

EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 5 January 2022

Present:

Councillor Christopher Marlow (Chairman)
Councillor Kira Gabbert (Vice-Chairman)
Councillors Nicholas Bennett MA J.P.,
David Cartwright QFSM, Robert Evans, Will Harmer,
Simon Jeal, Keith Onslow, Tony Owen, Gary Stevens,
Melanie Stevens, Michael Tickner, Pauline Tunnicliffe and
Angela Wilkins

Also Present:

Councillor Kate Lymer (via conference call)
Councillor Angela Page (via conference call)
Councillor Michael Rutherford, Portfolio Holder for
Resources, Commissioning and Contracts Management
Councillor Colin Smith, Leader of the Council (via
conference call)

64 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Cllrs Yvonne Bear, Mary Cooke and Colin Hitchins. Cllrs Keith Onslow, Tony Owen and Gary Stevens attended as their respective substitutes. Apologies were also received from Cllr Nicky Dykes.

65 DECLARATIONS OF INTEREST

Councillor Melanie Stevens declared, in respect of Minute 71(5) – Biggin Hill Airport Noise Action Plan Review – that she was part of the Biggin Hill Consultative Committee.

The Chairman clarified that Members of the Council were not required to declare interests that had previously been recorded on their register of interest.

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

2 questions for oral reply and 2 questions for written reply were received and are attached at Appendix A.

5 January 2022

67 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 18 NOVEMBER 2021 (EXCLUDING EXEMPT ITEMS)

The minutes of the meeting held on 18 November 2021, were agreed, and signed as a correct record.

68 MATTERS OUTSTANDING AND WORK PROGRAMME Report CSD22001

The report dealt with the Committee's business management including the proposed work plan for the remainder of the year.

The chairman reported that as the Executive Assistant to the Leader had been unable to attend the meeting, the Scrutiny of the Executive Assistant to the Leader item would be deferred to the next meeting.

The Committee noted that the following Members would form the Task and Finish Group previously established by the Committee: Councillors Simon Jeal, Melanie Stevens, Robert Evans, Pauline Tunnicliffe, Nicholas Bennett, Kira Gabbert. The Task and Finish Group would be meeting in the next few weeks.

RESOLVED: That the report be noted.

69 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period December 2021 to March 2022.

70 SCRUTINY OF THE RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO HOLDER

The Portfolio Holder for Resources, Commissioning and Contracts Management, Councillor Michael Rutherford, attended the meeting to respond to questions from the Committee. The Portfolio Holder had previously shared an update with Members of the Committee and therefore responded to questions, making the following comments:

- There was an interesting debate to be had around borrowing for capital expenditure. The Council had gained a lot from being debt free, gaining a return of around £13.7m per year which funds frontline services, rather than other councils who are having to pay to service debt. There was a discussion to be had in the future about how to deliver the housing strategy, debt may be considered if it gained the council an asset greater than the value of the debt, and depending on the cost of servicing that debt. However the council is proud to be debt-free and has gained substantially from this policy.

- The operational property review was a work in progress and a full update would be provided following the meeting.
- In respect of the website redesign project, the impact of the elections and the need to publicise certain statutory information had been taken into consideration. The new website was currently going through the testing process and prior to its launch in late May 2022, Members would be provided with a preview.

The Committee thanked Councillor Rutherford for his update.

71 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 12 January 2022:

5 BIGGIN HILL AIRPORT NOISE ACTION PLAN REVIEW Report HPR2022/001

Five years after the signing of the Deed of Variation on their lease with the Council, Biggin Hill Airport Ltd (BHAL) submitted a Noise Action Plan (NAP) review, as required. The Council had obtained independent reports on the review. The BHAL NAP review and comments on the review were presented in the report together with next steps for further improvements. The report also considered BHAL's overall compliance with the Noise Action Plan.

The Director of Housing, Planning and Regeneration and the Airport Monitoring Officer introduced the report explaining that following the variation of the lease five years previously, BHAL were required to undertake a 5-yearly review of the NAP which focused on managing noise levels. The report before Members considered the review that had been produced and submitted by Biggin Hill Airport and also included the expert reports from RSK Acoustics and CAA based on the review that had been undertaken together with a report produced and submitted by Flightpath Watch.

In opening the discussion, the Chairman made the following introductory remarks. The Chairman noted that all Members present at the meeting recognised the level of public interest in the item as attested by both the public attendance for the meeting and the volume of email correspondence received by councillors regarding the issue. The governance of Biggin Hill Airport was a complex topic and, in the view of the Chairman, the decision taken by the Executive to commission the specialist reports and the instruction of legal counsel to address certain legal questions was correct. The Chairman thanked all members of the public for their correspondence and their input as well as Flightpath Watch for their detailed submission. In addition, the Chairman thanked BHAL for providing the NAP review.

The Chairman noted that the NAP arose from the decision taken by the Council in 2016 to amend the conditions of the lease and extend the opening hours. There had been a fundamental change in the Airport's business model

5 January 2022

from one dominated by small, light aircraft to a greater preponderance of business jets and helicopters. The intention of the NAP and the actions contained within was to protect the interests of residents following the change in business model. The starting point for the Committee's discussion was the figures for complaints set out within the report before the Committee. These demonstrated that the figure had slightly more than quadrupled since 2016 when the lease amendment was made. It was noted that official complaints did not fully describe resident concerns, with local ward councillors, especially those around the flightpath, receiving hundreds of emails on this matter.

The Chairman highlighted that the NAP was not an aspirational document nor a set of desires; it had been incorporated as part of the lease amendment process along with the management information letter. It was clear that some actions outlined in the NAP had been achieved such as discouraging the use of reverse thrust (unless in an emergency) and providing information packs to local estate agents. It was also recognised that not all actions specified within the NAP were entirely within the airport's gift. However, it was noted that both the Officer's report and the CAA report were clear that the NAP lacked detail in certain key areas and did not always provide evidence for the claims therein. The Chairman further noted that paragraph 4.33 of the NAP obliged the airport to consider the number of residents and the number of households affected by its operation which did not appear to have been done.

Turning to the future, the Chairman recognised that many things had changed in the aviation industry and more broadly in the past five years. Going forward, there could be changes to the governance arrangements desired by both the airport and the Council. However, it did not seem prudent to proceed with any changes until additional evidence had been provided to the existing obligations of the airport specified in the NAP.

On that basis, the Chairman proposed the following alternative set of recommendations:

The Executive is recommended:

2.1 To note that Biggin Hill Airport Ltd (BHAL) has submitted a review of the Noise Action Plan (NAP), as required by the NAP and the Management Information Letter (MIL).

2.2 To note the Flightpath Watch report and the work undertaken by the Council in conjunction with and following external legal advice, as requested by Flightpath Watch.

2.3 To note the reports of RSK Acoustics dated 8 September 2021 and the Civil Aviation Authority dated 20 December 2021.

2.4. To note that the Council has forwarded the above reports to BHAL and they have acknowledged receipt of the same.

2.5 To note that the review of the NAP submitted by BHAL does not fully demonstrate compliance, owing to a failure to provide evidence in connection with various actions as set out in the Civil Aviation Authority report (CAA report) dated 20 December 2021, with particular reference to Appendix C of the CAA report. Reference is also made to clause 4.33 of the NAP, which requires BHAL ‘to assess performance with respect to the previously forecast noise envelope... by reference to the number of people and dwellings affected’.

2.6 To authorise officers to inform BHAL of the conclusion reached under recommendation 2.5, and to request an updated review of the NAP that addresses areas of the review that have been highlighted as requiring evidence, to be submitted to the Council no later than 30 June 2022, in order to allow for a report to be brought to the Executive as set out in 2.13 below.

2.7 To note that no Executive Decision will be considered regarding the tenure of the airport until the updated review as set out in recommendation 2.5 is received by the Council, and deemed by the Executive to fully demonstrate compliance, or explain non-compliance with appropriate reparative measures and timescales for implementation.

2.8 To instruct officers to assist BHAL with the preparation of the updated review described in recommendation 2.6 upon request.

2.9 To authorise officers to prepare a report detailing potential improvements to the NAP using best industry practice, as recommended by the CAA, having regard to feedback from residents and as proportionate to the size of the airport.

2.10 To note that the work referred to in para 2.9 above is to include but not be limited to the following:

- a) The suggestions made within the attached reports, including the updating of noise modelling software, as recommended in paragraph 56 of the CAA report
- b) Consideration of noise levels as monitored by noise contours with regard to governmental guidelines, as suggested in para 2.8 of the RSK Acoustics report
- c) Limiting hours when circuits can be flown as suggested in para 9.3 of the RSK Acoustics report

2.11 To authorise officers to request BHAL provide additional and ongoing evidence of adherence to the existing Noise Action Plan, particularly through the forum of the Airport Consultative Committee.

2.12 To authorise officers to request that BHAL provide information and produce a timetable for the implementation of the outstanding “reasonable endeavours” provisions of the NAP.

5 January 2022

2.13 To note that a further report will be presented to the Executive in autumn 2022 detailing progress against the recommendations identified in this report.

The proposed alternative amendments were seconded by Councillor Keith Onslow.

The Committee discussed the report and noted that the issue before Members was a review of the NAP, not a revision, and the existing NAP would stand until such time as BHAL and the Council agreed a revision.

A Member recalled the Council had previously run the airport at a loss and set out the circumstances which led to the Council agreeing to hand the running of the airport over to a private company. At that time environmental considerations had been an important part of the agreement. The Council had also thought it was entering into a partnership, but this had never materialised, and residents had become suspicious of the airport. When the agreement between the airport and the Council had first been made there was an important balance between eliminating losses and protecting the environment. However, it was now important that the airport was required to honour the pledges that had been made and the number one consideration of the Council and its Members should be abiding by the Council's motto "Servire populo – To Serve the People".

The Chairman read the following statement from the Bromley Common and Keston ward councillors:

"It is clear, from the Civil Aviation Authority (CAA) report commissioned by the Council, that not all the Conditions set out in the Noise Action Plan (NAP) in 2015 have been met. In some cases, there is insufficient evidence provided by Biggin Hill Airport Limited to even determine whether a Condition had been met. The CAA report also states that there is no requirement for the NAP to be revised at this stage.

As Councillors for the Bromley Common & Keston Ward in which many residents are directly affected by the aircraft movements from Biggin Hill Airport and the consequent noise and disturbance, we note that Officers made a recommendation to revise the NAP now and every five years after this. This recommendation should be rejected and BHAL told to meet the existing conditions in the NAP.

Any NAP also need to have amendments inserted so that there is acknowledgement of the impact on residents. There need to be sufficient measurable indicators so that results can be evaluated and action taken where necessary."

Members of the Committee recounted anecdotal evidence that noise from the airport had worsened, noting the issue of trust was one raised regularly by residents. The importance of trust between both parties to a contract was

highlighted, and it was suggested that in recent years trust had been undermined, with a number of promised actions not delivered.

It was noted that Flightpath Watch's report was detailed and helpful. The Council had primarily bought in BHAL to protect the environment and as such keeping a close control of noise should be supported.

In contrast, some Members of the Committee expressed the view that there were some residents across the Borough who valued having a profitable commercial airport in the Borough, providing a business service, providing employment and generating wealth for the Borough. It was noted that there had been an airfield at Biggin Hill since 1917, a commercial airport at Biggin Hill for nearly 30 years, and the airport provided employment for people, essential business for the Country and it was very much in the Council's favour to work constructively with the airport. It was noted that the CAA report recognised that in producing the NAP review BHAL had followed the scope set out in the original NAP from 2015. RSK had also summarised that it appeared that BHAL were following the existing NAP and the relatively low number of individual complaints suggested that measures were working reasonably. It was suggested that the proposed amendment to the recommendations would make it very difficult for the airport to operate. The reality was that the Council wanted the airport to succeed. Any anecdotal claim of worsening noise needed to be backed up with evidence and decisions needed to be made based on evidence.

Members also suggested that if BHAL were required to produce evidence, those alleging potential breaches should also be required to produce evidence to support their claims. It was noted that it appeared that BHAL wanted to work with the Council and the community. It was noted that the airport had not had much time to respond to the reports from the CAA and RSK. Any action plan developed should be agreed by both parties and BHAL should be consulted, given time to respond and asked to agree any proposed timescales. In response to a question, the Director of Corporate Services and Governance confirmed that as part of the lease BHAL as tenant was required to provide any reasonable information requested.

Members agreed that it was reasonable for the Council to request more information to confirm that the NAP had been met and it was appropriate to include a timescale. However, Officers should be given the discretion to revise any timescale as necessary.

In response to a question, the Airport Monitoring Officer confirmed tracking systems were in place for aircraft to track their origin and destination.

The Portfolio Holder confirmed that all the comments made would be taken on board by the Executive when it met and it was important for all relationships to be approached in a fair and reasonable manner.

5 January 2022

Noting that amendments to the Officer recommendations had been duly proposed and seconded, the Chairman put the amendments to the vote which was CARRIED by majority. It was therefore

RESOLVED: That the Executive be recommended to:

- 1. To note that Biggin Hill Airport Ltd (BHAL) has submitted a review of the Noise Action Plan (NAP), as required by the NAP and the Management Information Letter (MIL).**
- 2. To note the Flightpath Watch report and the work undertaken by the Council in conjunction with and following external legal advice, as requested by Flightpath Watch.**
- 3. To note the reports of RSK Acoustics dated 8 September 2021 and the Civil Aviation Authority dated 20 December 2021.**
- 4. To note that the Council has forwarded the above reports to BHAL and they have acknowledged receipt of the same.**
- 5. To note that the review of the NAP submitted by BHAL does not fully demonstrate compliance, owing to a failure to provide evidence in connection with various actions as set out in the Civil Aviation Authority report (CAA report) dated 20 December 2021, with particular reference to Appendix C of the CAA report. Reference is also made to clause 4.33 of the NAP, which requires BHAL ‘to assess performance with respect to the previously forecast noise envelope... by reference to the number of people and dwellings affected’.**
- 6. To authorise officers to inform BHAL of the conclusion reached under recommendation 2.5, and to request an updated review of the NAP that addresses areas of the review that have been highlighted as requiring evidence, to be submitted to the Council no later than 30 June 2022, in order to allow for a report to be brought to the Executive as set out in 13 below.**
- 7. To note that no Executive Decision will be considered regarding the tenure of the airport until the updated review as set out in recommendation 2.5 is received by the Council, and deemed by the Executive to fully demonstrate compliance, or explain non-compliance with appropriate reparative measures and timescales for implementation.**
- 8. To instruct officers to assist BHAL with the preparation of the updated review described in recommendation 2.6 upon request.**
- 9. To authorise officers to prepare a report detailing potential improvements to the NAP using best industry practice, as**

recommended by the CAA, having regard to feedback from residents and as proportionate to the size of the airport.

- 10. To note that the work referred to in para 9 above is to include but not be limited to the following:**
 - a) The suggestions made within the attached reports, including the updating of noise modelling software, as recommended in paragraph 56 of the CAA report**
 - b) Consideration of noise levels as monitored by noise contours with regard to governmental guidelines, as suggested in para 2.8 of the RSK Acoustics report**
 - c) Limiting hours when circuits can be flown as suggested in para 9.3 of the RSK Acoustics report**
- 11. To authorise officers to request BHAL provide additional and ongoing evidence of adherence to the existing Noise Action Plan, particularly through the forum of the Airport Consultative Committee.**
- 12. To authorise officers to request that BHAL provide information and produce a timetable for the implementation of the outstanding “reasonable endeavours” provisions of the NAP.**
- 13. To note that a further report will be presented to the Executive in autumn 2022 detailing progress against the recommendations identified in this report.**

6 PLATINUM JUBILEE CELEBRATIONS Report HPR2021/062a

HM Queen’s national Platinum Jubilee celebrations were planned to take place from 2nd to 5th June 2022. The London Borough of Bromley would be marking this through a local programme of events as well as by taking part in the national celebrations. The report set out all activity strands and asked the Executive for budget approval.

Noting the recommendations in the report before the Committee, Councillor Bennett moved three additional recommendations:

2.3 That a souvenir brochure, giving the history of Her Majesty’s reign, involvement in events in Bromley, and jubilee events arranged by residents across the Borough, with advertising to ensure that the publication is cost neutral, be produced.

2.4 That a Best Decorated Shop, Best Decorated House and Best Decorated School Award be made by the Mayor to encourage residents to decorate their premises.

5 January 2022

2.5 That consideration be given to a small gift for Bromley School Children to commemorate Her Majesty's Platinum Jubilee.

The additional recommendations were seconded by Councillor Jeal and put to the vote which was CARRIED.

The Committee noted that all the information concerning Jubilee Celebrations across the Borough would be made available online along with a programme of local and national jubilee events. In addition there was a national programme for school children to receive a small Jubilee gift in the form of a book.

It was noted in relation to the proposed brochure that there would have to be a small cost attached and there would need to be a plentiful supply.

It was suggested that the £30,000 fund for High Street decoration should be widened to other local events and initiatives.

Councillor Simon Jeal proposed that that the Executive be recommended to allocate funding for a grant programme for local business and community groups to apply to fund decorations, events and other initiatives to commemorate the Jubilee on high streets and parades around the Borough. The additional recommendation was seconded by Councillor Angela Wilkins and put to the vote which was CARRIED.

In response to a question, the Assistant Director for Culture and Regeneration confirmed that road closure would apply for the entirety of the bank holiday weekend.

Noting that licenses for street parties had been waived for the Jubilee weekend, Councillor Melanie Stevens proposed that the Executive should be recommended to consider waiving fees for the use of small local parks for volunteer groups wishing to hold local celebrations. The additional recommendation was seconded by Councillor Tunnicliffe and put to the vote which was CARRIED.

In considering the grant that was available for decorating high street, a Member highlighted the importance of giving priority to areas of social deprivation in the Borough with local ward councillors involved when local residents' associations and community groups were contacted. It was also suggested that the Executive be recommended to give further consideration to whether it would be appropriate and acceptable to increase the amount of grant funding available following an assessment of requirements across the Borough. It was agreed that Officers should be asked to undertake some further work and report back through the Executive. It was further suggested that it may be prudent to establish a formula through which grant funding could be allocated, taking into account the points previously made around prioritising areas of social deprivation.

A Member also suggested that the local Business Improvement Districts could be asked to provide similar decorations to those provided across the Borough at Christmas.

RESOLVED: That the Executive be recommended to:

- 1. Note the contents of this report and the borough's Platinum Jubilee programme of activities.**
 - 2. Approves drawdown and spend of up to £105,500 from the Investment to Community Fund earmarked reserve to deliver the Platinum Jubilee programme.**
 - 3. Consider producing a souvenir brochure, giving the history of Her Majesty's reign, involvement in events in Bromley, and jubilee events arranged by residents across the Borough, with advertising to ensure that the publication is cost neutral, be produced.**
 - 4. Endorse that a Best Decorated Shop, Best Decorated House and Best Decorated School Award be made by the Mayor to encourage residents to decorate their premises.**
 - 5. Consider a small gift for Bromley School Children to commemorate Her Majesty's Platinum Jubilee.**
 - 6. Allocate funding for a grant programme for local business and community groups to apply to fund decorations, events and other initiatives to commemorate the Jubilee on high streets and parades around the Borough.**
 - 7. Consider waiving fees for the use of small local parks for volunteer groups wishing to hold local celebrations.**
- 7 DRAFT BUDGET 2022/23 AND UPDATE ON THE COUNCIL'S FINANCIAL STRATEGY 22/23 TO 25/26**

The report sought Executive approval of the initial draft 2022/23 Budget including the full year effect of changes agreed as part of the 2021/22 Council Tax report and savings approved during the year with the resultant impact on the Council's medium term "budget gap". A key part of the financial strategy was to highlight the budget issues that would need to be addressed by the Council over the coming financial years, by forecasting the level of available resources from all sources and budget pressures relating to revenue spending. Details of the capital programme would be reported separately to the next meeting of the Executive. PDS Committees views would also be sought and reported back to the February meeting of the Executive, prior to the Executive making recommendations to Council on the 2022/23 Council Tax and Adult Social Care precept levels. The report also provided details of the Provisional Local Government Finance Settlement 2022/23 which was

5 January 2022

published on 16th December 2021 and represented a one-year settlement only. The awaited Fair Funding Review and changes relating to the devolution of business rates, which could have a significant impact on future funding, had been delayed until at least 2023/24. There were still outstanding issues and areas of uncertainty remaining. Any further updates would be included in the 2022/23 Council Tax report to the February meeting of the Executive.

The Director of Finance introduced the report confirming that the Council had received a better than expected settlement but with no promise of additional funding in the future. Inflation continued to be a challenge and cost pressures, especially in Children's Services continued. The Chairman highlighted the forecast cost pressures in adult social care.

The Committee noted that Highways would be built into the revenue budget and would not appear as a variation in future year financial forecasts from 2023/24 onwards.

In response to a question, the Director of Finance confirmed that increases in National Insurance had been factored into the budget. Whilst a 5% increase in inflation had also been built into the budget Members were made aware that inflation was likely to increase further before eventually decreasing and this would need to be carefully managed through the central contingency.

The Committee requested that further information be provided following the meeting concerning the London Borough Grants Committee specifically where the money went, how much was allocated and how the expenditure benefitted Bromley.

RESOLVED: That the Executive be recommended to:

- 1. Agree the initial draft 2022/23 Budget detailed in Appendix 7 including continuation of the iBCF hospital discharge funding reserve and setting aside New Homes Bonus funding for housing investment.**
- 2. Refer the initial draft 2022/23 Budget for each portfolio to the relevant PDS Committees for consideration.**
- 3. Note the financial projections for 2023/24 to 2025/26.**
- 4. Note that there are still areas of financial uncertainty which will impact on the final 2022/23 Budget.**
- 5. Delegate the setting of the schools' budget, mainly met through Dedicated Schools Grant, to the Education, Children and Families Portfolio Holder, allowing for consultation with the Schools Forum (see section 11).**
- 6. Note that the outcome of consultation with PDS Committees will be reported to the next meeting of the Executive.**

- 7. Agree the proposed contribution of £246,470 in 2022/23 to the London Boroughs Grant Committee (see section 10).**
- 8. Note the outcome of the Provisional Local Government Financial Settlement 2022/23 as detailed in the report.**
- 9. Note the budget gap remaining of an estimated £19.5m per annum by 2025/26 and that any decisions made for the 2022/23 Budget will have an impact on the future year projections.**
- 10. Note that any final decision by Executive on recommended Council Tax and Adult Social Care Precept levels to Council will normally be undertaken at the next meeting of Executive.**

**72 BENEFITS SERVICE MONITORING REPORT
 Report FSD22002**

The report provided information regarding the performance of the Benefits Service provided by Liberata for the period 1 April to 30 November 2021. A letter from Amanda Inwood-Field, Liberata's London Regional Contract Director, was attached to the report as Appendix 1. This communication provided Liberata's perspective of performance, together with an update on initiatives to be introduced in the coming months.

In opening the discussion, the Chairman noted that the report mentioned that housing benefit and council tax benefit claims were already in decline from their peak during Covid which was undeniably good news. The Chairman further noted that in respect of the error rate, Liberata were significantly overachieving for the KPI and questioned whether it would be reasonable to hold them to a lower level of 3%. Representatives from Liberata confirmed that they would be happy to consider the request to introduce a soft target.

In response to a question from the Vice-Chairman concerning the 120% recovery rate for overpayments, representatives from Liberata confirmed that this figure included in-year recovery as well as recovery for the previous year. The Vice-Chairman suggested that a detailed breakdown per year would be more helpful and requested that this be provided in future reports.

RESOLVED: That the report be noted.

**73 REVENUES SERVICE MONITORING REPORT
 Report FSD22003**

The report provided information regarding the performance of the Revenues Services provided by Liberata for the period 1 April to 30 November 2021. A letter from Amanda Inwood-Field, Liberata's London Regional Contract

5 January 2022

Director, provided an update on each of the individual services and was attached to the report at Appendix 1 with statistical data relating to the Revenues Service attached at Appendix 2.

In respect of cash collections, the Chairman queried whether figures were available for the cost of continuing the service. In response to the question, the Revenues and Benefits Manager confirmed that there was an individual transaction cost of £2 at the Civic Centre and £17 at Penge. The Committee noted that a review of cash collections was underway, and a report would be presented to Members in due course. Members also noted that there had been an increase in cash collections in the last year.

In response to a question, the Revenues and Benefits Manager confirmed the Council was able to put a charge on a property when Council Tax was not paid.

A Member requested that at the end of the year the Committee be provided with a clear indication of where Bromley sat in relation to other London Boroughs in terms of Council Tax collection and proposals for how Bromley could become number one in London for Council Tax collection.

The Committee noted that the empty homes charge had been due to come into effect in April 2022, but this had been deferred until April 2023.

In response to a question concerning the single person discount, the Committee noted that 5000 accounts for verification had been identified through data matching.

RESOLVED: That the report be noted.

**74 EXCHEQUER SERVICE - CONTRACT PERFORMANCE
REPORT
Report FSD22005**

The report provided information regarding Liberata's performance in the provision of Exchequer Services for the period 1st April 2021 to 30th September 2021 with an updated position as at 30th November 2021. A letter from Amanda Inwood-Field, Liberata's Contract Director, provided an update on each individual service and was attached to the report at Appendix 1 with statistical data relating to the services shown in subsequent appendices.

In opening the discussion, the Chairman welcomed the improvement in accounts receivable and requested that the 100% target for financial assessment and charging be retained as it was achievable.

The Committee noted that all write-offs required approval by Bromley Council and where there was a dispute there was a requirement to confirm that the dispute was genuine. Where a debt was written off a revised statement would be produced.

RESOLVED: That the report be noted.

**75 CUSTOMER SERVICES CONTRACT MONITORING REPORT
Report CSD22002**

The report provided information on the performance of the Customer Service Contract provided by Liberata for the period 1st June 2021 to 30th November 2021. A letter from Amanda Inwood-Field, Contract Director for Liberata, provided an update on each individual element and was attached to the report at Appendix 1.

In opening the debate, the Chairman welcomed the consideration of robotic process automation in line with the Council's broader transformation agenda.

In response to a question concerning targets for the issuing of blue badges and Freedom Passes, the Committee noted that in some circumstances there was a requirement to make a referral to Occupational Therapy, following this the application had to be completed within 4 weeks. Some of the complaints that had been received were a result of delays with occupational therapy whilst other complaints had arisen when customers had delayed submitting their applications.

Member noted the low response rate for customer satisfaction surveys and noted that the number of surveys sent out had increased. A review of how to increase the response rate was underway with customers instantly prompted to provide feedback and it was expected that there would be an increase in the response rate over the next year.

In relation to benchmarking, the Committee noted that the Council did not currently collect benchmarking data as other Council's had different KPIs and targets. However, a review of any available benchmarking data could be undertaken and reported back to the Committee.

RESOLVED: That the report be noted.

76 COST OF AGENCY STAFF

The report provided information on the use and cost of agency workers across the Council and the ten highest paid agency workers. This information is being provided for Members taking into account the Council's duty of care for affected individuals and the requirements of the DPA/GDPR Regulations 2018.

In opening the discussion, the Chairman noted that it was usual in private companies and other public sector organisations to have agency workers in some roles, especially those that were hard to fill. It should therefore be down to Officers to consider the appropriate staffing balance. Members also noted

5 January 2022

that this issue was regularly considered by the service PDS Committees who monitored spending against budget via the budget monitoring process.

The Chairman proposed that the annual Cost of Agency Staff Report presented to the Executive, Resources and Contracts PDS Committee be discontinued and that other PDS committees decide whether to retain similar reporting for their respective portfolios. The motion was seconded by Councillor Harmer, put to the vote and CARRIED by majority.

RESOLVED: That

- 1. The report be noted.**
- 2. The annual Cost of Agency Staff Report presented to the Executive, Resources and Contracts PDS Committee be discontinued and that other PDS committees decide whether to retain similar reporting for their respective portfolios.**

CONGRATULATIONS

The Chairman led the Committee in expressing formal congratulations to the Chief Executive, Mr Ade Adetosoye, on his recent award of a CBE in the New Year's Honours.

The Chairman also congratulated and thanked the Assistant Director of IT and all the staff involved in delivering the trial for hybrid meetings that had been conducted during the meeting.

The Meeting ended at 10.15 pm

Chairman

EXECUTIVE, RESOURCES & CONTRACTS

POLICY DEVELOPMENT & SCRUTINY COMMITTEE

THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED FOR ORAL REPLY BY THE LEADER OF THE COUNCIL AND THE PORTFOLIO HOLDER FOR RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT

1. From Alisa Igoe to the Leader of the Council

In early December the wait time for replies to applications to Bromley's £1.8m Household Support Fund increased from a few days to three weeks. Its policy document states the aim to assess and provide items within two weeks, yet failure to provide evidence will result in delay or possible rejection. To date, how many applications have been rejected due to lack of evidence, how many have been successful and what is the Fund's current balance?

Reply:

My latest advice is:

1. 37
2. 650
3. £1.1m

Supplementary Question:

The fund is available for members of the public to apply themselves. Why, since the 8th November, hasn't the fund been publicised to the public as much as other initiatives such as the business grants, tree planting and the tackling of loneliness?

Reply:

The question has been covered in previous Council meetings. The Council has to advertise this fund in the way that the Government desires rather, necessarily, than how the Council would perhaps do it itself. The fact that the fund has been publicised is best illustrated by the fact that there have been upwards of 1000 applications to the fund. It is well known, there is clearly great interest and people are continuing to bid for the grant.

2. From Tony Trinick to the Portfolio Holder for Resources, Commissioning and Contract Management

The Flight Path Watch report has been vindicated in your review, so why have not residents' issues been effectively addressed?

EG: Extended hours withdrawn; 50,000 cap retained; Lowering of 57dB to 51dB and 'indicative' replaced by 'maximum'; Noise policies now altered to reduce noise (item 3.41); BHAL to 'do maximum' not 'do minimum' (item 3.39.)

Reply:

When the Council agreed the Noise Action Plan, part of the agreement included a Noise Action Plan Review. The whole point of this was to seek to ensure that noise generated by aircraft using the airport continue to be minimised in the best way possible. As a guiding principle, all the time that aircraft are using Biggin Hill Airport, then the Council would wish to see measures which minimise noise and disturbance to residents and this NAP Review gives an opportunity to assess what action the Airport has taken and consider the advice of the experts as well.

Supplementary Question:

It is our belief that Biggin Hill Airport are in breach of their contract with the Council and has been for the past 5 years. So, why don't the recommendations in the report before the Committee remedy all these breaches with agreed completion dates rather than suggesting revising the Noise Action Plan (NAP) and reviewing it every five years after all the CAA states in its report that there is no requirement to revise or change the NAP at this stage?

Reply:

The Chairman noted that the recommendations to be put forward by the Executive, Recourses and Contracts PDS Committee and the Executive had yet to be determined

The Portfolio Holder responded that as stated by the Chairman, the recommendations within the report were the Officer recommendations and as part of the meeting the Executive, Resources and Contracts PDS Committee may well recommend some changes to those recommendations and at the meeting of the Executive on 12 January 2022, Members of the Executive would decide what to go forward with but the Portfolio Holder would not assume that the recommendations within the report were the recommendations that would be taken forward.

**THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED FOR WRITTEN REPLY
BY THE LEADER OF THE COUNCIL AND THE PORTFOLIO HOLDER FOR
RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT**

**1. From David Thorpe to the Portfolio Holder for Resources, Commissioning
and Contract Management**

How will Bromley Council ensure that there are adequate controls to prevent Biggin Hill Airport allowing large (over 20 passengers) commercial passenger and cargo aircraft (i.e. EasyJet) to operate scheduled flights from the airport if the application is successful and fare paying passengers are allowed?

Reply:

The Lease contains important points of principle about how the Airport should be operated. From a lease perspective, it is not so much the type of aircraft that is important but the purpose of that aircraft, with fee paying passengers, to use a colloquial phrase, prohibited. This PDS Committee and the Executive are considering the Council's response to the Airport's Noise Action Plan Review and whilst I accept there may be a link, especially for questioner, it is the Noise Action Plan Review we must and are focussing on in this meeting.

**3. From David Thorpe to the Portfolio Holder for Resources, Commissioning
and Contract Management**

There are examples of large commercial aircraft operating from Biggin Hill including Boeing 737-700 and BAE 146. The risk was highlighted to the council in 2015 when the application to amend the lease was made and assurances were given that this would not happen. Why has the Council allowed this?

Reply:

The type of aircraft permitted to use the Airport did not change when the Lease was altered. It is therefore not a question of what the Council has or has not allowed.

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