

**EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT
AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 6.30 pm on 8 October 2020

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Christopher Marlow (Vice-Chairman)
Councillors Gareth Allatt, Julian Benington,
David Cartwright QFSM, Mary Cooke, Ian Dunn,
Nicky Dykes, Will Harmer, Russell Mellor, Keith Onslow,
Michael Tickner, Stephen Wells and Angela Wilkins

Also Present:

Councillor Graham Arthur, Portfolio Holder for Resources,
Commissioning and Contracts Management
Councillor Kira Gabbert, Executive Assistant for
Resources, Commissioning and Contracts Management
Councillor Colin Smith, Leader of the Council

**37 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
SUBSTITUTE MEMBERS**

Apologies were received from Councillor Evans and Councillor Rutherford.
Councillor Onslow attended as substitute for Councillor Rutherford.

Apologies for lateness were received from Councillors Benington, Cartwright
and Dykes.

38 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

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

Two written questions were received from a Member of the Public and these
are attached at Appendix 1.

**40 MINUTES OF THE EXECUTIVE, RESOURCES AND
CONTRACTS PDS COMMITTEE MEETING HELD ON 10
SEPTEMBER 2020 (EXCLUDING EXEMPT ITEMS)**

The minutes (excluding exempt information) of the Executive, resources and
Contracts PDS meeting held on 10 September 2020, were agreed and signed
as a correct record.

**41 MATTERS OUTSTANDING AND WORK PROGRAMME
Report CSD20098**

The report set out matters outstanding from previous meetings and the proposed work plan for 2020/21.

RESOLVED: That the report be noted.

42 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period September 2020 to December 2020.

In response to a question the Leader confirmed that the report concerning Building a Better Bromley would be available to be considered by the Committee at its next meeting.

Members noted that due to the way in which the Government were dealing with budgeting for 2021/22, it might be necessary to hold a special meeting later in the year to consider the funding settlement.

**43 PRE-DECISION SCRUTINY OF REPORTS DUE FOR DECISION
BY THE LEADER**

The Committee considered the following Part 1 reports for decision by the Leader on or after 14 October 2020.

**(3) ALLOCATION OF COVID-19 GRANT FUNDING
Report FSD20076**

The report sought agreement to release the 'ring fenced' funding for the Next Steps Accommodation Programme, the second tranche Infection Control and Emergency Assistance. The report also sought delegation for approval of any further tranche or new grant funding relating to Covid-19.

The Chairman highlighted the need to ensure that regular reviews concerning the use of the funding were undertaken to ensure that the taxpayer received value for money.

The Committee noted that earlier in the day a supplementary paper had been circulated setting out the final allocation for the General Covid Fund which had increased to £2,357,000 (an increase of £541,000). The Director of Finance highlighted that funding was being carefully managed because the funding received by the Council was less than the amount currently being spent in terms of the impact of Covid.

The Director of Finance provided an update to the Committee explaining that the allocation for the Self-Isolation payment had been received, although the situation remained fluid. The total funding allocation was in the region of

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£230,000 and included a discretionary element. There was a requirement to distribute the funding from the week beginning 12th October. The Director of Finance reported that there were a number of grants that required quick action on the part of Local Authorities which was why delegated authority was being sought. Members noted that the Council had also received additional funding of £145,000 for Street Marshalls. The Director of Finance confirmed that the next Budget Monitoring Report would provide a list of the grants that had been received.

In relation to the Infection Control Grant, in response to a question the Director of Finance confirmed that the majority of the grant was passported to Care Homes across the Borough. The Committee noted that the funding received was to enable the Local Authority to respond to the current situation and, as such, there was still uncertainty around what would happen in terms of responding to any second wave.

In response to a question the Director of Finance confirmed that one of the challenges with grant conditions was that some providers may use funding more effectively than others and there is a monitoring requirement on the Council. In terms of whether staff would need to be diverted in order to administer the grant funding for Infection Control, the Director of Finance confirmed that staff had responded very well although there was clear pressure on staff who were working hard to ensure that support was being delivered to vulnerable residents across the Borough.

Tying to lessons learnt from implementation and issues around some providers finding compliance conditions “unhelpful”, the Director of Finance explained that there was a requirement to monitor and it was therefore likely that the lessons would come out through monitoring. The Committee agreed to an additional recommendation requiring the provision of regular updates on the effectiveness of the funding.

In respect of carer respite, a Member highlighted that there needed to be greater emphasis within the discretionary 20% on the level of pressure on carers which was currently exacerbated by the Covid pandemic resulting in a more acute need for respite. This would enable a greater focus to be placed on carer respite through the upcoming winter season which was likely to be very difficult.

RESOLVED: That the Leader be recommended to:

1. Approve the utilisation of

- (a) Next Steps Accommodation Programme Funding of £391k;**
- (b) The second tranche infection control funding of £2,357k;**
- (c) Emergency Assistance Grant of £279k.**

2. Agree that the utilisation of any further funding made available to deal with the Covid-19 situation is approved by the respective

Chief Officer, in consultation with the respective Portfolio Holder, Leader and Chairman of ER&C PDS Committee.

- 3. Note that the outcome of such decisions will be included in future budget monitoring reports to the Executive.**
- 4. Agree that regular updates on the effectiveness of the grant funding be provided.**

44 SCRUTINY OF THE LEADER

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

- Covid had dominated the in-tray of every London Leader since March. Infection rates were being closely monitored, and in some parts of London there was evidence of the emergence of a sharp (for London) increase in rates of infection. Two schools of thought were developing: one that London should consider an early lockdown all in one go; others felt that it was still too early to make that call and even if London were to lockdown depending on the numbers in certain places an London-wide lockdown may not be appropriate. Before any firm conclusions were drawn there would need to be further analysis of data as it posed a fine balancing act between health and wellbeing and economic considerations,
- Since the start of the pandemic there had been a number of meetings with local MPs to discuss local needs and local policies. There had also been discussions around where the Local Authority agreed or disagreed with Government specific policies and nuisances. Regular meetings had also taken place with London Councils to discuss how to approach the emerging situation. In addition to this Ministers' Seminars had taken place and these afforded the opportunity for Council Leaders to comment on evolving policies around a range of issues.
- The Council's relentless focus on finance had been maintained. As a result of this focus over many years Bromley now found itself relatively well placed to move forward and focus on the post-Covid recovery. Across the Local Government Sector Leaders had expressed hope that there would be a favourable Local Government Financial Settlement to support the sector.
- Turning to the Council's major asset, its staff, there had been no redundancies to date, no staff had been furloughed, and in return the performance and loyalty from staff had been incredible.
- The Council had 60 staff volunteers in place to drive the track and trace programme forward in addition to their substantive role. Bromley had amongst one of the biggest local track and trace teams in London.
- The Council was clear about where it was in terms of its Transformation Programme and a number of projects had recently

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been considered by PDS Committees with further reports expected over the next few meetings. A number of the decisions would be influenced by the Chancellor's Budget, the Autumn Statement and the Local Government Settlement and it was hoped that there would be further clarity over the next few months.

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

- Were there a need to live with Covid long-term the Council would need to react to situations as they arose. There was a hope and expectation that there would be a return to some semblance of "normality", although there was a recognition that it may take longer than initially anticipated by many. There was some evidence that the return to schools and colleges was going some way to developing more "herd immunity" and there would be a growing general immunity to infection but there were questions around how long this immunity may last. In terms of how the Council would deal with a longer-term situation, at the current time there were too many unknowns in terms of financial implications to enable firm plans to be developed. Regular meetings took place between senior Members of the Council's Executive and the Director of Finance in order to ensure that the Council was well placed to react to issues as they arose.
- Any decisions around local lockdowns would rest solely with local Council Leaders and the Government. To date there had been no contact from the Office of the Mayor for London. Whilst the Mayor of London had met with a handful of London Leaders, he was by no means meeting with all London Leaders and the meetings that had taken place would not reflect the views and experiences of all 32 London Boroughs.
- In relation to funding for enforcing compliance with health regulations, the Council had received £145,000 for Street Marshalls. Several of the Road Safety and Traffic Team had been deployed to do some work around marshalling and had broadly received a good reception in the High Street, although some visitors to the High Street had been less receptive to the messages. This work would become increasingly critical over the next few weeks.

The Committee thanked the Leader for his update and through the Leader and Chief Officers attending the meeting thanked all staff for their continued efforts on behalf of the residents of the Borough.

45 EXPENDITURE ON CONSULTANTS 2019/20 AND 2020/21 Report CSD20092

The Committee considered a report detailing total expenditure on consultants in 2019/20 and expenditure on consultants to June 2020 for both Revenue and Capital Budgets.

Members noted that the report would be forwarded to individual PDS committees for detailed consideration.

RESOLVED: That

- 1. The overall expenditure on Consultants as set out in this report be noted; and**
- 2. This report be referred onto individual PDS Committees for further consideration.**

46 SECTION 106 AGREEMENTS: UPDATE

The Committee considered an update on Section 106 Agreements. The Vice-Chairman, who had presided over the Committee's Section 106 Working Group, highlighted that one of the conclusions arising from that group had been that it would be beneficial for all PDS Committees to receive bi-annual updates on Section 106 monies that pertained to their particular policy areas. The Infrastructure Delivery Team Leader confirmed that arrangements were being put in place to facilitate such updates.

In relation to education spending, the Vice-Chairman noted that the terms of some of the agreements were tightly worded, such that the funding could effectively only be handed to specific schools. Consequently, the working group had concluded that it would be sensible to write to those schools to advise them of the availability of the funding to enable it to be transferred as soon as possible.

The Committee also requested that the Director of Housing, Planning and Regeneration provide an update to the Committee on when the various Section 106 funding relating to housing would be spent.

The Chairman expressed his thanks to the Vice Chairman for the work undertaken by the Section 106 Working Group, noting that a great deal had been achieved in a short space of time.

RESOLVED: That

- 1. The report be noted;**
- 2. Section 106 be reported to the relevant PDS Areas on a bi-annual basis.**
- 3. The Infrastructure Delivery Team Leader write to schools in receipt of specific Section 106 monies to advise them of the availability of the funding.**

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

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

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

**48 EXEMPT MINUTES OF THE MEETING HELD ON 10
SEPTEMBER 2020**

The Part 2 (exempt) minutes of the meeting held on 10 September 2020, were agreed and signed as a correct record.

The Meeting ended at 7.22 pm

Chairman

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Executive, Resources and Contracts PDS Committee
8th October 2020

Agenda Item 3b – Questions to the Portfolio Holder (for Renewal, Recreation & Housing)

Question from Mr Richard Gibbons:

Re. Agenda Item 10. S106 Agreements

- 1. Would the Portfolio Holder kindly confirm the publication date for the Infrastructure Funding Statement mentioned in the report, and anticipated anniversary date for subsequent annual statements?**

Reply:

The requirements for an Infrastructure Funding Statement are set out in Part 10A, Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended) – namely by the 31st December 2020 and the 31 December thereafter.

- 2. Would the Portfolio Holder kindly provide a breakdown of S106 agreements listed in Appendices 1, 2, 3, 4 by categories in Government guidance for planning obligations (<https://www.gov.uk/guidance/planning-obligations>), Paragraph: 035 Reference ID: 23b-035-20190901.**

Reply:

The Council will look to follow guidance in the NPPG, when preparing the Infrastructure Funding Statement, in terms of producing thematic chapters on each of the spending areas highlighted. Currently Appendices 1 and 2 already summarises the details of each s106 agreement in terms of the broad categories highlighted in the NPPG, while appendix 3 reports the individual s106 payments received / spent by the broad spending areas.

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