum pay for all LBB contractors. The review to be funded from the Commissioning Authority Programme earmarked reserve;
- (s) Agrees additional funding of £100k for mental health services with costs met from the Council's 2020/21 Central Contingency Sum;
- (t) Agrees additional funding of £250k for public health with costs to be met from the Council's 2020/21 Central Contingency Sum;

- (u) Agrees one off funding of £200k for installation of additional CCTV cameras to be funded from the Environmental Initiatives/High Street and Parks Improvement earmarked reserves. The ongoing running costs of £40k to be met from the Council's 2020/21 Central Contingency Sum;
- (v) Agrees additional funding of £100k for youth services/facilities with costs to be met from the Council's 2020/21 Central Contingency Sum;
- (w) Agrees funding of £50k per annum for Small Business Grants with the cost to be met from the Growth Fund Earmarked Reserve over a four year period;
- (x) Agrees one off funding of £5m from the Council's Invest to Save Fund earmarked reserve to provide Carbon Zero 2029 Target initiatives/investment;
- (y) Agrees funding of £250k per annum for additional staff to aid the housing development programme with the costs for four years to be met from the Council's Growth Fund earmarked reserve;
- (z) Notes that any ongoing costs will be reviewed as part of the 2021/22 budget preparation.

Further details are provided in Appendix 1 ([Appendix E](#) to these minutes).

Amended Recommendation (2.3):

- 3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £545,579k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £378,596k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act."

On being put to the vote, this amendment was **LOST**.

Accordingly, the recommendations of the Executive, as moved by Councillor Colin Smith and seconded by Councillor Graham Arthur were CARRIED as follows -

That Council -

- (1) (a) **Approves the schools budget of £79.506m which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;**

- (b) Approves the draft revenue budgets (as in Appendix 2 to the report) for 2020/21 to include the following updated changes:
- (i) minor variation of £27k relating to the collection fund surplus/ collection fund surplus set aside.
- (c) Agrees that Chief Officers identify alternative savings/mitigation within their departmental budgets where it is not possible to realise any savings/mitigation reported to the previous meeting of the Executive held on 15th January 2020;
- (d) Approves the following provisions for levies for inclusion in the budget for 2020/21:

	£'000
London Pensions Fund Authority *	447
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.) *	252
Lee Valley Regional Park *	309
Total	1,256

* Provisional estimate at this stage

- (e) Approves a revised Central Contingency sum of £12,666k to reflect the changes in (d);
- (f) Notes that the 2020/21 Central Contingency sum includes significant costs not yet allocated and there will therefore be further changes to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget;
- (g) Approves the revised draft 2020/21 revenue budgets to reflect the changes detailed above;
- (h) Sets a 3.99% increase in Bromley's council tax for 2020/21 compared with 2019/20 (1.99% general increase plus 2% Adult Social Care Precept) and notes that, based upon their consultation exercise, the GLA are currently assuming a 3.6% increase in the GLA precept;
- (i) Notes the latest position on the GLA precept, as above, which will be finalised in the overall Council Tax figure to be reported to full Council (see section 12 of the report);
- (j) Approves the approach to reserves outlined by the Director of Finance (see Appendix 4 to the report);
- (k) Executive agrees that the Director of Finance be authorised to report any further changes directly to Council on 24th February 2020.

(2) Council Tax 2020/21 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (k) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2019/20 £	2020/21 £	Increase £	Increase % (note #)
Bromley (general)	1,128.80	1,153.00	24.20	1.99
Bromley (ASC precept)	87.46	111.77	24.31	2.00
Bromley (total)	1,216.26	1,264.77	48.51	3.99
GLA *	320.51	332.07	11.56	3.61
Total	1,536.77	1,596.84	60.07	3.91

* The GLA Precept may need to be amended once the actual GLA budget is set.

(#) in line with the 2020/21 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,216.26 for Bromley) – see paragraph 6 below. Any further changes arising from these Principles will be reported directly to Council on 24th February 2020.

(3) Council formally resolves as follows:

1. It be noted that the Council Tax Base for 2020/21 is 132,026 'Band D' equivalent properties.
2. Calculate that the Council Tax requirement for the Council's own purposes for 2020/2021 is £166,983k.
3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £543,554k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £376,571k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.
 - (c) £166,983k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
 - (d) £1,264.77 being the amount at 3(c) above, divided by (1) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

- (4) To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below
- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

Valuation Bands	London Borough of Bromley £	Greater London Authority £	Aggregate of Council Tax Requirements £
A	843.18	221.38	1,064.56
B	983.71	258.28	1,241.99
C	1,124.24	295.17	1,419.41
D	1,264.77	332.07	1,596.84
E	1,545.83	405.86	1,951.69
F	1,826.89	479.66	2,306.55
G	2,107.95	553.45	2,661.40
H	2,529.54	664.14	3,193.68

- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2020/21, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2020/21 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2020/21. Any further changes arising from these Principles will be reported directly to Council on 24th February 2020. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.
- (7) Set aside a sum of £2m in 2019/20 as an earmarked reserve for transformation funding for health and social care.
- (8) Set aside a sum of £993k in 2019/20 as an earmarked reserve for health estate development in Bromley.

The following Members voted in favour of the motion -

Councillors Gareth Allatt, Graham Arthur, Yvonne Bear, Julian Benington, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Mary Cooke, Aisha Cuthbert, Peter Dean, Nicky Dykes, Judi Ellis, Robert

Evans, Simon Fawthrop, Peter Fortune, Kira Gabbert, Hannah Gray, Christine Harris, Colin Hitchins, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, Christopher Marlow, Robert Mcilveen, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Chris Pierce, Neil Reddin, Will Rowlands, Michael Rutherford, Richard Scoates, Suraj Sharma, Colin Smith, Diane Smith Gary Stevens, Melanie Stevens, Harry Stranger, Kieran Terry, Michael Tickner, Pauline Tunnicliffe, Michael Turner and Stephen Wells.

The following Members voted against the motion -

Councillors Vanessa Allen, Kathy Bance, Kevin Brooks, Ian Dunn, Simon Jeal, Josh King and Angela Wilkins.

176 Capital Programme Monitoring Q3 2019/20 and Capital Strategy 2020 to 2024
Report CSD20020

A motion to agree the inclusion in the Capital Programme of the new scheme proposals listed in Appendix C to the report was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

177 Crystal Palace Park
Report CSD20041

A motion to approve the addition of the Crystal Palace Subway project to the Capital Programme at a cost of £3.141m on the basis of the scheme costs being fully funded by grants from the Strategic investment Pot, Historic England and TfL, and a contribution from the Friends of Crystal Palace Subway, was moved by Councillor Peter Morgan, seconded by Councillor Colin Smith and **CARRIED**.

178 TEC Amendment to allow London Councils a Collaborative Role in Electric Vehicle Charging Infrastructure
Report CSD20025

A motion to agree the proposed Transport and Environment Committee (TEC) amendment as requested, authorising the Director of Environment and Public Protection to sign the amendment as required, was moved by Councillor William Huntington-Thresher, seconded by Councillor Kieran Terry and **CARRIED**.

179 Treasury Management - Annual Investment Strategy 2020/21 and Quarter 3 Performance 2019/20
Report CSD20021

A motion to note the report and adopt the Treasury Management Statement and the Annual Investment Strategy for 2020/21 (Appendix 4 to the report) including prudential indicators (summarised on page 41 of the report) and the Minimum Revenue Provision (MRP) policy statement (page 20 of the report),

was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

180 2020/21 Pay Award
Report CSD20023

The following amendment was moved by Councillor Vanessa Allen and seconded by Councillor Angela Wilkins -

“That all Bromley staff should receive the London Living Wage as a minimum.”

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

A motion to approve -

(i) A flat 2.5% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process.)

(ii) The removal of the equivalent of spinal points 4-8 (affecting BR1, BR2, and BR3 grades) with assimilation to equivalent spinal point 9 (BR3.)

(iii) The introduction of a 4p electric car lease mileage rate for business mileage.

(iv) That the Trade Unions’ pay claim for staff be rejected (see paragraph 3.7 of the report)

and to note that, as in previous years since coming out of the nationally/regionally negotiated frameworks, Bromley staff will receive the 2020/21 pay increase in time for the April pay, was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Stephen Wells and **CARRIED**.

181 Pay Policy Statement 2020/21
Report CSD200

A motion to approve the 2020/21 Pay Policy Statement was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Stephen Wells and **CARRIED**.

182 Members Allowances Scheme 2020/21
Report CSD20024

A motion to approve the Members Allowances Scheme 2020/21 and the Mayoral and Deputy Mayoral Allowances, on the basis of a 2.5% increase in all allowances, in line with the recommended increase for Council staff, with the allowance for the Leader of the Council increased to £40,000 and the allowances for the Leaders of the minority groups increased by similar percentages to £9,333 and £4,667 was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Stephen Wells, and **CARRIED**.

The following Members voted in favour of the motion -

Councillors Gareth Allatt, Graham Arthur, Yvonne Bear, Julian Benington, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Mary Cooke, Aisha Cuthbert, Peter Dean, Nicky Dykes, Judi Ellis, Robert Evans, Simon Fawthrop, Peter Fortune, Hannah Gray, Christine Harris, Colin Hitchins, Samaris Huntington-Thresher, William Huntington-Thresher, David Jefferys, Charles Joel, Christopher Marlow, Robert Mcilveen, Russell Mellor, Alexa Michael, Peter Morgan, Keith Onslow, Tony Owen, Angela Page, Chris Pierce, Neil Reddin, Will Rowlands, Michael Rutherford, Richard Scoates, Suraj Sharma, Gary Stevens, Melanie Stevens, Harry Stranger, Kieran Terry, Michael Tickner, Pauline Tunncliffe, Michael Turner and Stephen Wells.

The following Members voted against the motion -

Councillors Vanessa Allen, Kathy Bance, Kevin Brooks, Ian Dunn, Simon Jeal, Josh King and Angela Wilkins.

The following Members abstained -

Councillors Nicholas Bennett, Kira Gabbert, Colin Smith and Diane Smith.

183 Local Pension Board Annual Report
Report CSD2042

A motion to receive and note the Local Pension Board Report 2019 was moved by Councillor Pauline Tunncliffe, seconded by Councillor Stephen Wells and **CARRIED**.

184 Appointment of Independent Person
Report CSD20026

A motion approve the appointment of Mr Ken Palmer as Independent Person until the end of the current Council in May 2022, to reaffirm the appointment of Dr Simon Davey as Independent Person until the end of the current Council in May 2022 and to confirm that Mr Palmer and Dr Davey be co-opted to the Standards Committee, was moved by Councillor Vanessa Allen, seconded by Councillor Michael Tickner and **CARRIED**.

185 To consider Motions of which notice has been given.

No motions had been received.

186 The Mayor's announcements and communications.

The Mayor reported that efforts to contact Dina Asher-Smith to invite her to a reception at the Civic Centre had not been successful yet.

The Annual Charity Quiz had been held on 14th February and the Mayor thanked Ian Payne and his family for their assistance. The Mayor added congratulations to the Deputy Mayor, whose Team had won the Mayor of Sevenoaks' Quiz.

The Mayor reminded Members of the following events -

- The Charity Dinner at Corza Restaurant in West Wickham on 27th February.
- The Mayor of Bromley Awards on 11th March.
- The Mayor's final charity event at Chapter One on 22nd April.
- A ceremony at 3pm on 8th May, to mark the 75th anniversary of VE Day.
- The end of term Thanksgiving Civic Service on 10th May at St Joseph's Church, Plaistow Lane.

The Meeting ended at 9.55 pm

Mayor

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COUNCIL MEETING

24th February 2020

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR ORAL REPLY

1. From Nelson Pallister to the Portfolio Holder for Children, Education and Families

In the event of a disciplinary foster panel, under what government legislation or local rules, regulations or guidance -

(a) is the panel permitted to hold a pre-meeting with Social Services from which the accused foster carers are excluded, and

(b) are the accused foster carers forbidden to have anyone speak on their behalf, bearing in mind that foster carers, whose expertise is in offering care not engaging in legal activities, may well be totally unfamiliar with the formality and confrontational approach of a panel meeting, whilst Social Services has access to all the legal and other resources of the Council as well as having individuals trained in appearing before a panel?

Reply:

In response to parts (a) and (b) of the question, the legislation is the Fostering Services (England) Regulations 2011 - Regulation 28 covers the Reviews and Terminations of Approval - and in terms of the national minimum standards for fostering, we are looking at standard 22, which is Handling Allegations and Suspicions of Harm, and 14 - Fostering Panels and the fostering service's decision-maker.

Supplementary Question:

If an account by a foster parent and a child agrees and has never differed, do you have any guidelines for the social worker to base an allegation on the basis of their assumptions rather than the eye witness accounts of those present?

Reply:

In terms of the processes and mechanisms of these things, the regulations cover most things that could occur. If anyone is unhappy with what happens during those meetings it can be referred to an independent review mechanism. I am aware that parts of this question may be based on a live case so if there are any further details feel free to write to me and I will follow up any specifics.

2. From Sheila Grace to the Portfolio Holder for Resources, Commissioning and Contract Management

Why, when there is a widely accepted Climate Emergency and the Council has committed to achieving net zero from its own emissions by 2029, is the Council's Annual Investment Strategy completely silent on the impact and risks of fossil fuel

investments on the climate and makes no moves to divest from such harmful investments?

Reply:

It is not the authority's intention to divest of any fossil fuel investments which we have because we have not got any.

Supplementary Question:

The ex-Governor of the Bank of England, Mark Carney, has warned of the risk of fossil fuel dependent investments and those at risk of a changing climate. Has the investment strategy heeded this warning?

Reply:

His warning is extremely correct, which is why we have already done so.

3. From Sheila Grace to the Portfolio Holder for Resources, Commissioning and Contract Management

Is the Council satisfied with the PDS scrutiny of the Annual Investment Strategy, given that it dismisses consideration of the environmental policies of organisations in which it invests on the grounds that 'it would be a significant piece of work to conduct the necessary due diligence' and 'the market was "doing a good job" filtering out companies that had a more negative impact on the environment'? (Page 156, 2nd paragraph)

Reply:

The Council prepares an annual Treasury Management Strategy and Annual Investment Strategy in line with the requirements of the CIPFA Code of Practice for Treasury Management in the Public Services. The Council also published Prudential Indicators and a Minimum Revenue Provision (MRP) statement, as it is required by statute to do. Therefore, the Council complies fully with its statutory obligations as well as CIPFA management in relation to Treasury Management. As stated above, the Council has no direct investments relating to fossil fuels.

COUNCIL MEETING

24th February 2020

QUESTIONS FROM MEMBERS OF THE PUBLIC FOR WRITTEN REPLY

1. From Peter Holyoake, London Energy Risk, to the Portfolio Holder for Environment and Community Services

Residents with children in Borough schools are all in support of “improving the air quality and reducing emissions” – particularly outside schools. At present Bromley has no PM2.5 air quality monitors accessible on-line. What initiatives will Bromley take to install on-line PM2.5 monitors outside schools and other traffic hot spots?

Reply:

Currently London Boroughs are expected to report on PM 10 (in relation to particulate matter) only and there is no requirement to report on, or monitor PM 2.5. However, whilst Bromley meets the current objectives set for both PM 10 and PM 2.5 (35 µg/m³), the limits set by the WHO are lower (10 µg/m³), and there is a requirement for London Boroughs to work towards meeting the lower limits by 2030. Bromley’s levels are below 13 µg/m³ and it is anticipated that by 2030 that the lower limits will be met. As such, there are no specific plans to install these particular monitors. The draft Air Quality Action Plan is due to go out for consultation in early April 2020, and this will include all action points to meet particulate matter, and to improve air quality around schools in general.

2. From Dave Marshall to the Portfolio Holder for Environment and Community Services

Will the Portfolio Holder consider an amendment to the times of parking restrictions near to the Bromley Reform Synagogue at Highland Road? On Saturdays the Shabbat services starts at 10:30 and does not usually end until 13:00, but parking restrictions restrict parking between 12-2. It would be helpful to the community who use the Synagogue if the times of this restriction could be changed to e.g. 13:00 to 15:00.

Reply:

The parking restrictions are in place in the main to protect parking for residents living in this vicinity, so changing the hours to allow for Synagogue visitors to park would negate this purpose. Also, Highland Road is part of the much wider Bromley Town Centre CPZ, which has standard hours of operation across the whole outer zone, so changing this in just one part would not be possible.

There is however a fair amount of free parking in the area and The Hill Car Park, which has plenty of available space on a Saturday, is approximately a 10 -15 minute walk from the Synagogue.

3. From Dave Marshall to the Portfolio Holder for Children, Education and Families

What progress has been made about appointing a Director of Children's Services to replace Ade Adetosoye?

Reply:

The Director of Children's Services role is currently being held by an interim who with her leadership team successfully transformed our children's services. The leadership roles are permanently staffed apart from the Director role which is currently being re-advertised, having not being able to appoint first time following the selection interview late last year. The Current advert for the post closes on 3rd March 2020 followed thereafter by the officer and Member/Council interviews. The latter is scheduled for the week commencing 30th of March.

4. From Chloe-Jane Ross to the Portfolio Holder for Children, Education and Families

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

Reply:

Currently, we are averaging 82% permanent children's Social workers.

No local authority would have 100% permanent staff and across London the average permanent workforce is around 68% so for us in Bromley we have done incredibly well.

5. From Chloe-Jane Ross to the Portfolio Holder for Children, Education and Families

An initial special-needs assessment with a Development Paediatrician is a crucial step towards assessing any special-needs provision for a child. Would the Portfolio Holder please provide average and maximum waiting times for Development Paediatrician appointments in the borough from 1 Oct – 31 Dec 2020?

Reply:

Not every child that has additional needs will require a specialist Paediatric Assessment and this would be determined by health colleagues.

Our CCG colleagues have confirmed the following:

The Community Paediatrics Service offers advice for every child undergoing an education, health and care (EHC) needs assessment.

For the very limited time period in question 61% of assessments were carried out within the target of 6 weeks. However the preceding period showed rates of 90.4% and 91.9%. Performance is monitored regularly through CCG contract monitoring to understand the data and where there is a change this is remedied quickly.

Average wait for an appointment for Community Paediatrician following receipt of referral for EHC Needs assessment: 3.7 weeks.

Maximum wait for appointment for Community Paediatrician following receipt of referral for EHC Needs assessment: 16 weeks.

The Designated Clinical Officer for SEND is working very closely with the service to ensure that it complies with statutory requirements for health.

Children with special education needs who are being supported but who **do not** have an education, health and care plan can access a range of different health services including Community Paediatrics. Not all children will require a developmental assessment from community paediatrics as this will be dependent on individual presentation and professional judgement.

In this instance the average waiting times for an initial assessment with a Community Paediatrician in a Bromley (for all children and young people) is 8.8 weeks with the longest wait time recorded as 17.29 weeks.

6. From Julie Ireland to the Portfolio Holder for Environment and Community Services

At the Council meeting in December 2018, the Portfolio Holder undertook to liaise with the parents with children at the Unicorn school who had been campaigning for a weatherproof path from where the lollipop lady stands at the junction of South Eden Park Road with Cresswell Drive across the grass to Eden Park Avenue between the two football pitches exiting by the side of St Johns Church. Please state how much contact he has had with this parents' group (for whom I provided email addresses) and what progress has been made towards providing this path.

Reply:

Bromley's Road Safety team are currently working with the school on updating their plan and have encouraged them to work towards gold this year. However, the current School Travel Plan does not mention the proposal for the path, so perhaps parents have not discussed the matter with the school nor sought support.

7. From Julie Ireland to the Portfolio Holder for Renewal, Recreation and Housing

What assistance has the Council been able to offer the residents of Northpoint who have the same type of cladding as Grenfell Tower on their building? While this is a central government issue there is still a role for the Council including supporting the residents and ensuring interim safety measures are in place with the fire service.

Reply:

Officers in Planning, Building Control and Public Protection have worked closely with Northpoint Directors, not only to ensure that safety measures (which fall within the Council's remit) were progressed, but also to assist with progression of the ACM funding application with government.

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COUNCIL MEETING

24th February 2020

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR ORAL REPLY

1. From Cllr Kieran Terry to the Portfolio Holder for Resources, Commissioning and Contract Management

How much debt interest did the London Borough of Bromley pay during 2019? In answering please indicate how much debt the London Borough of Bromley carries and a comparison to other neighbouring local authorities.

Reply:

No debt interest was paid by Bromley Council in the year 2019. The Council remains debt-free and has retained an adequate level of reserves and provisions to allow for any unforeseen costs and risks. This contrasts with neighbouring Councils who have spent over £40m in the year to service their debts, which are now running at one and a third billion pounds. So the legacy that we will leave our children is debt-free status and a prudent and well-run Council; they will be leaving their young people coming along after them debts of over a billion pounds. I think we have probably got it right. (Appendix 1)

Supplementary question:

Will the Portfolio Holder join me in expressing absolute horror around the sheer levels of debt some of these other authorities carry. Debt levels generations of people will be paying back, and huge debt interest payments these Councils are paying which are being diverted from vital frontline services. Debt levels of one and a third billion pounds are clearly unacceptable. Will he also join me in welcoming the zero interest payments, congratulating the staff and Members involved in maintaining this record given Bromley is one of the lowest funded Councils in London?

Reply:

The answer is yes, but I would like to add that, yes, we are not paying £50m interest, but we are also receiving, in the year, according to the forecast, £14.9m interest received. I can now announce that is actually going to be £15.5m.

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

Is he confident that the provision of £875k in 2020-21 (with no funding provision for future years) is adequate to deliver this Council's target of its direct activities being carbon neutral by 2029?

Reply:

The Council's Carbon Neutral by 2029 Policy is now considered business as usual for Council activities. At the current time, I am satisfied that this revenue budget heading will provide sufficient pump priming. For further detail I refer you to the 2029

Net Zero Carbon Strategy report presented to the Environment and Community Services PDS Committee in January.

3. From Cllr Josh King to the Portfolio Holder for Renewal, Recreation and Housing

The Library Service recently had an issue with online renewals where items were not renewed for the expected period. Can the Portfolio Holder give dates when GLL were aware of the issue and when Library Contract managers were informed.

Reply:

When did I know about this? The answer is when I had your question. The same applies to GLL - there have been no issues or system faults relating to online renewals for items issued to borrowers, therefore no problems were reported either to GLL from customers or from GLL to us.

Supplementary Question:

If such an incident did occur, would you expect a penalty to be levied, and at what level would you expect?

Reply:

I am sure that if something like this did happen we would look at the contract and do whatever the contract tells us. Your question may have been promoted by the annual membership renewal process, which is a GDPR requirement. A lot of people had to renew their library membership, and some of them did not do it on time and therefore their renewal process was delayed.

4. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation and Housing:

Can the Portfolio Holder explain why councillors are not invited to the Tackling Homelessness meeting or Forum on 11 March 2020?

Reply:

The Homelessness Forum is an open multi-agency forum to take forward the key priorities set out in the homelessness strategy. The forums are advertised on the Council's website as well as notifications being sent to all agencies who have expressed an interest in attending. Councillors are very welcome to attend the Forum meetings.

Supplementary Question:

Is there a list of such forums and meetings that Councillors might find of interest and want to attend. I did get an invite to this particular forum, but that was through a third party, and it would have been nice if all councillors were aware of it.

Reply: I do not disagree - It is on the website.

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

How many freedom passes issued to Bromley residents have been deactivated since the start of the year, and why was this done ahead of their stated expiry date in March?

Reply:

In total, 2,330 disabled Freedom Pass holders were written to by Bromley, ahead of the expiry of their current passes in March 2020. This is normal practise and is directed by London Councils and happened right across London.

The purpose of the letter was to re-confirm continued residency in the borough, and ongoing eligibility to the scheme ahead of new passes being sent out which run until March 2025. Pass holders were given 4 weeks to respond with the necessary evidence, and advised that if the information was not supplied then the pass would be stopped.

By the deadline set by London Councils of 24th January, the passes belonging to anyone who didn't respond, and a number of letters returned by Royal Mail as 'gone away,' were ceased. In total 1,345 were deactivated, as we had received responses from 985 pass holders.

London Councils requires the deactivation process to happen by a deadline in January, in order to ensure new 5 year passes are produced and received before the March 2020 expiry of current passes, and are not sent to people who are no longer eligible for the scheme, or have moved boroughs or out of London.

Supplementary Question:

I have received quite a few contacts from residents who have either been given incorrect information by Liberata, have not received the forms to renew their passes or for other reasons are still awaiting renewal of their pass. Will he agree to review these cases with a view to understanding what has gone wrong and why it appears that some Bromley residents had their passes deactivated wrongly.

Reply:

I am clearly concerned by what you are saying, and I will undertake to look into that. If you let me have any information you can I will come back to you.

6. From Cllr Ian Dunn to the Portfolio Holder for Renewal, Recreation and Housing

When were you first aware that the Supplementary Planning Guidance for the Elm Road Conservation Area, where Beckenham Library stands includes the following words:-

“All the principle buildings are deemed to make a positive contribution to the character and appearance of the Conservation Area and therefore the Council will resist demolition of any building”.

Reply:

This document to which you refer dates from 2005 and has been in the public domain since this time. The wording in relation to demolition is standard for these documents. It is worth noting however that, as per committee report no. ELS0509, Historic England, then English Heritage, were of the opinion that the area was not worthy of conservation area designation.

Supplementary Question:

Can you tell me why there was no mention of this paragraph from the Supplementary Planning Guidance in the Executive paper on Beckenham Library in November, given that it is a document that has been in the public domain for fifteen years?

Reply:

Frankly I have no idea, I did not write the report and I was not aware that it was a conservation area until this came up. I will make sure that, in future, it is very much up front and centre.

7. From Cllr Vanessa Allen to the Chairman of General Purposes and Licensing Committee

The report on Members' Allowances states “the allowance for Leader of the Council should be increased to £40,000 to reflect the extent of the responsibility, the pressures and the competencies required for the role”. Please would the Chairman of General Purposes and Licensing Committee describe the competencies required?

Reply:

The competencies required are the knowledge, skills and abilities to perform the job successfully and would include the following -

To show leadership, to be a competent decision maker, to have responsibility for decisions made, and also to have communication skills, to be trustworthy, to work as part of a team, to have commercial awareness, to be results orientated, to have emotional intelligence, to be able to resolve conflicts, to show initiative, to be a great negotiator, to be motivated and to be able to delegate successfully, and finally to show adaptability in any given situation.

In short competency is defined as -

“The quality of being competent having the possession of the skill, knowledge, qualification and capacity to perform the job.”

Supplementary Question:

Given that these skills are also needed by the Portfolio Holders and, to some extent, the chairs of committees, should the increase not have been applied to them as well?

Reply:

While our portfolio holder allowances are currently much in line with most other London boroughs, the Leader's allowance has dropped substantially behind. I would point out that the recommendation to increase the payment to £40,000 is still £17,000 below the London Councils recommendation of £57,000.

8. From Councillor Kevin Brooks to the Portfolio Holder Adult Care and Health

Will the Portfolio Holder please provide an update on how far Penge residents will have to travel to see a G.P if the Trinity Medical Centre in Croydon Road closes?

Reply:

The CCG's response is as follows -

"Bromley CCG's plans do not and never have expected Trinity patients to travel outside the Penge or Anerley areas to access a GP practice. We would not expect patients to travel into Beckenham or outside the borough of Bromley. Of course, patients are welcome to travel further afield if they choose this for themselves, or if there is a practice closer to where they live. A number of Penge residents are already registered with Cator Medical Centre at Beckenham Beacon instead of a Penge practice.

If dispersal of patients of Trinity becomes necessary, we know that there is adequate space within the remaining four GP practices in Penge and Anerley to register all the Trinity patients. We would naturally support those practices to manage both a short and long term influx of patients onto their lists, by helping to fund additional clinical and administrative staff. These practices are Robin Hood Surgery, Anerley Surgery, Oakfield Surgery and Park Practice. Our first choice remains to keep Trinity Medical Centre open as long as it can provide safe, high quality and accessible care to its patients. If the location of Trinity does change and patients are unable to manage the additional distance, say from one side of Penge to the other, the GP contract that is put into place mandatorily includes an obligation to provide patients with home visits where clinically appropriate. "

Supplementary Question:

I do welcome what the CCG says, but Yeoman House, which sits right next to Trinity Medical Centre, has had a series of plans in the past for use as a site for residents. At the moment, the four practices that you mention are extremely full - I know people who go to Beckenham Beacon because it is easier to find an appointment than in Penge. How are you going to ensure that in future there are enough places in practices in the area?

Reply:

The provision of GP services is down to the CCG, and not the Council. Obviously, we will do everything that we can to support them if they need to identify further sites, and I have already suggested to them that if they want to have our input they need to get us on board in good time.

9. From Cllr Kieran Terry to the Portfolio Holder for Environment and Community Services

How much waste did Bromley Council send to landfill during the period September-December 2019?

Reply:

In September, October and November 2019, no waste was sent from Bromley to landfill for disposal. In December 2019, 0.3%, or 20 tonnes, was sent to landfill from a total of 6,985 tonnes of non-recyclable waste.

Supplementary Question:

I welcome the steps that the Council is taking to reduce its landfill waste, including removing plastic bottles from Council meetings. Can the Portfolio Holder please provide an update around the amount of waste Bromley is recycling and how we compare to other boroughs?

Reply:

(The Mayor suggested that the Portfolio Holder send the information to Councillor Terry.)

10. From Cllr Angela Wilkins to the Portfolio Holder for Renewal, Recreation & Housing

Indoor bowling facilities at the Cyphers Club in Penge have ceased and Crystal Palace Indoor Bowls Club (CPIB) are facing the prospect of closing within the next two years because of increasing costs. Both clubs provide valuable social and health benefits for our Borough, and in particular for our older residents.

The CPIB own their own site, one that has the potential to provide in excess of 50 new housing units which, if 'affordable', could assist the Council in meeting the policy requirement of the Mayor of London in relation to housing development proposed by LBB for Crystal Palace Park.

Is he prepared to give his assurance that he will undertake to explore the range of options available to both retain indoor bowling facilities in the Crystal Palace / Penge area and to think imaginatively about how the potential of much needed housing provision can be simultaneously delivered?

Reply:

The Indoor Bowls Club has already liaised with the Regeneration Team to see if there are any opportunities for collaboration on that site. This conversation is ongoing.

11. From Cllr Josh King to the Portfolio Holder for Resources, Commissioning and Contract Management

A recent report (<https://brave.com/ukcouncilsreport/>) has shown that some councils' website allow firms to track user information when users seek assistance. When did the Portfolio Holder become aware of this and what is being done to rectify this?

Reply:

The Council does not “allow firms to track user information when users seek assistance.” We do however, use several embedded Google products to help us deliver the wider website functionality across the board. By necessity these collect data and statistics in order to function. Some place cookies on users' browsers, and these are fully and openly listed and associated with our cookie banner, so that users are aware of their presence, and importantly, have the choice not to set them.

The report surmises that we have five Google products, it does not define what these are, but it does refer to one Google product as being classed as “Other Adtech” which possibly is referring to Google AdSense, which was embedded in the website as part of the old advertising banner product. This was removed some time ago, as part of a wider technical update, so depending on at which point in time the research was undertaken, this is probably what is being referred to.

12. From Cllr Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation and Housing

The new LBB Housing IT system demands that everyone on the Housing Register must reapply via the new portal. Why haven't we been able to exclude people with severe mobility issues in this reapplication?

Reply:

It is not possible to transfer data from the old housing IT system, and as such all residents have to re-register onto the new system. Officers are available to assist all applicants to complete the registration and to ensure that everyone is registered. Where required, home visits can also be made to assist. Applicants do not lose their priority through this process.

Supplementary Question:

Is there a deadline for this?

Reply:

I do not believe that there is a deadline. Clearly, it is best if everyone does it as quickly as possible.

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

What has been the annual cost of the Council's Carbon Monitoring Unit from its inception to the end of this financial year?

Reply:

As even an occasional attendee, of the Environmental Services PDS will know the Council does not have a Carbon Monitoring Unit. As I have previously briefed, the Council has been successfully delivering meaningful change to our Carbon emissions through Carbon Management Programmes since 2007.

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

How did the Council respond to the recent public consultation on the Bakerloo Line Extension?

Reply:

I have circulated the letter sent by the Leader of the Council in response to that consultation. ([Appendix 2](#))

Supplementary Question:

Why was this response not sent to the Environment and Community Services PDS Committee for scrutiny prior to being sent?

Reply:

The response is just a re-statement of a past response, already detailed in our LIP, and our LIP did go through the PDS and indeed public scrutiny in the borough. The response is entirely consistent with our LIP policy which was fully scrutinised, and with past responses.

Comment by the Leader of the Council:

The reason that there was no need for this to go to the Environment PDS is that it is this Administration's policy, as TfL have been told twice previously, that we do not want a replacement for the perfectly adequate Hayes Line, we want additional functionality into Bromley town centre, and ideally Bromley South, to provide extra, new infrastructure to support new housing in the town centre and to assist Bromley town centre in becoming a back-office hub of excellence.

Additional Supplementary Question from Councillor Vanessa Allen:

Why does the Leader ignore the feedback from residents in Bromley, most of whom supported the Bakerloo Line extension to Hayes?

Reply:

You will recall that we had this question about four years ago, the last time this show rolled into town. The answer then, as now, is that if you ask a question in a certain way, promising fantastic new services, you will get the answer you want to the question. As I explained last time, you can factor the question depending on the answer you want. I know what the residents of Hayes, West Wickham, Eden Park and Elmers End want. I am a Hayes resident, and I have actually asked real people in the real world, not people on the end of a TfL consultation.

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

Will the Portfolio Holder be able to ensure idverde provide the necessary repairs to Alexandra Recreation Ground's paddling pool in time for summer?

Reply:

The Council has been working with the service provider, Amey FM, to provide a cost effective permanent repair and associated pump works. These repairs do not fall within the scope of the parks and grounds maintenance contract with idverde. Amey have identified a solution and arrangements will be made for the repairs to be completed for the summer season.

Supplementary Question:

So I can confirm that those repairs will be fully made for the start of the summer, because it was only open for five days last year?

Reply:

That is the plan. If there are any issues with the re-instatement there may be some delays, but that is the plan.

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

LBB adopted its Local Plan a year ago, and has an agreed 5 Year Housing Land Supply. Please will the Portfolio Holder outline what he is doing to encourage and enable housebuilding on the sites identified in these documents?

Reply:

Many of the sites identified in the Local Plan have been discussed with developers and housing associations to encourage the development of those sites. The Council is also currently reviewing all of the identified sites which it owns to seek to progress development. Current examples include the development of Anerley town hall overflow car park, Bushell Way in Chislehurst, York Rise in Orpington and Burnt Ash Lane in my own ward.

Appendix 1 (Question 1)

Outstanding Borrowing by Local Authority as at 30 September 2019			
(Source: MHCLG Quarterly Borrowing & Investment Statistics)			
London Borough	Short Term £'000	Longer Term £'000	Total Borrowing £'000
Barking & Dagenham	111,000	804,281	915,281
Barnet	20,000	384,080	404,080
Bexley	0	223,487	223,487
Brent	0	394,122	394,122
Bromley	0	0	0
Camden	0	329,436	329,436
Croydon	267,315	1,088,001	1,355,316
Ealing	10,000	621,404	631,404
Enfield	103,000	812,541	915,541
Greenwich	0	382,945	382,945
Hackney	77,000	67,600	144,600
Hammersmith & Fulham	0	212,841	212,841
Haringey	0	415,762	415,762
Harrow	0	402,261	402,261
Havering	16,151	210,234	226,385
Hillingdon	10,000	248,699	258,699
Hounslow	46,500	206,304	252,804
Islington	44,000	297,665	341,665
Kensington & Chelsea	0	268,841	268,841
Kingston upon Thames	0	308,150	308,150
Lambeth	0	541,658	541,658
Lewisham	0	217,148	217,148
Merton	0	113,010	113,010
Newham	30,000	803,867	833,867
Redbridge	0	298,252	298,252
Richmond upon Thames	1,628	120,275	121,903
Southwark	89,500	585,134	674,634
Sutton	22,000	309,521	331,521
Tower Hamlets	0	73,293	73,293
Waltham Forest	20,000	233,737	253,737
Wandsworth	970	77,408	78,378
Westminster	0	221,209	221,209



Councillor Colin Smith
Leader of Bromley Council
LONDON BOROUGH OF BROMLEY

20th December 2019

Alex Williams
Director of City Planning
Transport for London

Dear Alex

Bakerloo consultation response

Further to your most recent consultation about the proposed Bakerloo extension, I felt it might be helpful to re-state again Bromley Council's policy position. This remains unchanged, with much of the commentary pasted from previous consultation responses.

The Council's priorities are detailed in our LIP and include specifically improving transport links into Bromley Town Centre to support it as part of building and maintaining thriving town centres. Rather than merely undertaking template consultation, I would encourage TfL to engage in meaningful dialogue with the Council to bring forward proposals which will improve transport infrastructure for Bromley town centre.

I refer to previous consultation responses and our news release of October 2019 which outlined our position. To quote from previous correspondence on the matter, "the extension of the Bakerloo line to Lewisham, we are also broadly supportive, mindful of the fact that it offers Bromley residents further options and transport choices in addition to those currently provided by DLR".

What is needed is extra capacity and connectivity for Bromley town centre rather than unnecessary alternatives at great cost.

At that point however, I regret that our respective visions do appear to diverge.

To quote directly from the Council's LIP, "The Council, therefore, supports the efforts of LB Lewisham to extend the Bakerloo line to Lewisham and would consider options for a further extension into the Borough where this provides genuinely new connectivity and capacity. For example, a phase 2 Bakerloo Line extension to Bromley North could be acceptable to the Borough if it contributed to improving connectivity on one or more of the identified corridors."

It is also the case that were such a link to be established, it would provide Bromley Town Centre with an opportunity to develop into a back office hub of excellence, providing further job opportunities for people in the sub region, a key local aspiration.

Such a connection would of course also serve to considerably reduce pressure on the Jubilee Line.

In addition to the scheme replacing existing infrastructure which works well, rather than providing extra/new capacity, we are simply unable to support the proposal, certainly in full, as it would deny direct access to London termini to a vast swathe of Bromley residents living along Hayes Line corridor, a significant number of whom purchased their properties with that connectivity in mind.

We also cannot accept that the Hayes line's access to London Bridge should be taken away to create extra capacity for other services travelling in from deeper Kent.

It is completely unacceptable that the interests of local people paying significant amounts in Mayoral precept should be set aside for benefit of others who do not.

That said, if it were possible to extend the Bakerloo line down as far as New Beckenham, to then spur off towards Bromley South, this could be something we could get behind and support, providing the existing direct links were maintained in some form of a track sharing arrangement.

Yours faithfully,

A handwritten signature in blue ink that reads "Colin Smith". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

Colin Smith
Leader of Bromley Council
London Borough of Bromley

COUNCIL MEETING

24th February 2020

QUESTIONS FROM MEMBERS OF THE COUNCIL FOR WRITTEN REPLY

1. From Cllr Tony Owen to the Portfolio Holder for Resources, Commissioning and Contract Management

Can you please confirm the name of Bromley's monitoring officer for Biggin Hill Airport, the job description for the post and how they can be contacted by me and members of the public by email or telephone?

Reply:

The contact details for the monitoring officer are available on the council's website www.bromley.gov.uk/bigginhillairport, with the email address being airport.monitoring@bromley.gov.uk. The Officer who had been seconded to this role has recently left the Council and we will now be moving forwards to recruit someone to this role. I am happy to forward details, including job description, when they are finalised.

2. From Cllr Kieran Terry to the Portfolio Holder for Environment and Community Services

In light of the recent blight of emergency roadworks undertaken by utility companies in Chislehurst, what powers does the Council have to act against antisocial emergency roadworks?

Reply:

Utility companies have statutory powers to install and maintain their apparatus, and while the council has powers to co-ordinate planned works we do not have any control when emergency works are required. All works on the highway require a permit, although in the case of emergency work these can be submitted retrospectively. When emergency works are required the council will challenge the duration of the permit where the timescales requested are considered to be excessive.

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

On what dates in the last 12 months has fouling by pigeon on the pavements, central reservation and road around Birkbeck been cleaned and what dates in the same period has this area been inspected by council officers?

Reply:

Response provided is based on the assumption this is around Birkbeck Station, Elmer's End Road.

Whilst no specific cleansing for Pigeon Fouling is organised via the baseline street cleansing service, it will be attempted through ordinary scheduled work that is predicated on a dry sweep – either manually or via a mechanical sweeper. The schedule for Elmer's End Road sees footway cleansing undertaken twice weekly (Tuesdays and Fridays) and carriageway cleansing weekly on a Tuesday.

Our attempts to insist Network Rail erect some pigeon netting have not led us anywhere, and whilst prevention would be better than cure, it seems they will not install any.

We are investigating if we can undertake a cyclical jet-wash of this area (and other railway bridges that are affected by the same issue) utilising the graffiti removal service that also falls within Lot 3 of the Environmental Service Contract within the budget constraints of this service area and locations.

Since January 2019, Elmer's End Road has been inspected 10 times, using the randomised inspection system that we utilise in Neighbourhood Management. Dates and grades are below. The Neighbourhood Officer is aware that this location is a hot spot area and is working with the Service Provider to ensure cleansing standards improve, including the use of parking suspensions due to the high volume of parked cars in the area.

28/01/2019 – Carriageway - B
28/01/2019 – Carriageway - B
20/08/2019 – Footway – C
16/10/2019 – Carriageway - D
20/11/2019 – Footway - C
20/11/2019 – Carriageway – B
18/12/2019 – Footway – D
18/12/2019 – Carriageway - D
22/01/2020 – Footway – B
22/01/2020 – Carriageway - B

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

Please provide the number of visitors to and books borrowed from every library for calendar years 2018 and 19, broken down by library, year and month.

Reply:

(See Appendix 1 attached.)

5. From Cllr Ian Dunn to the Portfolio Holder for Environment & Community Services

Please provide a list of the requests for new infrastructure to enhance walking and cycling and reduce road danger received in the last two years, including the source of the request and the outcome.

Reply:

Requests are recorded, but it is not possible to present the data in the form you request. If you can highlight particular locations I will ask Officers to go through their data and where possible without breaching data protection requirements to list the requests you are interested in. When requests are made, the evidence included, departmental knowledge, possible interventions and costs are assessed, before applying a prioritisation to the location, which ultimately decides when/if they will receive further attention. Past requests of this type will also be reviewed, when locations are highlighted through the approved prioritisation methodologies, such as KSI frequency, school travel plans, larger planning applications etc.

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

Please provide a list of activities required to complete the Air Quality Action Plan. Please also confirm that sufficient officer time will be made available so that the draft Air Quality Action Plan can come to the March meeting of the PDS for scrutiny.

Reply:

The draft 2020 – 2025 Air Quality Action Plan is now complete and scheduled to come before the March meeting of the PDS for scrutiny. Subject to approval from the committee, the AQAP will immediately go out to consultation prior to final review and publication.

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

Will the Portfolio Holder please explain what the current situation is with Parking Permits in Wordsworth Road, Penge as they were going to be initiated, now have been suspended without any timeline provided?

Reply:

In August 2019 a consultation with residents of Wordsworth Road was carried out to discover if the majority wished to be included in the recent CPZ that includes many nearby streets in Penge. The majority of those who responded were in favour of being included. Therefore, in December, the Traffic Order was advertised in the newspaper. During this period, a petition was received containing 53 names of people in Wordsworth Road who objected to being included in the scheme, with the petition including more addresses than the August consultation. I have therefore asked Officers to carry out another survey of views, to establish what the majority of residents want. This will be conducted in the coming weeks and following analysis of the results we will consult with Ward members and then move to a conclusion.

Monthly Visitors to Bromley Libraries (2018 and 2019)

People counters were replaced in all libraries through October and November 2018. Central Library was fully closed for refurbishment between 25th November and 1st December 2019, and partially closed from 2nd December to 31st December 2019.

	Beckenham	Biggin Hill	Burnt Ash	Central	Chislehurst	Hayes	Mottingham	Orpington	Penge	Pettis Wood	Shortlands	Southborough	St Paul's Cray	West Wickham	Grand Total
2018															
Jan	11,035	18,654	2,214	27,436	6,108	1,991	1,971	31,180	8,126	6,789	1,812	2,527	2,730	8,553	131,126
Feb	9,924	19,940	2,031	25,346	5,931	1,789	1,803	25,548	7,655	6,208	1,869	2,454	2,029	8,187	120,714
Mar	10,762	22,095	2,254	27,254	7,410	1,825	1,800	30,902	8,192	7,129	1,882	2,833	2,337	9,090	135,765
Apr	10,972	19,178	1,971	25,528	5,241	1,775	1,748	30,922	7,890	4,953	1,879	2,423	2,149	7,929	124,558
May	11,094	21,417	1,921	28,794	5,124	1,626	1,768	30,049	8,085	7,015	1,606	2,253	2,290	7,919	130,961
Jun	10,780	19,163	2,203	26,960	5,611	1,803	2,137	27,908	8,449	7,070	1,979	2,809	2,368	7,948	127,188
Jul	11,833	20,353	2,548	26,523	6,078	2,047	2,168	32,483	8,581	8,702	2,633	3,520	2,784	9,736	139,989
Aug	13,191	18,249	2,075	26,785	5,451	2,020	2,296	36,117	8,821	8,935	2,096	2,897	2,277	10,446	141,656
Sep	10,801	19,972	2,412	27,076	6,292	1,878	2,565	32,306	8,853	10,468	1,938	3,223	2,571	9,561	139,916
Oct	11,761	19,727	2,429	30,408	7,234	1,821	2,261	33,020	8,661	8,533	1,995	2,972	2,951	9,039	142,812
Nov	9,404	20,892	1,970	37,483	7,400	1,314	1,439	18,717	5,776	5,198	1,201	2,258	1,762	6,273	121,087
Dec	7,673	15,521	1,682	29,521	5,717	1,107	1,244	16,084	4,766	4,445	990	1,671	1,492	5,663	97,576
2018 Total	129,230	235,161	25,710	339,114	73,597	20,996	23,200	345,236	93,855	85,445	21,880	31,840	27,740	100,344	1,553,348
2019															
Jan	10,128	20,843	1,752	38,105	6,494	1,345	1,429	19,279	5,839	5,033	1,183	1,923	1,779	6,960	122,092
Feb	9,527	19,404	1,876	36,056	6,429	1,414	1,441	17,962	5,351	4,863	1,151	2,055	1,583	6,875	115,987
Mar	10,350	21,646	1,962	38,339	7,090	1,601	1,997	19,656	6,075	5,318	1,327	2,381	1,852	7,109	126,703
Apr	10,204	19,288	1,942	41,184	6,909	1,528	1,363	18,897	6,057	5,245	1,094	1,896	1,763	6,267	123,637
May	10,622	20,776	1,647	40,439	6,853	1,501	1,535	19,342	5,929	5,407	1,128	2,097	1,627	5,794	124,697
Jun	9,394	19,344	1,702	35,803	5,840	1,399	1,403	16,522	5,929	4,708	1,198	1,977	1,805	5,596	112,533
Jul	10,446	18,661	1,948	38,163	6,894	1,729	1,610	19,002	6,560	5,706	1,709	2,374	1,874	6,963	123,639
Aug	10,677	16,747	1,814	39,044	6,726	1,763	1,527	20,351	6,993	6,240	1,637	2,303	1,837	7,742	125,401
Sep	9,532	18,936	1,718	36,606	6,544	1,373	1,617	18,367	5,984	5,143	1,442	2,321	1,932	6,229	117,744
Oct	10,144	20,350	1,705	38,416	7,059	1,491	1,507	20,568	5,942	5,219	1,179	2,276	1,897	6,359	124,112
Nov	10,074	19,511	1,651	27,109	6,761	1,515	1,681	18,035	6,057	4,625	1,333	2,077	1,658	6,103	108,190
Dec	8,716	13,157	1,559	10,000	5,667	1,072	1,308	16,163	5,304	4,163	1,193	1,819	1,440	5,122	76,683
2019 Total	119,754	228,663	21,276	419,264	79,266	17,731	18,418	224,144	71,993	61,670	15,574	25,499	21,047	77,119	1,403,418

No	Title	Value	Rec / non rec	Funding
1	Implement light controlled pedestrian crossing at Chislehurst Crossroads.	£350k	Non rec	2019/20 Central Contingency Underspends
2	Install a 20 mph speed limit outside 95 schools in the Borough which don't have them (30 already do).	£285k	Non rec	2019/20 Central Contingency Underspends
3	Revise CPZ charges to be based on emissions. Introduce higher charges for second & subsequent vehicles at one address.			Cost Neutral
4	Instigate building maintenance programme.	£500k pa for 4 years	Non rec	Invest to save
5	Charge maximum possible Council Tax for long term empty properties	£43k in 20/21, £87k in 21/22	Rec	
6	No Council Tax for Care Leavers till age 25.	Funded from item 5	Rec	Item 5
7	Landlord & tenant support	£70k	Rec	Revenue
8	Respite Services from IBCF, early years/Sure Start facilities	£300k	Rec	IBCF
9	London Living wage for all LLB staff, implications for contract staff.	£25k pa for LBB staff, £25k for report/review	Both	Revenue. Review funded from Commissioning reserve
10	Mental Health Service.	£100k	Rec	Revenue
11	Public Health	£250k	Rec	Revenue
12	CCTV inc monitoring	£200k capital, £40k staff	Both	Earmarked Reserve & Revenue
13	Youth Services / facilities	£100k	Rec	Revenue
14	Small business grants	£50k pa for 4 years	Non rec	Growth fund
15	Carbon Zero 2029 target	£5million	Non rec	Invest to save
16	Housing construction	£250k pa for 4 years	Non rec	Growth fund

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Report No.
CSD20064

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: Wednesday 13 May 2020

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

Title: **TO RECEIVE THE SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS FROM THE LEADER OF THE COUNCIL, AND TO APPROVE THE SCHEME OF DELEGATION OF NON-EXECUTIVE FUNCTIONS**

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: All

1. Reason for report

- 2.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved by Council and by the Leader. The Scheme is an appendix to the Council's Constitution. The Scheme was amended at the annual Council meeting on 8th May 2019, and then again on 15th July 2019, when it was updated to include the new officer structures and titles introduced on 4th August 2019 under the Council's transformation programme.
- 2.2 The scheme has been updated again to correct minor errors and ensure that the wording is clear and matches current legislation, structures and terminology. No new delegations of substance are proposed.
-

2. RECOMMENDATIONS

2.1 That the Scheme of Delegation to Officers in respect of non-executive functions be approved.

2.2 That the Scheme of Delegation to Officers in respect of executive functions be received from the Leader of the Council.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £361,805
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 7 (6.66 fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: Statutory Requirement: Local Government Act 1972 and subsequent legislation.
 2. Call-in: Not Applicable: 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): The delegation of powers to Council officers is essential to the efficient operation of Council services
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff, and forms part of the Council's Constitution (Appendix 10). The Scheme is normally updated for approval at the Council's annual meeting each year, although under the Local Government and Public Involvement in Health Act 2007 any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council, and it is open to the Leader to table changes to the executive scheme. The executive or non-executive origin of each delegation in the scheme is reflected in a column which indicates whether each individual delegation derives from the Leader or from Council, or both.
- 3.2 The scheme has been reviewed and a number of minor updates have been made where legislation has changed, where officer titles or responsibilities have been altered or where other minor corrections or clarifications are required, particularly in the planning and education sections. However, no new delegations of substance are proposed.
- 3.3 The amended scheme is attached at [Appendix A](#).

Non-Applicable Sections:	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/legal/Procurement
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers – reports to Council on 8 th May 2019 and 15 th July 2019.

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**LONDON BOROUGH OF BROMLEY
CONSTITUTION – APPENDIX 10**

**SCHEME OF EXECUTIVE AND NON-EXECUTIVE
DELEGATION TO OFFICERS**

* * * *

CONTENTS

	Page No.
Proper Officers	2
 <u>Part I</u>	
General Conditions governing delegation of functions to:	
Chief Officers	4
 <u>Part II</u>	
(A) General Authorities applicable to the functions of the Council, Executive body or any Committee:	
All Chief Officers	7
Chief Executive	9
Director of Corporate Services	10
Director of Adult Services.....	12
Director of Public Health	12
 (B) Authorities related to the functions of the Executive, individual Portfolio Holders and regulatory Committees:	
Key references to Officers	13
Development Control Committee	14
Portfolio for Children, Education & Families*	22
Portfolio for Public Protection & Enforcement*.....	28
Portfolio for Environment & Community Services *	32
Portfolio for Resources, Commissioning & Contract Management *	51
Portfolio for Adult Care & Health *	60
Portfolio for Renewal, Recreation & Housing*.....	61
 * Or, as the case may be, any relevant regulatory Committee(s)	
Appendices	64
<i>(May 2020)</i>	

* * *

PROPER OFFICERS

The Local Government Act 1972 introduced a requirement that the officer required to perform specified duties should be the 'proper officer' appointed by the Council for that purpose.

(1) Subject to any appointment for a specific purpose, the 'proper officer' for the purpose of the Local Government Act 1972 shall be as set out below:-

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

<u>Section</u>	<u>Purpose</u>	<u>Proper Officer</u>
115(2)	Accountability of Officers	}
146	Transfer of securities on alteration of area	} Director of Finance
151	Financial administration	} Director of Finance
	Notifiable diseases and food poisoning	} Director of Public Health
Schedule 22, Para.17	Authentication of orders and notices, etc under the Housing Act	For such matters as he is authorised to deal with by the Council's Scheme of Delegation to Officers the Director of Housing, Planning and Regeneration, otherwise the Director of Corporate Services
Sections 28 and 29	Regulation of Investigatory Powers Act 2000	Director of Corporate Services
Section 29(b)	- ditto -	Director of Corporate Services to have general oversight of the use made of the source in respect of covert human intelligence sources.
Sections 29 (a), (c), (d) and (e)	- ditto -	Assistant Director, Planning, Director of Adult Services, Director of Children's Services, Director of Environment and Public Protection, Director of Finance and Head of Audit to have day-to-day responsibility for Sources and responsibility for the security and welfare of Sources.

(2) For all other functions the 'proper officer' shall be the Officer authorised in accordance with the Council's Scheme of Delegation to Officers or, where none is specified, the Chief Executive.

(3) Where written evidence of any such appointment as aforesaid is required the Chief Executive is hereby authorised to issue it, save for evidence of the appointment of the Chief Executive which will be issued by the Director of Corporate Services.

PART I

GENERAL CONDITIONS GOVERNING DELEGATION OF FUNCTIONS TO CHIEF OFFICERS

	Responsibility Delegated from
1. These General Conditions and any amendment of or addition to made by the Council, shall apply to the delegation of functions specified in Part II of this document, and to any amendment of or addition to made by the Council or the Leader or the Monitoring Officer under paragraph 12 of this Part.	-
2. Powers delegated shall be exercised in conformity with the Constitution, Standing Orders, Financial Regulations and other directives of the Council in force from time to time, and in accordance with the expressed policies and objectives of the Council, the Executive or Committees relevant to the matter upon which action is to be taken.	-
3. The delegation of authority to deal with any matter shall not derogate from the power of the Council, the Executive, or Committee, Sub-Committee or Panel to call for a report on any decision or action taken, or to require any such matter under consideration to be referred to the Council or to the appropriate Executive body or Committee Sub-Committee or Panel for determination so far as this accords with the law.	Council/Leader
4. A Chief Officer may refer a matter to the Executive, the appropriate Executive Portfolio Holder or to the Chairman of an appropriate Committee and will, in any event, ensure that care is taken to identify any case within his delegated authority where unusual circumstances or other reasons suggest the desirability of Member consideration.	Council/Leader
5. If a matter involves considerations not within the purview of the Chief Officer primarily concerned, he shall consider whether it is necessary to consult any other Chief Officer concerned before authorising action, shall do so if he concludes it is necessary and shall take due account of any views that are expressed.	Council/Leader
6. When the implementation of a decision taken under the delegated authority by a Chief Officer requires the preparation of formal documents, legal proceedings or other legal process or advice, the Chief Officer concerned shall refer the matter to the Director of Corporate Services for appropriate action.	Council

<p>7. Authority to take decisions and other action including but not limited to the signing of documents and the requirement to arrange consultations shall be exercised and undertaken on behalf of the Council in the name of the Chief Officer to whom the authority to act is given, but not necessarily personally by him.¹ Therefore, under this condition each Chief Officer has power to authorise others to exercise any power conferred on him provided that any such authorisation shall be subject to these General Conditions and be commensurate with the nature of the matters to be dealt with. Further, the Chief Executive may authorise any other Chief Officer to exercise any power delegated to him in this scheme which in his judgement is consistent with that other officer's responsibility. Authorisations given by Chief Officers to others to exercise powers delegated under this scheme should be recorded in writing in a list maintained by each Chief Officer. This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.</p>	<p>Council/Leader</p>
<p>8. The Chief Executive may, after consultation with any Chief Officer, refer to the Executive, the appropriate Executive Portfolio Holder, or appropriate Committee for decision any matter which has been brought to his notice and which, in his opinion, because of special difficulty or otherwise, warrants such reference.</p>	<p>Council/Leader</p>
<p>9. For the purposes of these General Conditions and the general and specific authorities to act to which they apply, the expression 'Chief Officer' shall mean:- The Chief Executive, the Director of Adult Services, the Director of Children's Services, the Director of Public Health, the Director of Environment and Public Protection, the Director of Housing, Planning and Regeneration, the Director of Corporate Services, the Director of Finance and the Director of Human Resources and Customer Services.</p>	<p>Council</p>
<p>10. Reference to an enactment in a grant of delegation shall be deemed to extend to and include reference to any subsequent enactment having like or similar effect as though the delegation had been granted under the subsequent enactment.</p>	<p>Council/Leader</p>
<p>11. An officer exercising any power under this scheme of delegation shall ensure that some written or other permanent record is made of his decision and, in cases where a range of alternative decisions presented themselves, shall record why he made the particular decision.</p>	<p>Council/Leader</p>

¹ This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.

² Under the provisions of the Local Government Act 2000 as amended, the Council undertakes executive and non-executive functions. The Leader is responsible for delegated executive functions. The Council delegates non-executive functions. Save where a contrary intention is stated, the Leader and the Council have delegated the necessary general functions as is stated in Part 1 of this scheme above.

<p>12. For the avoidance of doubt, the Council and the Leader hereby declare that any exercise of a power by a Chief Officer, or an officer authorised by him and which, if expressly provided for by this Scheme of Delegation, could have been lawfully exercised by an officer under powers delegated to him by the Council or a Committee, shall be deemed to be authorised by this Scheme notwithstanding such express provision may not have been made in it; PROVIDED THAT, where an officer relies on this paragraph, the Monitoring Officer shall be informed by the officer of this action and the Monitoring Officer shall make a report on the matter to the next ordinary meeting of the Council.</p>	<p>Council/Leader</p>
<p>13. For the avoidance of doubt, the Scheme will be reviewed as quickly as possible to take account of any changes to operational practice, legislative requirements or officer structures, but any responsibilities delegated shall be presumed to remain in place until the Scheme is updated.</p>	<p>Council/Leader</p>

PART II

Subject to the foregoing, and without derogation from the powers or duties now or hereafter conferred or imposed upon officers of the Council, by statute or by any statutory instrument or regulation, authority to act for and on behalf of the Council without reference to the Council or Executive body or any Committee shall be delegated as follows:-

A. GENERAL AUTHORITIES	Responsibility Delegated from
<p>1. To each Chief Officer, authority to:-</p> <p>(i) Take all necessary action for the effective day-to-day management, administration and supervision of their Department and of the services for which they are responsible, and for the efficient discharge of the professional responsibilities of their office.</p> <p>(ii) Within budgetary provision, take all necessary action for the effective day-to-day management, administration and supervision of the land and buildings for which they are responsible, such action to include for each property concerned and as far as practicable</p> <ul style="list-style-type: none"> (a) proper documentation; (b) appropriate occupation; (c) maintenance to retain value; (d) security and satisfactory appearance; (e) an annual review to ensure property is still required; and (f) prompt release if surplus to requirements. <p>(iii) That all powers delegated to Chief Officers include authority to take action in respect of any London Residuary Body matter transferred to Bromley by virtue of the London Residuary Body (Transfer of Property etc) Order 1990 in the same way and to the same extent that they have delegated powers in respect of any equivalent Bromley matters.</p> <p>(iv) Incur expenditure and accept tenders for items provided for in the approved revenue estimates or approved capital programme, in accordance with the Council's Contract Procedure Rules.</p> <p>(v) Select quotations and tenders for works, services and/or goods within approved budgetary provision on all contracts in accordance with the Council's Contract Procedure Rules.</p> <p>(vi) On the best terms obtainable, dispose of stores, plant, vehicles, equipment, furniture or other such items which are obsolete, or are unusable for or surplus to the Council's requirements, subject to the Director of Finance's prior agreement to</p>	<p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p>

any consequential writing off of balances of book value.	
(vii) Make adjustments of stock ledgers and accounts following stocktaking, subject to the Director of Finance's prior agreement.	Leader
(viii) Authorise officers under their control to attend conferences, courses and similar events appropriate to their personal, official responsibilities and to the work of the particular Department, in accordance with an approved list or agreed code of practice.	Council/Leader
(ix) Vary annually fees and charges (except car parking) within policy established by an Executive body or Committee.	Council/Leader
(x) Deal with applications for re-grading in accordance with the Council's agreed procedures.	Council
(xi) Sign authorisation documents, with the exception of the Chief Officer's own personal authorisation, which shall be signed by the Director of Corporate Services.	Council
(xii) Where a complaint has been made through the Council's complaints system, decide whether there is a justifiable case for which the Council should apologise and pay compensation, up to a limit of £5,000 in any one case (or, in the case of the Chief Executive, £10,000).	Council/Leader
(xiii) Approve trips abroad made on Council business subject; in each case, to a subsequent report to the appropriate Executive body or Committee on the action taken.	Leader
(xiv) Enter into contracts up to a value of £100,000 with any voluntary sector organisation (VSO) for the provision of services by way of a service level agreement (SLA) without the necessity of competition, provided that:	Council/Leader
(1) the Chief Officer is satisfied that the VSO is able to provide a satisfactory quality of service and that the sums payable under the SLA represent best value;	
(2) the relevant Portfolio Holder is notified of any new SLAs being entered into;	
(3) any approval, extensions or renewals of such SLAs comply with the Contract Procedure Rules, including rule 13.1;	
(xv) Authorise expenditure of money received through Section 106 agreements, subject to any restrictions set out in the Council's Financial Regulations.	Council/Leader

<p>2. To the Chief Executive, authority to:-</p> <p>(i) undertake all duties and responsibilities of the Council's Head of Paid Service as defined in the Local Government and Housing Act 1989;</p> <p>(ii) take all action necessary for the efficient management and execution of the Council's policies, services and functions;</p> <p>(iii) in the event that any chief officer post is vacant, exercise or delegate the functions of that post, as necessary.</p> <p>(iv) determine, in conjunction with the Director of Human Resources and Customer Services, starting salaries of staff on Management Grades 1 and 2;</p> <p>(v) authority to make detailed arrangements, in consultation with the Leader of the Council, for consultation with residents on service priorities and Council Tax implications.</p> <p>In exercising such authority the Chief Executive shall have full regard to the position where:-</p> <p>(a) Chief Officers are exercising responsibilities directly imposed on them by statute; or</p> <p>(b) the professional discretion or judgement of Chief Officers is involved subject to any difference of opinion between the Chief Executive and the Chief Officer being referred to the next available appropriate meeting of the Executive Portfolio Holder, Executive or committee for determination;</p> <p>(vi) settle any points requiring interpretation or clarification in the practical application of this code of delegated authorities to Chief Officers.</p> <p>(vii) Parliamentary Matters - Take urgent action to protect the Council's interest (through Members of Parliament and/or by petition or otherwise) in consultation with the Leader of the Council.</p>	<p>Council</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council/Leader</p>
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3. To the Director of Corporate Services, authority to:-	
(i) authorise proceedings before any Court of Summary jurisdiction in respect of any offence for which the Council by virtue of any Act of Parliament; , regulation, order or bye-law, is now or may hereafter be empowered to prosecute or to authorise the institution of such proceedings; except in cases where some other officer is specifically authorised to act;	Council/Leader
(ii) authorise proceedings for the recovery of debts of all kinds due to the Council (other than rates) and for the recovery of possession of premises;	Council/Leader
(iii) authorise the institution or defence of proceedings in the Courts to safeguard the Council's interest;	Council/Leader
(iv) obtain Counsel's Opinion to ensure adequate advice to the Council or Committees;	Council/Leader
(v) in accordance with instructions given, institute or defend any legal proceedings authorised to be taken or defended on behalf of the Council, or serve notices, including directions under section 77 of the Criminal Justice and Public Order Act 1994;	Council/Leader
(vi) take any action urgently required to settle legal proceedings during the course of a trial or other hearing;	Council/Leader
(vii) authorise permanent or temporary members of staff to represent the Council under Section 223 of the Local Government Act 1972 in proceedings before a Magistrates' Court or a Juvenile Court or Family Proceedings Court and under Section 60(2) of the County Courts Act 1984 to represent the Council in the County Court;	Council
(viii) issue written authorities to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties (as evidence of their bona fides); provided that any written authority to enter upon land or premises is in pursuance of a statutory power of entry or inspection;	Council/Leader
(ix) sign and serve on behalf of the Council notices authorised by statute to ascertain ownership and other interest in land;	Council
(x) sign and approve service of Notices to Treat in pursuance of confirmed compulsory purchase orders and, where possession is required without waiting for settlement of terms of acquisition, sign and approve the service of Notices of Entry;	Leader
(xi) approve the assignment of contracts;	Council/Leader

<p>(xii) take appropriate action in individual cases to enable him to effect registration as a registered charge of any local land charge arising by virtue of the statutory provisions set out below, or as amended in subsequent legislation:</p>	
<p>(1) the Housing Act 2004; (2) Public Health Act 1936, Section 291; (3) Building Act 1984, Section 107; (4) Greater London Council (General Powers) Act 1972, Section 19; and (5) Highways Act 1980, Section 212;</p>	<p>Leader</p>
<p>(xiii) deal with applications for the use of the Borough Arms in accordance with arrangements as approved by the Committee;</p>	<p>Council</p>
<p>(xiv) to act as Monitoring Officer;</p>	<p>Council</p>
<p>(xv) to maintain a Register of Members' Interests under Section 81 of the Local Government Act 2000;</p>	<p>Council</p>
<p>(xvi) to sign Chief Officer's authorisation documents;</p>	<p>Council</p>
<p>(xvii) determine, in consultation with the relevant Chief Officer, where a complaint has been made to the Ombudsman whether there is a justifiable case for which the Council should apologise and pay compensation as part of a local settlement – up to a limit of £5,000 in consultation with the Director or £10,000 in consultation with the Director and Chief Executive;</p>	<p>Council</p>
<p>(xviii) take any action urgently required to settle legal proceedings prior to a court hearing or to enter into a Compromise Agreement in potential Employment Tribunal cases where it is considered appropriate so to do;</p>	<p>Council/Leader</p>
<p>(xix) to be the proper officer for, and issue any notice, permission, authorisation or other document under, the Data Protection Act 2018, the Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000;</p>	<p>Leader</p>
<p>(xx) to maintain a list of politically restricted posts under Section 2 of the Local Government & Housing Act 1989 and consider and grant exemptions under Section 3 of the Act;</p>	<p>Council</p>
<p>(xxi) to authorise payments in respect of maladministration under Section 92 of the Local Government Act 2000.</p>	<p>Council/Leader</p>
<p>(xxii) where written applications are received from Members of the Council, to grant dispensations to Members to take part in the business of the Authority if the Member has a disclosable pecuniary interest in that business, subject to consultation with Members of the Urgency Committee.</p>	<p>Council</p>

<p>(xxiii) Electoral Fees - To approve the annual revision of the scale of fees within the approved estimate provision, payable to canvassers, checkers and coders.</p>	<p>Council</p>
<p>(xxiv) make routine updates to the Constitution (including the Scheme of Delegation to Officers) where officer titles change, in consultation with the Mayor and the Chairman of General Purposes and Licensing Committee.</p>	<p>Council/Leader</p>
<p>4. To the Director of Adult Services, authority to:-</p> <p>Spot purchase individual placements for care and nursing, and negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate client choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <p>(i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	<p>Leader</p>
<p>5. To the Director of Public Health, authority to:-</p> <p>Undertake functions relating to Public Health, save where these are delegated to any other body or person.</p>	<p>Leader</p>
<p>6. To the Director of Environment and Public Protection, authority to:-</p> <p>(i) allocate the use of the Committee Suite subject to new applications for use by outside bodies being decided in consultation with the Leader of the Council.</p> <p>(ii) allocate and re-allocate existing offices, subject to reference to the Leader of the Council or the Committee in cases of significant changes involving transfer of a department or service from one part of the Council to another.</p> <p>(iii) authorise expenditure from the office improvements budget.</p>	<p>Leader</p>

B. AUTHORITIES RELATED TO THE FUNCTIONS OF INDIVIDUAL PORTFOLIO HOLDERS AND COMMITTEES

KEY REFERENCES TO OFFICERS

All	-	Chief Officers
CE	-	Chief Executive
DA	-	Director of Adult Services
DC	-	Director of Children's Services
DPH	-	Director of Public Health
DCS	-	Director of Corporate Services
DF	-	Director of Finance
DHR	-	Director of Human Resources and Customer Services
DEPP	-	Director of Environment and Public Protection
DHPR	-	Director of Housing, Planning and Regeneration
ADP	-	Assistant Director, Planning and Building Control

DEVELOPMENT CONTROL COMMITTEE

Officer(s) Authorised	Authority to:	Responsibility Delegated from
Building Control		
ADP (1)	Give consents where applications conform with Regulations.	Leader
ADP (2)	Refuse applications which do not conform with Regulations.	Leader
ADP (3)	Decide applications for relaxation where the Council have the power of decision.	Leader
ADP (4)	Decide upon the observations to be made to the appropriate Minister with applications for relaxation of the Regulations.	Leader
DCS/ADP (5)	Authorise and serve notices under Section 36 of the Building Act 1984 and the current Building Regulations.	Leader
ADP (6)	To be designated as "Appointing Officer" under Section 10 (8) of the Party Wall etc Act 1996 and have delegated power to act in that capacity.	Leader
ADP (7)	Decide what means of escape in the case of fire are necessary at premises to which the Housing Acts 1985 and 2004 and Sections 24 and 71 of the Building Act 1984 apply: and serve a notice under those sections where these means are not provided.	Leader
ADP (8)	Take appropriate action in respect of dangerous structures as set out in sections 60-70, 125, 126, and 142 of the London Building Acts (Amendments) Act 1939 Part VII including the removal of any danger where immediate action is required.	Leader
ADP (9)	To make appropriate charges regulations for dangerous structures as provided for within the relevant sections of the following Acts –	Leader

London Building Acts (Amendment) Act 1939: Part VII.
 London County Council (General Powers) Act, 1955: Part II (including section 9 (power of entry with respect to dangerous and neglected structures).
 London County Council (General Powers) Act, 1958: Part III.
 London Local Authorities Act 1994.

ADP	(10)	To operate the new scale of fees for dangerous structure activities and to waive the fees in case of extreme hardship.	Leader
ADP	(11)	Authorise and serve notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 to obtain particulars of persons interest in land and where there is default in compliance with any such notice refer the matter to the Director of Corporate Services to consider taking legal proceedings.	Council

Tree and Wildlife Matters

ADP	(12)	Consent with or without conditions, or refusal of consent to the pruning, cutting down, topping, lopping or destruction of trees which are the subject of Tree Preservation Orders in accordance with the provisions of such orders.	Council
ADP	(13)	Consent with or without conditions, or refusal of consent to the pruning, cutting down, topping, lopping or destruction of trees within designated Conservation Areas.	Council
ADP	(14)	The making of Tree Preservation Orders (TPO) and provisional TPOs pursuant to Sections 198 and 201 of the Town & Country Planning Act 1990, including the making of TPOs in Conservation Areas.	Council
ADP	(15)	Confirm opposed or unopposed TPOs.	Council
ADP	(16)	Agree to the revocation of TPOs.	Council

ADP	(17)	Issue tree planting notices.	Council
ADP	(18)	Enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981.	Council
ADP/DHPR	(19)	Authorise legal proceedings to be taken in respect of breaches of TPOs and the legislation relating to trees in Conservation Areas, subject to the Director of Corporate Services being satisfied as to the evidence.	Council

Development Management

ADP	(20)	<p>Determine or respond to applications (except in the circumstances set out in (21) below including:</p> <ul style="list-style-type: none"> (i) planning applications (ii) requests for approval (including prior approval) under any part of the Town and Country Planning (General Permitted Development) Order 2015 (including whether prior approval is required, the matters to be considered and granting or refusing approval. (iii) certificates of lawful development (existing or proposed) (iv) reserved matters (v) details pursuant to conditions (vi) hazardous substances consent (including revocation) (vii) listed building consent (viii) advertisement consent (ix) non-material and minor material amendments (x) adjoining authority consultations (xi) consultations to the Planning Authority from other bodies including council departments (xii) Environmental Impact assessment 	Council
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(EIA) screening or scoping

(xiii) requests for extension of time to determine applications

(xiv) Crown Development applications

(xv) removal or variation of conditions

ADP (21) Circumstances where the powers set out in (20) do not apply. Council

(i) Applications submitted by or on behalf of the Council or on land substantially owned by the Council where the Council has a financial interest (but not details pursuant, reserved matters or amended proposals.)

(ii) Permission for full or outline applications involving twenty one or more purpose built new dwellings (but not other associated buildings, conversions, extensions and changes of use, reserved matters, details pursuant or amended proposals.

(iii) Permission for applications for new major commercial development such as industry, offices and shops (but not non-major development, other associated buildings, conversions, extensions and change of use, reserved matters, details pursuant, revised plans or amended proposals).

(iv) Applications submitted by any member of staff within the Assistant Director of Planning's entire team, or other Directors or Assistant Directors, or submitted by or on behalf of Bromley Councillors or Members of Parliament.

(v) Any application listed in (20) above which one or more Bromley Councillor formally requests in writing ("calls in") with a reason (s) be determined by Committee.

(vi) Permission for applications for development that is subject to a

current formal planning enforcement notice or breach of condition notice.

(vii) Applications for residential development or extensions within a Conservation Area or Area of Special Residential Character which do not provide a minimum one metre space between the flank wall of the new development and the site boundary.

(viii) Where less than 21 days has passed since the application appeared on a "Weekly List" of applications circulated to members other than where all ward Members have agreed otherwise in writing.

ADP	(22)	Authority to decline to determine repeat, overlapping or retrospective applications in accordance with the provisions of Sections 70A, 70B and 70C of the Town and Country Planning Act 1990.	Council
ADP	(23)	Make determinations as to whether planning applications are departures from the development plan.	Council
ADP	(24)	Make determinations as to whether development would affect the character or appearance of a conservation area or the setting of a listed building to enable such applications to be advertised.	Council
ADP	(25)	Make determinations under Section 73 of the Planning (Listed Building and Conservation Areas) Act 1990 as to whether a proposal should be advertised as affecting the character or appearance of the Listed Building or Conservation Area.	Council
ADP	(26)	Authorise expenditure of money received through Section 106 agreements, subject to any restrictions set out in the Council's Financial Regulations.	Council/ Executive
Appeals			
ADP	(27)	Decide whether to contest all types of appeal including the grounds to contest and including appeals against non-	Council

determination except where the original decision was made by Committee.

Enforcement

ADP/DCS	(28)	Power to authorise the issue of the following and to give reasons in the Notice or Order for taking such action; (the signing and actual issue of the notices to be dealt with by the Director of Corporate Services):	
	(i)	Enforcement Notices under Section 172 of the Town & Country Planning Act 1990.	Council
	(ii)	Stop Notices under Section 183 of the Town & Country Planning Act 1990.	Council
	(iii)	Completion Notices under Section 94 of the Town & Country Planning Act 1990.	Council
	(iv)	Unopposed revocations under Section 97 of the Town & Country Planning Act 1990, and Section 239 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(v)	Orders under Section 102 Town & Country Planning Act 1990 requiring discontinuance of use, or alteration, or removal of buildings and works.	Council
	(vi)	Unopposed revocations of Listed Buildings Consent under Section 23 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(vii)	Notices under Section 54 and 55 of the Planning (Listed Building & Conservation Areas) Act 1990 concerning urgent works and recovery of expenses.	Council
	(viii)	Making and recovery of grants under Section 57 and 58 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(ix)	Listed Building Enforcement Notices under Section 38 of the Planning	Council

(Listed Building & Conservation Areas)
Act 1990.

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| (x) | Action relating to the enforcement of the Advertisement Regulations 2007 | Council |
| (xi) | The authorisation of Rights of Entry to premises and any land for all the purposes of the Town & Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 and the Building Act 1984 (all these Acts as amended) and any Orders or Regulations made there under. | Council |
| (xii) | The power to require information as to interests in land under Section 330 of the Town & Country Planning Act 1990. | Council |
| (xiii) | Planning Contravention Notices under Section 171C of the Town & Country Planning Act 1990 | Council |
| (xiv) | Breach of Condition Notices under Section 187A of the Town & Country Planning Act 1990 | Council |
| (xvi) | Untidy Site Notices under Section 215 of the Town and Country Planning Act 1990. | Council |
| (xvii) | Approach Historic England to spot list properties on the list of buildings of special architectural interest if they are threatened. | Council |
| (xviii) | Authority to take action under Sections 10-12 of the London Local authorities Act 1995 relating to the control of unauthorised advertisements. | Council |

Section 106 Agreements

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| ADP
(with DHPR) | 29 | Approval of Section 106 Agreements (Town and Country Planning Act 1990) and similar agreements concerning related legislation including modification and discharge. | Council |
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ADP	(30)	The authority to authorise spending (including by third parties) pursuant to and in accordance with s.106 agreements.	Council
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Fees and Charges

ADP	(31)	Agree fee levels and charges for services for all areas within the Planning and Building Control team areas (in accordance with relevant legislation.)	Council
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ADP	(32)	Issue all types of CIL notice and authorise action to recover funds where appropriate including responding to CIL appeals and decisions as to whether to proceed with court action.	Council
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**CHILDREN, EDUCATION & FAMILIES PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

DC	(1)	Direct the Authority's functions in its capacity as a local education authority, including all education duties as defined in s. 18 (2) of the Children's Act 2004 and all relevant Education Acts and supporting guidance and regulations, as updated from time to time, with specific reference to the School Staffing (England) Regulations 2009, the Academies Act 2010, the Education Act 2002, the Education Act 1996, the Education and Inspections Act 2006 and the Children and Families Act 2014.	Leader
DC	(2)	Exercise all of the statutory functions of the LEA as regards staffing matters in LEA maintained schools as provided for under the Education Act 2002 and any Regulations made there under with the exception of any exercise of discretion concerning the funding of discretionary early retirement with added years or redundancy costs which fall to be determined by the Executive Portfolio Holder.	Council
DC	(3)	Manage the provision of training and support to the Education Service. (The element of training relating to an individual's terms and conditions is a non-executive matter. However, the Executive may recommend appropriate training within this framework.)	Council/Leader
DC	(4)	Approve requests from employees in all maintained educational institutions for special leave in accordance with the Council's policy.	Council
DC	(5)	Approve the payment of relocation and removal expenses to employees in all maintained educational institutions in accordance with the scheme agreed by the Executive Portfolio Holder.	Council

DC	(6)	Agree annually increases in charges for service within the remit of the Executive Portfolio Holder.	Leader
DC	(7)	Manage the admissions procedure in accordance with the Executive's policy.	Leader
DC	(8)	Approve the making of provision for children with special educational needs in suitable schools as specified in an Education, Health and Care Plan.	Leader
DC	(9)	Arrange for home or hospital tuition in appropriate cases.	Leader
DC	(10)	Fix school terms and holiday dates in consultation with teachers' organisations.	Leader
DC	(11)	Make arrangements for transport of pupils.	Leader
DC	(12)	Provide support services as requested by establishments.	Leader
DC	(13)	Approve applications for children to be employed in work or in entertainment, in conformity with relevant bye-laws and statutory obligations.	Leader
DC	(14)	Take all action including services of notices, consultation, making and service of school attendance orders and to authorised institute and conduct legal proceedings under Sections 437, 438, 439, 440, 441, 443 and 444 of the Education Act 1996 and to make decisions relating to applications for Education Supervision Orders under Section 447 of the Education Act 1996	Leader
DC	(15)	Approve the making of parenting contracts, parenting orders and the issue of penalty notices under Sections 18 and 23 of the Anti-Social Behaviour Act 2003.	Leader
DC	(16)	Approve the issue of mini bus passes under Section 19 of the Transport Act 1985.	Leader

DC	(17)	Undertake the duty of the local education authority with regard to exclusions as specified by Section 51A of the Education Act 2002.	Leader
DC	(18)	Initiate renewals of temporary planning permissions.	Leader
DC	(19)	Authorise work by the School Standards Team on behalf of other Local Authorities, foundation schools (both within and outside the Borough), academies and independent schools in accordance with the principles and procedures set out by the Council.	Leader
DC	(20)	In cases of urgency seek planning permission for mobile accommodation at primary and secondary schools in accordance with Regulation 3 of the Town & Country Planning General Regulations Act 1992 on the understanding that a full explanation for the need will accompany each application.	Leader
DC	(21)	To act in support of the Borough's Major Incident Controller in respect of emergency accommodation, provisions and staffing.	Leader
DC	(22)	Approve, after consultation with the Director of Corporate Services and the Head of Strategic Property, leasing arrangements in respect of educational premises where the terms of the lease or agreement do not exceed five years without a break clause.	Leader
DC	(23)	In consultation with the Director of Corporate Services and Director of Human Resources and Customer Services, interpret and apply the provisions of the Teachers' Pension Scheme Regulation in respect of current and ex employees where the LEA is deemed to be the employer for pension purposes.	Council

DC	(24)	Agree teachers' applications for early retirement without enhancement by way of added years.	Council
DC	(25)	Approve the appropriate use of the Priority Schools Budget, Schools Budget Central Contingency as approved by the School's Forum subject to their use being monitored by the budget review process and the relevant consultation with the School's Forum.	Leader
DC	(26)	Approve the arrangements for teachers who are to be awarded qualified teacher status after 7 th May 1999 to undertake an induction period in accordance with the provision of any regulations laid down by the Secretary of State and subsequent amendments; to grant extensions of the induction period as specified in the regulations and determine whether or not an induction period has been completed satisfactorily.	Council
DC	(27)	Decide on action in response to individual OFSTED reports and, when the circumstances of the report are exceptional, submit the report to the Portfolio Holder for detailed consideration.	Leader
DC	(28)	To ensure the provision of Adult Education Services under Section 85 of the Further and Higher Education Act 1992 in accordance with Council policy.	Leader
DC	(29)	Authority to approve AMHP warrants.	Leader
		Ensure that the powers and duties to provide for the welfare and protection of children and young people are carried out in accordance with statutory requirements and Council policy.	Leader
DC	(30)	Provide preventative services and support for the care of mothers and young children.	Leader
DC	(31)	Adoption: As Head of the Adoption Agency set up by the Local authority, we have delegated the function of the adoption services to the RAA (Ambitious	Leader

for Adoption July 2019), including the function of the Adoption Panel which continues to run in accordance with statutory requirements, and is accountable to the Head of Permanency and AD /DCS. Bromley's Permanency panel runs in accordance with the fostering statutory requirements, this does not include a power to increase fostering allowances which exceed inflation.

DC	(32)	Direct the Authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children and the Local Authority's functions for children and young people leaving care.	Leader
DC	(33)	Direct any health-related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999, insofar as they relate to children.	Leader
DC	(34)	Direct the new functions of the Children's Services Authority set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation.	Council/Leader
DC	(35)	Make and sustain arrangements to promote co-operation between the Authority and its partner organisations to improve the well-being of children in the Authority's area.	Leader
DC	(36)	Maintain the database of basic information on all children in the Authority	Leader
DC	(37)	Maintain the Bromley Safeguarding Children Partnership (BSCP) to co-ordinate and ensure the effectiveness of board members' activities for the purpose of safeguarding and promoting the welfare of children in the Authority's area.	Leader
DC	(38)	Prepare and publish a Children and Young People's Plan (CYPP) to set out the Authority's strategy for discharging their functions in relation to children and young people,	Leader

DC	(39)	Second at least one children's social worker and at least one education professional to the Youth Offending Team.	Leader
DC	(40)	Promote the educational achievement of looked after children.	Leader
DC	(41)	Provide the Secretary of State, if he or she so directs the authority, with information on individual children.	Leader

**PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:	Responsibility delegated from
DCS	(1) In consultation with the Director of Children's Services, prosecution of offences for the selling of spray paint and graffiti implements to children under 16 under the Anti-Social Behaviour Act 2003 Section 54 and Environmental Protection Act 1990 Section 59.	Leader
DEPP	(2) The issue of fixed penalty notices to abate noise under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2.	Council
DEPP	(3) Enforcement of by-law breaches under the London Local Authorities' Act 2004.	Council
DCS	(4) In consultation with the Director of Environment and Public Protection, make parenting contracts and parenting orders in respect of criminal conduct and anti-social behaviour under sections 25 and 26 of the Anti-Social Behaviour Act 2003 (as amended).	Leader
Fireworks		
DEPP	(5) The grant of new applications and the renewal of a licence to retail fireworks outside prescribed periods in cases where (in the latter case) the applicant has not committed any offence prescribed in the Fireworks Regulations 2004 during the licence period.	Leader
Environmental Health/Weights and Measures/Consumer Protection		
DEPP	(6) Carry out the Council's functions with regard to weights and measures and other relevant trading standards and consumer protection legislation.	Leader
DEPP	(7) Administer the legislation listed in Part I of Appendix C of the report of the Director of Environmental Services to Environmental Services Committee on 7 th June 2000, (as updated at appendix A to this scheme) with the exception of any provision delegated exclusively by statute to another person or body, or any provisions the administration of which have already been delegated within this Authority.	Council/Leader

DEPP	(8)	Carry out the Council's functions with regard to public health, environmental protection control of pollution, food safety and quality, health and safety at work, pest control, communicable disease control, animal welfare, water supply and water quality, young persons and tobacco and other relevant environmental health legislation.	Council/Leader
DEPP	(9)	Institute enforcement action and, subject to the Director of Corporate Services being satisfied with the evidence in each case, legal proceedings, in respect of (6), (7) and (8) above.	Council/Leader
DEPP	(10)	Authorise employees and, where appropriate, inspectors to carry out functions in relation to (6), (7) and (8) above.	Council/Leader
DEPP	(11)	Authorise employees to sign statutory notices in respect of functions relating to (6), (7) and (8) above.	
DEPP	(12)	Authorise persons other than employees of the Council for the purposes of providing specialist advice and support in relation to (6), (7) and (8) above.	Council/Leader
DEPP	(13)	Grant, renew, transfer, vary, suspend, withdraw, or revoke licenses, registrations, permits, authorisations and approvals relating to food safety, animal welfare, special treatments, supply and retail of alcohol, public entertainment, late night refreshment, gaming, and gambling, sports grounds, sex establishments, caravan sites, hypnotism, environmental protection and houses in multiple occupation except where such powers and duties are governed by more specific schemes of delegation laid down in Council policies (e.g. the Council's statement on licensing policy) in which case the more specific schemes of delegation shall apply.	Council
DEPP	(14)	Manage caravan sites owned by the Council.	Leader
DEPP	(15)	Carry out the Council's functions under S.16 of the Local Government (Miscellaneous Provisions) Act 1976 and authorise officers to serve notices under S.16 of the Act.	Council
DEPP	(16)	Discharge functions relating to the detainment, examination and seizure of food under the Food	Council/Leader

Safety Act 1990 and regulations made under the European Communities Act 1972 both within the Borough and in all local authorities in England and Wales where reciprocal arrangements exist. (In addition all local authorities in England and Wales are authorised to discharge the above functions within Bromley Borough.)

DEPP	(17)	Take action under the Fire Safety and Safety at Places of Sport Act 1987 to approve but not refuse applications for certificates or licences under the Act.	Council
DEPP	(18)	Employ veterinary surgeons in conjunction with the Council's functions under diseases of animals, animal welfare and other related legislation.	Leader
DEPP	(19)	Authorise persons as competent engineers under Section 31 of the GLC (General Powers) Act 1973.	Council
DEPP	(20)	Carry out the Council's functions under Sections 27 and 29 to 32 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of blocked and defective drains and securing of buildings.	Leader
DEPP	(21)	Approve payment of compensation under the Public Health (Control of Diseases) Act 1984 as amended by the Health and Social Care Act 2008.	
DEPP	(22)	Authorise competent Council officers to act under the provisions of the Health Act 2006, Schedule 2 (powers of entry) and Section 9 (fixed penalty notices).	Leader
DEPP	(23)	Act as the "Proper Officer" under the Public Health (Control of Disease) Act 1984 as amended by the Health and Social Care Act 2008 and appoint officers from the Council, Public Health England (formerly the Health Protection Agency) or other organisations as necessary to exercise specific functions and powers as given to them (as set out in Appendix B to this scheme.)	Leader
Regulation of Investigatory Powers			
DEPP	(24)	Authorise action under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.	Leader
DEPP	(25)	Exercise functions and powers under the Scrap	Leader

- Metal Dealers Act 2013 including –
- (i) determining applications where refusal is being considered;
 2. granting licences where there is no prospect of refusal;
 3. imposing conditions as set out in section 4(5) where the site manager has relevant convictions;
 4. revoking licences under specific conditions;
 5. exercising the rights of entry and inspection;
 6. applying to a Magistrates Court for warrants of entry; and
 7. closing unlicensed sites.

CEX, (26)
DEPP and
DCS

Exercise functions related to the Anti-social Behaviour, Crime and Policing Act 2014 as set out in appendix 2 to the report of the Executive Director of Environment and Community Services to the Executive on 26th November 2014.

Leader

**ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) authorised	Authority to:	Responsibility delegated from
New Streets		
DEPP	(1) Decide the question of liability or exemption under the Advance Payments Code, including decision on the amount of the payment to be made other than determinations under Section 219(4)(h) of the Highways Act 1980.	Leader
DEPP	(2) Agree requirements in relation to new street construction in planning applications.	Leader
DCS	(3) On recommendation of the Director of Environment and Public Protection, negotiate and complete agreements under Section 38 of the Highways Act 1980 for the construction of new streets.	Leader
Private Street Works		
DEPP	(4) Provide street trees where appropriate under Section 2 of the Local Government Act 2000.	Council/Leader
DF	(5) Sign and serve demands for payment under Sections 204-206 of the Highways Act 1980.	Leader
DCS	(6) Enter into agreements permitting frontagers to pay by instalments.	Leader
DCS	(7) Refer objections to Magistrates Court for determination.	Leader
DCS	(8) Arrange for the implementation of ministerial decisions on appeals by frontagers.	Leader
DEPP	(9) Designate the "proper officer" for the purposes of Sections 205, 210 and 211 of the Highways Act 1980.	Leader
Private Streets		
DEPP	(10) Within the limits of approved estimates determine priority and execute urgent repairs under Section 230 of the Highways Act 1980.	Leader

Street Naming and Numbering

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| ADP | (11) | Decide action on applications for approval of intended names of streets. | Leader |
| ADP | (12) | Make and sign orders under the London Buildings Acts to give effect to decisions on naming and numbering, including renaming and renumbering. | Council |

Private Direction Signs

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| DEPP | (13) | In appropriate circumstances, approve applications, subject to suitable indemnity and on condition that signs are fixed by the Environment and Community Services Department at the applicant's expense. | Council/leader |
| DEPP | (14) | In appropriate circumstances, approve applications received from the Automobile Association or the Royal Automobile Club for the erection of temporary signs. | Council/Leader |

Erection of hoardings and scaffolding during building operations and the temporary deposit of materials and excavation

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| DEPP | (15) | Operate the provision of Sections 169, 171 and 172 of the Highways Act 1980. | Council |
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Grass Verges

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| DEPP | (16) | Authorise and erect notices against parking of vehicles. | Leader |
| DEPP | (17) | Construct pedestrian access over. | Leader |

Overhanging Trees and Hedges

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| DEPP (18) | | Authorise and serve notices and take action under the Highways Act 1980, Section 154. | Leader |
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Dangerous Trees

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| DEPP | (19) | Authorise and serve notices under Section 154 of the Highways Act 1980 requiring owners or occupiers to cut or fell trees that are dead, diseased or insecure and are likely to cause damage by falling on a highway or footpath. On default to carry out the work and recover the cost from the owner or occupier. | Leader |
|------|------|---|--------|

DEPP	(20)	Take appropriate action in respect of dangerous trees under section 23 and section 24 of the Local Government (Miscellaneous Provisions) Act 1976, including such steps as necessary to recover the costs incurred from the occupier.	Leader
Refuse Disposal (Amenity) Act 1978 (Removal of abandoned motor cars and removal and disposal of other refuse abandoned in open air or on land forming part of highway)			
DEPP	(21)	Authorise and serve notices, and take action under Sections 3 and 6 of the Refuse Disposal (Amenity) Act 1978.	Leader
DEPP	(22)	Remove forthwith from the highway and dispose of any vehicle obviously abandoned and ownership unidentifiable.	Leader
Car Parks			
DEPP	(23)	Allow refunds on car park season tickets.	Leader
DCS	(24)	Make supplementary orders to apply the Off-Street Parking Places Order to further parking places provided by the Council.	Leader
DEPP	(25)	Accept commuted payments in lieu of car parking within a scheme approved by the Council.	Leader
DEPP	(26)	Approve and provide means of access to any premises under Section 340, Highways Act 1980.	Leader
DCS	(27)	On the recommendation of the Director of Environment and Public Protection and on terms negotiated, complete agreements with owners and occupiers concerned.	Leader
Off-Street Car Parking			
DEPP	(28)	Authority to institute proceedings for contraventions of parking orders relating to the use of off-street car parks.	Leader
Parking Enforcement			
DEPP	(29)	Sign, on behalf of the Council, requests for information as to the identity of the driver of a vehicle alleged to be guilty of an offence to which Section 85 of the	Leader

Road Traffic Regulations Act 1967 applies, and sign notices under Sections 2 and 3 of the Road Traffic Act 1974 relating to excess parking charges.

DEPP	(30)	Authority to determine applications for exemption from the footway parking ban.	Leader
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Special Parking Areas

DEPP	(31)	Authority to institute or contest any action or administrative proceedings arising out of contraventions of traffic management orders relating to the Special Parking Area designated pursuant of the Road Traffic Act 1991.	Leader
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Private Sewers and Drains – Overflow Prevention

DEPP	(32)	Install and maintain anti-flood ball valves.	Leader
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Temporary Direction Signs, Street Banners etc

DEPP	(33)	Deal with all applications for temporary direction signs, street banners, etc, including seasonal and occasional decorations.	Council/leader
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Sight-Lines

DCS	(34)	Authorise and serve notices and act under Highways Act 1980, Section 79, to secure sight-lines recommended by the Director of Environment and Public Protection.	Leader
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Temporary Closure of Highways

DCS	(35)	Make orders for temporary closures recommended by the Director of Environment and Public Protection.	Leader
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Minor Improvements of Highways and Sewers

DEPP	(36)	Approve and execute minor schemes of improvement of all categories of highways and sewers maintainable at public expense, subject to all necessary consents, etc, being obtained and statutory action taken.	Leader
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Prescription of Building Lines

DCS	(37)	Prescribe building lines under Highways Act 1980, Section 74 recommended by the Director of Environment and Public Protection.	Leader
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Highway Adoptions

DEPP	(38)	After construction to his satisfaction declare streets to be highways maintainable at the public expense, and declare the associated drainage to be vested in the Council.	Leader
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Public Footpaths

DEPP	(39)	Approve the making of orders for the diversion of public footpaths where no objections are made following prior consultations with relevant owners and occupiers of land and with local and other interested organisations or statutory undertakers.	Council
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DCS	(40)	Make orders for diversion of public footpaths approved by the Director of Environment and Public Protection and confirm such orders where no statutory objections are made.	Council
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DCS	(41)	The Director of Corporate Services, in consultation with the Director of Environment and Public Protection, to confirm:	Council
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	(a)	all unopposed Orders for the creation, extinguishment, stopping-up or diversion of any footpaths, bridleways and byways; and	Council
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	(b)	all unopposed modification Orders made under the Wildlife and Countryside Act 1981 relating to footpaths, bridleways and byways.	Council
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DEPP	(42)	Make comments, on behalf of the Highway Authority, on the diversion of footpaths or bridleways necessitated to enable development for which planning consent has been given, to take place	Leader
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DEPP/DCS	(43)	Make Definitive Map Modification Orders and amendments to the Definitive Map and Statement of Public Rights of Way	Council
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Markets

DEPP	(43)	Deal with the day-to-day supervision and management of markets.	Council
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Walkways in Buildings

DCS	(44)	On terms recommended by the Director of Environment and Public Protection, complete agreements for the provision of dedication of footways or walkways under the provisions of Section 35, Highways Act 1980.	Leader
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Drainage of Highways

DEPP	(45)	Take all action necessary for the drainage or prevention of flooding of highways under the provisions of Sections 100, 299 and 339 of the Highways Act 1980.	Leader
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Control of Builders' Skips

DEPP	(46)	Operate the provisions of Section 139 and 140, Highways Act 1980 in respect of skips deposited on highways.	Council
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Retaining Walls near Streets

DEPP	(47)	Operate the provisions of Section 167 of the Highways Act 1980 in respect of the erection and condition of retaining walls.	Leader
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Construction of Buildings over Highways

DEPP	(48)	Issue licences for construction of buildings over any part of a publicly maintained highways under the provisions of Section 177 of the Highways Act 1980.	Leader
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Vehicle Crossings over Footways

DEPP	(49)	Operate the provisions of Section 184 of the Highways Act 1980 relating to the construction of vehicle crossings over footways and verges.	Leader
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DEPP	(50)	Authorise, the waiver of charges in respect of the provision of crossovers in association with other adaptations to disabled persons' properties, and in accordance with the recommendations of the Director of Adult Services (Occupational Therapy Service).	Leader
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Trees and Shrubs in a Highway

DEPP	(51)	Grant licences for the planting and maintenance of trees and shrubs under the provisions of Section 142 Highways Act 1980.	Council
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Powers of entry for Survey

DEPP	(52)	Authorise entry on to land for surveys in connection with highway functions under the provisions of Sections 289 and 290, Highways Act 1980.	Council
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Powers of Entry to Maintain Structures and Works

DEPP	(53)	Authorise entry on to land for the purpose of maintaining, altering etc, works or structures owned by the Highway Authority under the provisions of Section 291 of the Highways Act 1980.	Leader
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Provision of Dustbins

DEPP	(54)	Authorise and serve notices under Section 46 of the Environmental Protection Act 1990, as amended, requiring owners or occupiers of premises to provide the required number and type of covered dustbins for household refuse.	Leader
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Trade Refuse Disposal Facilities

DEPP	(55)	Authorise and serve notices on the owner or occupier of a building under Section 11 of the London County Council (General Powers) Act 1963 as amended requiring the carrying out of works or taking action to secure that the building is provided with trade refuse disposal facilities approved by the Director of Environment and Public Protection.	Council
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Offences involving the use of a vehicle

DEPP	(56)	Authorise and serve notices under Section 17 of the Greater London Council (General Powers) Act 1972 relating to an offence involving the use of a vehicle on a highway or parking area requiring information as to the identity to the driver or person in charge.	Council
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Dangerous Land Adjoining Streets

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

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| DEPP | (58) | Grant licences for the construction of footbridges over highways under provisions of Section 176 of the Highways Act 1980. | Leader |
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Restriction on placing rails, beams, etc over highways

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| DEPP | (59) | Determine applications and grant consents under Section 178, Highways Act 1980, to place rails, beams, pipes, cables, wires, or other similar apparatus over, along or across highways. | Council |
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Cellars under Streets

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| DEPP | (60) | Determine applications and grant consents under Section 179, Highways Act 1980 for the construction of cellars, etc under the carriageway of a street and authorise and serve notices for removal, or alteration, of any cellar, etc, constructed in contravention of that section. | Council |
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Openings in footways into cellars and pavement lights and ventilation

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| DEPP | (61) | Determine applications and grant consents under Section 180, Highways Act 1980, to make an opening in the footway of a street to a cellar, or vaults; or to carry out works in a street to provide means for the admission of air or light to premises situated under or abutting onto the street and authorise and serve notices where default arises in complying with statutory requirements as to repairs. | Council |
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Minor Improvement Budget Schemes

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| DEPP | (62) | Approve expenditure on schemes from within the minor improvement budget. | Leader |
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Traffic Management Schemes – Civil Engineering Costs

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|------|------|--|--------|
| DEPP | (63) | Following agreement in principle to traffic management schemes by the Council, approve the detailed civil engineering element costs. | Leader |
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Land Drainage and Watercourses

DEPP	(64)	(i)	Issue approvals under Section 11 (Restrictions as to buildings etc, in or over streams) and Section 13 (Restrictions on new connections with streams) of the River Ravensbourne etc (Improvements and Flood Prevention Act 1961.	Council
		(ii)	In accordance with the Land Drainage Acts 1991 and 1992 implement the Council's National Rivers Authority policies on:	Leader
		(a)	building over, adjacent to or in the flood plain of any watercourse;	Leader
		(b)	the use and maintenance of any watercourse;	
		(c)	the prevention of pollution to, and protection of the water environment;	
		(d)	in accordance with the Land Drainage Act 1991 Section 25, to serve notices on riparian owners for maintenance of watercourses and, if in default, carry out works and recharge the owner all reasonable costs.	

Bromley Town Centre – Closure of White Hart Slip

DEPP	(65)	Approve the issue of permits and determine any conditions that should be imposed thereon in respect of vehicles carrying out infrequent specialised maintenance or building activities and for infrequent delivery or collection of exceptional loads needing to gain access to White Hart Slip.	Leader
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Bromley Town Centre – Parades etc in High Street

DEPP	(66)	Determine applications for exemptions for parades and other similar events in the pedestrianised area of the High Street.	Council
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Disposal of small surplus highway sites

DEPP	(67)	Authority to declare as surplus to the requirements land held for highways purposes, being small areas of highway land not exceeding 500 square metres and to take such action as is necessary to extinguish highway rights associated with the land, subject to the receipt of planning consent for the change of use and the views of the local Ward Councillors being sought before any application is determined.	Leader
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Licences – use of highway land

DCS	(68)	On the recommendation of the Director of Environment and Public Protection, prepare licences under the provisions of the Highways Act 1980 to enable the owners of properties fronting public highways to use adjoining highway land as part of their gardens.	Leader
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Neighbourhood Watch Signs

DEPP	(69)	Authorise and/or refuse consent for the erection of Neighbourhood Watch signs on Council street furniture.	Council/Leader
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Street Trading

DEPP	(70)	To recommend legal proceedings subject to the Director of Corporate Services being satisfied as to the sufficiency of evidence.	Council
DEPP	(71)	To grant unopposed applications for full and temporary licences and applications for renewals of such licences where the terms and conditions are unchanged.	Council
DEPP	(72)	To refuse applications for street trading licences in circumstances where Section 25(4)(a) and (b) apply.	Council
DEPP	(73)	To grant unopposed applications by licence holders for variation of conditions attached to their licence.	Council
DEPP	(74)	To waive fees for temporary licences in	Council

respect of national charity events.

DEPP	(75)	To remit or refund fees or charges associated with street trading licences on production of a medical certificate or where because of road works etc a trader is unable to trade or for any other approved reason.	Council
DEPP	(76)	To accept applications for renewal of licences later than two months before expiry date (submitted before the expiry date).	Council
DEPP	(77)	To accept the surrender of a street trading licence.	Council
DEPP	(78)	To refuse the granting of a temporary licence for a street trader.	Council
DEPP	(79)	Confirm all experimental traffic regulation orders after an operational period of 12 months subject to: (i) the Ward Members concerned, the police and the public where appropriate being consulted; (ii) no objections being forthcoming; (iii) a report being made to the Executive Portfolio Holder in respect of those locations where objections have been received.	Leader
DEPP	(80)	Powers to control unlicensed street trading under the London Local Authorities' Act 2004 Section 20 and Schedule 4.	Council

School Keep Clear Markings

DEPP	(81)	Introduce mandatory school Keep Clear markings when the need is apparent and, the cost of each Traffic Order be funded from the block revenue provision for minor traffic management schemes.	Leader
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Central Islands/Refuges

DEPP	(82)	Approve the installation and removal of central islands/refuges subject to consultation with ward members.	Leader
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Environment Bromley – Grant

DEPP	(83)	Approve annual requests from Environment Bromley for grant funding.	Leader
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Graffiti Removal

DEPP	(84)	The power to require the removal of graffiti from shops, commercial properties, apparatus and plant under the London Local Authorities' Act 2004.	Council
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DEPP	(85)	Approve action to secure the removal of graffiti in consultation with the Director of Corporate Services.	Council/Leader
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Waiting and Loading Restrictions

DEPP	(86)	Authority to:	
	(i)	suggest the sites for the introduction or amendment of waiting and loading restrictions.	Leader
	(ii)	consult the Executive Portfolio Holder, Ward Members concerned, the Police and the public on the proposals.	Leader
	(iii)	subject to no objections being forthcoming, or where the scheme is less than £7,000 to introduce the restrictions; and	Leader
	(iv)	report to the Executive Portfolio Holder in respect of schemes costing over £7,000 where objections have been received but it is still considered that the restrictions should be implemented.	Leader

Disabled Persons Parking Bays

DEPP	(87)	Approve applications which meet all the following criteria and where no objections are received during consultation with the Ward Members, Police and local residents.	Leader
	(i)	only disabled drivers will be considered, except in exceptional circumstances;	Leader

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|-------|--|--------|
| (ii) | only applicants with no suitable off-street parking available to them will be considered; | Leader |
| (iii) | serious and frequent problems must be experienced in parking near the applicant's residence; | Leader |
| (iv) | applicants must undergo a medical assessment by the Council-appointed medical assessor; | Leader |
| (v) | applicants under 65 years of age should be receiving the higher mobility component of disability living allowance or Personal Independence Payment whilst applicants over 65 years of age would be assessed by the Council-appointed medical assessor only as in (iv) above. | Leader |
| (vi) | the exceptional circumstances referred to in (i) above be: | Leader |
| | (a) the application is on behalf of a minor; and | |
| | (b) the refusal of the application would cause hardship to the carers or the disabled person. | |

Street Works etc

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| DEPP | (88) | Operate the provisions of Section 50 of the New Roads and Street Works Act 1991, for the granting of street works licences. | Council |
| DEPP | (89) | Operate the provisions of Section 56 of the New Roads and Street works Act 1991, for giving the undertaker such directions as to the times when works may or may not be carried out. | Leader |

Unauthorised Signs on the Highways

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| DEPP | (90) | Operate the provisions of Section 132 of the Highways Act 1980 to remove unauthorised signs placed on the highway in roads which are on the Council's statutory list of maintained highways and rights of way in | Leader |
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the Definitive Map.

Wilful Obstruction of the Highway

DEPP	(91)	Operate the provisions of Section 148 of the Highways Act 1980 for the removal of unauthorised things on the highway which are on the Council's statutory list of highways and rights of way in the Definitive Map.	Leader
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Removal of Projections from Buildings

DEPP	(92)	Serve notice under Section 152 of the Highways Act 1980 in respect of any projection from a building which may endanger the public.	Leader
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White Bar Carriageway Markings

DEPP	(93)	Decide whether white bar markings should be laid to reduce the incidence of car parking obstruction in the following cases: (a) access to public places such as churches, halls and libraries; (b) accesses to groups of garages or similar situations where obstruction causes for delivery or loading including refuse collection; (c) access for individual disabled drivers who park off-street; (d) access to private driveways suffering from regular obstructive parking; and (e) to assist pedestrian access where vehicle parking obstruction takes place at crossing sites, excluding formal pedestrian crossings.	Leader
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Consultation Documents

DEPP	(94)	Consider and submit comments in respect of consultation documents received seeking the Council's views on all matters within the	Leader
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portfolio's purview subject to there being no policy issues or substantial expenditure, involved. In those instances, where the Executive Director of Environment and Community Services considers it appropriate prior consultation should be undertaken with the Executive Portfolio Holder before observations are submitted.

Signing to Places of Worship

DECS	(95)	Approve or refuse application for signing to places of worship, based on the criteria approved by the Executive Portfolio Holder – any complex or sensitive issues to be referred to the Executive Portfolio Holder for determination.	Leader
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Environmental Improvements

ADP	(96)	Select environmental improvement schemes for implementation, following consultation with the Ward Members concerned (the ADP also to report annually on the action taken).	Leader
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Blue Badge Scheme

DEPP	(97)	The issue and administration of the Blue Badge Scheme as provided for under the Chronically Sick and Disabled Persons Act 1970.	Leader
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Lease of Council Facility

DEPP	(98)	Let or lease a Council facility or part to a Council contractor to assist with the performance of their contract with the Council.	Leader
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DEPP	(99)	Authority to approve highways and transport planning schemes for signs and disabled parking bays, including consultation and implementation stages, provided costs are within current budgets.	Council/Leader
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DEPP	(100)	Authority, in consultation with the Director of Corporate Services, to make Orders in respect of waiting restrictions and loading bays.	Leader
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DEPP	(101)	Decide on action in response to petitions related to environmental operational matters.	Council/Leader
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Allotments

DEPP	(102)	Manage and let allotment plots (in conjunction with allotment society or association where management agreement exists between Council and the society or association).	Leader
DEPP	(103)	Waive all or part of the rent due in the initial year of a tenancy where in his opinion a plot requires additional work to put it into a satisfactory state for cultivation.	Leader
DEPP	(104)	Deal with applications for permission to erect buildings and structures, subject to consultation with local allotment society or association in the case of those exceeding two feet in height and not being the replacement of an existing building or structure.	Leader
DEPP	(105)	Authorise the signature of tenancy agreements on behalf of the Council.	Leader
DEPP	(106)	Authorise and service notices to quit or notices or re-entry on allotment tenants:- (a) where the Council determine alternative use of the land, and (b) for arrears of rent or other breach of tenancy agreement.	Leader
DEPP	(107)	In consultation with the Director of Corporate Services, approve changes of trustees appointed for the purposes of a management agreement between the Council and an allotment society or association.	Leader

Parks, recreation grounds, open spaces

DEPP	(108)	Approve occasional, general or individual variations of dates and opening hours.	Leader
DEPP	(109)	Allocate seasonal reservations in accordance with priorities approved.	Leader
DEPP	(110)	Restrict public use to accommodate lettings, reservations and other special occasions.	Leader
DEPP	(111)	Let all premises in accordance with policy and permitted uses approved by the Executive or Executive Portfolio Holder.	Leader

DEPP	(112)	Let catering rights in all premises, on the best available terms, in respect of arrangements of up to one year's duration only and where arrangements for a longer period have not previously been made, subject to consultation where necessary with the Director of Corporate Services and the signing by the Chief Executive of any consequent licence.	Leader
DEPP	(113)	Deal with applications for commercial purposes at a charge to be negotiated in each case.	Leader
DEPP	(114)	Let sports pitches and facilities.	Leader
DEPP	(115)	Set the dates of commencement and completion of sports seasons, including occasional, general or individual extension or contraction.	Leader
DEPP	(116)	Grant temporary use and letting of parks, open spaces and premises to outside organisations including temporary closure to the public so that admission charges may be levied.	Leader
DEPP	(117)	Accept gifts of memorial and other seats.	Leader
DEPP	(118)	(a) Decide conditions for suitable applicants to be allowed to use the Council's parks and open spaces for filming and commercial photography on payment of prescribed fees, but with power to waive the fee for filming or photography by an education authority, or in such a case, to charge a nominal fee of £1, at his discretion.	Leader
		(b) Refuse an application where the films or photographs are likely to be detrimental to the Council's interests.	Leader
DEPP	(119)	Deal with applications for use by circuses and small family fun fairs of areas within the Council's control which have been approved as suitable for such use.	Leader (Licensing decision Council)
DCS	(120)	Approve the use of the forecourt at the Churchill Theatre/Central Library for events.	Leader (Licensing decision Council)

Commons

DEPP	(121)	Deal with applications for fetes and other special activities on commons.	Leader (Licensing decision Council)
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Cemeteries

DEPP	(122)	Manage the Council's cemeteries including the allocation of burial space and the authorisation and execution of grave grants.	Leader
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Anti Social Behaviour

DEPP	(123)	In consultation with the Director of Corporate Services issue of fixed penalty notices in respect of graffiti and fly posting under the Anti-Social Behaviour Act 2003 Section 43.	Leader
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DEPP	(124)	Issue of graffiti removal notices under the Anti-Social Behaviour Act 2003 Section 48.	Leader
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DEPP	(125)	Powers to deal with the clearance of works and litter under the Anti-Social Behaviour Act 2003 Sections 55 and 56.	Leader
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ADP	(126)	Control of high hedges under the Anti-Social Behaviour Act 2003 Sections 68, 69 and 70.	Council
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DEPP	(127)	Propose the making of a Gating Order under the Clean Neighbourhoods and Environment Act 2005.	Leader
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Miscellaneous

DEPP	(128)	Deal with dangerous trees pursuant to Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Leader
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DEPP	(129)	Approve the purchase of selected horticultural stock, without recourse to competitive quotations.	Leader
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DEPP	(130)	Refer to the Director of Corporate Services for consideration with a view to prosecutions, cases under the Council's byelaws or other statutes.	Council
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DEPP	(131)	Manage the staff canteens and catering service without prejudice to the Director of	Council/Leader
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Finance's financial responsibilities referred to in Minute 1/356 (General Purposes Committee – 8.6.65) and subject to consultation as appropriate with and by the Director of Human Resources and Customer Services on staff welfare aspects.

DEPP	(132)	Issue of fixed penalty notices for fly posting under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2	Council
DEPP	(133)	Destruction of vehicles which are unlicensed, without a valid registration plate, or which have no registered keeper and associated powers under the London Local Authorities' Act 2004 Sections 3, 4, 6 and 7.	Council
DEPP	(134)	The control of car repairs on the street under the London Local Authorities' Act 2004 Section 11.	Council
DEPP	(135)	Pigeon proofing of bridges under the London Local Authorities' Act 2004 Section 9.	Council

RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO/ RELEVANT REGULATORY COMMITTEE(S)

Where marked * exercise of an authority to act is conditional upon the authorised officer consulting with the Chief Executive.

Officer(s) authorised	Authority to:	Responsibility delegated from
Staff Appointments		
All	(1) With the exception of the post of Assistant Director, Planning, appoint staff in authorised posts of "Deputy Chief Officer" as defined by the Local Government Act 2002. A procedure for notifying the Executive will apply before a formal offer can be made.	Council
Suspension, relegation and dismissal of officers		
All	* (2) Subject to any existing right of appeal to an Appeals Panel to suspend, relegate or dismiss Deputy Chief Officers as defined by the Local Government Act 2002.	Council
	Consider appeals from employees against their dismissal, except where the Council's procedures provide for these to be heard by a Members' Appeal Panel	Council
DHR	(3) Authorise the release of statutory minimum redundancy payment and basic pension to eligible staff as provided for under redundancy payments legislation and the LGPS Regulations.	Council
Departmental Structures and Job Grade Reviews		
All	(4) (i) Authorise departmental restructurings and grading reviews in consultation with the Director of Human Resources and Customer Services, provided that these are in line with the overall strategic direction of the Council and do not involve redundancies or early retirement and are self financing.	Council/ Leader
CE	(ii) Authorise reorganisations and restructurings involving redundancies and /or early retirement after consultation with the Leader, relevant Director(s) and Portfolio Holder(s) on the service and financial implications where there is funding available to meet the associated costs.	Leader

Conditions of Service

All	(5)	Approve payment of, in accordance with procedures laid down from time to time:- Leased cars; Car allowances; Car purchase loans; Removal expenses for new staff; Telephone installation and rental charges; Travelling and subsistence expenses; Excess travelling expenses for transferred staff for up to 4 years; Interest free loans for annual season tickets.	Council
All	(6)	Permit, as appropriate, staff to undertake activities such as the giving of lectures or instruction associated with professional or analogous training which may fall partly within office hours.	Council/ Leader
DHR	(7)	Determine variations to local conditions of service in exceptional individual employee cases in consultation with the departmental Chief Officer and with the Director of Finance when direct costs are incurred.	Council
Early Retirement			
All and DHR	(8)	Authority to agree applications for early retirement outside the redundancy policy where this will lead to compensatory staff savings, and act as a member of the Chief Officer Early Retirement Panel to determine applications for early/flexible retirement under the Local Government Pension Scheme Regulations.	Council
DHR	(9)	Make all necessary arrangements for implementation of the Council's long service awards.	Council
Leave			
All	(10)	Grant annual and special leave in accordance with the Council's policy.	Council
Superannuation etc			
DF	(11)	Determine and apply the provisions of the Local Government Pension Scheme Regulations excluding matters relating to ill-health, as applicable to employees, pensioners, dependents and estates. Determine and apply the provisions of the Social Security Acts and Occupational Pension Scheme Regulations to leavers,	Council

pensioners, dependants and transfer values.

DHR	(12)	The determination and application of all matters relating to ill-health retirement under the Local Government Pension Scheme Regulations.	Council
DF and DHR	(13)	Authority to determine future applications for early payment of deferred benefits under the Local Government Pension Scheme Regulations.	Council
DCS, DHR and DF	(14)	To undertake the role of “nominated person” under the Internal Dispute Resolution Procedures of the Local Government Pension Scheme and the Teacher’s Pension Scheme	Council
DF and DHR	(15)	To implement the Council’s schemes for gratuities and severance payments.	Council
DF and DHR	(16)	With regard to automatic enrolment under the Pensions Act 2008 authority to - (i) use postponement for workers on short-term contracts and in circumstances where it aids administrative processes; and (ii) take all necessary action to ensure that the Council’s responsibilities under the requirements of automatic enrolment are met.	Council

Implementation of Awards etc

DF	(17)	Implement payment of salary and wage awards by the Council.	Council
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Ex Gratia Payments

All	(18)	Authorise, in consultation with the Director of Finance,, ex gratia payments not exceeding £500 in any one case to persons in the employment of the Council in respect of loss of or damage to personal property sustained during the course of duty when reimbursement for such loss or damage is not recoverable from any other source.	Council
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Industrial Injuries Scheme

DHR	(19)	Determine, in consultation with the Director off Children’s Services so far as teachers are concerned, all applications under Paragraph 8 of the Greater London Whitley Council Industrial Injuries Scheme as at 31 March 2013.	Council
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Honoraria

All (20) Authorise the payment of honoraria to employees in accordance with conditions of service and the Council's scheme. Council

DHR (21) Determine any individual variations to the Council's scheme for the payment of honoraria to management grade staff. Review periodically the basis of the honoraria in the light of pay awards and any other relevant factors and revise the honoraria amounts accordingly. Council

Essential Car users – Car Loan Council

DF/DHR (22) Authority to carry out an annual review of the maximum sum the Authority is prepared to make available in the form of a loan to "essential car users" for the purpose of purchasing a car and to agree an increase in the maximum loan as necessary to reflect any increase in the cost of new cars, subject to an individual not being permitted to borrow more than 50% of their annual salary. Council

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

Benchmark Lease Cars

DECS/DF (24) Director of Environment and public Protection, in consultation with the Director of Finance, be authorised to revise benchmark lease car contributions as and when manufacturers vary prices during the course of the year. Council

DHR/DF (25) The Director of Human Resources and Customer Services, in consultation with the Director of Finance, be authorised to vary the mileage rates payable to leased car users. Council

Mortgages

DCS (26) Seal: Council

- (a) vacating receipts and discharges of mortgages;
- (b) mortgages where the advances are made by instalments;
- (c) mortgages to secure the external borrowing of money.

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

DCS	(28)	Approve advances for the connection of houses to public sewers.	
DCS	(29)	Approve applications for the consent of the Council as mortgagee to: (i) the grant of rights of way and other easements, and licences; (ii) the carrying out of alterations and/or improvements to the mortgaged properties; subject in each case to being satisfied that the Council's security will not be adversely affected.	Leader
DCS	(30)	Authorise and institute proceedings for the recovery of arrears and/or possession of the property where mortgagors under the Council's Housing Act Advance Scheme have made default in payment of sums secured by the mortgage.	Leader
DCS	(31)	Authorise and give permission for short-term lettings of mortgaged property by mortgagors.	Leader
DHPR	(32)	Approve Housing Act advances in accordance with the scheme and criteria approved by the Executive.	Leader
DF	(33)	Approve increases or reductions in mortgage periods.	Leader
DCS/DF	(34)	Approve applications for the transfer of mortgages from the husband and/or wife to husband and/or wife subject to normal income limits.	Leader
DCS	(35)	Endorse extensions of mortgages executed by the Council in connection with external loans.	Leader
Private Street Works Charges, etc.			
DCS/DF	(36)	Approve the suspension of repayment of the principal element of private street works charges and loans for house connections to sewers for such period as the applicant is in receipt of Social Security income support	Leader
Loans			
DF	(37)	To make all necessary arrangements for efficient debt and cash management in accordance with any statutory requirements and the Treasury Policy Statement approved by the Council. In particular to:	Council/Leader

		(i) arrange loans, as required, on terms appropriate to market conditions in order to finance new capital expenditure or refinance maturing loans;	
		(ii) raise temporary loans and invest surplus cash:	
		(iii) arrange leasing finance as appropriate.	
DAS	(38)	Authority to approve maturity loans applications.	Leader
Rates of Interest			
DCS	(39)	Determine rates of interest of (a) local bonds and mortgages and (b) Housing Act mortgage advances, subject to referral to Committee of any proposal to vary existing practice in the relative treatment of pre- and post-1980 Act mortgages.	Council/Leader
Local Taxes			
DF	(40)	Authority to act on behalf of the Council in all matters concerning the administration, collection, recovery or community charges, Council Tax and non-domestic rates (including authority to authorise bailiffs to levy distress on behalf of the Council) and the administration of community charge and Council Tax benefits (including, for the avoidance of doubt, the consideration of any complaint or appeal by a Council tax payer).	Council/Leader
Value Added Tax			
DF	(41)	To take any necessary action to “opt to tax” exempt supplies where the third party is VAT registered.	Leader
Contractors Bonds			
All	(42)	Allow contractors to obtain their own bonds for due performance of any proposed contract, subject to the nominated bondsman being acceptable to the Director of Finance and to any additional cost being met by the contractor.	Leader
Carry Forward of Budgets			
DF	(43)	Authorise spending officers to carry forward from one financial year to the next any unspent General Fund or Housing Revenue Account budget provision, provided that the goods were ordered or the work was started in the expectation that the order would be completed by 31 st March.	Council/Leader

DF	(44)	The Director of Finance shall be the Chief Finance Officer for the purposes of Section 114 of the Local Government Finance Act 1988.	Council
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DF	(45)	In respect of benefit fraud, impose or request administration penalties as appropriate.	Leader
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Management of The Glades

DEPP	(46)	Following, where appropriate, consultations with the Director of Corporate Services to take decisions concerning the management of The Glades shopping centre so as to maintain the Council's overall interests.	Leader
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Property

DCS/DEPP	(47)	Authority to:-	
	(i)	approve purchases of properties in pursuance of confirmed compulsory purchase orders, on terms recommended and endorsed, when necessary, by the District Valuer;	Leader
	(ii)	To approve the terms of any property transaction where there has been a decision of the Council, Executive, Executive Portfolio Holder, Committee or Sub-Committee, to acquire or dispose subject to a capital value less than £500,000 or rental value less than £50,000;	Leader
	(iii)	To sell land not required for operational purposes with an area less than 500 sq. meters and value less than £10,000;	Leader
	(iv)	To sell property or purchase it by private treaty when such action was included in the Asset Management Plan, subject to the financial limits set out in (ii) above;	Leader
	(v)	Carry out all functions relating to the leasing and management of property, including landlords' consent, unless they fall outside the financial limits detailed in (ii) above, or the matter is particularly referred by Members to the Executive or Portfolio Holder;	Leader
	(vi)	To take action on all London Residuary Body matters, subject to the financial limits set out in (ii) above.	Leader
			Leader

- (vii) authorise the making of a Home Loss Payment in any case in which such a payment is appropriate;
- (viii) grant leases to public utility undertakings for land required for the erection of sub-stations or other similar purposes; Leader
- (ix) grant leases of Council land or properties not immediately required for the purposes for which they were originally acquired or are currently held, provided such leases are Leader
 - (a) for a period not exceeding seven years; or
 - (b) where the premium does not exceed £5,000 or the annual rent £500;
- (x) consent to the assignment of leases and tenancies of Council properties; Leader
- (xi) negotiate and agree terms in respect of easements, wayleaves, consents and licences affecting land and property; Leader
- (xii) approve applications for the consent of the Council, as landlord, for minor alterations or improvements to buildings; Leader
- (xiii) determine rent reviews and agree changes in use of commercial properties in Council ownership where the Council is acting as landlord; Leader
- (xiv) on terms determined in accordance with provisions of the Act, approve sales or the extension of leases under the Leasehold Reform Act 1967, as amended by the Housing Act 1980, where appropriate claims have been accepted as being legally valid and without grounds for counter-claim; Leader
- (xv) enter into an agreement, or agreements under Section 1 of the Local Authorities (Goods and Services) Act 1975, on such terms as he considers appropriate: Council/Leader
 - (1) with the London Fire and Emergency Planning Authority, to act on its behalf in respect of the sale of Beckenham Fire Station and any other property owned by

that body; and

(2) with any other public body which may request such service.

(xvi) Agree terms, in consultation with the Leader of the Council, for the disposal of the Council's reversionary interest in small areas of non-housing land and buildings on the former GLC Seaside and Country Home estates, subject to an upper price limit of £200,000. Leader

(xvii) Decisions on former London Residuary Board matters which do not involve expenditure by the Council and are not of a controversial or sensitive nature. Leader

(xviii) Approve transactions when the name of the purchaser or transferee changes, or the purchaser wishes the transfer to proceed in the name of another company within the same group but all other terms and conditions remain as originally approved; Leader

(xix) Dispose of small areas of former highway land not exceeding 500 square metres which have been declared surplus to the requirements of the Council and upon which highway rights have been extinguished subject to consultation with Ward Members. Leader

Utilities Contracts

DF and DCS (48) To make necessary contractual arrangements for utilities (electricity, gas, water, internet etc.) for Council offices and Council-owned sites. Leader

Registration Service

DHR (49) Be "Proper Officer" in respect of the Births Deaths and Marriages Registration Service. Council

**ADULT CARE & HEALTH PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:-	Responsibility delegated from
DA	(1) Ensure that the powers and duties to provide for the social care of elderly people, people with a disability and/or chronic sicknesses are met in accordance with statutory Care Act requirements and Council policy.	Council/Leader
DA	(2) Exercise the statutory functions (including under the Mental Health Acts and Mental Capacity Act 2005) to safeguard the welfare of people suffering from a mental illness.	Leader
DA	(3) Arrange burials and cremations in cases where no other suitable arrangements have been made.	Leader
DA	(4) Undertake the general supervision and management of social work support services provided under the Local Authority Social Services Act 1970 (and any other enactment) not generally covered elsewhere in this scheme of delegation.	Leader
DA	(5) Ensure that reasonable costs are recovered for certain services in line with statutory regulations and Council policy.	Leader
DA	(6) Discharge the Council's transport functions in accordance with statutory requirements.	Council/Leader
DA	(7) Waive or abate charges and to take further action in relation to recovery of charges.	Leader
DHPR	(8) Approve applications for joint financing of less than £50,000.	Leader
DA	(9) In consultation with the Portfolio Holder and the Director of Corporate Services, approve Section 106 funding under formal grant arrangements for individual health proposals up to £250,000.	Leader

**RENEWAL, RECREATION & HOUSING PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:	Responsibility delegated from
Libraries		
DECS	(1) Select and purchase books and other library and museum materials and arrange loan exhibitions.	Leader
DECS	(2) Amend list of purchased periodicals, such amendments to be reported to the Portfolio Holder annually.	Leader
DECS	(3) Publish book lists.	Leader
DECS	(4) Decide on the closure of libraries at Christmas, Easter and public holidays.	Leader
DECS	(5) Decide on occasional variation of library opening hours.	Leader
DECS	(6) Deal with the letting of library halls.	Leader
DECS	(7) Carry out the Council's functions and duties under the Public Libraries and Museums Act 1964 and any amendments.	Leader
DECS	(8) Approve the secondment of trainee librarians for training, subject to the following: (a) such trainees to sign the usual undertaking in respect of staying in the Council's service for two years after completion of their studies; and (b) financial provision being agreed in the revenue budget annually.	Council
Local Land Charge Searches		
DECS	(9) Deal with local land charge searches.	Leader
Housing		
DHPR	(10) Consider the conditions and housing needs of the Borough.	Leader
DHPR	(11) Assess and arrange rehousing for homeless applicants in accordance with statutory requirements and Council policy.	Leader

DHPR	(12)	Nominate applicants to Housing Associations.	Leader
DHPR	(13)	Monitor the performance of Housing Associations and arrange for collection and production of statistical information.	Leader
DHPR	(14)	Consult with and provide advice to Housing Associations and other housing organisations on the housing needs of the Borough.	Leader
DHPR	(15)	Manage and provide temporary accommodation for homeless people and in cases of emergencies.	Leader
DHPR	(16)	Agree the terms and conditions for block booking arrangements for temporary accommodation.	Leader
DHPR	(17)	Manage the Council funded development programme in line with Council policy.	Leader
DHPR	(18)	Dispose of small plots of land which are surplus to requirements and which do not exceed 200 square metres in area, subject to consultation with local Ward Members.	Leader
DHPR	(19)	Authority to allocate Housing Association Programme funds in accordance with the criteria contained in Social Services and Housing Committee Minute 232(g) (21 st July 1997).	Leader
DHPR	(20)	Determine and pay claims for "well maintained" payments following directions given by the Secretary of State for the Environment.	Leader
DHPR	(21)	Negotiate with owners and accept tenancies of properties in compulsory purchase orders awaiting confirmation by the Secretary of State and from which immediate rehousing is considered necessary.	Leader
DEPP	(22)	Deal with the day-to-day management of all maisonettes associated with shop premises.	Leader
DF	(23)	Authorise payment of disturbance claims.	
DHPR	(24)	Approve all renovation, disabled facilities and other housing grants and loans in accordance with the schemes approved by the Executive Portfolio Holder.	Leader
DHPR	(25)	Require, register and enforce repayment of	Leader

charges relevant to housing and disabled facilities grants in accordance with the practice of the Executive. Approve the waiving of repayments where financial hardship to the owner would arise.

DHPR	(26)	Carry out the Council's functions relating to private sector housing in connection with hazard rating, disrepair, provision of amenity, means of escape in the case of fire, acquisition of property, overcrowding, energy efficiency, empty property including Compulsory purchase, securing unauthorised entry and Management Orders. Require information from owners and others, enforced entry, statutory nuisance, pest control, satisfactory drainage, requests for warrants for entry and undertaking work in default of an owner for non-compliance of a statutory notice or in the event of significant risk.	Leader
DHPR	(27)	Institute enforcement action to seek applications to Tribunals, and for prosecutions, the Director of Corporate Services being satisfied with the evidence in each case, legal proceedings, and hearings in respect of (25) above.	Leader
DHPR/ADP	(28)	Arrange for the demolition of properties for redevelopment purposes.	Leader
DF	(29)	Determine the amounts of rent rebates to be allowed under approved scheme.	Leader
DA	(30)	Authorise the approval of discretionary disabled facilities grants in exceptional circumstances.	Leader

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

PRIMARY LEGISLATION

ACT/REGULATION	DESCRIPTION OF DELEGATION
Accommodation Agencies Act 1953	To perform functions and investigate offences related to the practices of accommodation agencies
Administration of Justice Act 1970	To perform functions and investigate offences related to the harassment of debtors
Agriculture Act 1970 Refer to Schedule of secondary legislation (Regulations)	67(1) Duty Of local authority to enforce part IV of the Act in respect of fertilisers and animal feeding stuffs.67(4) Power to grant consent for inspectors of another enforcement authority to exercise powers within the London Borough of Bromley;67(3) Power to appoint agricultural analyst and deputies; to perform functions and investigate offences related to fertilisers and animal feeding stuffs;75(2) Power to require information and documentation; 76 – Power to enter premises and take samples
Animal Boarding Establishments Act 1963	Provisions relating to the commercial boarding of animals
Animal Health Act 1981	Provisions for welfare of farm animals in transit, on the farm and at market
Animal Welfare Act 2006	Powers relating to the control of animal welfare
Anti-Social Behaviour Act 2003	To perform functions and investigate offences related to the sale of aerosol paint to persons under age.
Anti-social Behaviour, Crime and Policing Act 2014	Provisions which introduce simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. It includes powers in relation to civil injunctions, criminal behaviour orders, public space protection orders and community protection notices and orders.
Architects Act 1997	To perform functions and investigate offences related to unregistered architects
Breeding and sale of dogs (welfare) Act 1999	Provisions to control the activities of commercial dog breeders
Breeding of dogs Act 1973 & 1991	Provisions to control the activities of commercial dog breeders
Building Act 1984	Provisions relating to adequate water supply, drainage and sanitary ware repair/improvement, in dwellings and emergency abatement of certain statutory nuisances.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Cancer Act 1939	To perform functions and investigate offences connected to advertisements relating to the treatment of cancer
Caravan Sites and Control of Development Act 1960	Provisions for granting licences to caravan sites, attachment of conditions and the provision of caravan sites.
Charities Act 1992	To perform functions and investigate offences connected with information to be provided, and false statements made by, professional fund raisers.
Charities Act 2006	To perform functions and investigate offences connected with unauthorised use of badges certificates and articles and of false statements made, in respect of charitable appeals.
Children and Families Act 2014 Refer to schedule of secondary legislation (Regulations)	Duty of weights and measures authority to enforce the Regulations made under this Act around the prohibition of sale of nicotine products to persons under 18, proxy sales and tobacco packaging.
Children & Young Persons Act 1933	To perform functions and investigate offences connected with the sale of tobacco and cigarette papers to persons under age and in respect of tobacco vending machines.
Children and Young Persons (Harmful Publications) Act 1955	Act prohibits sale or hire of harmful publications to children and young persons
Children & Young Persons (Protection Tobacco) Act 1991	Duty of local authority to consider a programme of enforcement action in respect of the sale of tobacco to persons under age, and to perform functions and investigate offences connected with the sale of single cigarettes [3(1)] and in respect of tobacco warning notices [4(1) & 4(2)].
Christmas Day (Trading) Act 2004	Act restricting store opening times on christmas day
Civil Contingencies Act 2004	Provisions relating to Civil Protection (more commonly known as Emergency Planning) including planning for and responding to emergencies and the discharge of duties and use of emergency powers as appropriate
Clean Air Act 1993	Provisions relating to control of smoke from chimneys and the chimney height; smoke grit and fumes from furnaces and the height of the furnace; the control of appliances and fuels in smoke control areas; controls over cable burning and the power to publish information thereof. Duty to enforce regulations concerning the composition and content of motor fuel [30(4)] and the sulphur content of oil fuel [31(4)] To perform functions and investigate offences connected to regulations made under section 30 & 31 related to the composition and content of motor fuel and fuel oil. To exercise powers of entry, inspection, seizure and test purchase in respect of motor fuel and fuel oil

ACT/REGULATION	DESCRIPTION OF DELEGATION
Companies Act 2006	Where relevant to other authorised functions, to perform functions and investigate offences related to the display and disclosure of company names [Part 5], fraudulent trading [part 29], display and disclosure of business names [part 41].
Consumer Credit Act 1974 as amended	Duty of enforcement by local weights and measures authority Powers of authorised officers related to entry[including making application for warrants], inspection, seizure etc [162] and test purchase [164]
Consumer Protection Act 1987	Duty of enforcement by local weights and measures authority of safety provisions [part II of Act] Power of authorised officers to issue suspension notices in respect of goods suspected of contravening safety provisions and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of goods contravening safety provisions. Powers of authorised officers to make test purchases [28(1)], of entry inspection & seizure etc [29], to apply for warrants of entry [30(2)], to request information & assistance [32(1)], to request information & assistance from Commissioners of Customs & Excise [37(1)].
Consumer Rights Act 2015	Power of officers to purchase products, observe carrying on of business, enter a premises with or without a warrant, inspect products, test equipment, require production of documents, seize and detail goods and documents, decommission or switch off fixed installations, break open containers and require assistance from persons on premises.
Control of Pollution Act 1974	Provisions relating to the control of certain paints and treatments; noise and vibration from building sites; noise in the streets; noise abatement zones and the carrying out of certain works by the Council.
Control of Pollution (Amendment) Act 1989	Powers relating to control of waste carriers and power to seize vehicles.
Copyright, Designs & Patents Act 1988	To perform functions and investigate offences related to making or dealing with infringing articles etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test purchase etc To perform functions and investigate offences related to making dealing with or using illicit recordings etc Duty of enforcement by local weights and measures authority and powers of authorised officers related to entry, inspection, seizure and test purchase etc
Criminal Attempts Act 1981	To perform functions and investigate offences connected to attempts to commit an indictable offence, where relevant to other authorised functions.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Criminal Justice Act 1988	To perform functions and investigate offences connected to the supply of offensive weapons [141] and the sale of knives etc. to underage persons [141A]
Criminal Justice and Police Act 2001	Closure of certain classifications of premises
Criminal Justice and Public Order Act 1994	Power to remove unauthorised traveller encampments
Criminal Law Act 1977	To perform functions and investigate matters connected to conspiracy to commit offences where relevant to other authorised functions.
Crossbows Act 1987	To perform functions and investigate matters connected to– the supply of crossbows to persons underage.
Dangerous Wild Animals Act 1976	Provisions relating to control of dangerous wild animals and power to seize dangerous wild animals.
Dangerous Dogs Act 1991	Provisions relating to breeding, supply, control and abandonment of dangerous dogs.
Development of Tourism Act 1969 See also schedule of secondary legislation [orders & regulations]	To perform functions and investigate matters connected to the notification of pricing of accommodation.
Deer Act 1991	The provisions relating to control of the sale of deer and associated record keeping
Education Reform Act 1988	To perform functions and investigate offences connected to unrecognised degrees Duty of local weights and measures authority to enforce provisions of section 214 Trading Standards List 2 Powers of authorised officers in respect of premise entry, inspection search & seizure etc [215(2), 215(6)], to apply for warrants of entry [215(4).
Energy Act 1976 See also schedule of secondary legislation [orders & regulations]	Enforcement of orders relating to passenger car fuel consumption
Energy Conservation Act 1981	Power of local weights and measures authority to enforce provisions concerning the design, construction and operation of energy consuming appliances. Powers of authorised officers in respect of entry, inspection, seizure & detention etc [20(2),20(3),20(7) and warrants of entry [20(5)
Enterprise Act 2002	Designation and power of local weights and measures authority to act as a general enforcer in respect of certain consumer legislation. Power of authorised officers to seek undertakings in respect of domestic and community infringements. Power of authorised officers to give notice requiring that information be provided Duty of local weights and measures authority to give notice of intended proceedings under specified enactments or legislation.

ACT/REGULATION	DESCRIPTION OF DELEGATION
	Power to disclose specified information To investigate offences in respect of disclosure of specified information
Environment Act 1995	Provisions covering a wide range of pollution control arrangements and requirements both centrally and locally, including the power under s.108 of the Act to authorise persons with powers of entry, inspection, and investigation to determine the application of and compliance with pollution control requirements within the local authority's area. Part IV of the Act relates to Air Quality.
Environmental Protection Act 1990	This Act makes various provisions, powers, and duties for different aspects of Environmental Protection, including controlled waste, contaminated land, and litter. The Act also consolidates and expands on previous provisions relating to statutory nuisances, including the duty of Local authority to inspect its area for statutory nuisances and to investigate all complaints of statutory nuisance. Includes provisions for power of entry, power to require works, power to carry out works and powers to recover costs in relation to said statutory nuisance.
Estate Agents Act 1979	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers in respect of entry, inspection, seizure & detention etc and warrants of entry.
European Communities Act 1972 Refer to schedule of secondary legislation [orders and regulations].	Enforcement of <i>any</i> orders, regulations or other instruments made there under or relating thereto, or having effect by virtue of the Act, in as far as they relate to environmental protection, consumer protection, fair trading, weights and measures and any other matters considered to be trading standards functions.
Explosives Act 1875 to 1976	To perform functions and investigate offences connected to the sale of gunpowder [30, 32] and the sale of gunpowder to persons under age [31].
Fair Trading Act 1973	Duty of local weights and measures authority to enforce orders made under section 22 of the Act Power to make test purchases [28]. Powers of entry, inspection, seizure & detention etc 7 warrants of entry [29]
Farm & Garden Chemicals Act 1967	To perform functions and investigate offences connected to transactions in unlabelled products
Financial Services Act 2012	Designation of powers to weights and measures authorities
Financial Services & Markets Act 2000 Refer to schedule of secondary legislation [orders and regulations].	To exercise the functions of a 'relevant officer' under the Money Laundering Regulations 2007
Firearms Act 1968	To perform functions and investigate offences connected to the supply of air weapons to persons under age.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Fire Safety & Safety of Places of Sport Act 1987	Provisions relating to the safety of sports grounds
Fireworks Act 2003	Duty of local weights and measures authority to enforce provisions in respect of firework regulations Powers of entry and inspection etc [by reference to the Consumer Protection Act 1987]
Food Act 1984	Provisions relating to food safety.
Food & Environment Protection Act 1985	Duty of local weights and measures authority to enforce regulations relating to the sale, labelling and advertising of pesticides Exercise of enforcement powers by authorised officers
Food Safety Act 1990 and Food Safety and Hygiene (England) Regulations 2013	To perform functions in relation to food safety
Forgery & Counterfeiting Act 1981	To perform functions and investigate offences connected to forgery and false instruments where relevant to other authorised functions.
Fraud Act 2006	To perform functions and investigate offences where relevant to other authorised functions.
Gambling Act 2005	Provisions for controls over gambling activities
Greater London (General Powers) Act 1966	Licensing of places concerned with exhibitions
Greater London (General Powers) Act 1967	Licensing of places concerned with hairdressers and barbers
Greater London (General Powers) Act 1984	To exercise powers in respect of the registration of premises used for sales by way of competitive bidding Powers of entry and inspection in connection with sales by way of competitive bidding
Guard Dogs Act 1975	Provisions for control of the use of guard dogs on premises.
Hallmarking Act 1973	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers in respect of test purchasing, entry and inspection etc
Health Act 2006	The Act introduced the requirement for certain premises, places, and vehicles to be smokefree, and makes requirements for the management and signage of smokefree areas and provisions for enforcement
Health and Safety at Work etc Act 1974	Section 18(4) of Act – duty of local authority to enforce relevant provisions. Appointment of inspectors Authority to exercise power of inspector

ACT/REGULATION	DESCRIPTION OF DELEGATION
Health and Social Care Act 2008	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease
Housing Act 1985	Section 17 in relation to compulsory purchase
Housing Act 2004	Duty of local weights and measures authority to enforce sections 155 to 159 inclusive and 167(4) [provisions related to home information packs]. Powers of authorised officers to require production of home information packs Powers of authorised officers to issue penalty charge notices in connection with breaches of 155 to 159 inclusive, 167(4), 172(1) Powers to confirm or withdraw a penalty charge notice. Powers to extend the period for complying with a penalty charge notice requirement. Duty to investigate, obtain information, inspect and take action in relation to housing conditions, houses in multiple occupation and empty property as set out in parts 1-1V and all associated schedules.
Housing Grants, Construction and Renovation Act 1996	Whole Act
Home Energy Conservation Act 1974	The provisions requiring local authorities to adopt a strategy for improving energy efficiency
Insurance Brokers (Registration) Act 1977	To perform functions and investigate offences connected to false registration
Intoxicating Substances (Supply) Act 1985	To perform functions and investigate offences connected to the sale of solvent based products to persons under age.
Knives Act 1997	To perform functions and investigate offences connected to the unlawful marketing of knives and the publication of associated material.
Legal Services Act 2007	To perform functions and investigate offences connected to carrying on restricted legal activities when not entitled [14] or carrying on those activities through persons not entitled [16] Powers of authorised officers to enter premises, powers to require production or take copies of documents, to request information. Power to apply for warrants of entry [198(6)]. To perform functions and investigate offences connected to obstruction and failing to provide information etc
Licensing Act 2003 and associated regulations	A consolidation of previous legislation relating to the sale and supply of alcohol and the provision of regulated entertainment and late night refreshment. Creates wide ranging duties in relation to the receipt, advertising, processing, and determination of applications and notices for licensable activities and the holding and conduct of hearings. In addition to Local Authority licensing functions the Act includes the duty of local weights and measures

ACT/REGULATION	DESCRIPTION OF DELEGATION
	authority to enforce the provisions of section 146, 147, 147A in respect of the sale of alcohol to persons under age; to issue a closure notice in respect of persistently selling alcohol to persons under age; to request a person under age to buy or attempt to buy alcohol, and to perform functions and investigate offences connected to the sale of liqueur confectionery to persons under age
Local Government (Miscellaneous Provisions) Act 1976	Power to require information, the provision of sanitary appliances, and the removal of obstructions from private sewers
Local Government (Miscellaneous Provisions) Act 1982	Powers relating to the protection of unoccupied buildings
London Local Authorities Act 1990	To enforce provisions in respect of street trading licences including the power to require production of a licence by a licence holder Powers in respect of the removal of receptacles. Enforcement of provisions in respect of unlicensed street trading including seizure of relevant articles and things. Powers of entry and inspection of authorised officers in connection with occasional sales Power to institute legal proceedings if a relevant person fails to furnish an authorised Officer with a name, or provides a false name or false address. The issuing of fixed penalty notices is authorised under the London Local Authorities Act 2004.
London Local Authorities Act 1991	The provisions relating to licensing premises where special treatments are carried out and provision for the control of burglar alarms
London Local Authorities Act 2004 Part 4	Administration of accounts for Fixed Penalty Notices, use of surplus, report to Secretary of State Power to enforce provisions including the Issuing of Fixed Penalty Notices in respect of contraventions of section 34(1 – 4) and 38(1) of Local Authorities Act 1990
Magistrates Courts Act 1980	Where relevant to other authorised functions, to perform functions and investigate offences related to the aiding, abetting, counselling or procuring the commission of offences.
Malicious Communications Act 1988	Where relevant to other authorised functions, to perform functions and investigate offences related to sending letters etc. with intent to cause distress or anxiety
Medicines Act 1968	Powers of authorised officers related to inspection, premise entry, taking of samples, seizure & detention etc related to medicated animal feed stuffs.
Motor Cycle Noise Act 1987	To perform functions and investigate offences related to the supply of motorcycle silencers and exhaust systems.
National Assistance Act 1948	Power of entry to inspect property

ACT/REGULATION	DESCRIPTION OF DELEGATION
National Lottery Act 1993	To perform functions and investigate offences related to the supply of lottery tickets etc to persons under age
Noise Act 1996	Power to issue warning notices and fixed penalty notices for noise and the power to enter premises and seize equipment
Noise & Statutory Nuisance Act 1993	Provisions for powers in relation to noise and nuisance in the street, control of alarms and recovery of costs
Offensive Weapons Act 1996	Prohibits sale of axes, knives and bladed articles to under 18s
Olympic Symbol etc (Protection) Act 1995	Power of local weights and measures authority to enforce provisions relating to relevant goods
Olympic Symbol etc (Protection) Act 1995	Powers of test purchase, entry, inspection & seizure of authorised officers
Pet Animals Act 1951 & 1983	Provisions for the control of sale of pet animals
Performing Animals (Regulation) Act 1925	Provisions for the control of the training or exhibition of performing animals
Pollution Prevention and Control Act 1999	Proscribes the regulation and control of polluting emissions into the environment by way of environmental permits covering a broad range of trade and industrial installations and processes.
Prevention of Damage by Pests Act 1949	Provides duties and powers relating to the control of rats and mice including powers to enter premises for the control of rodents, to require treatments or the provision of information, and to carry out works.
Prices Acts 1974 & 1975	Duty of local weights and measures authority to enforce orders made under sections 2, 4 & 5 in respect of the prices of goods. Powers of entry, inspection, seizure etc of authorised officers
Proceeds of Crime Act 2002	Matters in relation to the investigation and charging of money laundering offences
Protection From Harassment Act 1997	Where relevant to other authorised functions, to perform functions and investigate offences related to harassment and putting people in fear of violence
Protection of Animals Act 1911	Provisions relating to animal welfare
Public Health Act 1936	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health
Public Health Act 1961	The obligations placed upon, and provisions empowering local authorities with regard to the control of public health

ACT/REGULATION	DESCRIPTION OF DELEGATION
Public Health (Control of Diseases) Act 1984	The obligations placed upon, and provisions empowering local authorities with regard to the control of disease
Registered Designs Act 1949 as amended	Provisions relating to the protection of registered designs
Restriction of Offensive Weapons Act 1959	Where relevant to other authorised functions, to perform functions and investigate offences related to the sale and supply of knives and other dangerous weapons.
Riding Establishments Act 1964 - 1970	Provisions relating to licensing of horse riding establishments
Road Traffic Act 1988	To perform functions and investigate offences related to the sale of motorcycle helmets To perform functions and investigate offences related to the supply of unroadworthy vehicles [75] and the fitting or supply of defective or unsuitable vehicle parts [76].
Road Traffic (Foreign vehicles) Act 1972	Provisions relating to the powers of authorised persons to prohibit overloaded vehicles
Safety of Sports Grounds Act 1975	The provisions relating to the safety of sports grounds
Scotch Whiskey Act 1988	Provisions relating to the supply and sale of products described as scotch whiskey.
Scrap Metal Dealers Act 2013	The provisions relating to the registration of scrap metal dealers
Solicitors Act 1974	To perform functions and investigate offences related to pretending to be a solicitor and engaging in various practices when unqualified. Powers of inspection, entry, seizure & detention, application for a warrant of entry of authorised officers
Sunbeds (Regulation) Act 2010	An Act to make provision about the use or supply of tanning devices that use artificial ultra-violet radiation, includes restriction on sales to under 18's
Sunday Trading Act 1994	Controls over hours of opening on Sundays and Easter for large shops.
Tattooing of Minors act 1969	The provisions relating to the tattooing of young persons
Telecommunications Act 1984	To perform functions and investigate offences related to the marking and labelling of telecommunications apparatus and information contained in advertisements for telecommunications apparatus.
Tenant Fees Act 2019	Duty of local weights and measures authority to enforce the provisions of the Regulations, which include provisions to prohibit landlords and letting agents from requiring certain payments to be made.
Theft Act 1968	Where relevant to other authorised functions, to perform functions and investigate offences related to false

ACT/REGULATION	DESCRIPTION OF DELEGATION
	accounting [17] and going equipped to cheat [25].
Timeshare Act 1992	Duty of local weights and measures authority to enforce the provisions of the Act. Power of authorised officers to request information and seize documents
Tobacco Advertising and Promotion Act 2002 Refer to schedule of secondary legislation (Regulations)	Duty of local weights and measures authority to enforce the provisions of the Act. Powers of authorised officers to enter premises, perform inspections, seize items, apply for warrants of entry etc.
Trade Descriptions Act 1968	Duty of local weights and measures authority to enforce the provisions of the Act Offence provisions substantially replaced by CPUT 2008.
Trade Marks Act 1994	Duty of local weights and measures authority to enforce provisions of section 92 (unauthorised use of trade mark, etc. in relation to goods). Powers of authorised officers to inspect goods and enter premises etc, of seizure and detention, to apply for warrants of entry etc. Power to apply for forfeiture of goods To perform functions and investigate offences related to the falsification of the trademarks register etc [94] and falsely representing a trade mark as registered [95].
Trading Representations (Disabled Persons) Acts 1958 and 1972	To perform functions and investigate offences related to registration of sellers of goods made by persons with disabilities
Unsolicited Goods and Services Act 1971 & 1975	To perform functions and investigate offences related to unsolicited demand for payment etc
Veterinary Surgeons Act 1966	To perform functions and investigate offences related to the carrying out of veterinary practices by unqualified persons and the use of practitioners titles when unqualified.
Video Recordings Act 1984	Duty of local weights and measures authority to enforce the provisions of the Act Powers of authorised officers to make test purchases, to enter premises, carry out inspections, powers of seizure & detention and to apply for warrants of entry etc To investigate outside of Bromley, offences suspected of being linked to or suspected to have been committed within the borough. To give consent to officers from other local authorities to investigate within Bromley, offences suspected of being linked to that other authority or suspected to have been committed within it.
Water Industry Act 1991	The provisions relating to the control of water to premises, including sufficiency, wholesomeness, and contamination; the control of waste water and duties placed upon the local authority.
Weights and Measures Act 1985	Designation of the London Borough of Bromley as a local weights and measures authority. <i>Power to provide consumer advice</i> Delegation of Chief Inspector of weights and measures To authorise an inspector to act as Deputy

ACT/REGULATION	DESCRIPTION OF DELEGATION
	Chief Inspector of weights and measures To appoint inspectors of weights and measures To act as Deputy Chief Inspector of weights and measures To perform functions related to passing weighing & measuring equipment as fit for use for trade To issue certificates to operate public weighing and measuring equipment Powers of inspector in connection to certain goods [38] and certain documents [39], goods on road vehicles [40] and check weighing of certain road vehicles [41]. <i>Power to make test purchases</i> General powers of inspector to enter, inspect, seize & detain & to apply for warrants of entry etc
Public Protection - General	All other legislation or parts thereof considered to be relevant to the Public Protection Division that may be in force from time to time including amendments and additions to existing legislation.

SECONDARY LEGISLATION

The secondary legislation detailed below is predominantly that enforced by the Weights and Measures authority and referred to in the list of primary legislation above. It is not an exhaustive list of all secondary legislation enforced by the Public Protection service.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Secondary legislation made under the European Communities Act 1972	
Advanced Television Services Regulations 1996	Provisions relating to supply & construction of television equipment.
Aerosol Dispensers(EEC Requirements) Regulations 2009	Powers of authorised officers related to entry (including making application for warrants), inspection, 'testing' etc... To perform functions and investigate offences/breaches under the Regulations
Animal Feed (England) Regulations 2010	Regulations on marketing and use of feed
Animal Feed (Composition, Marketing and Use)(England) Regulations 2015	Enforcement / implementation of EU Regulations and Directives on feed safety

ACT/REGULATION	DESCRIPTION OF DELEGATION
Animal Feed (Hygiene, Sampling etc and Enforcement)(England) Regulations 2015	Duty of feed authority to enforce the Regulations. Power to enter premises, inspect, seize and detain suspect feed and serve notices
Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013	Regulations on Biocidal Products and Chemicals, appointing authorities and enforcement
Biofuel (Labelling) Regulations 2004	Regulations on labelling of biofuels
Boiler (Efficiency) Regulations 1993	Duty of local weights and measures authority to enforce the provisions of the Regulations.
Business Protection from Misleading Marketing Regulations 2007	Duty of local weights and measures authority to enforce the provisions of the Regulations Power to request information by notice in writing. Power to make test purchases and enter into an agreement to secure the provision of a service. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.
Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008	Regulations on import and export of cat and dog fur (enforcing EU Regulation 1523/2007)
Chemical (Hazard Information & Packaging for Supply) Regulations 2009	Duty of the local weights and measures authority to enforce where the supply is from any form of retail outlet and to enforce the provisions relating to the control of advertising (Reg 6) and child resistant packaging (Reg 11) Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Cigarette Lighter Refill (Safety) Regulations 1999/1844	Regulations on prohibition of sale of cigarette lighter refill cannisters to under 18's
Client Money Protection Schemes for Property Agents (Requirement to belong to a Scheme etc) Regulations 2019	Duty to enforce the provisions, which includes the requirement of property agents that hold money on behalf of a client to belong to an approved or designated client money protection scheme.
Companies (Trading Disclosures) Regulations 2008	Regulations on requirements for a company and business display of name and on business paper
Construction Products Regulations 1991	Duty of the local weights and measures authority to enforce the provisions of Part II of the Regulations (requirements relating to construction products). Power of authorised officers to issue suspension notices in respect of products suspected of contravening the regulations and to give consents in respect of notices issued. Power of authorised officers to apply for forfeiture of products contravening the Regulations Powers of authorised officers to make test purchases, of entry inspection &

ACT/REGULATION	DESCRIPTION OF DELEGATION
	seizure etc, to apply for warrants of entry, to request information & assistance.
Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013	Regulations on Consumer Contracts
Consumer Protection (Cancellation of Contracts made in a consumers home or place of work etc) Regulations 2008	Duty of local weights and measures authority to enforce the provisions of regulations (offence relating to the failure to provide cancellation rights). Power of authorised officers to request production of documents and to seize documents.
Consumer Protection (Cancellation of Contracts made in a consumers home or place of work etc) Regulations 2013	Duty of weights and measures authority to enforce.
Consumer Protection (Distance Selling) Regulations 2000	Duty of local weights and measures authority to consider complaints made to it about a breach. To perform functions and investigate offences/breaches under the Regulations
Consumer Protection from Unfair Trading Regulations 2008	Duty of local weights and measures authority to enforce the Regulations. Power to carry out test purchases or enter into arrangements to purchase products. Power to enter premises, inspect goods require production and seize or take copies documents and seize goods. Power to enter premises with a warrant.
Control of Misleading Advertisements Regulations 1988	To perform functions and investigate breaches under the Regulations
Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991	Power to require information in relation to waste carriers.
Cosmetic Products Enforcement Regulations 2013	Regulations on safety of cosmetic products
Cosmetic Products (Safety) Regulations 2004	To perform functions and investigate offences under the Regulations
Consumer Rights (Payment Surcharges) Regulations 2012	Regulations on the application of excessive surcharges
Crystal Glass (Descriptions) Regulations 1973	Duty of local weights and measures authority to enforce Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc , to apply for warrants of entry
Detergents Regulations 2010	Regulations restricting placing on market of detergent products, enforcing EU Regulation 648/2004
EC Fertilisers (England and Wales) Regulations 2006	Regulations implementing EU rules on Fertilisers

ACT/REGULATION	DESCRIPTION OF DELEGATION
Eggs (Marketing Standards) Regs 1995	Control provisions for quality, marking and grading of eggs
Electrical Equipment (Safety) Regulations 1994	Safety provisions regarding electrical equipment
Electromagnetic Compatibility Regulations 2006	Duty of local weights and measures authority to enforce the Regulations (except the provisions relating to electricity water meters). Powers of authorised officers to make test purchases, of entry inspection & seizure etc), to apply for warrants of entry, to issue compliance and suspension notices and to request information & assistance.
Electro-medical Equipment (EEC Requirements) Regulations 1988	Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry Power to make test purchases, enter premises and inspect and seize goods and entry by warrant.
Electronic Commerce (EC Directive) 2002	The regulations stipulate information that must be provided by businesses providing information society services to consumers
Energy Efficiency (Ballasts for Fluorescent Lighting) Regulations 2001	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information Regulations 2011	Regulations on Energy Information
Energy Information (Combined washer driers) Regs 1997	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Dishwashers) Regs 1999	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Household Air Conditioners) Regs 2005	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (Household electric ovens) Regs 2003	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
Energy Information (Household refrigerators and freezers) Regs 2004	Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
Energy Information (lamps) Regs 1999	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.

ACT/REGULATION	DESCRIPTION OF DELEGATION
Energy Information (tumble dryers) Regs 1996	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant
Energy Information (Washing Machines) Regs 1996	Duty of local weights and measures authority to enforce the Regulations Power to request technical documentation, carry out test purchases, entry, seizure and entry by warrant.
The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007	Duty of local weights and measures authority to enforce regulations 5(2), 5(5), 6(2), 9(2), 10, 16(2), 21(1), 23, 24 and 39(4). Powers to request copies of documents to issue a penalty charge notice.
Energy Performance of Buildings (England and Wales) Regulations 2012	Regulations on Energy Performance of Buildings
Explosives Regulations 2014	Duty to grant licences in relation to the storage of explosives.
Fertilisers Regulations 1991	Provisions for labelling and sampling controls of fertilisers
Filament Lamps For Vehicles (Safety) Regulations 1982	Regulation on filament lamps in vehicles
Financial Services (Distance Marketing) Regulations 2004	Duty of local weights and measures authority to consider complaints about a breach of the Regulations To perform functions and investigate breaches/offences under the Regulations
Financial Services Act 2012 (Consumer Credit) Order 2013	Provides power for weights and measures authorities to prosecute consumer credit offences
Fireworks Regulations 2004	Regulations made under the Fireworks Act 2003, creating offences on supply of fireworks
Food Imitations (Safety) Regulations 1989	Regulations on Imitation Foods
Footwear (Indication of Composition) Labelling Regulations 1995	Duty of local weights and measures authority to enforce the Regulations. Powers of authorised officers to make test purchases, of entry inspection & seizure etc, to apply for warrants of entry.
Furniture and Furnishings (Fire) (Safety) Regulations 1988	Safety regulations on Furniture and Furnishings for Fire Safety
Gas Appliance (Safety) Regulations 1995	Regulation on safety of Gas Appliances
General Product Safety Regulations 2005	Duty of local authority to enforce the provisions of the Regulations. Power to issue suspension notices, require to 'mark,' require to warn, issue a withdrawal notice, issue a recall notice, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants

ACT/REGULATION	DESCRIPTION OF DELEGATION
Household Appliances (Noise Emission) Regulations 1990/161	Regulations on Noise Emissions From Household Appliances
Materials & Articles in Contact with Food Regulations 2012	The provisions relating to materials that are to be in contact with food
Measuring Container Bottles (EEC Requirements) Regulations 1977	To perform functions and investigate offences related to the Regulations. Power of inspection, entry and testing.
Measuring Instruments (Automatic Catchweighers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Automatic Discontinuous Totalisers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Automatic Rail-weighbridges) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Beltweighers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Capacity Serving Measures) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Cold-water Meters) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (EEC Requirements) Regulations 1988	To perform functions and investigate offences related to the Regulations. Power to entry, inspection testing and search by warrant.
Measuring Instruments (Gravimetric Filling Instruments) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations
Measuring Instruments (Liquid Fuel and Lubricants) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Liquid Fuel Delivered from Road Tankers) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry, inspection testing and search by warrant
Measuring Instruments (Material Measures of Length) Regs 2006	Duty of the local weights and measures authority to enforce the Regulations Power to serve compliance notice, serve an enforcement notice and powers of entry,

ACT/REGULATION	DESCRIPTION OF DELEGATION
	inspection testing and search by warrant
Medical Devices Regulations 2002	Powers of forfeiture, issue suspension notices, enter premises and seize goods and entry by warrant. Duty of local weights and measures authority to enforce these regulations in relation to devices that are consumer goods.
Medicines (Advertising) Regulations 1994	To perform functions and investigate breaches under the Regulations
Merchant Shipping (Weighing of Goods Vehicles and other Cargo) Regulations 1988/1275	Regulations on weighing of goods vehicles and cargo with merchant shipping
Money Laundering Regulations 2007	In specified circumstances: Power to request information, records and attendance of persons to answer questions; powers of entry, inspection, to take copies of documents and entry by warrant; power to make an application to the courts requesting person to take certain action, and power to prosecute for offences.
Motor Fuel (Composition and Content) Regulations 1999	Duty to enforce Regs 5B (3), (5), (6) where it relates to fuel not intended for use in motor vehicles
Motor Vehicles Tyres (Safety) Regulations 1994	Regulations on Tyre Safety
National Lottery Regulations 1994	Regulations for the National Lottery
Natural Mineral Water, spring water and bottled drinking water Regs 1999	Provisions for the control of the bottling, supply and quality for natural mineral water
Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015	Duty of weights and measures authority to enforce Regulations
Nightwear (Safety) Regulations 1985	Regulations on safety of nightwear
N-nitrosamines and N-nitrosatable Substances in Elastomer or Rubber Teats and Dummies (Safety) Regulations 1995	Regulations on children's dummies
Non-Automatic Weighing Instruments (EEC Requirements) Regulations 2000	To perform functions and investigate offences related to the Regulations. Only local weights and measures authority can institute proceedings. Powers of entry, inspection, testing and entry by warrant.
Oil Heaters (Safety) Regulations 1977	Regulations on safety of oil heaters

ACT/REGULATION	DESCRIPTION OF DELEGATION
Olive Oil (Marketing Standards) Regulations 2003	Provisions for the control of the bottling, supply and quality for olive oils
Organic Products Regulations 2009/842	Regulations on Organic Products
Packaged Goods Regulations 2006	Duty of local weights and measures authority to enforce the Regulations. Powers of entry, inspection, testing and search by warrant.
Package Travel, Package Holidays and Package Tours Regulations 1992	Duty of local weights and measures authority to enforce the Regulations for the purposes of regs 5, 7, 8, 16 & 22. Powers of entry, seizure, production of documents and entry by warrant.
Packaging (Essential Requirements) Regulations 2003	Duty of local weights and measures authority to enforce the Regulations. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Passenger Car (Fuel Consumption & CO2 Emissions Information) Regulations 2001 and The Passenger Car (Fuel Consumption) Order 1983.	Duty of local weights and measures authority to enforce the Regulations. Power to enter premises to request production to seize a certificate of conformity. Power to search by warrant.
Personal Protective Equipment (EC Directive) Regulations 2002	Duty of local weights and measures authority to enforce the Regulations Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Pedal Bicycles (Safety) Regulations 2010	Safety regulations on Pedal Cycles
Petroleum (Consolidation) Act 1928	Act to Regulate Petroleum Storage
Plastic materials & Articles in Contact with Food Regulations 1992	The provisions relating to plastic materials that are to be in contact with food
Plugs and Sockets etc (Safety) Regulations 1994	Regulations on Plugs and Sockets
Pressure Equipment Regulations 1999	Duty of local weights and measures authority to enforce the Regulations in relation to pressure equipment or assemblies for private use or consumption. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Price Indications (Bureaux de Change) (No 2) Regulations 1992	Regulations on Price Indications at Bureau de Change
Price Marking Order 2004	Regulations on Pricing

ACT/REGULATION	DESCRIPTION OF DELEGATION
Pyrotechnic Articles (Safety) Regulations 2015	Duty of local weights and measures authority to enforce the Regulations. Power to enter premises, inspect and seize goods etc, carry out test purchases
REACH Enforcement Regulations 2008	Regulations on restrictions on chemicals, enforcing EU REACH regulation
Radio Equipment & Telecommunications Terminal Equipment Regulations 2000	Duty of local authority to enforce the Regulations. Power to serve enforcement notice. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Recreational Craft Regs 1996	The obligations placed upon, and provisions empowering local authorities with regard to the supply of recreational craft
Recreational Craft Regulations 2004	Duty of local weights and measures authority to enforce the Regulations. Power to service compliance notice. Power to issue suspension notices, apply for forfeiture and obtain information.
Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014	Requirement to join redress schemes. Made under Enterprise and Regulatory Reform Act 2013
Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013	Regulations on Rights of Passengers in Bus and Coach Transport, enforcing EU Regulations. Reg 8 designates a local weights and measures authority (and others) as the enforcement authority for EU Reg 181/2011
Sale and Supply of Goods to Consumers Regulations 2002/3045	Regulations on sale and supply of good to consumers. Reg 2 designates WMA as enforcement authority which under Reg 15 are able to apply for injunctions regarding consumer guarantees
Simple Pressure Vessels (Safety) Regulations 1991	Duty of local weights and measures authority to enforce the Regulations where they relate to vessels and relevant assemblies as consumer goods. Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Standardised Packaging of Tobacco Products Regulations 2015	To perform functions and investigate breaches under the Regulations from commencement date
Supply of Machinery (Safety) Regulations 1992	Duty of local weights and measures authority to enforce where it relates to relevant machinery as goods for private use or consumption Power to issue suspension notices, apply for forfeiture, carry out test purchases, enter premises, inspect and seize goods etc... and obtain search warrants
Textile Products (Labelling and Fibre Composition) Regulations 2012	Regulations On Labelling and Fibre compsoition of Textile Products, enforcing EU regulations

ACT/REGULATION	DESCRIPTION OF DELEGATION
Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010	Regulations on Timeshare Products and Contracts
Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010	To perform functions and investigate breaches under the Regulations
Tobacco Advertising and Promotion (Display) (England) Regulations 2010	To perform functions and investigate breaches under the Regulations
The Tobacco and Related Products Regulations 2016	To perform functions and investigate breaches under the Regulations relating to the manufacture, presentation and sale of tobacco and related products, including herbal products for smoking and electronic cigarettes and refills
Tobacco for Oral Use (Safety) Regulations 1992	Regulations prohibiting sale of tobacco for oral use
Tobacco Products (Manufacture, Presentation and Sale) Regulations 2002	Regulations regarding tobacco products manufacture presentation and sale
Tourism (Sleeping Accommodation Price Display) Order 1977	Power of entry and inspection.
Toys (Safety) Regulations 2011	Regulations regarding safety of toys
Unfair terms in consumer contracts Regs 1999	Enforcement of unfair terms in consumer contracts

Legislation enforced by Bromley Public Protection Division
(Public Protection and Safety Portfolio – Delegation (26))

Public Health (Control of Disease) Act 1984
as amended by Health and Social Care Act 2008

Section	Power
45M	Apply for orders under part 2A
46	Duty of the La to bury or cremate a body where no other arrangements made
48	Power to apply to Court for an order removing a body to a mortuary
61	Power of entry for appointed 'Proper Officer'
62	Supplementary powers as to entry
64	Power to prosecute

The Health Protection (Local Authority Powers) Regulations 2010

Section /Regulation	Power
2	To serve / review vary or revoke a notice to keep a child away from school when a child is or may be infected or contaminated
3	To serve notice on a head teacher of school to provide names addresses and contact numbers of pupils
4	To disinfect or decontaminate things at the request of the owner and charge for the service
5	To disinfect or decontaminate things at the request of a person with custody or control of the things and charge for the service
6	To disinfect or decontaminate premises at the request of the owner and charge for the service
7	To disinfect or decontaminate things at the request of the tenant and charge for the service

8	Power to serve notice on a person or groups requesting co-operation for health protection purposes. Offer compensation
9	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting contact with the body
10	Serve notice on the person having charge or control of premises in which a dead body is located prohibiting entry to the room in which the body is located
11	To relocate or cause to be relocated a dead body

Health Protection (Notification) Regulations 2010

Section / Regulation	Power
	Appointment of the 'Proper Officer' for the receipt of information and notifications
Regulation 6	Duty of the Proper Officer to disclose a notification to Public Health England (formerly the Health Protection Agency) and or Proper Officer of another LA or Port Authority

Health Protection (Part 2A Order) Regulations 2010

Regulation 7	Power to charge in connection with Part 2A orders relating to things and premises
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Report No.
CSD20065

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: COUNCIL

Date: 13th May 2020

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

Title: MEETINGS OF THE URGENCY COMMITTEE

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The Urgency Committee deals with urgent non-executive decisions where otherwise a meeting of full Council would be required. The Constitution specifies that any decisions made by the Committee should be reported to the next available meeting of the full Council. The Urgency Committee met on 19th March 2020 and 6th May 2020 to consider governance arrangements to ensure that democratic decision making and scrutiny can continue during the Covid 19 pandemic.
- 1.2 The minutes of the meeting on 19th March 2020 are attached for information as [Appendix 1](#); the minutes of the meeting held on 6th May 2020 will be circulated to all Members as soon as possible.
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2. **RECOMMENDATION**

That the decisions made by the Urgency Committee at the meetings on 19th March and 6th May 2020 be noted.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £361k
 5. Source of funding: Revenue budget
-

Staff

1. Number of staff (current and additional): 7 posts (6.66fte)
 2. If from existing staff resources, number of staff hours: Not Applicable
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: Council decisions are not subject to call-in.
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 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:	Impact on vulnerable Adults and Children/Policy/Financial/Legal/Personnel/procurement
Background Documents: (Access via Contact Officer)	None

URGENCY COMMITTEE

Minutes of the meeting held at 9.00 am on 19 March 2020

Present:

Councillor Colin Smith (Chairman)
Councillors Nicholas Bennett MA J.P., Peter Fortune,
Melanie Stevens, Pauline Tunnicliffe and Angela Wilkins

Also Present:

Councillor Graham Arthur, Councillor William Huntington-
Thresher, Councillor Peter Morgan, Councillor Diane Smith and
Councillor Gary Stevens

6 APPOINTMENT OF CHAIRMAN

Councillor Colin Smith was appointed Chairman.

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Simon Fawthrop and also from the Chief Executive.

8 DECLARATIONS OF INTEREST

There were no declarations of interest.

9 MINUTES OF THE MEETING HELD ON 11TH OCTOBER 2019

RESOLVED that the minutes of the meeting held on 11th October 2019 be confirmed.

10 DECISION MAKING ARRANGEMENTS DURING CORONAVIRUS DELAY PHASE

Report CSD20059

This report was considered as a matter of urgency in order to ensure that effective decision making could continue whilst democratic accountability was preserved during the coronavirus pandemic.

During the coronavirus pandemic local authorities had to consider how they held their meetings and took decisions. There was not yet a prohibition on local authority meetings being held, but it was possible that this could change. At present, local authorities were expected to use the provisions already available in their constitutions to continue with necessary decision-making, but it was possible that new provisions might become available through the emergency legislation

being promoted by the Government. This might include provision for virtual meetings and options for the annual meeting, which currently had to take place before the end of May.

The report presented a series of changes to allow most decision making to take place whilst preserving democratic accountability during the pandemic. The same report would be considered by the Executive immediately after this meeting.

Councillor Morgan proposed that it was not necessary to include the words "cannot be deferred" in the decision about planning applications, which other members accepted.

Councillor Bennett commented on the appeal for volunteers and the need to prevent frauds, and added that, at present, it was intended that the next citizenship ceremony would take place, but with restricted attendance.

The Leader stated that there was a strong senior officer group which was reporting back to Councillors on a daily basis, and he would ensure that there was a flow of information to members and to residents. Over 1,300 volunteers had come forward in the last 24 hours.

Councillor Gary Stevens reported that he was working with the Head of Information Technology to develop the Council's capacity for holding virtual meetings should the law be changed to allow this as anticipated. The Director of Corporate Services confirmed that a range of solutions was being considered with BT.

The Director of Corporate Services confirmed that it was intended that reports would be published in accordance with current agenda and meeting timelines with at least five clear working days to allow time for comments from Members and from the public.

Councillor Wilkins commented that it was essential to ensure that opposition members were included in the membership of any meetings that did need to take place - some additional wording around political balance could be included which the Leader supported. She was also concerned that the planning application for Crystal Palace Park should not be deferred, and the Leader asked for any concerns from members or the public to be fed back to the Planning department to reduce any possibility of that occurring.

RESOLVED that

(1) All Committee Chairmen review whether meetings are needed and whether items under consideration can be deferred; where meetings are not required that the relevant Chairman requests cancellation of the meeting.

(2) Where meetings are required that wherever possible then the minimum quorum of members should attend, subject to endeavouring to achieve political balance, and subject to any quorum including a majority of Members from the Majority Group.

(3) All Policy Development and Scrutiny meetings are suspended until the new municipal year but that written or virtual scrutiny of Executive and Portfolio holder decisions continue to be co-ordinated by the relevant PDS Chairman.

(4) Rules on public questions are varied for the duration of the municipal year to only allow for written questions.

(5) All planning decisions are delegated to the Assistant Director Development Control and Planning but only where a majority of members of the committee or sub-committee who would have made the decision support the proposed recommendation.

(6) The limit on supplementary estimates of £1m by the Executive is removed for the remainder of the municipal year, where it is not possible to hold a meeting of the Council, the Mayor agreeing the matter cannot be deferred and the Leader taking the decision on the expenditure.

(7) The Contract Procedure Rules be varied for the remainder of the municipal year to allow the Leader to award contracts of over £1m without calling a meeting of the Executive and subject to written pre-decision scrutiny as set out in recommendation 2.9 of the report.

The Meeting ended at 9.29 am

Chairman

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