

## TO MEMBERS OF THE COUNCIL

Notice is hereby given that a meeting of the Council of the London Borough of Bromley is to be held in the Council Chamber at Bromley Civic Centre on Monday 24 April 2023 at 7.00 pm which meeting the Members of the Council are hereby summoned to attend.

This meeting will be live-streamed via the Council's website – <https://www.bromley.gov.uk/councilmeetingslive>  
Live-streaming will commence shortly before the start of the meeting.

### Prayers

### A G E N D A

- 1 Apologies for absence
- 2 Declarations of Interest
- 3 To confirm the Minutes of the meeting of the Council held on 27 February 2023 (Pages 3 - 52)
- 4 Questions (Pages 53 - 60)

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting (by 6<sup>th</sup> April 2023.)

Questions specifically on reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by **5pm on 18<sup>th</sup> April 2023.**

- (a) Questions from members of the public for oral reply.
- (b) Questions from members of the public for written reply.
- (c) Questions from members of the Council for oral reply.
- (d) Questions from members of the Council for written reply.

- 5 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.
- 6 Budget Monitoring 2022/23 (Pages 61 - 106)
- 7 Basic Need Capital Programme Update (Pages 107 - 132)

- 8 Constitution Working Group (Pages 133 - 154)
- 9 Annual Scrutiny Report 2022/23 (Pages 155 - 178)
- 10 Health and Wellbeing Board - Chairman's Annual Report 2022/23 (Pages 179 - 182)
- 11 Appointment of Independent Persons (Pages 183 - 186)
- 12 To consider Motions of which notice has been given. (Pages 187 - 188)
- 13 The Mayor's announcements and communications.

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*Ao Adetosoye*

**Ade Adetosoye CBE**  
**Chief Executive**

**BROMLEY CIVIC CENTRE**  
**BROMLEY BR1 3UH**  
**Friday 13 April 2023**  
**Vol.59 No.7**

## LONDON BOROUGH OF BROMLEY

### MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.00 pm on 27 February 2023

#### Present:

**The Worshipful the Mayor  
Councillor Hannah Gray**

**The Deputy Mayor  
Councillor Christine Harris**

#### Councillors

Jeremy Adams	Adam Jude Grant	Alexa Michael
Jonathan Andrews	Dr Sunil Gupta FRCP	Angela Page
Jessica Arnold	FRCPPath	Chris Price
Felicity Bainbridge	Alisa Igoe	Chloe-Jane Ross
Kathy Bance MBE	Julie Ireland	Will Rowlands
Yvonne Bear	Mike Jack	Shaun Slator
Nicholas Bennett J.P.	Simon Jeal	Colin Smith
Kim Botting FRSA	David Jefferys	Diane Smith
Mike Botting	Charles Joel	Mark Smith
Mark Brock	Kevin Kennedy-Brooks	Alison Stammers
David Cartwright QFSM	Josh King	Melanie Stevens
Graeme Casey	Jonathan Laidlaw	Harry Stranger
Will Connolly	Andrew Lee	Ryan Thomson
Aisha Cuthbert	Kate Lymer	Michael Tickner
Peter Dean	Keith Onslow	Pauline Tunnicliffe
Sophie Dunbar	Tony Owen	Thomas Turrell
Robert Evans	Christopher Marlow	Sam Webber
Simon Fawthrop	Ruth McGregor	Rebecca Wiffen
Kira Gabbert	Tony McPartlan	

The meeting was opened with prayers

In the Chair

The Mayor, Councillor Hannah Gray

#### **62 Apologies for absence**

Apologies for absence were received from Cllr Colin Hitchins.

#### **63 Declarations of Interest**

There were no declarations of interest.

**64 To confirm the Minutes of the meeting of the Council held on 12th December 2022**

A minor correction was made to Appendix A, page 1, where “embers” should have read “members.”

**RESOLVED that the minutes of the meeting held on 12<sup>th</sup> December 2022 be confirmed.**

**65 Questions**

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

Thirteen 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.

Fourteen 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.

Four 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.

**66 Statement from Councillor Shaun Slator**

With the agreement of the Mayor, Councillor Shaun Slator made a statement giving an unreserved apology for comments he had made on Twitter.

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

At the request of Councillors Alisa Igoe and Simon Jeal, the Portfolio Holder for Children, Education and Families, Councillor Kate Lymer, made a statement on the announcement by the Mayor of London that he would fund free school meals for all primary school children in 2023/24. The Portfolio Holder emphasised that the cost of this would be borne by hard working Londoners, rather than the Mayor, through his tax rises. The least well-off in London would in effect be paying for the meals of the children of the middle classes and millionaires. There was no funding to provide schools with the additional facilities some would need, and the funding was strictly limited to one year, timed with the London elections in mind.

In response to questions, the Portfolio Holder stated that there was no intention to reverse a decision by the previous portfolio holder in October 2020 not to provide food support to children in the school holidays,



emphasising the range of support available including support and food for 9,200 children in the holiday period. She argued that if the Mayor wanted to help poorer families he should stop making excessive tax and public transport fare rises and the ULEZ expansion. She agreed that, according to the Mayor's own statement, 30% of children in London already qualified for free school meals, and she was aware of concerns from some educational charities that schools could miss out on vital Pupil Premium funding.

**68            2023/24 Council Tax**  
**Report CSD23033**

Before the start of this item Councillor Nicholas Bennett declared an interest as a member of the Lee Valley Regional Park Authority.

It was moved by Councillor Nicholas Bennett and seconded by Cllr Colin Smith that Council Procedure Rules be varied at this meeting to allow for one debate on each report covering the original motion, any amendments and where necessary the substantive motion. This was accepted by the Members present.

The Director of Finance reported that there were no changes to the final Mayoral precept accepted by the London Assembly on 23<sup>th</sup> February 2023.

Since the last meeting of the Executive, there had been further changes on levies and the final position was shown in recommendation 2.1 (e) below.

Members were requested to note that the 2023/24 budget included the impact of the recommended 2023/24 pay award, the supplementary 2022/23 award to meet inflationary pressures and the proposed increase for merited rewards that was reported to Executive on 18<sup>th</sup> January 2023 and was subject to full Council approval (agenda item 10).

It was important to note that the 2023/24 Central Contingency sum included costs not yet allocated to Portfolio budgets at this stage. Therefore, there would be further changes to the Central Contingency to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget.

The above changes would require the following proposed amendments to be made to the recommendations of the Executive:

**“Amended Recommendation (2.1)**

- (b)** Approves the draft revenue budgets (as in Appendix 2) for 2023/24 to include the following updated changes in (d) and (e):
- (d)** Approves a revised Central Contingency sum of £17,560k to reflect the changes in (e);

- (e) **Approves the following provisions for levies for inclusion in the budget for 2023/24:**

	£'000
London Pensions Fund Authority	448
London Boroughs Grant Committee	246
Environment Agency (flood defence etc.)	266
Lee Valley Regional Park	341
<b>Total</b>	<b>1,301</b>

- (f) Notes the final position on the GLA precept, as accepted by the London Assembly on 23<sup>rd</sup> February 2023;
- (g) Sets a 4.99% increase in Bromley's council tax for 2023/24 compared with 2022/23 (2.99% general increase plus 2% Adult Social Care Precept) and a 9.7% increase in the GLA precept.

### Amended Recommendation (2.2)

Council Tax 2023/24 – 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:

	2022/23 £	2023/24 £	Increase £	Increase % (note #)
Bromley (general)	1,178.15	1,218.25	40.10	2.99
Bromley (ASC precept)	162.98	189.80	26.82	2.00
Bromley (total)	1,341.13	1,408.05	66.92	4.99
GLA *	395.59	434.14	38.55	9.7
<b>Total</b>	<b>1,736.72</b>	<b>1,842.19</b>	<b>105.47</b>	<b>6.07</b>

- (#) in line with the 2022/23 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,341.13 for Bromley) – see paragraph 6 below.

### Amended Recommendation (2.3):

- (3) That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
- (a) £617,683k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
- (b) £429,053k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.
- (4) Notes 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.

- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2023/24, which reflects a 4.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2023/24 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2023/24. 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."

The recommendations as altered above were moved by Councillor Christopher Marlow and seconded by Councillor Colin Smith.

The following amendments were moved by Councillor Simon Jeal and seconded by Councillor Jeremy Adams.

"The following changes be made to the recommended budget for 2023/24:

**Additional Recommendation (2.1):**

- (k) Utilise total funding of £5.075m (as set out in Appendix 1) to be invested in services over the years 2023/24 to 2026/27 summarised by year as set out below.

	2023/24	2024/25	2025/26	2026/27	Total
See Appendix 1	£1.160m	£1.148m	£978k	£1.788m	£5.075m

- (l) To reflect the additional utilisation of the Central Contingency by an amount totalling £300,000, approving a revised Central Contingency sum of £17,236k, noting that over the 4-year period there will be a cumulative saving of £21k. All other amounts will be funded from Earmarked Reserves
- (m) Amend the council tax support scheme for 2023/24 to allow an increase in the maximum support provided by the Council from 70% to 75% for Band A to D properties. The 2022/23 scheme for Band E and above properties would remain unchanged. This will be for 2023/24 only at a net loss of income of £366k to be funded from earmarked reserves.
- (n) Reducing the merited pay award from £400k to £220k. The £180k saved will then be utilised as a payment for the lowest paid staff below the median.

- (o) Agree that ongoing costs beyond 2026/27 relating to the utilisation of Earmarked Reserves will need to be reviewed as part of any final 2027/28 budget proposal for 2027/28. Further details of (k), (l) and (m) are provided in Appendix 1 on the following page.”

The following members voted in favour of the amendment:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Alisa Igoe, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Ryan Thomson and Rebecca Wiffen (12).

The following members voted against the amendment:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Sophie Dunbar, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Mark Smith, Alison Stammers, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (39)

The following members abstained:

Councillors Graeme Casey, Will Connolly, Hannah Gray, Julie Ireland, Chloe-Jane Ross and Sam Webber (6).

The amendment was **LOST**.

The following amendments were moved by Councillor Julie Ireland and seconded by Councillor Chloe-Jane Ross.

“The following changes be made to the recommended budget for 2023/24:

**Additional Recommendation (2.1):**

- (a) On the basis of potential costs of £140k relating to the legal challenge for ULEZ which would need to be funded from the Central Contingency, it is recommended not to proceed with legal challenge and use the potential monies released as follows;
- Funding for Air Quality Nodes (£20k)
  - Funding for School Streets (£50k)
  - Additional Funding for Road Safety Projects (£70k).
- (b) With the expectation of increased revenue as a result of increased interest rates and lower than expected inflation rates, it is recommended to set aside £500k for a Community Resilience Fund.

The full £500k would be met from the inflation provision in the Central Contingency sum.

- (c) Ringfence 3 projects funded where Officers have identified equivalent revenue savings;
- Develop and implement a Digital Inclusion Strategy (£50k)
  - Support for Youth Services (up to £75k)
  - Install parking meters that take card payments at key locations (£50k)”

The following members voted in favour of the amendment:

Councillors Graeme Casey, Will Connolly, Julie Ireland, Chloe-Jane Ross and Sam Webber (5).

The following members voted against the amendment:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Sophie Dunbar, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Mark Smith, Alison Stammers, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (39)

The following members abstained:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Hannah Gray, Alisa Igoe, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Ryan Thomson and Rebecca Wiffen (13).

The amendment was **LOST**.

Accordingly, the following recommendations of the Executive, with the changes proposed by the Director of Finance as moved by Councillor Christopher Marlow and seconded by Councillor Colin Smith were considered.

## **2.1 Council resolves that -**

- (a) **Note the Final Local Government Settlement 2023/24, announced by DLUHC on 6<sup>th</sup> February, which included additional Services Grant funding of £61.5k and that these monies be set aside within the 2023/24 Central Contingency.**
- (b) **Approve the schools budget of £98.674m which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;**

- (c) Approves the draft revenue budgets (as in Appendix 2) for 2023/24 to include the following updated changes in (d) and (e).
- (d) Approves a revised Central Contingency sum of £17,484k to mainly reflect the final changes in (e).
- (e) Approves the following provisions for levies for inclusion in the budget for 2023/24:

	£'000
London Pensions Fund Authority	448
London Boroughs Grant Committee	246
Environment Agency (flood defence etc.)	266
Lee Valley Regional Park	341
<b>Total</b>	<b>1,301</b>

- (f) Notes the final position on the GLA precept, as accepted by the London Assembly on 23<sup>rd</sup> February 2023.
- (g) Sets a 4.99% increase in Bromley's council tax for 2023/24 compared with 2022/23 (2.99% general increase plus 2% Adult Social Care Precept) and a 9.7% increase in the GLA precept.
- (h) Sets a 2% increase in Adult Social Care Precept with a 2.99% increase in Bromley's General Council Tax, compared with 2022/23 (1% Adult Social Care Precept) and notes that, based upon their consultation exercise, the GLA are currently assuming a 9.7% increase in the GLA precept.
- (i) Approve the revised draft 2023/24 revenue budgets to reflect the changes detailed above.
- (j) Approve the approach to reserves outlined by the Director of Finance (see Appendix 4).
- (k) Notes that the Executive agrees that the Director of Finance be authorised to report any further changes directly to Council on 27<sup>th</sup> February 2023.

## 2.2 Council Tax 2023/24 – 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:

	2022/23 £	2023/24 £	Increase £	Increase % (note #)
<b>Bromley (general)</b>	<b>1,178.15</b>	<b>1,218.25</b>	<b>40.10</b>	<b>2.99</b>

<b>Bromley (ASC precept)</b>	<b>162.98</b>	<b>189.80</b>	<b>26.82</b>	<b>2.00</b>
<b>Bromley (total)</b>	<b>1,341.13</b>	<b>1,408.05</b>	<b>66.92</b>	<b>4.99</b>
<b>GLA *</b>	<b>395.59</b>	<b>434.14</b>	<b>38.55</b>	<b>9.7</b>
<b>Total</b>	<b>1,736.72</b>	<b>1,842.19</b>	<b>105.47</b>	<b>6.07</b>

- (#) in line with the 2022/23 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,341.13 for Bromley) – see paragraph 6 below.

**2.3 Council resolves as follows -**

- 1. It be noted that the Council Tax Base for 2023/24 is 134,093 'Band D' equivalent properties.**
- 2. Calculate that the Council Tax requirement for the Council's own purposes for 2023/2024 is £188,810k.**
- 3. That the following amounts be calculated for the year 2023/24 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):**
  - (a) £617,683k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.**
  - (b) £429,053k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.**
  - (c) £188,810k 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) £1,408.05 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. Notes 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 2023/24 for each part of its area and for each of the categories of dwellings.**

<b>Valuation Bands</b>	<b>London Borough of Bromley</b>	<b>Greater London Authority</b>	<b>Aggregate of Council Tax Requirements</b>
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	£	£	£
<b>A</b>	<b>938.70</b>	<b>289.43</b>	<b>1,228.13</b>
<b>B</b>	<b>1,095.15</b>	<b>337.66</b>	<b>1,432.81</b>
<b>C</b>	<b>1,251.60</b>	<b>385.90</b>	<b>1,637.50</b>
<b>D</b>	<b>1,408.05</b>	<b>434.14</b>	<b>1,842.19</b>
<b>E</b>	<b>1,720.95</b>	<b>530.62</b>	<b>2,251.57</b>
<b>F</b>	<b>2,033.85</b>	<b>627.09</b>	<b>2,660.94</b>
<b>G</b>	<b>2,346.75</b>	<b>723.57</b>	<b>3,070.32</b>
<b>H</b>	<b>2,816.10</b>	<b>868.28</b>	<b>3,684.38</b>

6. That the Council hereby determines that its relevant basic amount of council tax for the financial year 2023/24, which reflects a 4.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2023/24 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2023/24. 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.

The following members voted in favour of the motion:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Sophie Dunbar, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Mark Smith, Alison Stammers, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (39)

The following members voted against the motion:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Graham Casey, Will Connolly, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Ryan Thomson, Sam Webber and Rebecca Wiffen (17)

The following member abstained:

Councillor Hannah Gray (1)

The original motion as altered was **CARRIED**.

During consideration of this item the Mayor informed Members under Council Procedure Rule 8 that the meeting had been in progress for three hours. Members agreed to continue the meeting to deal with all the business on the agenda.



**69 Council Tax Support Scheme 2023/24**  
Report CSD23032

A motion to approve the Council Tax Support Scheme 2023/24, increasing the Discretionary Hardship Fund to £225 per annum and noting that from 2023/24 the Scheme will only be revised to incorporate any changes required by legislation and/or as a result of the annual uprating of benefits – public consultation will only be undertaken in future years when a fundamental change to the scheme is proposed - was moved by Councillor Christopher Marlow, seconded by councillor Colin Smith and **CARRIED**.

**70 Capital Strategy 2023/24 to 2026/27 and Q3 Capital Programme Monitoring**  
Report CSD23034

The following amendment was moved by Councillor Jeremy Adams and seconded by Councillor Simon Jeal.

“Additional Recommendation:

- (v) agree a supplementary capital estimate of £15,275k for the period 2023/24 to 2026/27 to be funded by £400k from the Growth Fund earmarked reserve and £14,950k by sourcing a partner to acquire a 49% interest in the Direct Line building.”

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

The following amendment was moved by Councillor Julie Ireland and seconded by Councillor Chloe-Jane Ross.

“Additional Recommendation:

- (v) to make a provision of up to £1m to help community groups purchase Community House and the Public Halls and reduce the equivalent provision in the capital programme.”

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

The following amendment was moved by Councillor Mark Smith and seconded by Councillor Alison Stammers.

“Additional Recommendation:

- (v) agree that officers bring forward the development work of Chislehurst Library to be undertaken in 2023/24 (costs of £1m), rather than in 2024/25 as assumed in the latest Capital Programme.”

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

A motion to (i) approve the new schemes and other changes to the programme identified in the report, (ii) approve the refinancing of the Council's existing Housing Schemes through long-term borrowing of £49.2m, (iii) approve the use of up to £10m of earmarked revenue reserves to support funding of the Council's capital programme and (iv) agree that all new and existing Housing Schemes should be funded by long term borrowing, was moved by Councillor Christopher Marlow, seconded by Councillor Colin Smith and **CARRIED**.

**71 Treasury Management - Annual Investment Strategy 2023/24 and Quarter 3 Performance 2022/23**  
Report CSD23036

A motion to note the Treasury Management performance report for the third quarter of 2022/23 and agree to adopt the Treasury Management Statement and Annual Investment Strategy for 2023/24 including (i) the Prudential Indicators for the period 2023/24 to 2025/26, (ii) the Minimum Revenue Provision (MRP) policy statement and (iii) revised minimum credit ratings for Housing Associations (BBB+) and Corporate Bonds (BBB+) was moved by Councillor Christopher Marlow, seconded by Councillor Colin Smith and **CARRIED**.

**72 2023/24 Pay Award**  
Report CSD23011

The following amendment was moved by Councillor Rebecca Wiffen and seconded by Councillor Josh King -

“Replace the text of recommendation (1) (iii): An additional £200k towards Merited Rewards, for 2023/24, bringing the total to £400k for rewarding staff for exceptional performance;

With:

(iii) An increase to Merited Rewards, for 2023/24, to a total of £220k, allocating £180k to provide an additional pay increase to the Council's lowest paid staff- including ensuring that salaries of all staff are increased to the London Living Wage or more.”

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

A motion to approve (i) a flat 2% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process) in response to the unexpected spiralling inflation post the 2022/3 pay award agreed by full Council; the increase would be effective from 1st April 2023; (ii) a flat 5.75% pay increase for all staff (excluding teachers who are covered by a separate statutory pay negotiating process) for 2023/24; (iii) an additional £200k towards Merited Rewards, for 2023/24, bringing the total to £400k for rewarding staff for exceptional performance; (iv) that the Trade Unions' pay claim for staff be rejected (see paragraph 3.12 of the report and attached

appendices) and to note that, as in the previous years since coming out of the nationally/regionally negotiated frameworks, Bromley staff will receive the 2023/24 pay increase in time for the April pay, was moved by Councillor Christopher Marlow, seconded by Councillor Pauline Tunnicliffe and **CARRIED**.

**73 Pay Policy Statement 2023/24**  
Report CSD23012

The following amendment was moved by Councillor Josh King and seconded by Councillor Rebecca Wiffen -

“Add the following words to the end of the recommendation:

‘subject to the following change.

Section 5

5.4 London Living Wage

The Council believes all staff should be paid a real Living Wage, to guarantee that all of our staff, as a minimum, earn enough to reflect the current cost of living and what a household needs to get by, rather than be paid in reference to a percentage of median earnings.

The Council therefore ensures that no member of staff is paid less than the hourly London Living Wage rate- calculated independently by the Living Wage Foundation. For 2023/2024 this hourly rate is £11.95.”

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

A motion to approve the 2023/24 Pay Policy Statement as recommended was moved by Councillor Christopher Marlow, seconded by Councillor Pauline Tunnicliffe and **CARRIED**.

**74 Members Allowances Scheme 2023/24**  
Report CSD23013

The following amendment was moved by Councillor Tony McPartlan and seconded by Councillor Alisa Igoe -

“(1) The Council has considered the proposed Members Allowances Scheme 2023/24 and the Mayoral and Deputy Mayoral Allowances and recommends that allowances are retained amended from 1<sup>st</sup> April 2023, subject to the following changes:

1. The basic allowance should be increased by 4.5% to £11,905.69;
2. An increased allowance for the Chairmen of Audit and Risk Management Committee and Pensions Committee (bringing these posts into line with PDS Chairmen.);
3. The allowance for Executive Assistants shall be removed;

4. No other changes to allowances shall be paid;
5. That the saving of £61k against the cost of the Conservative Party's proposals be allocated to the Council's Welfare Fund."

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

A motion to approve the Members Allowances Scheme 2023/24 and the Mayoral and Deputy Mayoral Allowances for 2023/24 based on the proposals supported by General Purposes and Licensing Committee from the Conservative group for most allowances to be increased by 7.75% (rounded up as necessary) with increased allowances for the Deputy Leader, the Chairmen of Pensions Committee and Audit and Risk Management Committee and various Vice-Chairman roles, but removing the proposal to delete the allowance for the leader of the second largest minority group, was moved by Councillor Pauline Tunnicliffe, seconded by Councillor Mike Botting and **CARRIED**.

**75 SACRE Annual Report 2021/22**  
Report CSD230014

A motion to receive and note the SACRE Annual Report 2021/22 was moved by Councillor David Jefferys, seconded by Councillor Robert Evans and **CARRIED**.

**76 West Wickham Library and Housing Project Update and Award of Works Contract**  
Report CSD23035

A motion to note the decisions made by the Executive and approve a supplementary capital estimate of £3,959k to cover construction price inflation since November 2021, when the project was originally added to the capital programme, and an increased contingency allowance, was moved by Councillor Yvonne Bear, seconded by Councillor Tony Owen and **CARRIED**.

**77 To consider Motions of which notice has been given.**

**(A) Comments made by Cllr Slator**

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

"On 31 December 2022 Councillor Shaun Slator tweeted "more likely that it's a punter that didn't pay" in response to a news article entitled "Woman raped in Plumstead park in early hours".

The Council considers this comment to be misogynistic and perpetuates a negative perception of rape victims.

The Council's Violence Against Women and Girls Strategy sets out the support services provided to victims of sexual violence. Such comments by an

elected member of the Council undermine it and risks victims of rape feeling unable to access such services if they feel the Council's representatives are prejudiced against them.

While the Council's Monitoring Officer and the Independent Person have concluded that the Councillors' Code of Conduct is not engaged and therefore under the relevant legal requirements no Standard Committee investigation can take place, this Council unequivocally condemns Cllr Slator's comments and considers they are unacceptable for a member of this Council to have made.

On 31 December 2022 Councillor Shaun Slator tweeted "more likely that it's a punter that didn't pay" in response to a news article entitled "Woman raped in Plumstead park in early hours."

While the Council's Monitoring Officer and the Independent Person have concluded that the Councillors' Code of Conduct is not engaged and therefore under the relevant legal requirements no Standards Committee investigation can take place, this Council unequivocally condemns Cllr Slator's comments and considers that they are unacceptable for a member of this Council to have made.

It also be noted that Cllr Slator was suspended from the Conservative Group on Bromley Council on 5<sup>th</sup> January 2023 for said comments, and will remain thus, until such time as he attends Full Council to make an unreserved apology for his actions including an undertaking not to repeat similar assertions in future and also attend appropriate training or voluntary work, as deemed appropriate by the Administration."

The following amended version of the motion was moved by Councillor Colin Smith and seconded by Councillor Michael Tickner –

"On 31 December 2022 Councillor Shaun Slator tweeted "more likely that it's a punter that didn't pay" in response to a news article entitled "Woman raped in Plumstead park in early hours."

While the Council's Monitoring Officer and the Independent Person have concluded that the Councillors Code of Conduct is not engaged and therefore under the relevant legal requirements no Standards Committee investigation can take place, this Council unequivocally condemns Cllr Slator's comments and considers they are unacceptable for a member of this Council to have made.

It also be noted that Cllr Slator was suspended from the Conservative Group on Bromley Council on 5<sup>th</sup> January 2023 for said comments, and will remain thus, until such time as he attends Full Council to make an unreserved apology for his actions, including an undertaking not to repeat similar assertions in future and also attend appropriate training or voluntary work, as deemed appropriate by the Administration."

The following members voted in favour of the amendment:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (34)

The following members voted against the amendment:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Graham Casey, Will Connolly, Sophie Dunbar, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Ryan Thomson, and Rebecca Wiffen (17)

The following members abstained:

Councillor Nicholas Bennett, Hannah Gray, Mark Smith, Alison Stammers, Melanie Stevens and Sam Webber (6)

The amendment was **CARRIED**.

The following Members voted for the substantive motion:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Mark Smith, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (37)

The following members voted against the substantive motion:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Graham Casey, Will Connolly, Sophie Dunbar, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Ryan Thomson, Sam Webber and Rebecca Wiffen (18)

The following members abstained:

Councillors Hannah Gray and Alison Stammers (2)

The substantive motion was **CARRIED**.

## **(B) ULEZ**

The following motion (as altered) was moved by Cllr Nicholas Bennett and seconded by Cllr Aisha Cuthbert:

“This Council supports the action taken by the Leader and the Executive Member for Transport, Highways and Road Safety in not approving the

erection of cameras and signs on Bromley roads and the commissioning, with other London and county local councils, of counsel's opinion on the legality of Mayor Khan's proposals to extend the Ultra-Low Emission Zone (ULEZ) to outer London.

Council notes the thoroughly misleading statements by Mayor Khan in reference to Bromley's air quality, which is amongst the best in London.

Council further notes the recent revelations, following a Freedom of Information request, by City Hall Conservatives, which showed that contrary to Sadiq Kahn's assurances.

- His senior officers and deputy Mayor for Transport were receiving weekly updates on the progress of the consultation and the voting;
- that he employed a social marketing company, at public expense, to target those most likely to be in favour of ULEZ to boost the 'Yes' vote;
- having seen how the vote was progressing then disallowed more than 5000 votes against ULEZ
- despite this more than 59% of respondents were opposed to the imposition of the Zone on outer London.

Council congratulates our local London Assembly Member Peter Fortune AM on his diligent research and forensic examination of Mayor Khan to expose the manipulation of the consultation."

This Council reiterates its opposition to the imposition of the Ultra-Low Emission Zone on Bromley as it will have a serious impact on the self-employed, small businesses which rely on their vehicles to conduct their trade and on elderly residents and others on fixed incomes. The imposition of a daily charge to drive in the borough will be an additional financial burden and, for many, without the means purchase a compliant vehicle, it will mean they can no longer trade or afford to drive. The extension of the ULEZ charge on motorists, including those entering Bromley from neighbouring counties will also be detrimental, especially for those like nurses, police officers, supermarket shelf fillers and others working unsocial hours when public transport is not available.

This Council therefore requests the Leader and the Executive to continue to oppose the Mayor's ULEZ decision, challenge it by way of legal action and agree funding in the region of £140k to be met from the Council's 2022/23 Central Contingency Sum.

The following Members voted for the motion:

Councillors Jonathan Andrews, Felicity Bainbridge, Yvonne Bear, Nicholas Bennett, Kim Botting, Mike Botting, Mark Brock, David Cartwright, Aisha Cuthbert, Peter Dean, Robert Evans, Simon Fawthrop, Kira Gabbert, Adam Grant, Sunil Gupta, Christine Harris, Mike Jack, David Jefferys, Charles Joel, Jonathan Laidlaw, Andrew Lee, Kate Lymer, Christopher Marlow, Alexa

*Council*  
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Michael, Keith Onslow, Tony Owen, Angela Page, Will Rowlands, Shaun Slator, Colin Smith, Diane Smith, Mark Smith, Alison Stammers, Melanie Stevens, Harry Stranger, Michael Tickner, Pauline Tunnicliffe and Thomas Turrell (38)

The following members voted against the motion:

Councillors Jeremy Adams, Jessica Arnold, Kathy Bance, Graham Casey, Will Connolly, Sophie Dunbar, Alisa Igoe, Julie Ireland, Simon Jeal, Kevin Kennedy-Brooks, Josh King, Ruth McGregor, Tony McPartlan, Chris Price, Chloe-Jane Ross, Ryan Thomson, Sam Webber and Rebecca Wiffen (18)

The following member abstained:

Councillor Hannah Gray and (1)

The motion was **CARRIED**.

## **78 The Mayor's announcements and communications.**

The Mayor thanked Members who attended the Holocaust Memorial Day in January, the Whisky Tasting Evening and the Ukraine Remembrance Service.

The Mayor advised Members about her Charity Dinner at the Honourable Artillery Company on 6<sup>th</sup> April and reminded them to buy their Fly a Spitfire Prize Draw tickets – the draw would be on 21<sup>st</sup> April.

## **79 Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and the Freedom of Information Act 2000**

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

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

## **80 West Wickham Library and Housing Project Update and Award of Works Contract (Part 2)**

A motion to note the Part 2 information relating to the West Wickham Library and Housing Project was recommended by the Executive was moved by Cllr Yvonne Bear, seconded by Cllr Tony Owen and **CARRIED**.

The Meeting ended at 0.20 am

Mayor



**Council**

**27 February 2023**

**Questions from Members of the Public for Oral Reply**

**1. From Thomas Murphy to the Chairman of General Purposes and Licensing Committee**

What specific steps are the Council taking to raise awareness of the new voter ID laws for elections? And would it be possible to have a page on Bromley Council's website outlining the new requirements, with a link to the Voter Authority Certificate application page on gov.uk?

**Reply:**

As there are no scheduled elections in Bromley this year (our next scheduled elections are the GLA elections on 2 May 2024), we are taking a 'soft touch' approach to raise awareness of the new Voter ID requirements.

We are in the process of creating new pages on the Council website outlining the new provisions of the Elections Act 2022 (including the requirement to produce photographic ID at polling stations). This will include a link to the Voter Authority Certificate application page on the new Government online service.

In the meantime, the Electoral Commission launched its public awareness campaign in January 2023 across England (not just in election areas) to ensure voters understand the changes. This includes adverts on national television and radio.

Next year here in Bromley we will undertake an extensive and targeted local awareness raising campaign – this will include updating the Council website, distributing posters and leaflets in prime locations and to local community organisations, using social media (Facebook and Twitter) and issuing timely local press releases.

In addition to these awareness activities, details of the new voter ID requirements will also be included on the poll cards which will be sent to every (eligible) voter in Bromley towards the end of March next year.

**2. From Susan Moore to the Chairman of General Purposes and Licensing Committee**

The Council will be aware that the new voter ID laws will disproportionately affect young people and ethnic minority voters, who are less likely to have photo ID, what steps are the Council taking to ensure that these specific groups are not disenfranchised during elections?

**Reply:**

Where an individual does not have one of the accepted forms of photographic ID, they can apply for free for a Voter Authority Certificate from Bromley or their local authority.

We are in the process of creating new pages on the Council website outlining the new provisions of the Elections Act 2022 which I referred to in the previous reply, and this will include the requirement to produce photographic ID at a polling station. This will include a link to the Voter Authority Certificate application page on the new Government online service.

We here in Bromley will be undertaking an Equalities Impact Screening and full Assessment on the new measures being introduced through the Elections Act 2022 (including Voter ID) and the impact on any group of voters with one of the nine protected characteristics. This should ensure that any barriers to participation are identified (and where possible, removed) and voters are not disenfranchised or put off voting, whilst ensuring the effective implementation of the changes and maintaining the integrity of the elections.

Bromley was one of five local authorities along with Gosport, Swindon, Watford and Woking selected by the Cabinet Office to conduct Voter ID pilots at the Local elections on 3 May 2018. Following the election, both the Returning Officer's findings and the Electoral Commissions' evaluation indicated that there was no evidence any specific group of people who struggled with the ID requirement or that ID requirements significantly deterred voters from voting.

**Supplementary Question:**

Some other local councils have done calculations on how long it will take to put together all the resources and the time and capacity it will take to produce the ID that people will need. Have Bromley started to do any calculations or started to think about the amount of work and person hours that it will take to deliver ID for people who currently don't have it?

**Reply:**

I don't specifically know the answer to your question but I have every confidence in Carol Ling who is responsible for this part of the Council, and her team, to ensure that this will happen. If you have any further queries or would like some further information I will be happy to email Mrs Ling tomorrow.

**Additional Supplementary Question from Cllr Simon Fawthrop:**

Is Cllr Tunnicliffe aware that during the trials that took place in 2018 the turnout was not affected at all by Voter ID, and one of the most remarkable things was that more people spoilt their ballot papers than were turned away and deprived of a vote?

**Reply:**

Yes, I am aware of that and there were very few issues, a matter of a handful. Those voters returned and voted, as far as I am aware.

**Additional Supplementary Question from Cllr Graeme Casey:**

Are we aware of how many incidences of voter fraud we have had in Bromley previously, just in the local elections?

**Reply:**

I cannot answer that specifically this evening, but I am happy to come back to you with an answer.

**Additional Supplementary Question from Cllr Simon Jeal:**

Is Cllr Tunncliffe aware of any incidence of voter fraud in the London Borough of Bromley?

**Reply:**

I am not.

**3. From Angela Wilkins to the Leader of the Council**

Please provide full details of consultations that the Council has undertaken with BVST (as leaseholder), and with other tenants or organisations who currently rent office or other space in Community House, regarding the sale of this building.

**Reply:**

I am advised that the Assistant Director for Integrated Commissioning discussed the plans with two of the key service providers located there on the 29<sup>th</sup> November and 8<sup>th</sup> December.

The Chief Executive and I met with BVST's Chief Executive on 19<sup>th</sup> January and I am advised that conversations remain ongoing.

**Supplementary Question:**

The decision in principle to sell this building was made in December – on the basis of that I would like to ask if it would have been better if Members had been aware that the tenants in Community House do not wish to move to the Direct Line premises. Would it not have been better to have an informed decision made by this Council – Councillors would have been aware in advance, had there been consultation, that the tenants were not prepared to move.

**Reply:**

We had two informed debates, one at the Executive and one at full Council. Members were fully aware of the decision that was being taken and I would remind all concerned that it is not as if the charities that are based there will not have a home – they will stay there as protected tenants if they wish to, even if and when the building is sold. They have a two and a half year protection over the fact that they are trying to turn it into an asset of community value which we wish them the best of luck over. That featured in the conversation with the Chief Executive and I. So, no, apart from the fact that the process was speedy it formed part of the operational

property review – it was a decision taken around many Council properties. Ultimately, as I told the last full Council anyone that wants to move to better, more modern offices will be very welcome if they wish to, but there is no compulsion

#### **4. From Richard Honess to the Portfolio Holder for Transport, Highways and Road Safety**

What is the criteria for a pothole to be fixed on a residential street?

**Reply:**

A defect measuring 40mm is the level at which we repair, but in the case of, say, a pedestrian crossing, we look at a lower one for pedestrian safety.

**Supplementary Question:**

I have been monitoring a street in my area in St Mary Cray called Elizabeth Way, which has been suffering severe deterioration of the road surface for a while - I think my first report was in July 2021. I have subsequently re-reported that particular street on numerous occasions – at least three or four times since then as the road surface has deteriorated – on Fix My Street. Every time I report it I get the reply that the deterioration does not meet the criteria for fixing. I looked at it today and it certainly has met that criteria on a number of occasions when I have been told it did not. I have also heard rumours that there are plans for that street to be resurfaced – can you confirm whether that street is due for resurfacing and if not, if I put another report on will it be fixed?

**Reply:**

I understand from your ward member that it is on the list. There are thirteen teams out repairing streets – they are doing about seventy a day. This is not quite the time to do most of them because once we get to April and the weather improves the repairs will stay in place. We do have 537 miles of road in Bromley – we are the biggest London Borough, and that would stretch from here to Zurich. It does take some time – this is a national, and an international problem – but I can reassure you that your road is one of the thirty four planned for resurfacing in the coming financial year.

#### **5. From Ju Owens to the Portfolio Holder for Public Protection and Enforcement**

Could you please outline how much the Council have spent in the past four years, and on what, funding actions to make Bromley streets safer for women?

**Reply:**

There are a wide range of actions either fully or part-funded by the authority such as our CCTV network and street lighting. Regarding specific projects to make Bromley's streets safer for women, this spend is spread over several service areas and is mainly officer time spent working with partners. Therefore there is no specific budget but it is estimated at about £100,000. Such projects include the Licensing Team

carrying out anti-drink spiking publicity, and publicising Ask Angela and the Community Safety Officers working with churches and Street Pastors and encouraging licensed premises to sign up to the Night Safety Charter.

**Supplementary Question:**

Can you advise whether these measures have been successful and how such success has been measured?

**Reply:**

When we do put in for funding from the Mayor's Office or elsewhere we do not have much feedback because we are considered to have a very safe borough.

**Additional Supplementary Question from Cllr Simon Jeal:**

Is that £100,00 per year or over four years?

**Reply:**

That is per year.

**6. From Angela Wilkins to the Leader of the Council**

In deciding to put Community House up for sale immediately, what is the Council most interested in:

- a. Obtaining the maximum capital receipt; or
- b. Finding tenants to subsidise the costs of running its new, very large Council offices; or
- c. Ensuring that the social, health, economic and community benefits that are the outputs from Community House can continue and thereby support local residents.

**Reply:**

The answer is A and C in equal measure.

The Council will not be able to continue funding 'C' to the extent we would all prefer to see and do so in future, unless it takes numerous very difficult decisions such as 'A'. Both are inextricably linked.

Thus the decision to do so in December.

**Supplementary Question:**

Given that the decision to sell was made in the context of an assumption that the tenants would move, and given that Cllr Smith has just confirmed that obtaining the maximum capital receipt is one of the priorities of the Council, can he explain why the decision has been made in such a hurry to sell this property with sitting tenants?

**Reply:**

It achieves best value, it helps us to achieve capital income which we need for other projects such as housing. It is an investment property and we deem it the correct

thing to do to sell it now. It is not as if the current tenants are going to be homeless. All that will happen, if and when it is sold, is that it will have different landlords and protected tenancy under the Tenancy Act.

**Additional Supplementary Question from Ms Wilkins:**

My point was that the property is being sold with sitting tenants, which in general lowers the value, so I do not believe my question was properly answered.

**Reply:**

I believe it was clear – I am happy with the answer given.

**7. From Richard Honess to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

18 months ago, I asked a question about the upkeep of the Rookery Gardens Estate and was assured by the then RRH Portfolio Holder that the matter would be discussed and actioned. What discussions and actions have subsequently taken place?

**Reply:**

I'm pleased to say that we've taken action since your question in October 2021.

We have reviewed the ownership records to establish the green spaces that we own and officers have made several monitoring visits over and above what is normal for the Council's contract monitoring to ensure our land is being maintained.

Officers continue to work with the housing association that owns the estate, Clarion, to come up with a solution for maintenance on their land.

We are absolutely clear that when it comes to bulky waste for example, that is the responsibility of Clarion and as a responsible social landlord they should accept that responsibility.

**Supplementary Question:**

Yes, it is the bulk waste collection that continues to plague that estate with overflowing rubbish bins and bins that are not big enough. Do you know how long it will take Clarion to resolve these issues and what it is that they are planning to do?

**Reply:**

I cannot answer that today but if you do write to me I will take that up with some of the senior leadership team at Clarion.

**8. From Ju Owens to the Portfolio Holder for Public Protection and Enforcement**

When launching their £200 million fund for active travel schemes (<https://www.gov.uk/government/news/200-million-to-improve-walking-and-cycling-routes-and-boost-local-economies>) the Government acknowledged that 1 in 2

women feel unsafe walking after dark in a quiet street near their home, and that all proposals must take this into account. How much of the fund will Bromley Council be applying for and how will you be ensuring women's safety is considered?

**Reply:**

This fund is only provided to local transport authorities outside of London, so unfortunately Bromley is not eligible for it.

**Supplementary Question:**

What plans do you have to both increase active travel in the area of Bromley while taking women's safety into consideration?

**Reply:**

Active travel does not come under my portfolio, but on anything concerning women's safety we will be working cross-portfolio - my fellow portfolio holder is agreeing.

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**Council**

**27 February 2023**

**Questions from Members of the Public for Written Reply**

**1. From Carrie Heitmeyer to the Portfolio Holder for Transport, Highways and Road Safety**

How much money has Bromley Council already spent challenging ULEZ expansion, how much will Bromley Council be eligible to pay when it loses its proposed legal action, and how can this be justified when the Council has recently claimed “a budget gap of £29.6million is predicted in three years’ time”?

**Reply:**

The Council has not yet paid any money in seeking legal advice and seeking a Judicial Review. Any legal costs which are incurred, will be shared with the four other authorities joined in the application.

**2. From Laura Vogel to the Portfolio Holder for Transport, Highways and Road Safety**

On 13 January Bromley Council published a statement in which the Leader claimed ULEZ is “cynical”. How is this statement in keeping with the [Code of Recommended Practice on Local Authority Publicity](#) which states publicity by local authorities should be “even-handed” and “issued with care during periods of heightened sensitivity”?

**Reply:**

The Council is not in a period of ‘heightened sensitivity’. The quote from Leader of the Council is part of the background as to why the Council, in conjunction with four other local authorities is seeking a Judicial Review of the Mayor of London’s decision. I refer you to Paragraph 20 of the Code.

**3. From Laura Vogel to the Portfolio Holder for Transport, Highways and Road Safety**

Council Leader Colin Smith has devoted a lot of Council time and resource to campaigning against ULEZ expansion. Does the Council have data on number of Bromley residents affected by ULEZ expansion, and wouldn’t it be better to focus on improving protections for those residents rather than opposing ULEZ?

**Reply:**

The Council and, we believe, the Mayor of London does not hold such information as it would include people working in the borough but whose vehicle is registered to an address in another authority. The Council, which has not received any money for the Principal Road Network from TfL for some years and very little for local schemes believes that if the money to be spent on cameras and signs was reallocated to the boroughs, they could take much more effective action to reduce air pollution.

#### **4. From Gary Kent to the Portfolio Holder for Renewal, Recreation and Housing**

Please provide details on proposed contract with Alliance Leisure for West Wickham Leisure Centre. Lack of information worries West Wickham residents given the rapidly deteriorating state of repair of this important local facility. Please also provide information on temporary alternative leisure facilities during the redevelopment/refurbishment of the Leisure Centre.

##### **Reply:**

Alliance Leisure Services has been contracted by the London Borough of Bromley to undertake feasibility and survey works for both The Walnuts and West Wickham leisure centres. This work will include: building surveys, high level block plans, research on need, and an extensive consultation process via surveys and focus groups. It is expected that any redevelopment of West Wickham Leisure Centre will be within the existing building envelope. There will be no temporary swimming pool during the works period as it is too costly and would use half the budget available, however, there is the possibility that the operator may be able to offer temporary provision of fitness classes.

#### **5. From Brendan Donegan to the Portfolio Holder for Transport, Highways and Road Safety**

On 13 January Bromley Council [published a statement](#) claiming the Mayor of London's decision to expand ULEZ is based on "highly questionable, selective and incomplete findings of a research paper commissioned by TfL". Why are the research findings "highly questionable" and do you have any evidence to support your assertions?

##### **Reply:**

The evidence will be part of the Council's legal case and will be published by the court.

#### **6. From Brendan Donegan to the Portfolio Holder for Transport, Highways and Road Safety**

4,000 Londoners die prematurely due to air pollution every year; in Lewisham, Ella Kissi-Debrah was the first person in the world with air pollution as cause of death. Bromley Council's recent [statement](#) opposing ULEZ expansion claims "Bromley already has amongst the cleanest air in London". Surely this misses the point?

##### **Reply:**

The Council, which has not received any money for the Principal Road Network from TfL for some years and very little for local schemes believes that if the money to be spent on cameras and signs was reallocated to the boroughs, they could take much more effective action to reduce air pollution.

## **7. From Janette Sewell to the Portfolio Holder for Public Protection and Safety**

Please provide: (a) number of operating HMOs in Bromley that the Council has licensed, (b) number of unlicensed HMOs operating in the borough, (c) number of HMO applications the Council has in progress, listing both applications received before 1 September 2022 and after 1 September separately.

### **Reply:**

(a) 265

(b) The Council does not hold this information

(c) Applications in progress made prior to 01/09/22 = 76,  
Applications in progress made after 01/09/22 = 32

## **8. From Susan Sulis to the Portfolio Holder for Transport, Highways and Road Safety**

Bromley worked with local landowners to improve an 'Ordinary Watercourse' in Seymour Drive, which had not flooded homes internally. In 2021, 20+ St. Mary Cray homes were flooded internally, when water from Greenbelt farmland owned by a land speculator, overflowed its 'Ordinary Watercourse'. Will Bromley approach the owners to seek improvements?

### **Reply:**

The flooding at Seymour Drive was the result of a severe storm in which the exceeded the capacity of the drainage system. Liability lies with landowners who are responsible for the management Watercourse.

## **9. From Susan Sulis to the Chairman of General Purposes and Licensing Committee**

The Council's Constitution states that citizens have the right to see non-confidential reports and 'background papers.' When 'background papers', cited as evidence in reports, and relied on to a material extent in preparing reports, are not listed by the report's author, how can citizens enjoy their rights?

### **Reply:**

Background papers are required to be listed in each report (a box is provided in the standard template for this purpose) and should be produced on request. Sometimes there are no background papers, but in most cases there are relevant documents used in preparation of the report which should be listed by the report author, whose contact details are provided on each report. I have asked officers to remind report authors of this requirement.

## **10. From Dermot McKibbin to the Portfolio Holder for Renewal, Recreation and Housing**

How many households have been rehoused from houses in multiple occupation (hmo's) on the Council's rehousing list, how many of these properties are licensed, what steps does the Council undertake to ensure that rehousing applicants living in hmo's are in fact living in licensed hmo's?

**Reply:**

The Council does not hold this information in a reportable format as it is not part of the statutory returns. However, when an applicant applies for housing support if there are concerns about the status of the property they are currently living in a referral will be made to public protection colleagues for investigation. Any accommodation utilized by the Council would be subject to checks to ensure that the properties meet all required standards including licensing if applicable.

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

Please show for all wards in the borough for the 2011 and the 2021 census the number of households renting privately, the number of owner occupiers and the number renting from a housing association. Please show these figures as a percentage of the total households in each ward.

**Reply:**

Please see attached spreadsheets providing data from the census ([Appendix 1.](#))

**12. From Richard Gibbons to the Portfolio Holder for Transport, Highways and Road Safety**

According to Census 2021 there are 135,800 households in LB Bromley. 23% of households do not own or have access to a car or van. Of the remaining 77% of households, how many households do not own or have access to one or more ULEZ-compliant vehicles?

**Reply:**

The Council and, we believe, the Mayor of London does not hold such information as it would include people working in the borough but whose vehicle is registered to an address in another authority.

**13. From Richard Gibbons to the Portfolio Holder for Transport, Highways and Road Safety**

According to Census 2021 there are 330,000 residents in LB Bromley. 76,600 residents are over 60 years of age and eligible for a 60+/Freedom Pass. How many residents currently have a valid 60+/Freedom Pass?

**Reply:**

No details are held of the number of people with a 60+ Oyster card as these are issued by Transport for London. The number of residents with an Older Person's Freedom Pass is 53,393

population  
units Households

Numbers

Appendix B - Question 11 A

Code	Ward	Total Households	Owned			Shared ownership (part owned and part rented)	Total social rented	Social rented			Total Private rented	Private rented		Living rent free
			Total Owned	Owned outright	Owned with a mortgage or loan			Rented from council (Local Authority)	Other	Private landlord or letting agency		Other		
E05000106	Bickley	5,967	4,787	2,321	2,466	26	417	21	396	681	635	46	56	
E05000107	Biggin Hill	3,910	3,438	1,527	1,911	34	180	16	164	224	201	23	34	
E05000108	Bromley Common and Keston	6,209	4,543	2,082	2,461	46	975	144	831	597	554	33	58	
E05000109	Bromley Town	7,414	4,839	2,039	2,800	71	743	53	690	1,686	1,603	83	75	
E05000110	Chislehurst and Pratts Bottom	5,830	5,072	2,500	2,572	33	270	36	234	475	370	45	40	
E05000111	Chislehurst	6,084	4,863	2,476	2,387	14	433	42	391	694	649	45	80	
E05000112	Clock House	6,901	4,659	1,681	2,978	90	867	69	798	1,227	1,160	67	56	
E05000113	Coppers Cope	8,104	4,954	2,370	2,584	61	748	49	699	2,243	2,125	118	98	
E05000114	Cray Valley East	6,693	4,126	1,847	2,279	106	1,653	245	1,408	744	666	78	64	
E05000115	Cray Valley West	6,776	3,934	1,715	2,219	100	2,273	308	1,965	413	364	49	56	
E05000116	Crystal Palace	6,112	2,129	587	1,542	96	2,029	216	1,813	1,815	1,751	64	43	
E05000117	Darwin	2,082	1,726	957	769	17	114	8	106	195	142	53	30	
E05000118	Farnborough and Crofton	6,144	5,117	2,903	2,214	15	542	22	520	413	373	40	57	
E05000119	Hayes and Cony Hall	6,110	5,393	2,659	2,734	12	189	17	172	474	432	42	42	
E05000120	Kelsay and Eden Park	6,382	5,058	2,426	2,632	27	550	50	674	500	633	41	73	
E05000121	Mollington and Chislehurst North	4,257	2,356	935	1,421	45	1,359	178	1,181	448	424	24	49	
E05000122	Ovington	6,341	4,719	2,597	2,122	74	1,001	130	871	508	462	46	39	
E05000123	Penge and Cator	7,672	3,678	1,352	2,326	85	2,289	234	2,055	1,588	1,475	62	49	
E05000124	Pettis Wood and Knoll	5,445	4,865	2,575	2,290	8	146	14	132	377	345	32	49	
E05000125	Plastow and Sundridge	6,529	4,257	1,841	2,416	48	1,136	113	1,023	1,030	951	79	60	
E05000126	Shortlands	4,186	3,314	1,754	1,560	6	261	11	250	567	539	28	38	
E05000127	West Wickham	5,714	4,958	2,505	2,453	24	250	11	239	420	375	45	62	

Percentage of All Households

Code	Ward	Total Households	Owned			Shared ownership (part owned and part rented)	Social rented		Private rented			Living rent free	
			Total Owned	Owned outright	Owned with a mortgage or loan		Total social rented	Rented from council (Local Authority)	Other	Total Private rented	Private landlord or letting agency		Other
EO5000106	Bickley	100.0	80.2	38.9	41.3	0.4	7.0	0.4	6.6	11.4	10.6	0.8	0.9
EO5000107	Biggin Hill	100.0	87.9	39.1	48.9	0.9	4.6	0.4	4.2	5.7	5.1	0.6	0.9
EO5000108	Bromley Common and Keaton	100.0	73.2	33.5	39.6	0.7	15.7	2.3	13.4	9.5	8.9	0.5	0.9
EO5000109	Bromley Town	100.0	65.3	27.5	37.8	1.0	10.0	0.7	9.3	22.7	21.6	1.1	1.0
EO5000110	Chelsfield and Pratts Belmont	100.0	87.0	42.9	44.1	0.6	4.6	0.6	4.0	7.1	6.3	0.8	0.7
EO5000111	Chislehurst	100.0	79.9	40.7	39.2	0.2	7.1	0.7	6.4	11.4	10.7	0.7	1.3
EO5000112	Clock House	100.0	67.5	24.4	43.2	1.3	12.6	1.0	11.6	17.8	16.8	1.0	0.8
EO5000113	Copers Cope	100.0	61.1	29.2	31.9	0.8	9.2	0.6	8.6	27.7	26.2	1.5	1.2
EO5000114	Cray Valley East	100.0	61.6	27.6	34.1	1.6	24.7	3.7	21.0	11.1	10.0	1.2	1.0
EO5000115	Cray Valley West	100.0	58.1	25.3	32.7	1.5	33.5	4.5	29.0	6.1	5.4	0.7	0.8
EO5000116	Crystal Palace	100.0	34.6	9.6	25.2	1.6	33.2	3.5	29.7	29.7	28.6	1.0	0.7
EO5000117	Darwin	100.0	82.9	46.0	36.9	0.8	5.6	0.4	5.1	9.4	6.8	2.5	1.4
EO5000118	Farnborough and Crofton	100.0	83.3	47.2	36.0	0.2	8.8	0.4	8.5	6.7	6.1	0.7	0.9
EO5000119	Hayes and Coney Hall	100.0	88.3	43.5	44.7	0.2	3.1	0.3	2.8	7.8	7.1	0.7	0.9
EO5000120	Keisey and Eden Park	100.0	79.3	38.0	41.2	0.4	8.6	0.8	7.8	10.6	9.9	0.6	1.1
EO5000121	Mottingham and Chislehurst North	100.0	55.3	22.0	33.4	1.1	31.9	4.2	27.7	10.5	10.0	0.6	1.2
EO5000122	Ormington	100.0	74.4	41.0	33.5	1.2	15.8	2.1	13.7	8.0	7.3	0.7	0.6
EO5000123	Penge and Cator	100.0	47.9	17.6	30.3	1.1	28.8	3.1	26.8	20.3	19.2	1.1	0.8
EO5000124	Petts Wood and Knoll	100.0	89.3	47.3	42.1	0.1	2.7	0.3	2.4	6.9	6.3	0.6	0.9
EO5000125	Plaiestow and Sluntdridge	100.0	65.2	28.2	37.0	0.7	17.4	1.7	15.7	15.8	14.6	1.2	0.9
EO5000126	Shortlands	100.0	79.2	41.9	37.3	0.1	6.2	0.3	6.0	13.5	12.9	0.7	0.9
EO5000127	West Wickham	100.0	86.6	43.8	42.9	0.4	4.4	0.2	4.2	7.4	6.6	0.8	1.1

Electoral wards and divisions Code	Electoral wards and divisions	Tenure of household (9 categories) Code	Tenure of household (9 categories)	Observation	%	
E05013987	Beckenham Town & Copers Cope	-8	Does not apply	0	0	8019
E05013987	Beckenham Town & Copers Cope	0	Owned: Owns outright	2238	27.90872	8019
E05013987	Beckenham Town & Copers Cope	1	Owned: Owns with a mortgage or loan	2307	28.76917	8019
E05013987	Beckenham Town & Copers Cope	2	Shared ownership: Shared ownership	113	1.409153	8019
E05013987	Beckenham Town & Copers Cope	3	Social rented: Rents from council or Local Authority	55	0.685871	8019
E05013987	Beckenham Town & Copers Cope	4	Social rented: Other social rented	631	7.868812	8019
E05013987	Beckenham Town & Copers Cope	5	Private rented: Private landlord or letting agency	2474	30.85173	8019
E05013987	Beckenham Town & Copers Cope	6	Private rented: Other private rented	200	2.494077	8019
E05013987	Beckenham Town & Copers Cope	7	Lives rent free	1	0.01247	8019
			total	8019		
E05013988	Bickley & Sundridge	-8	Does not apply	0	0	7149
E05013988	Bickley & Sundridge	0	Owned: Owns outright	2631	36.80235	7149
E05013988	Bickley & Sundridge	1	Owned: Owns with a mortgage or loan	2754	38.52287	7149
E05013988	Bickley & Sundridge	2	Shared ownership: Shared ownership	23	0.321723	7149
E05013988	Bickley & Sundridge	3	Social rented: Rents from council or Local Authority	30	0.419639	7149
E05013988	Bickley & Sundridge	4	Social rented: Other social rented	515	7.203805	7149
E05013988	Bickley & Sundridge	5	Private rented: Private landlord or letting agency	1098	15.35879	7149
E05013988	Bickley & Sundridge	6	Private rented: Other private rented	96	1.342845	7149
E05013988	Bickley & Sundridge	7	Lives rent free	2	0.027976	7149
			total	7149		
E05013989	Biggin Hill	-8	Does not apply	0	0	4285
E05013989	Biggin Hill	0	Owned: Owns outright	1840	45.27421	4285
E05013989	Biggin Hill	1	Owned: Owns with a mortgage or loan	1768	41.26021	4285
E05013989	Biggin Hill	2	Shared ownership: Shared ownership	22	0.513419	4285
E05013989	Biggin Hill	3	Social rented: Rents from council or Local Authority	22	0.513419	4285
E05013989	Biggin Hill	4	Social rented: Other social rented	181	4.224037	4285
E05013989	Biggin Hill	5	Private rented: Private landlord or letting agency	294	6.861144	4285
E05013989	Biggin Hill	6	Private rented: Other private rented	58	1.368884	4285
E05013989	Biggin Hill	7	Lives rent free	2	0.046574	4285
			total	4285		
E05013990	Bromley Common & Holwood	-8	Does not apply	0	0	7589
E05013990	Bromley Common & Holwood	0	Owned: Owns outright	2262	29.67453	7589
E05013990	Bromley Common & Holwood	1	Owned: Owns with a mortgage or loan	3009	39.64949	7589
E05013990	Bromley Common & Holwood	2	Shared ownership: Shared ownership	60	0.790518	7589
E05013990	Bromley Common & Holwood	3	Social rented: Rents from council or Local Authority	133	1.752537	7589
E05013990	Bromley Common & Holwood	4	Social rented: Other social rented	945	12.45223	7589
E05013990	Bromley Common & Holwood	5	Private rented: Private landlord or letting agency	1073	14.13989	7589
E05013990	Bromley Common & Holwood	6	Private rented: Other private rented	117	1.541705	7589
E05013990	Bromley Common & Holwood	7	Lives rent free	0	0	7589
			total	7589		
E05013991	Bromley Town	-8	Does not apply	0	0	6718
E05013991	Bromley Town	0	Owned: Owns outright	1715	25.52843	6718
E05013991	Bromley Town	1	Owned: Owns with a mortgage or loan	2060	30.66389	6718
E05013991	Bromley Town	2	Shared ownership: Shared ownership	111	1.652277	6718
E05013991	Bromley Town	3	Social rented: Rents from council or Local Authority	53	0.788925	6718
E05013991	Bromley Town	4	Social rented: Other social rented	583	8.678178	6718
E05013991	Bromley Town	5	Private rented: Private landlord or letting agency	2022	30.09824	6718
E05013991	Bromley Town	6	Private rented: Other private rented	170	2.530515	6718
E05013991	Bromley Town	7	Lives rent free	4	0.059542	6718
			total	6718		
E05013992	Chelsfield	-8	Does not apply	0	0	4392
E05013992	Chelsfield	0	Owned: Owns outright	1692	43.07852	4392
E05013992	Chelsfield	1	Owned: Owns with a mortgage or loan	1782	40.57377	4392
E05013992	Chelsfield	2	Shared ownership: Shared ownership	20	0.455373	4392
E05013992	Chelsfield	3	Social rented: Rents from council or Local Authority	21	0.478142	4392
E05013992	Chelsfield	4	Social rented: Other social rented	222	5.054945	4392
E05013992	Chelsfield	5	Private rented: Private landlord or letting agency	393	8.948087	4392
E05013992	Chelsfield	6	Private rented: Other private rented	61	1.389889	4392
E05013992	Chelsfield	7	Lives rent free	1	0.022769	4392
			total	4392		
E05013993	Chislehurst	-8	Does not apply	0	0	6268
E05013993	Chislehurst	0	Owned: Owns outright	2439	38.91193	6268
E05013993	Chislehurst	1	Owned: Owns with a mortgage or loan	2390	38.13019	6268
E05013993	Chislehurst	2	Shared ownership: Shared ownership	47	0.74984	6268
E05013993	Chislehurst	3	Social rented: Rents from council or Local Authority	30	0.478622	6268
E05013993	Chislehurst	4	Social rented: Other social rented	417	6.65284	6268
E05013993	Chislehurst	5	Private rented: Private landlord or letting agency	825	13.16209	6268
E05013993	Chislehurst	6	Private rented: Other private rented	120	1.914486	6268
E05013993	Chislehurst	7	Lives rent free	0	0	6268
			total	6268		
E05013994	Clock House	-8	Does not apply	0	0	7467
E05013994	Clock House	0	Owned: Owns outright	1947	26.07473	7467
E05013994	Clock House	1	Owned: Owns with a mortgage or loan	2966	39.72144	7467
E05013994	Clock House	2	Shared ownership: Shared ownership	83	1.111558	7467
E05013994	Clock House	3	Social rented: Rents from council or Local Authority	91	1.218686	7467
E05013994	Clock House	4	Social rented: Other social rented	781	10.45935	7467
E05013994	Clock House	5	Private rented: Private landlord or letting agency	1483	19.86072	7467
E05013994	Clock House	6	Private rented: Other private rented	115	1.54011	7467
E05013994	Clock House	7	Lives rent free	1	0.013392	7467
			total	7467		
E05013995	Crystal Palace & Anerley	-8	Does not apply	0	0	5682
E05013995	Crystal Palace & Anerley	0	Owned: Owns outright	550	9.67969	5682
E05013995	Crystal Palace & Anerley	1	Owned: Owns with a mortgage or loan	1514	26.64555	5682
E05013995	Crystal Palace & Anerley	2	Shared ownership: Shared ownership	103	1.812742	5682
E05013995	Crystal Palace & Anerley	3	Social rented: Rents from council or Local Authority	204	3.590285	5682
E05013995	Crystal Palace & Anerley	4	Social rented: Other social rented	1466	25.80077	5682
E05013995	Crystal Palace & Anerley	5	Private rented: Private landlord or letting agency	1741	30.64062	5682
E05013995	Crystal Palace & Anerley	6	Private rented: Other private rented	98	1.724745	5682
E05013995	Crystal Palace & Anerley	7	Lives rent free	6	0.105597	5682
			total	5682		
E05013996	Darwin	-8	Does not apply	0	0	2287
E05013996	Darwin	0	Owned: Owns outright	1099	48.05422	2287
E05013996	Darwin	1	Owned: Owns with a mortgage or loan	815	35.6362	2287
E05013996	Darwin	2	Shared ownership: Shared ownership	12	0.524705	2287
E05013996	Darwin	3	Social rented: Rents from council or Local Authority	14	0.612156	2287
E05013996	Darwin	4	Social rented: Other social rented	99	4.328815	2287
E05013996	Darwin	5	Private rented: Private landlord or letting agency	181	7.914298	2287
E05013996	Darwin	6	Private rented: Other private rented	67	2.929602	2287
E05013996	Darwin	7	Lives rent free	0	0	2287
			total	2287		
E05013997	Farnborough & Crofton	-8	Does not apply	0	0	7053
E05013997	Farnborough & Crofton	0	Owned: Owns outright	3205	45.44166	7053
E05013997	Farnborough & Crofton	1	Owned: Owns with a mortgage or loan	2621	37.16149	7053
E05013997	Farnborough & Crofton	2	Shared ownership: Shared ownership	12	0.17014	7053
E05013997	Farnborough & Crofton	3	Social rented: Rents from council or Local Authority	32	0.453708	7053
E05013997	Farnborough & Crofton	4	Social rented: Other social rented	548	7.769743	7053
E05013997	Farnborough & Crofton	5	Private rented: Private landlord or letting agency	544	7.71303	7053
E05013997	Farnborough & Crofton	6	Private rented: Other private rented	91	1.290231	7053
E05013997	Farnborough & Crofton	7	Lives rent free	0	0	7053
			total	7053		
E05013998	Hayes & Coney Hall	-8	Does not apply	0	0	5918
E05013998	Hayes & Coney Hall	0	Owned: Owns outright	2646	44.71105	5918
E05013998	Hayes & Coney Hall	1	Owned: Owns with a mortgage or loan	2518	42.54816	5918
E05013998	Hayes & Coney Hall	2	Shared ownership: Shared ownership	23	0.388645	5918
E05013998	Hayes & Coney Hall	3	Social rented: Rents from council or Local Authority	14	0.236588	5918
E05013998	Hayes & Coney Hall	4	Social rented: Other social rented	206	3.480906	5918
E05013998	Hayes & Coney Hall	5	Private rented: Private landlord or letting agency	439	7.418047	5918
E05013998	Hayes & Coney Hall	6	Private rented: Other private rented	69	1.165934	5918
E05013998	Hayes & Coney Hall	7	Lives rent free	3	0.050693	5918
			total	5918		
E05013999	Kelsey & Eden Park	-8	Does not apply	0	0	5994
E05013999	Kelsey & Eden Park	0	Owned: Owns outright	2307	38.48849	5994
E05013999	Kelsey & Eden Park	1	Owned: Owns with a mortgage or loan	2342	39.07241	5994
E05013999	Kelsey & Eden Park	2	Shared ownership: Shared ownership	34	0.567234	5994
E05013999	Kelsey & Eden Park	3	Social rented: Rents from council or Local Authority	40	0.667334	5994
E05013999	Kelsey & Eden Park	4	Social rented: Other social rented	500	8.341675	5994

E05013999	Kelsey & Eden Park	5 Private rented: Private landlord or letting agency	668	11.14448	5994
E05013999	Kelsey & Eden Park	6 Private rented: Other private rented	103	1.718385	5994
E05013999	Kelsey & Eden Park	7 Lives rent free	0	0	5994
		5994			
E05014000	Mottingham	-8 Does not apply	0	0	4633
E05014000	Mottingham	0 Owned: Owns outright	1050	22.6635	4633
E05014000	Mottingham	1 Owned: Owns with a mortgage or loan	1485	32.05267	4633
E05014000	Mottingham	2 Shared ownership: Shared ownership	47	1.014461	4633
E05014000	Mottingham	3 Social rented: Rents from council or Local Authority	179	3.863587	4633
E05014000	Mottingham	4 Social rented: Other social rented	1109	23.93687	4633
E05014000	Mottingham	5 Private rented: Private landlord or letting agency	658	14.20246	4633
E05014000	Mottingham	6 Private rented: Other private rented	101	2.180013	4633
E05014000	Mottingham	7 Lives rent free	4	0.086337	4633
		total	4633		
E05014001	Orpington	-8 Does not apply	0	0	4729
E05014001	Orpington	0 Owned: Owns outright	1870	39.54324	4729
E05014001	Orpington	1 Owned: Owns with a mortgage or loan	1509	31.90949	4729
E05014001	Orpington	2 Shared ownership: Shared ownership	38	0.803553	4729
E05014001	Orpington	3 Social rented: Rents from council or Local Authority	103	2.17805	4729
E05014001	Orpington	4 Social rented: Other social rented	647	13.68154	4729
E05014001	Orpington	5 Private rented: Private landlord or letting agency	492	10.40389	4729
E05014001	Orpington	6 Private rented: Other private rented	65	1.374498	4729
E05014001	Orpington	7 Lives rent free	5	0.105731	4729
		total	4729		
E05014002	Penge & Cator	-8 Does not apply	0	0	8405
E05014002	Penge & Cator	0 Owned: Owns outright	1447	17.21594	8405
E05014002	Penge & Cator	1 Owned: Owns with a mortgage or loan	2461	29.28019	8405
E05014002	Penge & Cator	2 Shared ownership: Shared ownership	105	1.249256	8405
E05014002	Penge & Cator	3 Social rented: Rents from council or Local Authority	322	3.831053	8405
E05014002	Penge & Cator	4 Social rented: Other social rented	2053	24.42594	8405
E05014002	Penge & Cator	5 Private rented: Private landlord or letting agency	1867	22.21297	8405
E05014002	Penge & Cator	6 Private rented: Other private rented	145	1.725164	8405
E05014002	Penge & Cator	7 Lives rent free	5	0.059488	8405
		total	8405		
E05014003	Petts Wood & Knoll	-8 Does not apply	0	0	6910
E05014003	Petts Wood & Knoll	0 Owned: Owns outright	3078	44.54414	6910
E05014003	Petts Wood & Knoll	1 Owned: Owns with a mortgage or loan	2711	38.233	6910
E05014003	Petts Wood & Knoll	2 Shared ownership: Shared ownership	25	0.361795	6910
E05014003	Petts Wood & Knoll	3 Social rented: Rents from council or Local Authority	31	0.448625	6910
E05014003	Petts Wood & Knoll	4 Social rented: Other social rented	229	3.314038	6910
E05014003	Petts Wood & Knoll	5 Private rented: Private landlord or letting agency	746	10.79595	6910
E05014003	Petts Wood & Knoll	6 Private rented: Other private rented	89	1.287988	6910
E05014003	Petts Wood & Knoll	7 Lives rent free	1	0.014472	6910
		total	6910		
E05014004	Plaistow	-8 Does not apply	0	0	5494
E05014004	Plaistow	0 Owned: Owns outright	1579	28.74044	5494
E05014004	Plaistow	1 Owned: Owns with a mortgage or loan	1990	36.22133	5494
E05014004	Plaistow	2 Shared ownership: Shared ownership	37	0.673462	5494
E05014004	Plaistow	3 Social rented: Rents from council or Local Authority	80	1.456134	5494
E05014004	Plaistow	4 Social rented: Other social rented	803	14.61594	5494
E05014004	Plaistow	5 Private rented: Private landlord or letting agency	913	16.61813	5494
E05014004	Plaistow	6 Private rented: Other private rented	90	1.638151	5494
E05014004	Plaistow	7 Lives rent free	2	0.036403	5494
		total	5494		
E05014005	Shortlands & Park Langley	-8 Does not apply	0	0	6703
E05014005	Shortlands & Park Langley	0 Owned: Owns outright	2347	35.01417	6703
E05014005	Shortlands & Park Langley	1 Owned: Owns with a mortgage or loan	2435	36.32702	6703
E05014005	Shortlands & Park Langley	2 Shared ownership: Shared ownership	26	0.387866	6703
E05014005	Shortlands & Park Langley	3 Social rented: Rents from council or Local Authority	47	0.701179	6703
E05014005	Shortlands & Park Langley	4 Social rented: Other social rented	367	5.47516	6703
E05014005	Shortlands & Park Langley	5 Private rented: Private landlord or letting agency	1368	20.40877	6703
E05014005	Shortlands & Park Langley	6 Private rented: Other private rented	109	1.626138	6703
E05014005	Shortlands & Park Langley	7 Lives rent free	4	0.059675	6703
		total	6703		
E05014006	St Mary Cray	-8 Does not apply	0	0	7614
E05014006	St Mary Cray	0 Owned: Owns outright	2421	31.79869	7614
E05014006	St Mary Cray	1 Owned: Owns with a mortgage or loan	2450	32.3089	7614
E05014006	St Mary Cray	2 Shared ownership: Shared ownership	121	1.589178	7614
E05014006	St Mary Cray	3 Social rented: Rents from council or Local Authority	220	2.889414	7614
E05014006	St Mary Cray	4 Social rented: Other social rented	1393	18.29525	7614
E05014006	St Mary Cray	5 Private rented: Private landlord or letting agency	885	11.62333	7614
E05014006	St Mary Cray	6 Private rented: Other private rented	112	1.470975	7614
E05014006	St Mary Cray	7 Lives rent free	2	0.026267	7614
		total	7614		
E05014007	St Paul's Cray	-8 Does not apply	0	0	6814
E05014007	St Paul's Cray	0 Owned: Owns outright	1579	23.17288	6814
E05014007	St Paul's Cray	1 Owned: Owns with a mortgage or loan	2089	30.65747	6814
E05014007	St Paul's Cray	2 Shared ownership: Shared ownership	84	1.232756	6814
E05014007	St Paul's Cray	3 Social rented: Rents from council or Local Authority	355	5.209862	6814
E05014007	St Paul's Cray	4 Social rented: Other social rented	1889	27.72234	6814
E05014007	St Paul's Cray	5 Private rented: Private landlord or letting agency	724	10.62518	6814
E05014007	St Paul's Cray	6 Private rented: Other private rented	93	1.364837	6814
E05014007	St Paul's Cray	7 Lives rent free	1	0.014676	6814
		total	6814		
E05014008	West Wickham	-8 Does not apply	0	0	5709
E05014008	West Wickham	0 Owned: Owns outright	2561	44.85899	5709
E05014008	West Wickham	1 Owned: Owns with a mortgage or loan	2250	39.41146	5709
E05014008	West Wickham	2 Shared ownership: Shared ownership	23	0.402873	5709
E05014008	West Wickham	3 Social rented: Rents from council or Local Authority	17	0.297775	5709
E05014008	West Wickham	4 Social rented: Other social rented	252	4.414083	5709
E05014008	West Wickham	5 Private rented: Private landlord or letting agency	527	8.231039	5709
E05014008	West Wickham	6 Private rented: Other private rented	78	1.386264	5709
E05014008	West Wickham	7 Lives rent free	1	0.017516	5709
		total	5709		



**Council**

**27 February 2023**

**Questions from Members of the Council for Oral Reply**

**1. From Cllr Sophie Dunbar to the Portfolio Holder for Resources, Commissioning and Contract Management**

Would the Leader of the Council please confirm what reasonable adjustments have been made under the legislation in the Equality Act 2010 and under the Disability Discrimination Act 1995 by the Council since the election in May to accommodate disabled access to all meetings and facilities with specific attention to deaf and hearing impaired persons.

**Reply:**

In terms of access, all committee rooms have adequate access to facilitate disabled access and meetings are supported by attendant staff to assist in any necessary provision. A hearing loop is in place, however it was recently identified that the existing hearing loop did not accommodate the most recent hearing aid technology. To resolve this, additional portable hearing loops which accommodate the latest technology have been installed to complement the existing hearing loops infrastructure.

**Supplementary Question:**

Thank you, these units will make a huge difference to all hearing aid users. When I raised the issue nine months ago, and these units are next day delivery, why did it take so long?

**Reply:**

I am not aware of the specific response but I will follow up with officers and send you a written reply.

**Additional Supplementary Question from Cllr Alisa Igoe:**

How long will the disabled toilets be out of action? They have been out of action for a very long time.

**Reply:**

I do not have the answer available, but there have been problems for some time not just with the disabled toilets in this building, reflecting its age, and that is one of the advantages of relocating to the new site.

**Additional Supplementary Question from Cllr Keith Onslow:**

I support Cllr Dunbar's efforts to improve hearing facilities at the Council. Can you confirm that when we move premises state of the art facilities will be made

available? The current facilities in this building are clearly of some age, and it does not make much sense to spend a lot of money on them now, but it will be good to have upgraded facilities at that time.

**Reply:**

I am happy to confirm that we will do so.

**2. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection and Enforcement**

Has LBB received updates on the results of the Bromley Safer Street Survey which ended in Jan or Feb 2021.

We were advised that the local results would be shared via our SNP and the National would be shared by the Police.

**Reply:**

The Bromley Safer Streets Survey was actually a Metropolitan Police consultation on their draft Violence against Women and Girls Action Plan. The results have not been made available but have been incorporated into the final Violence against Women and Girls Action Plan.

**Supplementary Question:**

I did not quite understand the answer. We were told that the results would be circulated through our Safer Neighbourhood Panels – all the Bromley Safer Neighbourhood Panels were supposed to be getting a report that they could share with their residents and that the national one would be delivered and published online. We have not received any feedback whatsoever. This was advertised as an important piece of work around Violence against Women and Girls but it seems to have just happened and there has been no feedback or outcome. Can we ask the Safer Bromley Partnership Board if they can chase up some statistics, particularly those relevant for Bromley.

**Reply:**

I certainly can do that. This has come directly from the Police and has been followed up by officers. The information due to come through to Safer Neighbourhood Panels was about the Street Safe service where people can submit public spaces where they felt unsafe. When I last checked up on that the response was there was not a great deal of input, so there was little in the way of statistics that they could give us. We will look at it again through the Safer Bromley Partnership Board.

**3. From Cllr Tony McPartlan to the Leader of the Council**

The first some of our operational property tenants, such as a those at Community House, found out about the potential sale of their premises was by reading Council meeting agenda papers. Does the Leader of the Council think that's right and fair?

**Reply:**

Clearly not, as I have commented on previously. Information flow could and should have been better, both to keep those potentially affected better advised and also to help negate unhelpful scaremongering as to the Council's true intentions.

**Supplementary Question:**

At the last full Council meeting you said that you had received correspondence from current tenants in support of the Community House disposal and move to the Direct Line building. Why does this freedom of information reply say "The Council has not received any correspondence in support of the disposal of Community House." What is inaccurate, this freedom of information response or yourself?

**Reply:**

Me on this occasion. I have spoken with some of the lessees who think it is a good idea – that is a simple fact. There are lessees that do think that moving to Direct Line is a good idea. And I will, through the chair of the BVST, as I cannot divulge private information without the correct permissions, pass that information on to you.

**4. From Cllr Josh King to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Can the Portfolio Holder quantify how many times refuse or recycling collections have been rescheduled to a later date on the expected day of collection?

**Reply:**

The answer is 17. Just to put that into context, that accounts for just 1% of the waste we collect each year. I will take the opportunity to remind Members that changes to recycling and our waste services do happen around holiday times. Please remind your residents that Easter is coming up, and there will be slight changes to collection services.

**Supplementary Question:**

The experience of residents in Clock House is that this happens frequently. Can the Portfolio Holder comment on the residents' belief that the reason that this is happening is because the wagons do not have sufficient capacity?

**Reply:**

I have never heard of this issue before. I do not believe you have emailed me – members here can testify that if they do email me about any issues in my portfolio I do get back to them quickly. I would encourage you to email me with any issues and I will follow them up.

I am concerned to hear that – this is not what the data is telling us.

## **5. From Cllr Alisa Igoe to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Bromley's 2020 draft AQAP stated "declaration of an AQMA places a statutory duty to monitor and take action to reduce levels of pollutants." In 2020 our AQMA was expanded to cover more than half of the borough due to exceedances of Nitrogen dioxide (NO2). Why was Defra's UK Air Information Resource page not showing it until February 2023, after receiving a complaint, and where is the map?

### **Reply:**

The AQMA has been expanded in line with new WHO guidelines which are very ambitious. Bromley meets all the national air quality guidelines, including NO2 and our air quality continues to improve.

In relation to your DEFRA question, we are not sure why they have not updated Bromley's information, including the map, but I have been assured by officers that they did send the information on time before the deadline. It appears to be just an administrative error, and officers will continue to follow up with DEFRA.

### **Supplementary Question:**

Since I submitted that question, I have had another look at DEFRA's website and we seem to have the Air Quality Action Plan uploaded, but it is the March 2010 plan. Officers have obviously communicated with them, and they have put something back onto that website, but it is the 2010 plan. It does not show the AQMA of 2020 which covers Crystal Palace to Mottingham down to Cray Valley and across to Chelsfield and back up to West Wickham which is over half the borough.

Why does the AQMA map and the Air Quality Action Plan prepared in 2020 not appear on the DEFRA UK map and why are we not speaking to them about it?

### **Reply:**

As I said, officers are speaking to DEFRA about that. They had a 2007 map originally so we are getting closer, but not we are not there yet. I have been assured by officers that they are following this up. We will continue to push to get the right information published on their website.

### **Additional Supplementary Question from Cllr Simon Fawthrop:**

Is the Portfolio Holder aware that, when it comes to air quality, the World Health Organisation set targets in 2021 and we meet 50% of those targets fully. In terms of the other 50%, we are well on the way to meeting interim targets 2 and 4 for other measures, so we meet the targets for ozone and PM2.10

### **Reply:**

I was aware of some of those statistics, however I would say that we do need to be careful with this debate and some of those statistics were taken over the Covid period. We should be careful not to over-promise on our air quality. It is very good, but it is important that we use facts in this debate.

## **6. From Cllr Kevin Kennedy-Brooks to the Portfolio Holder for Children, Education and Families**

Would the Portfolio Holder accept that the few Teaching Assistants paid by Bromley would gain more job satisfaction and be more likely to stay in their position if they received the same financial benefits as those working for our Academy Trusts?

### **Reply:**

The Teaching Assistants and Higher Level Teaching Assistants employed by Bromley Council provide a key role in our work to support children across the Borough. The Council publishes job adverts for schools across the Borough and therefore has evidence that the Bromley rate of pay is competitive and often higher than the starting pay from recent academy advertisements. 25% of academies still follow the Bromley pay awards.

The Teaching Assistants employed by Bromley will receive the imminent 7.75% pay rise, subject to the agreement of full Council this evening, and also benefit from inclusion in the Council's merited rewards scheme. The turnover of Teaching Assistants remains low, at less than 15%.

### **Supplementary Question:**

Bromley still has some Teaching Assistants especially in the SEN area, and this is an extremely important role in protecting our children and shaping their future. There is about to be a rise; you have said in your answer that there are some paid less and some paid more. If, in an individual situation, somebody was being paid lower, would you agree to match-fund at an average or higher than average pay for those staff?

### **Reply:**

If you can send me examples of when that has happened I can forward that to the Director of Education and he can look into it.

## **7. From Cllr Jeremy Adams to the Portfolio Holder for Resources, Commissioning and Contract Management (answered by the Chairman of the Audit and Risk Management Committee)**

In July 2020, auditors EY warned the Council of, 'significant additional time incurred to complete our work, leading to additional fees'. How much did EY bill Bromley Council in additional fees for 2019-20, and how much has EY billed Bromley Council for audits in subsequent years?

### **Reply:**

Cllr Marlow referred the question to the Chairman of the audit and Risk Management Committee, Cllr Michael Tickner.

In relation to 2019-20, the audit remains incomplete owing to issues concerning asset valuations. The Council has therefore not been notified as to the amount of any additional fees. EY, the external auditor, has stated that a final fee for that

period will be determined shortly. Consequently, confirmed final audit fees for subsequent years are not yet available.

**Supplementary Question:**

Referring to page 31, setting out that we have five vacancies in the Finance Department, two of them for more than six months, how confident is the Chairman that we will avoid additional fees in the future?

**Reply:**

The number of staff in Internal audit has nothing to do with the work of the external auditor. Their work seems to be increasing – the accounts for 2019/20 are expected to be signed off by April this year, but CIPFA, the Chartered Institute of Public Finance and Accountancy, do seem to be issuing more and more guidance and this is just creating more work for accountants. It is not all about headcounts – when it comes to staff it is also about productivity and outcomes, and whether we are getting what we want from the number of staff.

**Additional Supplementary Question from Cllr Simon Jeal:**

Regarding the link between internal staff and external, does he recall the letter that we were sent by our external auditors referring to the lack of resource in the Finance Team and the delays that there had been in responding to their queries, and does he agree that this lack of resource contributed to the additional time taken for them to sign off the accounts?

**Reply:**

There has been a turnover of staff, particularly in the section that deals with the external auditors, but as I was trying to explain the external auditors are asking more questions, with more detail, for instance wanting a valuation of all the roads that the borough owns, based on how often they need to be repaired. Does it matter? Are the road assets worth nothing or are they worth what it would cost to renew them? Is it worth the staff spending all this time making an evaluation of our public roads which wear out at different rates? All these issues will be discussed at the next Audit and Risk management Committee and I invite any Members interested to come along and hear more detail.

Councillor Marlow reminded members that in a similar question asked some months ago about the number of staff supporting audit the answer he had given was that the number of staff had doubled. Within the last five years – the Director of Finance could correct that if necessary. Before considering any further increase in staff we need to look at productivity and the regulatory environment that we find ourselves in, rather than the default reaction being to hire more staff, albeit we are aware that many local authorities, particularly in inner London, follow that policy.

**Additional Supplementary Question from Cllr Tony Owen:**

Give that valuing buildings is a matter of opinion, and we only know their true value when they are sold, does the Chairman think that EY are just making work for themselves which comes to different valuations from the previous auditor, and if

there is a disagreement and PWC were wrong and EY are right, should any additional fees be billed to the previous auditor?

**Reply:**

I know that EY are speaking to the previous external auditor and I do hope that they are sharing information and saving costs to Bromley taxpayers. This is what we are pressing for and to a certain extent our hands are tied because the external auditors are appointed for us through the scheme that we are in and we have to accept what they say. The amount of work is driven by CIPFA who are thinking up all sorts of new guidance every year.

**8. From Cllr Chris Price to the Portfolio Holder for Resources, Commissioning and Contract Management**

Please can you inform the chamber;

- a) In the current round, how many residents have applied for the household support fund?
- b) Of these, how many were successful?
- c) How many were not?
- d) What is the total spend to date?
- e) How much is still available for residents?
- f) If it is not all spent by the end of March 2023, how much are we expecting to return to the government?

**Reply:**

- (a) 1949. In addition 9,200 school children have received 4x £15.00 food vouchers for the school holidays in the period October 2022 to February 2023
- (b) 743
- (c) 124
- (d) £700,600
- (e) £893,800
- (f) We expect to spend all the funds.

**Supplementary Question:**

These numbers are very low for the number of people coming through, and the money still outstanding is higher than the money we have already spent. We have until the end of this coming month to spend it. Our promotion on this has been irregular, to say the least. The "How to apply" button on the website keeps coming on and going off. Cllr Igoe has been amazing trying to make sure that we get that back on – it was still off over this weekend. This is money that the Conservative Government has given Bromley to give to people who are disadvantaged. I am really concerned that we are going to be handing money back - how are you going to assure me that all of this money is spent and goes to people in need?

**Reply:**

Applications not awarded as yet consist of 478 new cases under investigation and within the 15 working day time limit, 552 cases await further information or clarification from the applicant to enable them to proceed and there are 52 duplicate

applications. The scheme has been publicised through the Bromley website, on social media through our partner organisations and via internal teams. We continue to raise awareness of the scheme. Thank you for raising the issue of the website – I will take that up with Mr Bridgewater.

**Additional Supplementary Question from Cllr Alisa Igoe:**

Will the Portfolio Holder tell me if he has been involved with the Communication Plan for the Household Support Fund? I have been fairly loud emailing when I have noticed that the links are not working and I would like to know if the Portfolio Holder was involved in the Communications Plan.

**Reply:**

I can confirm that I have discussed it with officers but we have generally followed a similar approach for all of these awards introduced since the start of the pandemic.

**9. From Cllr Simon Jeal to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Over the past two years how many incidents of fly-tipping have been reported, either directly or through Fix My Street, around the area outside the parade of shops in Newlands Park outside Penge East Station?

**Reply:**

Between January 2021 and January 2023 there have been 41 reports of dumped rubbish on Newlands Park Road by Penge East Station. Of the 41, 40 were received via Fix My Street.

**Supplementary Question:**

Given the continued and consistent fly-tipping over the past few years can you tell me how many fines have been issued or how many prosecutions have begun in relation to the fly-tipping at that location in the last two years?

**Reply:**

I can confirm that there have been none. This question was the first time I was aware of this issue, I have asked officers to follow up; their sense was that it is the nature of the rubbish and it is hard to find out where it has come from. Officers have agreed to look at this area and see what more can be done to track down the criminals, but I do not want to give away too much about this in public.

**10. From Cllr Kathy Bance MBE to the Portfolio Holder for Public Protection and Enforcement**

A Metropolitan Police gang task group was set up to hopefully route out the known gangs in Bromley. At the time all 4 gangs were believed to be located in Penge. Serious crime and murders are still happening in Bromley so can the police be requested to present the outcomes affecting Bromley borough at a PP&E PDS?



**Reply:**

Yes, this will be built into the annual crime needs assessment review of crime performance within the borough which is reported to the Safer Bromley Partnership and scrutinised by Public Protection and Enforcement PDS Committee.

**Supplementary Question:**

Was that the Metropolitan Gang Task Force? We do need to hear regularly because, going back probably six years, we have had five murders in Penge, three are still unsolved and if you look at the statistics these incidents of knife crime and stabbings have spread from Penge into the rest of Bromley, which I warned at the time if we did not do something about tackling them when we knew where they were. Can we keep these reports coming in because we should not have a Gang Task Group that never reports back.

**Reply:**

Absolutely. There are quarterly reports but they are not very detailed, so that can be one of the things we push for.

**Additional Supplementary Question from Cllr Simon Fawthrop:**

Can the Portfolio Holder remind me who has overall responsibility for policing in London?

**11. From Cllr Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing**

Some housing associations are starting to compile damp and mould registers for all their properties as a way of ensuring their tenants live in safe conditions. Will the Council commit to work alongside Pinnacle and do something similar for the properties they manage on our behalf?

**Reply:**

Yes, this is already being undertaken by Pinnacle and also by Mears for More Homes Bromley to identify any issues and an action plan to resolve them as soon as identified.

**Supplementary Question:**

Is this something that we can get reported to Renewal, Recreation and Housing PDS Committee so that we can monitor progress?

**Reply:**

We review these reports via the Operational Board meetings that we have with Pinnacle and Mears so if there are some trends coming out of that there is no reason why that cannot be reported to PDS.

## **12. From Cllr Josh King to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Does the Portfolio Holder think it acceptable that on a recent clean-up of a street in Clock House residents were able to collect more than 20 bags of litter and composted leaves etc?

### **Reply:**

The Council has collected over 2,000 tonnes of leafing this season and continues to collect from hard-to-reach areas where there are parked cars or where further leaf fall has accumulated.

Likewise, our street cleansing teams deal with over 1,500 enquiries per month as well as attending to scheduled work to ensure litter is removed from the public highway.

I want to put on record my thanks to the volunteers in Clock House. Our Friends groups are key stakeholders in helping us to keep Bromley beautiful, and I would encourage all residents to get involved in one of our Friends groups, whether that is Tree Friends, Street Friends or Park Friends.

### **Supplementary Question:**

Will you investigate scheduled cleaning of gutters and gulleys including requesting access and the moving of parked cars. Do you understand that without this residents will not think they are getting value for money?

### **Reply:**

All streets across Bromley are monitored but if there is a specific issue please email me or report it to a senior officer.

## **13. From Cllr Chris Price to the Portfolio Holder for Portfolio Holder for Sustainability, Green Services and Open Spaces**

Will the Council commit to building a high quality perimeter fence around Hoblingwell in the coming financial year?

### **Reply:**

The anti-social behaviour at Hoblingwell is very sad. I know that you are aware that I have met with the Friends Group a number of times. I know that the community and the Friends group are super dedicated to the park and I want to do what I can as Portfolio Holder to keep the environment as it is and to stop motorbikes from entering the field. But this must be a joint partnership between the Council and Police – this is really crucial. I have asked officers to look at options that are cost effective while not spoiling the natural beauty of the park. Options continue to be explored but funding and fiscal prudence must be considered when exploring new infrastructure projects.

**Supplementary Question:**

Is that yes, we are going to get a perimeter fence around the park?

**Reply:**

I do not know yet. We are looking at options but I have to weigh up the issue of protecting the park from motorbikes with the issue of Council finances - that has to be an issue for all of us here and the taxpayers of Bromley.

**Additional Supplementary Question from Cllr Simon Jeal:**

I believe that around £500,000 was found for fixing a bridge in Kelsey Park from the Healthy Bromley Fund – does the Portfolio Holder consider that this fund might be somewhere where the funds to provide fencing for Hoblingwell could also be found from?

**Reply:**

This is a new infrastructure project while that was an old bridge – 50+ years old – so that is the difference. Every time this Council makes a decision to put new infrastructure projects in we have to think about the maintenance and maintaining that new infrastructure. These are decisions that do require additional thinking and ensuring that this is the best use of taxpayer money

**Additional Supplementary Question from Cllr Alisa Igoe :**

We got all that money for Hoblingwell – it is an amazing facility there for the community, for children, for cycling. It seems ridiculous not to put a fence around it considering that the bollards get knocked down regularly.

**Reply:**

It is a different field to the tracks on the upper field – what we are talking about now is the lower field.

**14. From Cllr Simon Jeal to the Portfolio Holder for Renewal, Recreation and Housing**

The Council-owned Churchill Theatre is one of the South East's leading live entertainment venues, welcoming over 200,000 people a year and providing a huge benefit to arts and culture in the Borough - over the past decade how much has the Council spent on maintaining the theatre building and how much do officers estimate the works needed to bring the theatre back to an acceptable condition will cost?

**Reply:**

The Council does not hold historic specific repair costs relating to the theatre as the maintenance previously formed part of the overall block contract with Amey. The Churchill Theatre, as has previously been reported, is contained within the operational property review. Work is underway to complete a full feasibility and options appraisal and a report will be provided to members in due course. This work is being undertaken in full liaison with the Theatre.

**Supplementary Question:**

I note that the costs of maintaining the Churchill are not covered in the Operational Property Review and there is reference to a future report. Can you assure me that the Council will do everything in its power to ensure the continued viability and operation of the theatre which many members will agree is the jewel in the crown of Bromley's arts and cultural scene.

**Reply:**

We are working with the theatre to try to work out a sustainable future for it.

**Additional Supplementary Question from Cllr Sam Webber:**

Cllr Ireland and I have also met with the Team at Trafalgar. We welcome the ongoing discussions they are having with the Council. We have specific concerns about how run-down the building has become both internally with regard to plumbing and waste water and the mosaic tiling issues on the outside. We would welcome those discussions and the theatre being fully refurbished. If we could be kept involved as appropriate that would be welcome.

**Council**

**27 February 2023**

**Questions from Members of the Council for Written Reply**

**1. From Cllr Tony McPartlan to the Leader of the Council**

The Leader of the Council previously stated that all tenants at Community House could move to our new headquarters at no additional cost. Community House provides service users with a quiet welcoming space and is also home to the South Street Cafe run by the fantastic CASPA charity. How will the Council replicate this at our new, busy HQ?

**Reply:**

The BVST has thus far declined to consider the option of moving to the Direct Line building so no detailed plans to do so have been developed in this regard, as things currently stand.

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

Can you please publish a list of all Assets of Community Value (ACVs) across Bromley with their expiry dates and the holder of the ACV?

**Reply:**

This information is already published on the Council's website and can be accessed via the following link:

[Assets of community value – London Borough of Bromley](#)

**3. From Cllr Alisa Igoe to the Chairman of General Purposes and Licensing Committee**

Public questions and Members' questions (and responses) at Scrutiny committees are added to the committee webpage within appendices, which at times sit at the very bottom of that committee's webpage, where they can be missed. Could we please follow other Councils excellent example, such as Merton, and attach these questions and answers within the Minutes via a hyperlink?

**Reply:**

We have not received any complaints about questions not being visible, but I have asked the Democratic Services Team to look at how questions and replies are presented.

#### **4. From Cllr Simon Jeal to the Portfolio Holder for Renewal, Recreation and Housing**

Could you please provide figures for how many adults and children have presented to the Council as homeless in the past 12 months, and of these:

- A. How many did so having been evicted under a 'section 21' notice?
- B. How many were currently in arrears in respect of energy bills, rent or council tax?
- C. How many had received support from the Council's hardship fund before becoming homeless?
- D. How many were care leavers previously supported by the London Borough of Bromley?

**Reply:**

- (A) Of the 1669 homeless assessment, 102 were owed a homelessness duty due to eviction under a section 21 notice.
- (B) Of the above 115 provided rent arrears as the main reason for homelessness. 73 were in council tax arrears. We would not hold data on whether a household was in arrears in respect of energy payments.
- (C) Of the above 6 had received hardship payments, 4 received council tax hardship reward and 53 were in receipt of council tax support.
- (D) Of the 1669, 17 were care leavers

## Minute 68 2023/24 Council Tax: Labour Proposals APPENDIX 1

Item	2023/24 (£000)	2024/25 (£000)	2025/26 (£000)	2026/27 (£000)	Total Cost (£000)	One-off or Recurring	Funding Source	Narrative
Cancel ULEZ challenge	140				140	One-off	Resources Saving	Saving in legal costs
Savings in fly tipping	200	200	200	200	800	Recurring	Environmental initiatives	Providing skips reduces fly tipping and improves service for residents
Reduction in maintenance costs for Direct Line building	250	250	250	250	1,000	Recurring	Maintenance Saving	Reduction in maintenance costs - 50% partially offset by reduction in rental income
Net income from Community House	100	100	100	100	400	Recurring	Property Income	income from lettings net of maintenance
Net income from Chipperfield Road	25	25	25	25	100	Recurring	Property Income	income from leasehold
Net income from Beckenham Halls	10	40	70	80	200	Recurring	Property Income	income from lettings net of maintenance
Cancel increase to Councillors allowances	35	35	35	35	141	Recurring	Reduced member allowances	reduced increase in allowances
Digital Advertising Boards		98	98	98	294	Recurring	Miscellaneous Income	Assumed installation of 10 more advertising boards from next year
Generated from spend to save				1,000	1,000	One-off	Invest to Save	cost savings £1mpa going forward
Unallocated earmarked reserves	400	400	200		1,000	One-off	Miscellaneous earmarked reserves	Release miscellaneous reserves
<b>Total (£000)</b>	<b>1,165</b>	<b>1,148</b>	<b>978</b>	<b>1,788</b>	<b>5,075</b>			

APPENDIX 2

Item	2023/24 (£000)	2024/25 (£000)	2025/26 (£000)	2026/27 (£000)	Total Cost (£000)	One-off or Recurring	Narrative
Council Tax Support restore to 75%	366	366	366	366	1,464	Recurring	Restore to 25% contribution (30% budgeted)
Care leaver 100% council tax support	101	101	101	101	404	Recurring	Assumes all claim for band D
Reduce 7% rent increase	38	56	56	56	206	Recurring	Propose no increase (7% budgeted)
Cost of living grant to charities	400	400	200	0	1,000	Recurring	Core funding grants to assist charities responding to cost-of-living crisis
Ending Food insecurity post	60	60	60	60	240	Recurring	Council post to coordinate public, private and voluntary sector to provide support and leadership in ending food insecurity in Bromley
Community bulk waste collection	200	200	200	200	800	Recurring	Provision of skips at selected locations
Clean air monitors	120	120	120	120	480	Recurring	Installing 10 air monitors assuming cost of £11.6k each p.a. - assume 10
School Streets Funding	50	50	50	50	200	Recurring	Funding the cost for manning 10 school streets (assuming 2 hours per day, £11.95 london living wage)
Care home Options review	80				80	One-off	One off funding for review into options for reducing residential care costs, working with NHS/ICB to identify medium- and long-term options
Churchill Theatre Creative Workshops for looked after young people	40	40	40	40	160	Recurring	Continue grant funding to Churchill Theatre to deliver creative learning workshops to looked after young people
Pay award	0	0	0	0	0	Recurring	Reducing merit pay from 400k to 220k - rising in line with inflation. Then allocate the remaining 180k as a payment to the lowest paid staff (below median)
Bromley Community Celebration Fund	5	5	5	5	20	Recurring	Setting up a fund, to which councillors, residents and businesses can contribute, to provide funds for community groups to run events celebrating holidays, festivals or other events to celebrate communities living in the Borough, e.g. Remembrance Sunday, Black History Month, Pride month, Chanukah, Chinese New Year etc.
<b>Total (£000)</b>	<b>1,460</b>	<b>1,398</b>	<b>1,198</b>	<b>998</b>	<b>5,054</b>		



**(A)**

**Council**

**24 April 2023**

**Questions from Members of the Public for Oral Reply**

**1. From Kyle Sewell to the Portfolio Holder for Transport, Highways and Road Safety**

In the past 12 months, the Homesdale Road/Page Heath Lane roundabout (B265) has seen several collisions and a very high number of near misses, especially during rush hours. What plans does the Council have to prevent a likely serious collision on this roundabout?

**2. From Ju Owens to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

How much has Bromley Council spent on removing fly tipping and investigating incidents of fly tipping in the most recent financial year (that figures are available for)?

**3. From Ju Owens to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Has the Council considered providing a set number of free bulky waste collections per year, and if so what would the cost of this likely be?

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**(B)**

**Council**

**24 April 2023**

**Questions from Members of the Public for Written Reply**

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

How many homeless households did the Council in 2022/23 provide with temporary accommodation and at what expense , how many council houses were built in 2022/23 and what savings towards the cost of temporary accommodation does each council house represent?

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

How many council houses did the Council build in 2022/3, how many will be built this year and on what sites, has the Council identified sufficient land and money to meet its target of 1000 properties by 2026?

**3. From Susan Sulis to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Surface water flooding is an increasingly serious threat to the Greater London area. It threatens the homes, infrastructure, livelihoods, businesses and well-being of Bromley residents living in vulnerable areas.

When will the Council publish its Surface Water Management Plan (2011), and an updated version? Don't Bromley citizens have a right to know?

**4. From Susan Sulis to the Portfolio Holder for Green Services, Sustainability and Open Spaces**

Why are there no Key Performance Indicators for Flood Management included in the Environment and Community Services Portfolio Plans, and how can Members and the public judge how progress is measured?

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(C)

**Council**

**24 April 2023**

**Questions from Members of the Council for Oral Reply**

**1. From Councillor Chris Price to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Will the Council commit to building a high quality perimeter fence around Hoblingwell in this financial year?

**2. From Councillor Alisa Igoe to the Portfolio Holder for Transport, Highways and Road Safety**

Lady Tanni Grey-Thompson has tweeted “This is why I can’t change to an electric car” with photographs of inaccessible electric vehicle chargers on raised kerbs/pavements. Could the Portfolio Holder please confirm to me that all EV chargers installed and due to be installed in Bromley, including in car parks, are compliant with BSI PAS 1899:2022 accessible charging?

**3. From Councillor Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing**

The draft Tenancy Strategy and Tenancy Management Policies will soon go for an eight week public consultation. These policies will have an immediate and major impact on our existing tenants. What plans are there to involve them in this consultation?

**4. From Councillor Jeremy Adams to the Portfolio Holder for Sustainability, Green Services and Open Spaces**

Last April, this chamber voted to ‘commit to a target of net zero emissions for all other Council activities (Scope 3) by 2030.’ Yet the Council’s CEO said last month at ERC PDS he has no mandate to expand net zero to contracted-out activities. When will this start?

Below is the link to the page that includes the relevant motion:

<https://cde.bromley.gov.uk/ieListDocuments.aspx?CId=115&MId=7106>

**5. From Councillor Kathy Bance MBE to the Portfolio Holder for Renewal, Recreation and Housing**

Waterman's Square is part of the Heritage in Penge. Can the Portfolio Holder confirm that LBB is responsible for the historic aspects of Waterman's Square? If she is, is she also aware that Waterman's Square is slowly falling into disrepair?

**6. From Councillor Kevin Kennedy-Brooks to the Portfolio Holder for Adult Care and Health**

The Centre for Mental Health has reported in order to halt the increase in people experiencing poor mental health councils must do more in the areas of living standards, personal safety, wellbeing and care. Can the portfolio holder detail how these are being fulfilled.

**7. From Councillor Simon Jeal to the Leader of the Council**

What plans does London Borough of Bromley have to mark Pride month this June?

**8. From Councillor Ruth McGregor to the Portfolio Holder for Public Protection and Enforcement**

April 24-28 is National Stalking Awareness Week. What is Bromley Council doing to promote safety for all residents, but particularly VAWG?

**9. From Councillor Alisa Igoe to the Portfolio Holder for Transport, Highways and Road Safety**

Reports ES19066 and ES20177. The Secretary of State for Levelling Up has warned councils not to discriminate against older people and the digitally excluded by removing the possibility to pay for parking by cash or scratch card. In consideration of them and any effect on footfall at retail businesses/services, could you please confirm if Bromley Age Concern and the four BIDs were consulted before both these reports came to committee?

**10. From Councillor Simon Jeal to the Portfolio Holder for Public Protection and Enforcement**

Could the Portfolio Holder please summarise actions undertaken within her portfolio in the past year to address and prevent hate crime within the borough, against the national picture of a significant rise in recorded hate crimes.

**(D)**

**Council**

**24 April 2023**

**Questions from Members of the Council for Written Reply**

**1. From Cllr Alison Stammers to the Portfolio Holder for Transport, Highways and Road Safety**

Our Borough roads are beset with numerous deep potholes. Traffic going over them causes stone and chippings to be repeatedly thrown up on to the road surface and adjacent pavements causing a slip/trip/injury hazard to pedestrians and potential damage to vehicle paintwork and windscreens. In Albany Road, I understand such debris recently contributed to a resident breaking an ankle some two weeks after the debris being reported. The debris is not routinely removed from the road or pavements during the lifetime of the pothole, nor when it is filled in. It seems to be missed under the street cleaning regime. Can the Portfolio Holder assure us that more will be done routinely to clear our roads and pavements of this debris as well as to expedite the filling in of the countless potholes?

**2. From Councillor Mark Smith to the Chairman of Development Control Committee**

Could you please confirm how often the four respective Plans Sub-Committees have met in this municipal year?"

**3. From Councillor Mark Smith to the Portfolio Holder for Transport, Highways and Road Safety**

Recent press reports have confirmed that the Levelling Up Secretary (Michael Gove) has written to all local authorities in England expressing concern about elderly and vulnerable people being excluded if pay-and-display parking machines are scrapped.

In the light of this, could he confirm what steps are being taken to ensure that, in the Cabinet Minister's own words, "there are alternative provisions for parking payments available so that no part of society is digitally excluded" and that high street parking is not "solely available for those who have access to a mobile phone"?

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Report No.  
CSD23052

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** Monday 24 April 2023

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

**Title:** BUDGET MONITORING 2022/23

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

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 29<sup>th</sup> March 2023, the Executive considered the attached report on the Council's 2022/23 budget. The report was also scrutinised by the Executive, Resources and Contracts PDS Committee at the meeting on 22 March 2023. The Executive approved the recommendations in the report, including a recommendation that Council should approve the release of £2m from the Integrated Health and Care programme joint reserve, which supports work on the integration of health and social care. This reserve is held under a Section 75 agreement with the NHS through the South East London Integrated Care Board (ICB). The drawdown will support the continued funding of the local Bromley delivery team and further areas of joint work including work on children's placements and establishment of children's hubs in the community. Further details are set out in paragraph 3.10 of the attached report.
- 

2. **RECOMMENDATION**

**Council is requested to agree to the release of £2m from the Health reserve for the ICB as detailed in paragraph 3.10 of the attached report.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable

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Transformation Policy

1. Policy Status: Existing Policy
2. Making Bromley Even Better Priority:  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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Financial

1. Cost of proposal: Not Applicable
2. Ongoing costs: Recurring Cost
3. Budget head/performance centre: Council wide
4. Total current budget for this head: £231.146m
5. Source of funding: See Appendix 1 to the attached report

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Personnel

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

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Legal

1. Legal Requirement: Statutory Requirement - See attached report
2. Call-in: Not Applicable: Council decisions are not subject to call-in

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Procurement

1. Summary of Procurement Implications: Not Applicable

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Property

1. Summary of Property Implications: Not Applicable

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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable

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Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable

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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable

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Customer Impact

1. Estimated number of users or customers (*current and projected*): Not Applicable

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Ward Councillor Views

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

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/policy/financial/Personnel/legal/procurement/property/carbon/local economy/health and wellbeing/ward councillors
Background Documents: (Access via Contact Officer)	See attached report

**Decision Maker:** EXECUTIVE

**Date:** Thursday 29 March 2023

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

**Title:** BUDGET MONITORING 2022/23

**Contact Officer:** David Bradshaw, Head of Finance  
Tel: 020 8313 4807 E-mail: david.bradshaw@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** Borough Wide

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1. Reason for report

- 1.1 This report provides the first budget monitoring position for 2022/23 based on expenditure and activity levels up to the end of December 2022. The report also highlights any significant variations which will impact on future years as well as any early warnings that could impact on the final year end position.
- 

2. **RECOMMENDATION(S)**

2.1 **Executive are requested to:**

- (a) consider the latest financial position;
- (b) note that a projected net overspend on services of £9,683k is forecast based on information as at December 2022.
- (c) consider the comments from Chief Officers detailed in Appendix 2;
- (d) note a projected increase to the General Fund balance of £65k as detailed in section 3.3;
- (e) note the full year cost pressures of £13.069m as detailed in section 3.4;
- (f) agree to the release of funding from the 2022/23 central contingency as detailed in paragraphs 3.2.2 to 3.2.5;
- (g) agree to the release of £500k from the CEF Health Reserve Fund for expenditure in the CEF department as detailed in para. 3.8;

- (h) agree to set aside £400k for Homes for Ukraine staffing costs for 2023/24 as detailed in para. 3.9;**
- (i) agree to the release of £2m from the Health reserve for the ICB as detailed in para. 3.10;**
- (j) agree to set aside a one off sum of £630k as an earmarked reserve for EHCP's/High Needs costs for 2023/24 and 2024/25 to be met from the 2022/23 central contingency as detailed in para. 3.11;**
- (k) agree to set aside £635k as an earmarked reserve for Legal costs as detailed in para. 3.12 and in Part Two (Appendix 7) of the report;**
- (l) Executive to agree that any unspent Homes for Ukraine funding be set aside as an earmarked reserve to meet ongoing spend commitments, where funding is not available, relating to Homes for Ukraine as detailed in para. 3.13**
- (m) identify any issues that should be referred to individual Portfolio Holders for further action.**

**2.2 Council are requested to:**

- (n) agree to the release of £2m from the Health reserve for the ICB as detailed in para. 3.10.**

### Impact on Vulnerable Adults and Children

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

### Corporate Policy

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

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Recurring Cost
  3. Budget head/performance centre: Council wide
  4. Total current budget for this head: £231.146m
  5. Source of funding: See Appendix 1 for overall funding of Council's budget
- 

### Personnel

1. Number of staff (current and additional): 2,181 fte posts (per 2022/23 Budget) which includes 483 for budgets delegated to schools
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972, the Local Government Finance Act 1998, the Local Government Act 2000, the Local Government Act 2002 and the Accounts and Audit Regulations 2015.
  2. Call-in: Applicable
- 

### Procurement

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2022/23 budget reflects the financial impact of the Council's strategies and service plans which impact on all of the Council's customers (including council tax payers) and users of our services.
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### Ward Councillor Views

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

### 3. COMMENTARY

#### 3.1 Summary of Projected Variations

3.1.1 The Resources Portfolio Plan included a target that each service department will spend within its own budget. Current projections show an overall net overspend of £9,683k within portfolio budgets and a £10,253k credit variation on investment income, central items and prior year adjustments.

3.1.2 A summary of the 2022/23 budget and the projected outturn is shown in the table below:

	2022/23 Original Budget £'000	2022/23 Latest Budget £'000	2022/23 Projected Outturn £'000	2022/23 Variation £'000
<b>Portfolio</b>				
Adult Care & Health	79,216	79,184	79,127 Cr	57
Children, Education & Families (inc. Schools Budget)	49,594	51,611	60,544	8,933
Environment & Community	34,294	35,838	35,289 Cr	549
Public Protection & Enforcement	2,645	2,688	2,896	208
Renewal, Recreation & Housing	14,502	15,619	16,424	805
Resources, Commissioning & Contracts Management	43,791	46,206	46,549	343
<b>Total Controllable Budgets</b>	<b>224,042</b>	<b>231,146</b>	<b>240,829</b>	<b>9,683</b>
Capital Charges and Insurance	11,506	11,506	11,506	0
Non General Fund Recharges	Cr 1,408	Cr 1,562	Cr 1,562	0
<b>Total Portfolio Budgets</b>	<b>234,140</b>	<b>241,090</b>	<b>250,773</b>	<b>9,683</b>
Income from Investment Properties	Cr 9,276	Cr 8,776	Cr 8,591	185
Interest on General Fund Balances	Cr 2,841	Cr 2,841	Cr 6,841	Cr 4,000
<b>Total Investment Income</b>	<b>Cr 12,117</b>	<b>Cr 11,617</b>	<b>Cr 15,432</b>	<b>Cr 3,815</b>
Contingency Provision	18,208	8,318	1,372 Cr	6,946
Other Central Items	Cr 8,901	Cr 5,600	Cr 5,052	548
General Government Grants & Retained Business Rates	Cr 48,395	Cr 48,395	Cr 48,395	0
Collection Fund Surplus	Cr 4,100	Cr 4,100	Cr 4,100	0
<b>Total Central Items</b>	<b>Cr 43,188</b>	<b>Cr 49,777</b>	<b>Cr 56,175</b>	<b>Cr 6,398</b>
<b>Total Variation on Services and Central Items</b>	<b>178,835</b>	<b>179,696</b>	<b>179,166 Cr</b>	<b>530</b>
Prior Year Adjustments	0	0	0	0
<b>Total Variation</b>	<b>178,835</b>	<b>179,696</b>	<b>179,166 Cr</b>	<b>530</b>

3.1.3 A detailed breakdown of the latest approved budgets and projected outturn for each Portfolio, together with an analysis of variations, is shown in Appendix 3.

3.1.4 Chief Officer comments are included in Appendix 2.

#### 3.2 Central Contingency Sum

3.2.1 Details of the allocations from and variations in the 2022/23 Central Contingency are included in Appendix 4.

3.2.2 Homelessness Prevention Grant - £883k

The Central Contingency included a sum of £424k for Homeless Prevention Initiatives which was previously merged with the Flexible Homelessness Support Grant and Homelessness

Reduction Grant to form the Homelessness Prevention Grant. In addition, in December 2022, the Department for Levelling Up, Housing and Communities announced an exceptional winter top-up to support local authorities to help prevent vulnerable households from becoming homeless and to manage local homelessness pressures. It is requested that the total of £883k is drawn down into Housing budgets to help offset increased temporary accommodation pressures.

### 3.2.3 SEND Transport - £1,000k

An amount of £1m of growth for 2022/23 was set aside in the contingency. Now that the financial year is coming to an end and that the first part of the SEN Transport review has taken place, the funding is being requested to be drawn down. Overall the service have met the targets set for 2022/23 and this amount completes the overall growth allocation given to the service for the current financial year. It is recommended to the Executive that this be drawn down from the contingency.

### 3.2.4 Additional Winter Pressures Grant - £2,314k

This funding is one of a number of additional one off funds made to local authorities and Integrated Care Boards in support of winter pressures and hospital discharge over the winter period. This fund is made up of two payments made to the Council and Integrated Care Board that are required to be pooled as part of the local Better Care Fund. The spending of the grant has to be approved by the Health and Wellbeing Board, which it did on 8th December 2022

The use of this additional funding will be limited to projects that enable more people to be discharged to an appropriate setting, including from mental health inpatient settings, with adequate and timely social care support as required. Discharge funds can also be used to support projects that enable the freeing up the maximum number of hospital beds and reducing bed days lost, and to boost general adult social care workforce capacity through recruitment and retention activity, where that will help to reduce delayed discharges from hospital. The grant cannot be used for prevention activities such as admissions avoidance.

### 3.2.5 Business rates surplus levy- £323k

This is one-off income from the Council's share of the accumulated surplus held in DLUHC's business rates levy account. £100m was returned nationally and Bromley's share was £323k.

## 3.3 General Fund Balances

3.3.1 The level of general reserves is currently projected to increase by £65k to £20,065k at 31<sup>st</sup> March 2023 as detailed below:

	2022/23 Projected Outturn £'000
<b>General Fund Balance as at 1st April 2022</b>	<b>Cr 20,000</b>
Net Variations on Services & Central Items (para 3.1)	Cr 530
	Cr 20,530
Adjustment to Balances:	
Carry Forwards (funded from underspends in 2021/22)	465
<b>General Fund Balance as at 31st March 2023</b>	<b>Cr 20,065</b>

### 3.4 Impact on Future Years

3.4.1 The report identifies expenditure pressures which could have an impact on future years. The main areas to be considered at this stage are summarised in the following table:

	2022/23 Budget £'000	2023/24 Impact £'000
<b>Adult Care &amp; Health Portfolio</b>		
Assessment & Care Management - Care Placements	28,981	2,764
Learning Disabilities - Care Placements & Care Management	42,270	1,192
Mental Health - Care Placements	6,550	4
		3,960
<b>Environment and Community Portfolio</b>		
Waste Services	20,463 Cr	800
Parking	Cr 8,962	1,000
		200
<b>Renewal, Recreation &amp; Housing</b>		
Supporting people	1,070 Cr	94
Housing Needs - Temporary accommodation	5,990	324
		230
<b>Children, Education &amp; Families Portfolio</b>		
SEN Transport	6,480	871
Children's Social Care	43,352	7,808
		8,679
<b>TOTAL</b>		<b>13,069</b>

3.4.2 The full year impact of the current years spend, including any mitigation required, will need to be considered as part of the 2023/24 budget which will be reported to a future meeting of the Executive. Given the significant financial savings that the Council will need to make over the next four years, it is important that all future cost pressures are contained and that savings are identified early to mitigate these pressures.

3.4.3 Further details are included in Appendix 5.

### Investment Income

#### 3.5 Income from Investment Properties

3.5.1 The impact of Covid and changing consumer habits has resulted in pressure on high street retail trading in recent years, with one significant tenant – Arcadia – going into administration resulting in a loss of rent this year of £685k. The Council are currently in negotiations with a potential retail tenant to replace Arcadia. However to mitigate the in-year impact, an allocation of £500k from contingency has been applied to the budget, resulting in a net shortfall forecast of £185k.

3.5.2 Generally, rental Income remains under pressure following the impact of COVID on businesses and their ability to pay rents. However, the Council has set aside provision for bad debts against outstanding amounts as at 31 March 2022 to mitigate the financial impact of businesses that may fail over the course of the year.



### **3.6 Interest on Balances**

- 3.6.1 The budget for 2022/23 was set at £2,841k (2021/22: £3,591k). This reflected an expected reduction in balances available for investment as a result of the utilisation of capital receipts and grants/contributions as well as earmarked revenue reserves. The loss of income from the reduction in balances will be partly offset by anticipated further increases in the Bank of England base rate which will drive improved counterparty rates. New core fixed-interest investments taken out during the third quarter of 2022/23 were at an average rate of 4.81%.
- 3.6.2 Reports to previous meetings have highlighted the fact that options with regards to the reinvestment of maturing deposits had become limited in recent years following bank credit rating downgrades and the prevailing low interest rate environment. Changes to lending limits and eligibility criteria, as well as the introduction of pooled funds and housing associations have alleviated this to some extent.
- 3.6.3 Additionally, the treasury management strategy has previously been revised to enable alternative investments of £100m in pooled investments which generate additional income of approximately £2m compared with lending to banks. and officers continue to look for alternative investment opportunities, both within the current strategy and outside, for consideration as part of the ongoing review of the strategy.
- 3.6.4 Owing to base rate increases in May, June, August, September, November, December 2022 and February 2023, counterparty rates have continued to improve and are currently in excess of 4.5%. On this basis, the current projection indicates that outturn will exceed budget by £4m.

### **3.7 The Schools Budget**

- 3.7.1 Expenditure on schools is funded through the Dedicated Schools Grant (DSG) provided for by the Department for Education (DfE). DSG is ring-fenced and can only be applied to meet expenditure property included in the Schools Budget. Any overspend or underspend must be carried forward to the following year's Schools Budget.
- 3.7.2 The DSG projected to overspend by £4,877k. This will be added to the £7,142k carried forward from 2021/22. There has also been a prior year adjustment to the Early Years element of the DSG which reduced in year funding by £178k causing an additional pressure. This gives an estimated DSG deficit balance to be carry forward of £12,197k into the new financial year. It should be noted that the DSG can fluctuate due to pupils requiring additional services or being placed in expensive placements. Officers are working on a deficit recovery plan ahead of this being required by the DfE.

### **3.8 Health contributions held in reserve - £500k**

- 3.8.1 In discussion with the CCG concerning additional costs and pressures emerging in the Children, Education and Families Portfolio in the 2022/23 financial year, the CCG agreed to a one off contribution of £500k to support additional placement costs with a health element. The funding was paid in 2021/22 but relates to expenditure to be incurred in 2022/23. This funding relates to health costs within Children Social Care placements for children looked after. It is recommended to the Executive that this funding be taken from the reserve to offset expenditure incurred in 2022/23.

### **3.9 Use of Homes for Ukraine Grant in 2023/24 - £400k**

- 3.9.1 The request to use Homes for Ukraine Grant in 2023/24 is a request that a number of current posts remain in place to enable the Homes for Ukraine service to continue post April 2023. The proposal is for 9fte equivalent to continue in post. This is a reduction from 14.8fte in the current financial year. Funding will come from Homes for Ukraine grant that will be carried forward into the new financial year. The Executive are asked to approve this request.

### 3.10 Release of funding to the ICB from the Health Reserve - £2m

3.10.1 The integrated health and care programme fund is a joint reserve, held under a section 75 agreement with the NHS to support the joint work on integration of health and social care. This programme is led through the One Bromley Local Care Partnership, which includes as members the South East London Integrated Care Board (Bromley) and the London Borough of Bromley. The programme continues to deliver many joint health and care programmes of work, including the pro-active care pathway delivered by a multi-disciplinary health and care team and the joint work around hospital discharge. Drawdown of £2m from the fund is requested to continue the support and development of these schemes, including the continued funding of the local Bromley delivery team and invest in further joint areas of work. Schemes funded will include joint work on children's placements and the establishment of children's hubs in the community, in both areas working closely with the Borough children and families team.

### 3.11 Request for funding for education costs to be put into a reserve to meet demand in EHCP's/High Needs - £630k over two years

3.11.1 Like many LAs, Bromley has been significantly impacted by sustained increases in the volume and complexity of special educational needs and disabilities (SEND). These systemic issues have been recognised by Government in its SEND and AP Improvement Plan, published on 2 March 2023, however Government accepts that its reforms will take several years to take effect.

3.12.2 In order to respond to these pressures, the Council has invested in its services for SEND, however to date this has not been sufficient to keep pace with the rate of increases in Education, Health and Care Plans (EHCPs), which have increased at approximately 15% over the last 3 years. This has been exacerbated by challenges in recruiting to key posts, leading to vacancies in the LA and partner agencies. Consequently, LA services and the statutory functions provided by partners have been significantly impacted, leading to a significant drop in performance against timeliness indicators for the 2022 calendar year.

3.11.3 The Children, Education and Families Department has recognised the significant pressures and set out a transformation plan to address the systemic challenges and restructure the SEN Service to meet current and anticipated levels of need. It is proposed to increase the capacity of the Educational Psychology Service through a 12-month contract with a specialist assessment provider. Additionally, it is proposed to establish a new post to oversee SEN complaints and increase the capacity of the Appeals and Mediation Team. A specialist EHC Plan writing agency would be brought in to enable Plans to be produced more rapidly, following the receipt of professional advice. The LA is also working with its key partners in the SEL ICB to increase the capacity of services responsible for producing the advice according to statutory timeframes.

3.11.4 The funding is split out in the table below:-

	<u>2023/24</u>	<u>2024/25</u>	<u>Total</u>
External EHC Plan Writing agency	50	50	100
Complaints and Appeals Officer	55	55	110
Ed Psych statutory advice	420	0	420
	<u>525</u>	<u>105</u>	<u>630</u>

### 3.12 Request for funding for additional Legal costs - £635k

3.12.1 Executive are requested to set aside £635k in a reserve to cover potential legal costs arising in the next financial year. Details are contained in Part 2 (Appendix 7) of the report.

### **3.13 Homes for Ukraine Grant – funding remaining**

The government has provided support under the Homes for Ukraine scheme towards the Councils costs. Given the nature of the one off funding and the timing of the grant there is expected to be a significant balance remaining at year end where part of the funding has not been utilised. It is difficult to gauge the actual amount that will remain at this stage. However similar to COVID funding arrangements it will be proposed to a future meeting of the Executive that the unspent funding is utilised to meet ongoing Homes for Ukraine costs in 2023/24 and where possible future years.

### **3.14 Investment Fund and Growth Fund**

3.14.1 Full details of the current position on the Investment Fund and the Growth Fund were included in the Capital Programme Monitoring Q3 2022/23 as reported to Executive at its meeting on 18th January. The uncommitted balances stand at £6.5m for the Investment Fund and £11.4m for the Growth Fund.

### **3.15 Financial Context**

3.15.1 As reported, as part of the Council's financial strategy for 2023/24, a prudent approach had been adopted in considering the central contingency sum to reflect any inherent risks, the potential impact of new burdens, population increases or actions taken by other public bodies which could affect the Council. The approach has also been one of 'front loading' savings to ensure difficult decisions are taken early in the budgetary cycle. This has enabled a longer term approach to generate further income from the additional resources available as well as to mitigate against significant risks and provide a more sustainable financial position in the longer term. A proportion of the central contingency sum has been utilised towards meeting higher inflation costs and providing one off funding as identified in this report.

3.15.2 The 2023/24 Council Tax report to Executive on 8th February 2023 identified the latest financial projections and a future year budget gap of £29.6m per annum by 2026/27. The Council's Central Contingency Sum has been reduced significantly in 2023/24 and inflation pressures remain which reduces the flexibility to meet overspends from the Council's overall budget and increases the risk of needing to drawdown from reserves to meet overspends. The report highlighted many financial challenges continuing to face the Council. It is therefore essential that spend can be contained, where possible, to avoid additional cost pressures impacting on 2023/24 and future years. The full year impact of overspends could ultimately increase the reported 'budget gap' for future years requiring further action to achieve a statutory balanced budget. Where overspends are identified, Directors should seek to take any action to address the overspend including mitigation options as well as alternative savings, thus reducing the overall overspend and, where possible, containing costs within overall budgets.

## **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

4.1 The 2022/23 budget reflects the financial impact of the Council's strategies and service plans which impact on all of the Council's customers and users of our services.

## **5. POLICY IMPLICATIONS**

5.1 The "Making Bromley even Better" objective of being an Excellent Council refers to the Council's intention to ensure good strategic financial management and robust discipline to deliver within our budgets.

5.2 The “2022/23 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2022/23 to minimise the risk of compounding financial pressures in future years.

## 6. FINANCIAL IMPLICATIONS

6.1 These are contained within the body of the report with additional information provided in the appendices.

<b>Non-Applicable Sections:</b>	Personnel, Legal, Procurement
Background Documents: (Access via Contact Officer)	Provisional Final Accounts 2020/21 – Executive 29 <sup>th</sup> June 2022; 2022/23 Council Tax – Executive 9 <sup>th</sup> February 2022; Draft 2022/23 Budget and Update on Council’s Financial Strategy 2022/23 to 2025/26 – Executive 12 <sup>th</sup> January 2022; Treasury Management Annual Investment Strategy 2022/23 and Quarter 3 performance– Council 28 <sup>th</sup> February 2022; Financial Management Budget Monitoring files across all portfolios.

## GENERAL FUND - PROVISIONAL OUTTURN FOR 2022/23

Portfolio	2022/23	Budget	2022/23		2022/23	Variation	
	Original	Variations	Latest	Approved Budget	Projected	Variation	previously reported
	£'000	allocated in	£'000	£'000	£'000	£'000	Exec
		year #					
Adult Care & Health	79,216	Cr 32	79,184	79,127	Cr 57	Cr 53	
Children, Education & Families (incl. Schools' Budget)	49,594	2,017	51,611	60,544	8,933	8,305	
Environment & Community	34,294	1,544	35,838	35,289	Cr 549	Cr 122	
Public Protection & Enforcement	2,645	43	2,688	2,896	208	96	
Renewal, Recreation & Housing	14,502	1,117	15,619	16,424	805	762	
Resources, Commissioning & Contracts Management	43,791	2,415	46,206	46,549	343	580	
<b>Total Controllable Budgets</b>	<b>224,042</b>	<b>7,104</b>	<b>231,146</b>	<b>240,829</b>	<b>9,683</b>	<b>9,568</b>	
Capital, Insurance & Pensions Costs (see note 2)	11,506	0	11,506	11,506	0	0	
Non General Fund Recharges	Cr 1,408	Cr 154	Cr 1,562	Cr 1,562	0	0	
<b>Total Portfolios (see note 1)</b>	<b>234,140</b>	<b>6,950</b>	<b>241,090</b>	<b>250,773</b>	<b>9,683</b>	<b>9,568</b>	
<b>Central Items:</b>							
Income from Investment Properties	Cr 9,276	500	Cr 8,776	Cr 8,591	185	185	
Interest on General Fund Balances	Cr 2,841	0	Cr 2,841	Cr 6,841	Cr 4,000	Cr 3,000	
<b>Total Investment Income</b>	<b>Cr 12,117</b>	<b>500</b>	<b>Cr 11,617</b>	<b>Cr 15,432</b>	<b>Cr 3,815</b>	<b>Cr 2,815</b>	
<b>Contingency Provision (see Appendix 4)</b>	<b>18,208</b>	<b>Cr 9,890</b>	<b>8,318</b>	<b>1,372</b>	<b>Cr 6,946</b>	<b>Cr 5,740</b>	
<b>Other central items</b>							
Reversal of net Capital Charges (see note 2)	Cr 9,878	0	Cr 9,878	Cr 9,878	0	0	
Utilisation/Set Aside of Prior Year Collection Fund Surplus	0	0	0	0	0	0	
New Homes Bonus Support for Revenue	253	0	253	253	0	0	
Contribution to social care staffing reserve	0	1,700	1,700	1,700	0	0	
Contribution to IT procurement reserve	0	336	336	336	0	0	
Contribution to Legal Reserve	0	635	635	635	0	0	
Contribution to Education Reserve	0	630	630	630	0	0	
Levies	1,272	0	1,272	1,272	0	0	
<b>Total other central items</b>	<b>Cr 8,353</b>	<b>3,301</b>	<b>Cr 5,052</b>	<b>Cr 5,052</b>	<b>0</b>	<b>0</b>	
<b>Prior Year Adjustments</b>							
None	0	0	0	0	0	0	
	0	0	0	0	0	0	
	0	0	0	0	0	0	
<b>Total Prior Year Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total all central items</b>	<b>Cr 2,262</b>	<b>Cr 6,089</b>	<b>Cr 8,351</b>	<b>Cr 19,112</b>	<b>Cr 10,761</b>	<b>Cr 8,555</b>	
<b>Bromley's Requirement before balances</b>	<b>231,878</b>	<b>861</b>	<b>232,739</b>	<b>231,661</b>	<b>Cr 1,078</b>	<b>1,013</b>	
Carry Forwards from 2021/22 (see note 3)	0	Cr 465	Cr 465	0	465	465	
<b>Adjustment to Balances</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>65</b>	<b>65</b>	<b>Cr 1,478</b>	
Business Rates Retention Scheme (Retained Income, Top-up and S31 Grants)	Cr 42,828	0	Cr 42,828	Cr 42,828	0	0	
Business Rate Surplus Levy	0	Cr 323	Cr 323	Cr 323	0	0	
New Homes Bonus	Cr 253	0	Cr 253	Cr 253	0	0	
New Homes Bonus Topslice	0	Cr 73	Cr 73	Cr 73	0	0	
One off 2022/23 Services Grant	Cr 2,652	0	Cr 2,652	Cr 2,652	0	0	
Council Tax Support - Collection Fund surplus	Cr 2,662	0	Cr 2,662	Cr 2,662	0	0	
Funding COVID cost pressures from Earmarked Reserve	Cr 548	0	Cr 548	0	548	0	
Collection Fund Surplus	Cr 4,100	0	Cr 4,100	Cr 4,100	0	0	
<b>Bromley's Requirement</b>	<b>178,835</b>	<b>0</b>	<b>178,835</b>	<b>178,835</b>	<b>0</b>	<b>0</b>	
GLA Precept	52,751	0	52,751	52,751	0	0	
<b>Council Tax Requirement</b>	<b>231,586</b>	<b>0</b>	<b>231,586</b>	<b>231,586</b>	<b>0</b>	<b>0</b>	

# Budget Variations allocated to portfolios in year consists of:

1) Carry forwards from 2021/22	£'000	(see note 3)
2) Allocations from the central contingency provision	465	(see Appendix 4)
	<u>6,485</u>	
	6,950	

1) **NOTES**

Portfolio Final Approved Budgets analysed over Departments as follows:

	2022/23	Budget	2022/23	2022/23	Variation	Variation
	Original Budget	Variations	Latest	Projected	Variation	previously reported
	£'000	allocated in	Approved Budget	Outturn	£'000	Exec
		year #	£'000	£'000	£'000	£'000
People Department	144,600	1,911	146,511	155,239	8,728	8,283
Place Department	68,466	3,937	72,403	72,887	484	756
Chief Executive's Department	21,074	1,102	22,176	22,647	471	529
	<u>234,140</u>	<u>6,950</u>	<u>241,090</u>	<u>250,773</u>	<u>9,683</u>	<u>9,568</u>

2) **Reversal of net Capital Charges**

This is to reflect the technical accounting requirements contained in CIPFA's Code of Practice for Local Authority Accounting and has no impact on the Council's General Fund.

3) Carry Forwards from 2021/22

Carry forwards from 2021/22 into 2022/23 totalling £465k were approved by Council and the Executive. Full details were reported to the June meeting of the Executive in the "Provisional Final Accounts 2021/22" report.

**Comments from the Executive Director of Environment and Community Services**

None

**Comments from the Director of Corporate Services (Resources, Commissioning & Contract Management Portfolio) including Risk Areas**

None

**Comments from the Director of Adult Social Care**

The service has continued to maintain performance on the discharge of patients from hospital although we continue to see a demand for higher costs of placements both due to the acuity of patients and in response to the completed cost of care exercise. Whilst we have seen an increase in numbers of people being discharged compared to pre-pandemic, more importantly the needs of individuals needing support has remained high.

The plans put in place to respond to the impact of Winter, have delivered well and have been able to flex to respond to pressure points in the system.

As reported elsewhere in the meeting, we are reaching conclusion on the work to develop the Market Sustainability Plan, This will be discussed with providers over the coming weeks in order that they can fully understand the proposals and the impact on the fees Bromley will be paying in the coming year. Work has begun on the delivery plans for the further transformation savings, in order to assist the Council with balancing its books for next year and onwards.

I am pleased with the current reported budget position as this reflects the robust and challenging response from all services to manage a challenging financial position. The increase in underspend allows some one off spend within the financial year to address specific pressure points in the adult social care system and will be reflected in the next budget report. I would like to express my thanks to all managers within the service for their work to deliver this whilst maintaining good services to the Bromley population.

**Comments from the Director of Housing, Planning and Regeneration**

£1,116k of growth was included in the housing budget for 2022/23 to reflect the continuing pressures in relation to homelessness and the provision of temporary accommodation. A total of £1,785k savings was also included to mitigate these pressures.

Whilst approaches remain high, the ongoing supply of acquired properties and prevention work has continued to slow the rate of growth in nightly paid accommodation placements. However the number of approaches are starting to rise alongside increased pressure on nightly paid accommodation rates across London and the South East. This results in a £747k overspend on temporary accommodation, with a £413k overspend on housing overall. As has been reported work is ongoing to increase the supply of affordable housing to continue to mitigate and reduce the current pressures relating to temporary accommodation particularly in relation to the increased ability to secure leased accommodation within temporary accommodation subsidy rates however this is becoming increasingly challenging due to the current inflation rises in relation to accommodation costs.

A substantial part of Planning Services' work attracts a fee income for the Council, for example the planning application fees. The fee income and volume of work reflects the wider economic circumstances affecting development pressures in the Borough. There is a risk of income variation beyond the Council's immediate control; however, trends are regularly monitored in order that appropriate action can be taken. Action has successfully been taken to negate the risk of Government Designation for Special Measures due to Planning performance for the current year. However, this is based on the actions identified being implemented to reduce the risk of Government Designation in future years.

There is a risk of substantial planning appeal costs being awarded against the Council by the Planning Inspectorate if the Council is found to have acted unreasonably. For major appeals, which can arise unpredictably, there is often a need for specialist external consultant's advice which creates additional costs.

The key risks in the Renewal, Recreation and Housing Portfolio continue to be:

- i) Increased homelessness and the associated costs particularly relating to the increased demand for placements across London
- ii) Increased rent arrears arising from inflation and increased costs of utilities and so forth
- iii) Reduced vacant housing association properties coming forward for letting
- iv) Increased maintenance and repairs costs in relation to the travellers site required to maintain health and safety standards
- v) Fluctuations in planning applications and need to ensure application processing is sufficiently resourced
- vi) Increases being seen in construction and maintenance costs

Finally, the ongoing impacts of the Covid-19 pandemic on budgets are now becoming apparent. Significant losses in income, in particular from commercial rents, are expected as town centres have been severely affected during lockdown restrictions. The impact of increased utility and maintenance costs is also impacting on tenants of commercial properties and their ability to maintain rental payments.

### Comments from the Director of Childrens Services

The Children, Education and Families Portfolio has an overspend of £8,933,000 for the year.

The Education Division has an overspend of £134k.

Initial analysis indicates that there are a number of causal factors resulting in the forecast overspend position on transport:

An increase in number and complexity of Special Educational Needs and Disabilities - The national increase in EHCPs is widely acknowledged as unsustainable and the rate of increase is accelerating across the country. In Bromley, despite gatekeeping measures, the increase in EHCPs has now reached 17%, (higher than the projected increase of 14% used to produce Growth funding assumptions).

The complexity of children and young people's needs continues to be at a higher level than prior to the Covid pandemic. These high levels of demand have continued for the past 2 years. A number of the Covid-related cases have acute social, emotional and mental health needs, which require specialist provision which is typically costly independent provision outside of Bromley. Transport is often required and although officers seek to minimise costs, transport is often required to meet children's needs.

Transport provider pressures arising from the Covid-19 pandemic - The number of children requiring transport has increased by circa 17%, but this only accounts for part of the increase in costs. The reduced availability of drivers has resulted in more expensive providers having to be used from the call off framework.

Immediate management action was taken on the notification of the forecast budget overspend position. A specialist external transport adviser has undertaken a review of SEN transport arrangements, including benchmarking analysis and a full review of processes and eligibility criteria to identify potential savings. This has enabled significant mitigation proposals to be identified as part of the MTFS process, which would offset the forecast pressures on SEN Transport. In addition, work has been undertaken by our AD Strategic Performance resulting in predictive work for the next few years. This work has been incorporated into subsequent budget challenge discussions.

There is a current projected overspend in DSG of £4,877k together with a DSG adjustment of £178k. This will be added to the £7,142k carried forward from 2021/22. This gives us an estimated DSG deficit balance of £12,197k into the new financial year.



We have recently met with representatives from the DfE to set out our deficit recovery plan which they have approved.

The impact of additional legal duties from the SEND Reforms, has led to unsustainable financial pressures on High Needs costs within the DSG. An increase in Government funding (>£5m in 2021/22) is not sufficient to meet the increased costs. We are aware that Bromley is one of the last London Boroughs to incur a deficit in the DSG, with some local authorities having deficits in excess of £20m. The legal framework is heavily weighted in favour of parental preference, which is often for independent day and residential provision. We continue to assess all cases carefully and with a view to carefully balancing the education needs of young people and ensuring the best value for money from specialist education placements. Where it is appropriate to do so we continue to defend our decisions at Tribunal.

In the 2022 calendar year, 634 new EHCPs were issued, up from 274 in 2018 and 476 in 2021. We have sought to commission additional local specialist provision, including a new special free school due to open in 2023, but the needs and tribunal challenges are such that we have no choice but to continue placing children in more costly provision to ensure we are not in default of our legal statutory duties.

A review of High Needs Funding Bands has commenced, with oversight from the SEND Governance Board and CEF PDS. This will consider how the funding bands can be simplified and to identify where any savings can be made. We continue to work on increases to local specialist provision, including the special free school and increases in Additionally Resourced Provisions, which are specialist classes within mainstream schools.

In Children's Social Care the overspend is £8,799k.

The ongoing impact of C19 on Children Services continues especially in respect of contacts into our MASH – these continue to remain consistently around 1,100 contacts per month with little sign of a reduction. This compares to around 600 in April 2020 and it is the complexity of need from the families and children that have an added dimension.

There continues to be a high level of demand for support particularly in CWD which has meant a rise in demand for our short break provision. In response we have sought to increase the number of nights available for the number of families requiring this. Whilst These continued pressures have meant an increase in our looked after population in CWD despite the innovative and expensive care packages put in to support with health provision short breaks. The resilience for some families is now being significantly tested following two years of Covid challenges. This is primarily seen in families for children with profound and complex health and challenging sometimes aggressive behaviour.

The risks in the Children, Education & Families Portfolio are:-

Recruitment and retention of permanent staff/ ability to recruit skilled staff for the posts vacant and competitive salaries being paid at this time

Limited supply and increasing costs of residential placements – including the specialist placements for very complex young people. The cost of such placements is high and then with the delay to final hearing families are being retained in these placements beyond the assessment.

Increased complexity of children (SEND).

Shortage of local school places (particularly for Specialist schools).

Increasing High Needs Block expenditure not matched by a commensurate increase in Government Grant.

## Adult Care and Health Portfolio Budget Monitoring Summary

2021/22 Actuals £'000	Division Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>PEOPLE DEPARTMENT</b>							
	<b>Adult Social Care</b>							
25,374	Assessment and Care Management	24,473	23,365	23,539	174	1	Cr 50	2,764
117	Direct Services	86	85	85	0		0	0
1,779	Quality Assurance & Safeguarding	1,930	2,503	2,264	Cr 239	2	Cr 92	0
39,170	Learning Disabilities	42,009	42,248	42,305	57	3	68	1,192
8,380	Mental Health	8,198	8,483	8,458	Cr 25	4	21	4
885	Placement and Brokerage	914	910	910	0		0	0
Cr 312	Better Care Fund - Protection of Social Care	0	0	0	0		0	0
Cr 920	CCG Support for Social Care	0	0	0	0		0	0
Cr 1,650	COVID grant to support impact of COVID on service areas	0	0	0	0		0	0
<b>72,823</b>		<b>77,610</b>	<b>77,594</b>	<b>77,561</b>	<b>Cr 33</b>		<b>Cr 53</b>	<b>3,960</b>
	<b>Integrated Commissioning Service</b>							
1,222	Integrated Commissioning Service	1,336	1,326	1,302	Cr 24	5	0	0
1,101	Information & Early Intervention							
	- Net Expenditure	1,205	1,205	1,205	0		0	0
Cr 1,101	- Recharge to Better Care Fund	Cr 1,205	Cr 1,205	Cr 1,205	0		0	0
	Better Care Fund							
24,175	- Expenditure	25,117	25,602	25,602	0	6	0	0
Cr 24,201	- Income	Cr 25,137	Cr 25,622	Cr 25,622	0		0	0
	Improved Better Care Fund							
10,050	- Expenditure	7,503	10,327	10,327	0	7	0	0
Cr 10,050	- Income	Cr 7,503	Cr 10,327	Cr 10,327	0		0	0
<b>1,196</b>		<b>1,316</b>	<b>1,306</b>	<b>1,282</b>	<b>Cr 24</b>		<b>0</b>	<b>0</b>
	<b>Public Health</b>							
15,197	Public Health	15,475	18,124	18,124	0		0	0
Cr 15,325	Public Health - Grant Income	Cr 15,185	Cr 17,840	Cr 17,840	0		0	0
<b>Cr 128</b>		<b>290</b>	<b>284</b>	<b>284</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>73,891</b>	<b>TOTAL CONTROLLABLE ADULT CARE &amp; HEALTH</b>	<b>79,216</b>	<b>79,184</b>	<b>79,127</b>	<b>Cr 57</b>		<b>Cr 53</b>	<b>3,960</b>
2,602	<b>TOTAL NON CONTROLLABLE</b>	434	525	525	0		0	0
5,249	<b>TOTAL EXCLUDED RECHARGES</b>	5,063	5,063	5,063	0		0	0
<b>81,742</b>	<b>TOTAL ADULT CARE &amp; HEALTH PORTFOLIO</b>	<b>84,713</b>	<b>84,772</b>	<b>84,715</b>	<b>Cr 57</b>		<b>Cr 53</b>	<b>3,960</b>

## Reconciliation of Latest Approved Budget

£'000

## 2022/23 Original Budget

84,713

## Carry forwards requests

Improved Better Care Fund

- expenditure

2,597

- income

Cr 2,597

Better Care Fund

- expenditure

83

- income

Cr 83

Public Health Grant

- expenditure

1,964

- income

Cr 1,964

Winter Resilience Funding

- expenditure

400

- income

Cr 400

Shared Lives Transformation Posts

100

## Other:

Better Care Fund

- expenditure

402

- income

Cr 402

Improved Better Care Fund

- expenditure

227

- income

Cr 227

Public Health Grant

- expenditure

427

- income

Cr 427

ICB funding:

- Hospital Discharges

3,308

- expenditure

3,308

- income	Cr	3,308
- LD/Autism		
- expenditure		247
- income	Cr	247
- Discharge Transformation Funds		
- expenditure		361
- income	Cr	361
- Winter Pressures Funding		
- expenditure		612
- income	Cr	612
King's funding for SPA		
- expenditure		500
- income	Cr	500
Market Sustainability and Fair Cost of Care Fund		
- expenditure		804
- income	Cr	804
Charging Reform Implementation Support Grant		
- expenditure		104
- income	Cr	104
Supplementary Substance Misuse Treatment & Recovery Grant		
- expenditure		264
- income	Cr	264
Additional Winter Pressures Funding		
- expenditure		2,314
- income	Cr	2,314
Repairs and Maintenance		91
Provision for agency workers contract savings	Cr	72
Adj to NI budget following reversal of 2022-23 increase in November	Cr	60
<b>Latest Approved Budget for 2022/23</b>		<b><u>84,772</u></b>

## **1. Assessment and Care Management - Dr £144k**

The overspend in Assessment and Care Management can be analysed as follows:

	<u>Current</u> <u>Variation</u> £'000
<u>Physical Support / Sensory Support / Memory &amp; Cognition</u>	
<b>Services for 65 +</b>	
- Placements	661
- Placements (discharge packages)	1,838
- Domiciliary Care / Direct Payments	606
- Domiciliary Care (discharge packages)	1,984
- CCG funding for discharge packages	Cr 3,308
- Additional CCG Funding (Winter Funds)	Cr 365
- Discharge Fund	Cr 960
	<u>456</u>
<b>Services for 18-64</b>	
- Placements	644
- Domiciliary Care / Direct Payments	169
	<u>813</u>
<b>Other</b>	
- Staffing	65
- Extra Care Housing	Cr 274
- Day Care	Cr 159
- Adult Transport	Cr 257
- D2A	Cr 470
	<u>1,095</u>
	<u><u>174</u></u>

The 2022/23 budget includes funding for the full year effect of the September 2021 overspend as reported to Members in the September Budget Monitoring report.

### Services for 65+ - Dr £456k

Numbers in residential and nursing care (excluding those on the hospital discharge pathway) are below budget, currently by 28 placements. There is however an overspend of £503k on this budget mainly due to additional 1:1 packages needed for some service users and placements having to be made to some homes that are above the council's guide rates.

The number of emergency and temporary placements has fallen from 25 to 15, and an overall overspend of £233k is projected for the year, a reduction on the last projected overspend which was £369k.

There is a underspend projected on respite care of £75k.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £606k. Domiciliary care is projected to overspend by £469k and direct payments to overspend by £137k.

Discharges from hospital continue to follow a revised pathway in unison with health. Based on current levels of activity, the cost of the short term care home placements following discharge is estimated at £1,838k, and domiciliary care packages at £1,984k. South East London Integrated Care Board (ICB) have provided £3,308k of one-off funding for hospital discharge packages in 2022/23 following the cessation of central funding from NHS England which will offset a large percentage of these costs. Further funding from SELICB has recently been agreed from Winter Funds of £365k.

The Government also recently announced additional funding for the discharge of patients from acute beds to improve patient care and systems flow. Of the amount allocated to Bromley, £960k is currently projected to be utilised further offsetting the costs.

As part of the 2022/23 budget setting, savings of £229k were included in the division and at this stage £191k has been achieved, with the balance expected to be achieved by the year end.

### Services for 18-64+ - Dr £813k

Placements for the 18-64 age group are projected to overspend by £653k an increase of £389k since at time. Service user numbers, which are currently 3 above budgeted levels, reduced by 2 from the last reported position, however this reduction is offset by several new higher cost placements, resulting in the increased overspend.

There is a minor underspend projected on respite care of £9k.

The overall position on the domiciliary care and direct payments budgets is a projected overspend of £169k. Domiciliary care is currently projected to underspend by £43k and direct payments projected to overspend by £212k.

### Staffing - £65k

Analysis of the staffing budget for Assessment & Care Management shows a projected £65k overspend on non-externally funded posts.

### Extra Care Housing - Cr £274k

The hours being delivered in the Extra Care Housing units have continued to remain at the minimum level all year, resulting in a projected underspend. The level of voids has also reduced in recent months, leading to a reduction in the void payments the council is having to make to the housing provider, leading to an increase in the projected underspend.

#### Day Care Services - Cr £159k

Day care services for older people at centres continue to remain at the lower levels seen post covid. Conversely there has been a greater take up of the Respite at Home service.

#### Transport - Cr £257k

The reduced use of Day Care services has impacted on the service provided by the external transport providers as most trips relate to attendance at day centres, therefore at this stage of the year a projected underspend of £257k is expected on the budget.

#### Discharge to Assess - Cr £470k

The budget for packages under the D2A service is currently not being utilised due to the other funding streams the council is receiving for these services as mentioned above. An underspend is therefore reported here based on the budget for discharge packages within this service.

### **2. Quality Assurance & Safeguarding - Cr £239k**

#### Community Deprivation of Liberty Safeguards (CDoLS) - Cr £439k

There has been minor spend on the CDoLS budget so far this year, resulting in an underspend to date of £439k.

#### Deprivation of Liberty Safeguards (DoLS) - Dr £200k

The DoLS budget is currently projected to overspend by £200k. Since face to face assessments have returned post Covid (previously remote assessments were being undertaken), the expenditure on those not undertaken by the inhouse staff has increased.

### **3. Learning Disabilities - Dr £57k**

The 2022/23 Learning Disabilities (LD) budget includes funding for anticipated 2022/23 demand-related pressures (£974k) and the full year effect (FYE) of the 2021/22 overspend (£1,991k) but also reductions relating to planned savings (£377k).

The actual FYE of the 21/22 overspends at year end was considerably higher than the growth figure included in the budget, which was based on the September 2021 budget monitoring position; however this has been partly offset by an increase in the number of full cost contributions as well as underspends on Domiciliary Care and Direct Payments budget.

An overall net overspend of £57k is currently anticipated, a small reduction from the £68k reported for the second quarter. The main reasons for this are the underachievement of planned savings (£338k), the majority of which relates to increasing uptake in Shared Lives, and a projected overspend of £206k on care packages. As has been previously reported, the Shared Lives project was delayed due to extenuating circumstances, however additional staff have now been recruited, funded from the carry forward previously agreed, and additional carers are currently being assessed. The resulting overspend is partly being offset by projected underspends on day and respite services (£250k), staffing (£134k) and transport (£103k).

Given the stage in the financial year a significant element of projected spend is still based on assumptions, for example future services for young people transitioning to adult social care services and increased client needs during the year. As a result, this position is likely to change as the year progresses.

### **4. Mental Health - Cr £25k**

The 2022/23 budget includes funding for the full year effect of the September 2021 overspend as reported to Members as part of the September Budget Monitoring report.

Placements for 65+ age group are projected to overspend by £252k this year based on current service user numbers of 45, an increase of 3 since last time. This is an increase in the overspend of £20k. Health funding increased by £57k this quarter and this is shown below as part of the 2022/23 budget savings.

The overall position on the domiciliary care and direct payments budgets is a projected underspend of £16k, a reduction of £31k since last time, moving from an overspend to an underspend. Domiciliary care is currently projected to overspend by £68k and direct payments to underspend by £84k.

Placements for the 18-64 age group are projected to now underspend by £222k, an increase in the underspend last reported. Current service user numbers remains the same at 105. Health funding increased by £90k this quarter and this is shown as part of the 2022/23 budget savings below.

The overall position on the domiciliary care and direct payments budgets is a projected underspend of £39k, a slight reduction of last reported figure of £55k, with Domiciliary care currently projected to underspend by £75k and direct payments to overspend by £36k.

Savings of £306k were included in the 2022/23 budget for Mental Health, £258k of this has been achieved to date, and the projections assume the remainder will be achieved by the end of the year.

### **5. Integrated Commissioning Service - Cr £24k**

An underspend of £24k is currently projected for Integrated Commissioning on staffing budgets due to vacancies and miscellaneous supplies and services.

## **6. Better Care Fund (BCF) - Nil variation**

Other than variations on the protection of social care element, any underspends on Better Care Fund budgets will be carried forward for spending in future years under the pooled budget arrangement with South East London ICB.

The final 2022/23 allocation was published in May at a 5.66% increase above 2021/22 levels, which equates to a £402k increase above the 4% assumed in the budget. This has been allocated for hospital discharge care packages.

## **7. Improved Better Care Fund (IBCF) - Nil Variation**

The total amount of funding available in 2022/23 is:

	<b>£'000</b>
2021/22 IBCF allocation - recurrent	4,636
2021/22 IBCF allocation - non-recurrent (extended for 5th year)	1,677
2021/22 Winter Pressures Grant	1,190
Carry forward from previous years	2,597
	<b><u>10,050</u></b>

The non-recurrent IBCF funding of £1,677k has been extended for a sixth year and, for the third year running, this will fund a contribution to a 'whole system' reserve that can be called upon in relation to any crisis in the joint health and social care systems.

£1,400k of the carry forward from previous years has been allocated to help mitigate growth pressures in the 2022/23 budget, with a further £400k assumed for the 2023/24 budget.

For the first time in recent years, the IBCF allocation had an inflationary increase for 2022/23 of 3% which equates to £227k. This has been allocated to help offset cost pressures in the portfolio, and is assumed in the figures above.

## **Waiver of Financial Regulations**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Sub-Committee bi-annually. The Director of Adult Social Care has additional authority in respect of placements.

Since the last report to the Executive, 31 waivers for Adult placements have been agreed for between £50k and £100k and 11 for more than £100k.

## **Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. There have been no virements since the last report to Executive.

## Children, Education and Families Portfolio Budget Monitoring Summary

2021/22 Actuals £'000	Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>EDUCATION CARE &amp; HEALTH SERVICES DEPARTMENT</b>							
	<b>Education Division</b>							
-461	Adult Education Centres	Cr 438	Cr 432	Cr 352	80	1	28	0
694	Schools and Early Years Commissioning & QA	747	747	807	60	2	Cr 50	0
2,612	SEN and Inclusion	2,365	2,366	2,653	287	3	19	0
99	Strategic Place Planning	43	43	43	0		0	0
49	Workforce Development & Governor Services	Cr 24	Cr 24	Cr 23	1		1	0
6,975	Access & Inclusion	6,781	7,795	7,801	6	4	1,182	871
0	Management Action - draw down from reserves	0	0	0	0		Cr 1,000	0
-1,446	Schools Budgets	Cr 1,493	Cr 1,493	Cr 1,493	0	6	0	0
25	Other Strategic Functions	318	293	Cr 7	Cr 300	5	0	0
-10	Central School Costs	Cr 36	Cr 36	Cr 36	0		0	0
<b>8,537</b>		<b>8,263</b>	<b>9,259</b>	<b>9,393</b>	<b>134</b>		<b>180</b>	<b>871</b>
	<b>Children's Social Care</b>							
1,774	Bromley Youth Support Programme	1,732	1,783	1,759	Cr 24	7	68	0
676	Early Intervention and Family Support	1,342	1,370	1,487	117		116	0
8,150	CLA and Care Leavers	8,280	8,280	10,033	1,753		1,525	2,395
17,854	Fostering, Adoption and Resources	18,720	19,030	22,378	3,348		3,203	5,413
3,552	0-25 Children Service (Disability Services)	3,716	3,603	5,472	1,869		1,783	0
4,358	Referral and Assessment Service	4,092	4,680	5,506	826		670	0
3,908	Safeguarding and Care Planning East	3,012	3,549	3,854	305		525	0
2,779	Safeguarding and Care Planning West	2,389	2,573	2,672	99	Cr 102	0	
Cr 980	Safeguarding and Quality Improvement	Cr 1,952	Cr 2,516	Cr 2,010	506		337	0
<b>42,071</b>		<b>41,331</b>	<b>42,352</b>	<b>51,151</b>	<b>8,799</b>		<b>8,125</b>	<b>7,808</b>
<b>50,608</b>	<b>TOTAL CONTROLLABLE FOR EDUCATION, CHILDREN &amp; FAMILIES</b>	<b>49,594</b>	<b>51,611</b>	<b>60,544</b>	<b>8,933</b>		<b>8,305</b>	<b>8,679</b>
	<b>Total Non-Controllable</b>	1,594	1,590	1,590	0		0	0
	<b>Total Excluded Recharges</b>	8,761	8,602	8,602	0		0	0
<b>50,608</b>	<b>TOTAL EDUCATION, CHILDREN &amp; FAMILIES PORTFOLIO</b>	<b>59,949</b>	<b>61,803</b>	<b>70,736</b>	<b>8,933</b>		<b>8,305</b>	<b>8,679</b>
	<b>Memorandum Item</b>							
	<b>Sold Services</b>							
	Education Psychology Service (RSG Funded)	Cr 94	Cr 94	574	668	8	695	0
	Education Welfare Service (RSG Funded)	Cr 18	Cr 18	22	40		41	0
	Workforce Development (DSG/RSG Funded)	Cr 30	Cr 30	Cr 29	1		1	0
	Community Vision Nursery (RSG Funded)	64	64	65	1		Cr 114	0
	Blenheim Nursery (RSG Funded)	98	98	206	108		89	0
<b>0</b>	<b>Total Sold Services</b>	<b>20</b>	<b>20</b>	<b>838</b>	<b>818</b>		<b>712</b>	<b>0</b>

## Reconciliation of Latest Approved Budget

£'000

## Original Budget 2022/23

59,949

## Contingency:

Additional social workers re caseloads	700
Temporary increase in CIN social workers	250
SEN Transport	1,000
Homes for Ukraine	
- expenditure	150
- income	Cr 150

## Carry forwards:

Broadband at Poverest	6
Wellbeing for Education	6
Deed Settlement for Hawes Down Site	
- expenditure	12
- income	-12
Virtual School CIN Grant	
- expenditure	63
- income	-63
Virtual School PLAC Grant	
- expenditure	93
- income	-93
Tackling Troubled Families Grant	
- expenditure	334
- income	-334
EIFS waiting list and volumes	90
MOPAC Choices grant	75

## Other:

Draw Down from Health Reserve	
- expenditure	314
- income	Cr 314
Tackling Troubled Families Grant	
- expenditure	490
- income	Cr 490
Homes for Ukraine - DfE Grant	
- expenditure	350
- income	Cr 350
Repairs and Maintenance	
- expenditure	Cr 4
Provision for agency workers contract savings	Cr 121
Adj to NI budget following reversal of 2022-23 increase in November Asylum Grant	Cr 84

- expenditure		129
- income	Cr	129
VAWG Services	Cr	64
Step Up to Social Work transferred to HR		
- expenditure	Cr	900
- income		900
Draw Down from Health Reserve - No 2		
- expenditure		500
- income	Cr	500

Latest Approved Budget for 2022/23

61,803



## **REASONS FOR VARIATIONS**

### **1. Adult Education - Dr £80k**

The Adult Education service is currently projecting to overspend by £80k. This is due to an under collection of income of £97k offset by underspends on staffing of £4k and running costs of 13k.

### **2. Schools and Early Years Commissioning & QA - Dr £60k**

The in-house nurseries are currently having issues with staffing that has resulted in one of them temporary closing. This has resulted in a staffing underspend across the two nurseries of £297k, an under collection of income of £333k and an overspend of £73k on running costs. Once these figures are netted off, it leaves a net overspend of £108k.

Across the rest of the service there is a £49k underspend mostly related to staffing.

### **3. SEN and Inclusion - Dr £287k**

The staffing in this area is currently forecasting an underspend of £102k. This is due to a number of posts that are currently vacant and are currently expected to be filled during the year. There is also an overspend of £13k related to running costs.

The Education Psychologists are currently in the process of recruiting to the vacant posts in their team. This is causing the statutory service they are required to provide to be underspent by £292k and the Trading Service they offer to the Schools to be overspent by £668k due to the use of expensive agency staff and a new contract to help reduce the backlog within the service. This is a net overspend of £376k.

Please note that as from the start of the year, the SEN Transport Service has move from the SEN Division to the Access & Inclusion Division

### **4. Access & Inclusion - Dr £6k**

The Education Welfare Service Trading Account is currently expected to under collect on its income by £39k due to the loss of a number of school contracts. The provision of the service will need to be reviewed.

In the area they are predicting to underspend on staffing by £14k and over spend on running costs / under collection of income of £9k.

SEN Transport is currently forecast to underspend by £28k. This is due to additional costs of £232k related to the cost of providing the service. This is then offset by forecasted underspends on staffing (£173k), collection of additional income of £14k and underspends on the remaining running costs (£73k).

### **5. Other Strategic Functions - Cr £300k**

There is currently forecast to be an underspend of £300k in the running costs of this area.

### **6. Schools Budgets (no impact on General Fund)**

Expenditure on Schools is funded through the Dedicated Schools Grant (DSG) provided by the Department for Education (DfE). DSG is ring fenced and can only be applied to meet expenditure properly included in the Schools Budget. Any overspend or underspend must be carried forward to the following years Schools Budget.

There is a current projected overspend in the DSG of £4,877k. This will be added to the £7,142k carried forward in the reserves from 2021/22. The prior year Early Year adjustment has reduced our 2021/22 DSG allocation by £178k causing an additional pressure on the DSG. This gives us an estimated DSG reserve of £12,197k at the end of the financial year.

The in-year overspend is broken down as follows:-

There is an underspend of £75k in the Primary Support Team area. This is due to underspends in the staffing budgets.

The Home and Hospital service currently has a pressure of £201k due to the use of agency tutors to support the higher number of students the service is supporting (£209k). There is also an overspend on other running costs of £95k and under collection of income of £66k. There is then an underspend on staff of £169k that offset the use of agency to support the students.

There is £1,778k from the High Needs Supplementary Grant that can be used to offset the increase in costs of the SEN Placement budgets. The part of the grant that is showed as spent has been allocated to the Special/AP Schools in Bromley to support them with the additional costs they currently have.

There is a pressure of £750k relating to payments made to Early years providers. Overall costs are outstripping the grant available. DfE make adjustments to the DSG in year and lower numbers have caused an issue on the funding. This has been corrected for future years and should not occur again

The Inclusion and Behaviour service has an underspend of £21k that is mostly related to staffing.

The Education Welfare Statutory Service has a net underspend of £11k. This is due to an underspend on staffing of £4k, additional income of £16k and an overspend on running costs of £9k.

The Council has incurred some additional support to schools costs of £15k this year funded from the DSG.

The SEN placement budget is projected to overspend £5,814 with the main pressure coming the Independent school placements, with additional pressure coming from matrix funding and direct payments. Some of this pressure is being offset by additional grant that we are receiving in this year.

SEN Support for clients in Further Education Colleges is currently expected to overspend by £221k this year. This is due to the cost of placing clients with Independent providers.

The SENIF budget is currently forecast to overspend by £18k on the payments it make to providers to support our SEN children.

The Complex Needs team, Darrick Wood Hearing Unit, Early Years SEN Advisory Team and other staffing budgets in SEN are all currently projected to underspend by a total of £257k. Most of the underspend relates to lower than expected staffing costs.

	Variations £'000	High Needs £'000	Schools £'000	Early Years £'000	Central £'000
Primary Support Team	-75	0	0	0	-75
Home & Hospital	201	201	0	0	0
Use of Supplementary grant	-1,778	-1,778	0	0	0
Inclusion and Behaviour	-21	-21	0	0	0
Early years settings	750	0	0	750	0
Education Welfare	-11	0	0	0	-11
Additional Support for Schools	15	0	0	0	15
Other Small Balances	-2	0	0	8	-10
SEN:					
- Placements	5,814	5,814	0	0	0
- Support in FE colleges	221	221	0	0	0
- Darrick Wood Hearing Unit	-88	-88	0	0	0
- Complex Needs Team	-75	-75	0	0	0
- Early Years SEN Advisory Team	-33	-33	0	0	0
- SENIF	18	18	0	0	0
- SEN Staff	-61	-61	0	0	0
- Other Small SEN Balances	2	2	0	0	0
<b>Total</b>	<b>4,877</b>	<b>4,200</b>	<b>0</b>	<b>758</b>	<b>-81</b>

## **7. Children's Social Care - Dr £8,799k**

The current budget variation for the Children's Social Care Division is projected to be an overspend of £8,799k (previously £8,125k). Despite additional funding being secured in the 2022/23 budget, continued increases in the number of children being looked after together with the cost of placements has continued to put considerable strain on the budget.

### **Bromley Youth Support Programme - Cr £24k**

The BYSP budget is projected to underspend by £24k this year. This is due to an overspend of £57k in staffing that is offset by additional income of £26k and underspends on running costs of £55k.

### **Early Intervention and Family Support - Dr £117k**

This budget is projected to overspend by £117k this year. This is due to an under collection of income of £166k and an overspend of staffing of £75k, that is then being offset by an underspend running costs of £124k.

### **CLA and Care Leavers - Dr £1,753k**

The service is currently expected to overspend by £1,753k. This is due to an overspend in staffing of £127k, an under collection of income of £32k and £466k underspend on running costs. There is currently forecast to be an additional overspend on placement costs in this service of £2,060k.

### **Fostering, Adoption and Resources - £3,348k**

The budget for children's placements is currently projected to overspend by £3,616k this year. This amount is analysed by placement type below.

- Community Home's / Community Home's with Education - Dr £1,682k (D £1.326k)
- Boarding Schools - Dr £54k (Dr £1k)
- Secure Placement - Dr £135k (Dr £135k)
- Fostering services (IFA's) - Dr £911k (Dr £871k)
- Fostering services (In-house, including SGO's and Kinship) - Dr £132k (Dr £4k)
- Adoption placements - Cr £79k (Cr £35k)
- Outreach Services - Dr £854k (Dr £821k)
- Transport Costs - Cr £73k (Cr 62k)

There is a one off £400k Health funding that is off-setting some of the pressures of the Children's Placements for this year. Additionally there is a projected overspend in running cost of £166k in this area, that is offset by a £4k underspend in staff and extra income of £30k

### **0-25 Children Service (Disability Services) - Dr £1,869k**

Services for Children with Disabilities is projected to overspend by £1,869k this year. This is made up of an overspend domiciliary care / outreach services of £1,625k, staffing of £46k and other running costs of £198k.

Referral and Assessment Service - Dr £826k

The main projected variance relates to services is a projected overspend on staffing of £509k and running costs of £71k. The remaining £246k in running costs relates to No Recourse to Public Funds (NRPF) clients.

Safeguarding and Care Planning East - Dr £305k

The budget in this area is currently projected to overspend by £305k, and is due to staffing underspends of £167k and additional income of £7k. This is then offset by overspends on PLO cases overspending by £359k and running costs of £120k

Safeguarding and Care Planning West- Dr £99k

This area is overspent by £99k and is due to a staffing underspend of £6k and is offset by an overspend of running costs of £105k.

Safeguarding and Quality Improvement - Dr £506k

The projected overspend of £506k in this area mainly relates to staffing (£423k), and this includes the costs of recruiting and retaining social workers across the whole of Children's Social Care. There is additionally a £83k overspend in running costs.

**8. Sold Services (net budgets)**

Services sold to schools are separately identified in this report to provide clarity in terms of what is being provided. These accounts are shown as memorandum items as the figures are included in the appropriate Service Area in the main report.

**Waiver of Financial Regulations**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Sub-Committee bi-annually. Since the last report to the Executive, there has been in Children's Social Care there were 20 waivers agreed for placements of between £50k and £100k, 2 between £100k and £150k and 11 for a value of over £200k.

**Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, there have been no virements processed

## Environment &amp; Community Portfolio Budget Monitoring Summary

2021/22 Actuals £'000	Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>ENVIRONMENT &amp; COMMUNITY PORTFOLIO</b>							
	<b>Street Scene &amp; Green Spaces</b>							
1,082	Arboriculture Management	757	772	957	185	1	0	0
-164	Business Support and Markets	-64	-23	125	148	2	106	0
200	Senior Management	1,134	1,251	1,251	0		0	0
1,417	Performance Management and Business Support	439	207	207	0			
6,039	Parks and Green Spaces	6,073	6,182	6,267	85	3	0	0
0	Carbon Management	0	147	147	0		0	0
18,582	Waste Services	19,654	20,152	19,072	-1,080	4	-788	-800
5,789	Neighbourhood	6,223	6,572	6,572	0		0	0
<b>32,945</b>		<b>34,216</b>	<b>35,260</b>	<b>34,598</b>	<b>-662</b>		<b>-682</b>	<b>-800</b>
	<b>Transport Operations and Depot</b>							
504	Transport Operations and Depot Management	594	594	594	0		0	0
<b>504</b>		<b>594</b>	<b>594</b>	<b>594</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>Traffic, Parking and Highways</b>							
248	Traffic & Road Safety	133	133	-46	-179	5	-87	0
-6,967	Parking	-9,462	-8,962	-8,474	488	6-13	647	1,000
6,072	Highways (including London Permit Scheme)	8,813	8,813	8,617	-196	14	0	0
<b>-647</b>		<b>-516</b>	<b>-16</b>	<b>97</b>	<b>113</b>		<b>560</b>	<b>1,000</b>
<b>32,802</b>	<b>TOTAL CONTROLLABLE</b>	<b>34,294</b>	<b>35,838</b>	<b>35,289</b>	<b>-549</b>		<b>-122</b>	<b>200</b>
2,630	<b>TOTAL NON-CONTROLLABLE</b>	6,689	6,712	6,712	0		0	0
2,449	<b>TOTAL EXCLUDED RECHARGES</b>	2,336	2,336	2,336	0		0	0
<b>37,881</b>	<b>PORTFOLIO TOTAL</b>	<b>43,319</b>	<b>44,886</b>	<b>44,337</b>	<b>-549</b>		<b>-122</b>	<b>200</b>

## Reconciliation of Latest Approved Budget

£'000

Original Budget 2022/23

43,319

Carry Forward Requests approved from 2021/22

## Central Contingency Adjustments

Contract Inflation

Waste Collection &amp; Disposal

810

Neighbourhood

107

Parks Management &amp; Grounds Maintenance

153

Arboricultural Services

14

1,084

Parking income

500

## Other

Repairs and Maintenance

23

Provision for agency workers contract savings

-23

Adj to NI budget following reversal of 2022-23 increase in November

-17

Latest Approved Budget for 2022/23

44,886

## **REASONS FOR VARIATIONS**

### **1. Arboriculture Management £185k**

There is a total of £4k overspend on staffing salaries which has arisen as a result of a higher than anticipated inflationary uplift on posts funded through the earmarked reserve for the Tremendous project.

There is a projected overspend of £181k on tree maintenance which has arisen as a result of works being instructed following cyclical inspections of trees in the borough, with works necessary to manage risk in relation to health and safety and potential future insurance claims. Historically, there have been in-year overspends of between £200 – 300k.

### **2. Business Support & Markets Dr £148k**

Street trading income remains affected by the continuation, under the Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021, of pavement licences. This was a temporary measure, originally introduced during the Covid pandemic but now extended into 2023 with a view to being made permanent, which allows businesses to apply for a pavement licence for a £100 administration fee with no ongoing charges. This is a significant reduction compared to the permanent street trading licence scheme where the fees charged are significantly higher and are subject to periodic renewal. The estimated net impact on the Council this year remains a net loss of c£80k. January 2023 fees are down slightly on comparable years, while always subdued in January, the strong retail headwinds may mean traders are less keen to resume their full trading bookings as early in the year as normal and we may see the depressed income continue in February and March.

Market income is also still anticipated to be under budget by c£76k this year. This continues the trend over the last two years which has seen a decline in the number of market traders following the initial impact of the Covid pandemic. Skip licenses will underachieve the annual budget by £7k as currently the skip numbers are down on previous comparable years. The licenses are strongly connected to general building works and home improvements. Such projects are either reduced or postponed due to the current economic situation (cost of living and increased building supplies costs). Cleaning costs for Bromley market will overspend by £2k.

There is a projected overspend on staff salaries of £23k, an agency supervisor is still in position until a permanent officer will be recruited. A £40k underspend declared on the staff advertising and the assembly and disassembly of markets, as number of stalls is reduced.

### **3. Parks and Green Spaces, Dr 85k**

A total of £38k has been spent on countryside stewardship, with this due to be reimbursed by the Rural Payments Agency. £24k was incurred as a result of the safety measures taken following the urgent removal of floodlights in Crystal Palace Park by the Greater London Authority; this is due to be reimbursed.

An overspend of £10k has been incurred for pest control in parks. This was previously delivered as a benefit of a concessionary arrangement with a provider which was decommissioned in 2022.

An overspend of £13k relates to ecological oversight required for improvements at Scadbury Park.

### **4. Waste Services Cr £1,080k**

In setting the budget for 2022/23, account was taken of the significant increase in waste volumes collected from residential properties that had occurred since 2020. This was explained mainly as more people working from home following Covid restrictions, as well as an increase in the amount of waste generated from more home deliveries. As 2021 progressed, it appeared that this would be a long term and permanent change in domestic habits with a corresponding long term increase in recycling processing and waste handling costs, and the 2022/23 budget therefore was increased by £800k.

However, as previously reported, it became apparent in the final quarter of 2021/22 and into the first quarter of 2022/23 that waste volumes had moderated and even declined and the increased budget provision of £800k was not required. This trend has been sustained into the second quarter of this financial year with waste officers confirming that waste volumes have continued to be at pre-Covid levels.

The recent review of property numbers from which waste is collected has identified an overall increase which will result in an increase in the LOT 2 core invoice for waste collection services. The value of this increase between October and the end of the financial year is £12k (i.e £2k per month) with a full year cost of c£24k which will need to be reflected in next year's financial forecast.

On the income side, there is a net £252k overachievement between Trade and Commercial Waste income generated (for collected and hired waste, £48k underachievement of the budget) and the overall recycling income generated by the service (£300k overachievement of the budget).

There are other underspends in the service on the ICT Software and Maintenance lines, a total of £40k.

### **5. Traffic & Road Safety Cr £179k**

The Assistant Director for Traffic and Parking anticipates that all staffing costs this year can be fully funded and managed within the service's budget and from the LIP grant funding and no variation in this respect is being projected.

Advertising income from JD Decaux is predicted to overachieve the budget by £61k, assuming current trends continue to the end of the financial year. Similarly for Road Closure Charges (Temporary Traffic Orders), if income levels are maintained as in the previous two financial years, the budget will overachieve by £118k.

**Parking, Dr £489k**

	<b>Total £'000</b>	
<b>Summary of variations within Parking</b>		
Car Parks	315	
On Street	-10	
Permits	-264	
RingGo fees	-218	
<b>Parking fees total:</b>		<b>-177</b>
Enforcement PCNs issued by CEOs	-324	
Moving Traffic Contraventions (MTCs)	1,600	
Bus Lanes	220	
School keep clear markings	-30	
<b>Enforcement total:</b>		<b>1,466</b>
Parking Shared Services	-250	
Traffic committee	-50	
Central Contingency	-500	
<b>Total variations</b>	<b>489</b>	

**6. Car Parks (off street and multistorey car parks) Dr £315k**

In recent years there has been a marked change in the use of vehicles for trips to town centres and for commuting. This has had an impact on the use of off-street car parking spaces, resulting in a lower income to the Council.

**7. On Street Car Parks Cr £10k**

On street parking income is projected to overachieve the budget by £10k.

**8. Permit Parking Cr £264k**

A surplus is now anticipated for permit parking with strong activity in the third quarter; the projected overachievement is £264k.

**9. Ringo Fees, Cr £218k**

The amount that the Council receives from RingGo fees continues to be buoyant into the third quarter of the financial year, as the increased use of this payment method to pay for parking fees appears to be sustained and an overachievement of £218k is projected.

**10. Car Parking Enforcement Dr £1,446k**

**Enforcement PCNs by CEOs, Cr £324k**

Based on activity levels in the year to date, particularly in the third quarter to December, there is now a projected income overachievement of £324k from PCN's issued by enforcement officers.

**Moving Traffic Contraventions (MTCs), Dr £1,600k**

Since the introduction of enforcement of moving traffic contraventions in October 2021, the actual number of tickets issued has been significantly lower than anticipated. Officers believe that this has been the result of changes in traffic patterns post Covid-19 pandemic, alongside the Borough's fair approach to enforcement. The projected shortfall for the year remains unchanged from Q2 at £1,600k.

**Bus Lanes, Dr £220k**

As has been reported previously, compliance of the Bus Lanes continue to improve and therefore this income budget underachieved by £224k in 2021/22. It is projected to be underachieved by £220k this year.

**Schools keep clear markings and Bus Stops, Cr £30k**

There is a projected overachievement of £30k from this budget due to a new camera at a bus stop that had a known enforcement problem and was causing problems to the bus network.

**11. Parking Shared Service Cr £250k**

The position remains unchanged and there is a net projected underspend of £250k for the Parking Shared Service mainly due to underspends on staffing as a result of vacancies across both boroughs as well as a reduction in the number of agency staff employed. Officers plan to recruit to some of these posts in 2023/24.

**12. Traffic Committee for London fees Cr £50k**

There was an underspend of £50k on this budget in 2021/22 and a similar variation continues to be anticipated this year.

**13. Central Contingency Cr £500k**

As previously reported, in setting the budget for 2022/23, the Executive took into account the risk of possible continuing losses and set aside a further provision of £500k in the Central Contingency budget. As agreed by the Executive in October, this amount has now been drawn down to the Parking income budget. The situation remains under constant review.

#### **14. Highways, including London Permit Scheme Cr 196k**

The payments for the Traffic signal maintenance underspends by £86k this quarter. These costs vary year by year and are determined by TfL.

Staffing incurs an underspend of £40k across the service (Street Lighting, London Permits and Highways).

Highways are overachieving on income in the areas of Defect Notices, Section 74 Notices, Fixed Penalty Notices by £70k.

#### **Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers over £50k have been actioned.

#### **Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

## Public Protection &amp; Enforcement Budget Monitoring Summary

2021/22 Actuals £'000	Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>Public Protection</b>							
371	Community Safety	427	486	500	14	1	18	0
161	Emergency Planning	146	146	156	10	2	13	0
548	Mortuary & Coroners Service	603	603	787	184	3	96	0
1,466	Public Protection	1,469	1,453	1,453	0		-31	0
<b>2,546</b>	<b>TOTAL CONTROLLABLE</b>	<b>2,645</b>	<b>2,688</b>	<b>2,896</b>	<b>208</b>		<b>96</b>	<b>0</b>
617	<b>TOTAL NON CONTROLLABLE</b>	6	6	6	0		0	0
836	<b>TOTAL EXCLUDED RECHARGES</b>	811	816	816	0		0	0
<b>3,999</b>	<b>PORTFOLIO TOTAL</b>	<b>3,462</b>	<b>3,510</b>	<b>3,718</b>	<b>208</b>		<b>96</b>	<b>0</b>

## Reconciliation of Latest Approved Budget

£'000

Original Budget 2022/23

3,462

Carry Forward Requests approved from 2021/22

## Other

Provision for agency workers contract savings

-8

Adj to NI budget following reversal of 2022-23 increase in November

-8

Domestic Abuse team moved from CHN services

64

Latest Approved Budget for 2022/23

3,510



## **REASONS FOR VARIATIONS**

### **1. Community Safety Dr £14k**

There is a projected overspend of £18k in the costs of the Community Safety & Management Team, partially offset by a small underspend on the Nuisance & ASB Team.

### **2. Emergency Planning Dr £10k**

This projected overspend relates to the anticipated additional cost of emergency response standby allowances for the year.

### **3. Mortuary & Coroners Service Dr £184k**

Major renovations to the mortuary facilities at the Princess Royal University Hospital continue meaning that post-mortems will instead be conducted in Denmark Hill. With finite facilities at this alternative site, a backlog is anticipated. As bodies will remain in storage for longer, the Council will inevitably incur additional costs. Further to this, there has been higher than anticipated demand on the service and higher than expected inflationary increases to service fees.

## **Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers over £50k have been actioned.

## **Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.

## Renewal, Recreation &amp; Housing Budget Monitoring Summary

2021/22 Actuals £'000	Division Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>PLACE DEPARTMENT</b>							
	<b>Planning</b>							
99	Building Control	90	90	303	213	1	244	0
Cr 128	Land Charges	Cr 126	Cr 126	Cr 62	64	2	0	0
1,707	Planning	1,493	1,677	1,777	100	3	0	0
<b>1,678</b>		<b>1,457</b>	<b>1,641</b>	<b>2,018</b>	<b>377</b>		<b>244</b>	<b>0</b>
	<b>Culture &amp; Regeneration</b>							
908	Culture	830	1,031	1,046	15	4	25	0
4,649	Libraries	4,873	5,442	5,442	0		0	0
23	Economic Development	80	262	262	0		0	0
<b>5,580</b>		<b>5,783</b>	<b>6,735</b>	<b>6,750</b>	<b>15</b>		<b>25</b>	<b>0</b>
	<b>Operational Housing</b>							
1,314	Housing Strategy, Advice and Enabling	1,460	1,477	1,528	51	5	51	0
Cr 1,089	Housing Benefits	Cr 1,539	Cr 1,539	Cr 1,539	0		0	0
Cr 175	Housing Improvement	Cr 30	Cr 31	Cr 74	Cr 43	6	Cr 33	0
6,406	Allocations and Accommodation	4,295	4,291	5,184	893	7	655	324
877	Supporting People	1,070	1,044	942	Cr 102	8	Cr 118	Cr 94
1,488	Housing Options and Support	2,006	2,001	1,615	Cr 386	9	Cr 62	0
<b>8,821</b>		<b>7,262</b>	<b>7,243</b>	<b>7,656</b>	<b>413</b>		<b>493</b>	<b>230</b>
<b>16,079</b>	<b>Total Controllable</b>	<b>14,502</b>	<b>15,619</b>	<b>16,424</b>	<b>805</b>		<b>762</b>	<b>230</b>
2,141	<b>TOTAL NON CONTROLLABLE</b>	Cr 883	Cr 990	Cr 990	0		0	0
5,555	<b>TOTAL EXCLUDED RECHARGES</b>	5,627	5,627	5,627	0		0	0
<b>23,775</b>	<b>TOTAL RR &amp; H PORTFOLIO TOTAL</b>	<b>19,246</b>	<b>20,256</b>	<b>21,061</b>	<b>805</b>		<b>762</b>	<b>230</b>

## Reconciliation of Latest Approved Budget

£'000

## Original budget 2022/23

19,246

## Carry Forward Requests approved from 2021/22

Rough Sleepers Initiative Grant expenditure		228
Rough Sleepers Initiative Grant income	Cr	228
Homelessness Reduction Grant		89
Homelessness Reduction Grant	Cr	89
New Burdens Funding Grant expenditure		124
New Burdens Funding Grant income	Cr	124
Local Plan Implementation		120
New Homes Bonus - Regeneration		73

## Central Contingency Adjustments

Accommodation for Ex-Offenders expenditure		70
Accommodation for Ex-Offenders income	Cr	70
Rough Sleepers Initiative Grant expenditure		455
Rough Sleepers Initiative Grant income	Cr	455
Norman Park grant		151
Libraries contract inflation		54
Resources to address Planning minor applications backlog		90
Funding of Economic Development posts		109
Local London membership subscription		50
Libraries refresh		515
Provision for agency workers contract savings	Cr	14
Homes for Ukraine expenditure		821
Homes for Ukraine grant	Cr	821
Homeless Prevention Initiatives expenditure		883
Homeless Prevention Initiatives grant	Cr	883

## Other

Local Plan Review funded from Growth Fund		
- expenditure		600
- income	Cr	600
R&M Planned Maintenance adjustment	Cr	107
Adj to NI budget following reversal of 2022-23 increase in November	Cr	31

## Latest Approved Budget for 2022/23

20,256

## **REASONS FOR VARIATIONS**

### **1. Building Control Dr £213k**

For the chargeable service, an income deficit of £193k is projected based on actual income so far this year. A review of fees and charges was carried out in Q2 to ensure the service complies with Building Account Regulations, which requires that the service operates on a full cost recovery basis (i.e. does not make a surplus or is subsidised on an ongoing basis). Revised charges were implemented on 1 October, which is helping to increase income and has reduced the forecast shortfall by £51k from Q2. A £20k overspend is forecast on the salaries budget, mainly due to use of agency staff to cover vacancies. In accordance with the Regulations, any surplus or deficit in year is charged to or funded from the Building Control Charging Account earmarked reserve, and would leave a total deficit balance of £235k to recover from income in future years

### **2. Land Charges Dr £64k**

A £52k shortfall of land charges income compared to budget is now being forecast, due to reduced activity in Q3. There is also a £12k overspend forecast on the staffing budget, resulting in an overall overspend now being forecast of £64k.

### **3. Planning Dr £100k**

A £187k shortfall of planning fee income compared to budget is now being forecast, as receipts in the first three quarters of this financial year have been significantly lower than last year. There are, however, underspends on the salaries budget due to vacancies, which results in a net overspend being forecast of £100k.

### **4. Culture Dr £15k**

Following the death of HM Queen the borough's Operation London Bridge plan was enacted. This generated costs that had not been budgeted for at the start of the year in relation to the ceremonies the borough was required to deliver, the screening of the funeral, and the production of a memorial quilt which is ongoing.

### **5. Housing Strategy, Advice and Enabling Dr £51k**

There are three posts within the service which are unfunded. Options to address this are being reviewed and some short term funding identified to ease some of the pressures on this service area.

### **6. Housing Improvement Cr £43k**

In year vacancies during a period of recruitment are expected to result in an underspend of £43k.

### **7. Allocations and Accommodation Dr £893k**

There is currently a forecast overspend of £1,630k in the Temporary Accommodation before projected savings from increasing the supply of affordable housing. For this round of budget monitoring the number of Households in Temporary Accommodation was 1,064. It is currently expected that this will increase to 1,109 by the end of the financial year, at an average cost of around £7,110 per household per annum. This is partly offset by the Homeless Prevention Initiatives allocation in contingency and exceptional winter top up of the Homeless Prevention Grant top totalling £883k which are being requested for draw down this cycle.

These figures exclude other schemes like More Homes Bromley, Orchard & Shipman, ex-residential care homes, and the Bromley Private Sector Leasing Scheme. Once these client numbers have been included there are currently over 1,551 households in Temporary Accommodation.

Transformation savings totalling £1,286k were identified at the start of 2022-23 to provide a longer term alternative to expensive nightly paid accommodation. Included in this Meadowship Homes (£1,043k) and (Burnt Ash Lane £39k) continue to progress and schemes at Bushell Way, Anerley Town Hall car park and Beehive are now complete. Savings of £127k are expected to be achieved over the remainder of the financial year. The Full Year Effect of these savings is estimated at around £2.2m.

There is also currently a forecast overspend on salaries of £25k. This is due mainly to the cost of funding two short term posts to meet the additional work load created by the new schemes. There are some vacancies within the service which are partly offsetting this additional cost.

	<b>£'000</b>
<b>Summary of overall variations within Allocations and Accommodation:</b>	
Temporary Accommodation	747
More Homes Bromley Guarantee	248
Transformation Savings still to be delivered	Cr 127
Salaries	25
<b>Total variation for Allocations and Accommodation</b>	<b>893</b>

### **8. Supporting People Cr £102k**

A £102k underspend is currently forecast in the Supporting People area mainly as a result of procurement exercises during 2021/22 and 2022/23 containing costs within inflation that had accumulated in the budget whilst the previous contracts had been fixed for a number of years. There has been a virement of £26k from this budget to the HOPE contract in the Housing Strategy, Advice and Enabling service area to fund in-year one off additional costs.

### **9. Housing Options and Support Cr £386k**

There are a number of vacancies within the service and some posts are difficult to fill. Temporary posts have been created to try and address this. The current projected underspend is £63k.

There is a forecast underspend of £325k on the work carried out around Homelessness Prevention, which is been impacted on by the challenges in recruiting staff during the course of the financial year.

The Travellers budget has been realigned during the 2022-23 budget setting process and this should reduce some of the previous variances including the running costs and fee income. The Traveller Site Manager post continues to be difficult to fill and will result in an in-year underspend on salaries.

### **Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer has to obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers have been actioned.

### **Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, one virement has been actioned. to implement contract upgrades for the HOPE contract. £26k has been vired from the underspend in Supporting People to the Housing Strategy and Enabling service area. This is one off virement for 2022-23 only.

## Resources, Commissioning &amp; Contracts Management Portfolio Budget Monitoring Summary

2021/22 Actuals £'000		2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>CHIEF EXECUTIVE'S DEPARTMENT</b>							
	<b>FINANCIAL SERVICES DIVISION</b>							
248	Director of Finance & Other	251	251	251	0		0	0
7,349	Exchequer - Revenue & Benefits	6,109	6,044	6,021	Cr 23	1	0	0
477	Exchequer - Payments & Income	2,163	2,163	2,163	0		0	0
1,678	Financial Accounting	657	657	657	0		0	0
799	Management Accounting	1,760	1,760	1,760	0		0	0
	Audit	831	865	865	0		0	0
<b>10,551</b>	<b>Total Financial Services Division</b>	<b>11,771</b>	<b>11,740</b>	<b>11,717</b>	<b>Cr 23</b>		<b>0</b>	<b>0</b>
	<b>CORPORATE SERVICES DIVISION</b>							
5,818	Information Systems & Telephony	6,017	6,750	6,750	0		0	0
	<b>Legal Services &amp; Democracy</b>							
407	Electoral	1,079	1,126	1,126	0		0	0
1,339	Democratic Services	1,514	1,548	1,513	Cr 35	2	0	0
167	Mayoral	173	173	173	0		0	0
2,917	Legal Services	2,209	2,519	3,019	500	3	500	0
569	Procurement and Data Management	545	545	545	0		0	0
184	Management and Other (Corporate Services)	220	220	220	0		0	0
<b>11,401</b>	<b>Total Corporate Services Division</b>	<b>11,757</b>	<b>12,881</b>	<b>13,346</b>	<b>465</b>		<b>500</b>	<b>0</b>
	<b>HR AND CUSTOMER SERVICES DIVISION</b>							
1,899	Human Resources	2,210	2,210	2,210	0		0	0
317	Learning and Development	147	147	176	29	4	29	0
	<b>Customer Services</b>							
Cr 1,134	Contact Centre	Cr 1,172	Cr 1,172	Cr 1,172	0		0	0
Cr 139	Registration of Births, Deaths & Marriages	Cr 120	Cr 120	Cr 120	0		0	0
225	CE - Consultation & Communication	305	317	317	0		0	0
<b>3,436</b>	<b>Total HR &amp; Customer Services Division</b>	<b>3,714</b>	<b>3,726</b>	<b>3,755</b>	<b>29</b>		<b>29</b>	<b>0</b>
	<b>CHIEF EXECUTIVE'S DIVISION</b>							
796	Management and Other (C. Exec)	903	903	903	0		0	0
<b>796</b>	<b>Total Chief Executive's Division</b>	<b>903</b>	<b>903</b>	<b>903</b>	<b>0</b>		<b>0</b>	<b>0</b>
	<b>CENTRAL ITEMS</b>							
1,179	CDC & Non Distributed Costs (Past Deficit etc.)	1,284	1,284	1,284	0		0	0
9,475	Concessionary Fares	5,972	5,972	5,972	0		0	0
<b>36,838</b>	<b>TOTAL CONTROLLABLE CE DEPT</b>	<b>35,401</b>	<b>36,506</b>	<b>36,977</b>	<b>471</b>		<b>529</b>	<b>0</b>
675	<b>TOTAL NON CONTROLLABLE</b>	3,242	3,239	3,239	0		0	0
Cr 17,324	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 17,569	Cr 17,569	Cr 17,569	0		0	0
<b>20,189</b>	<b>TOTAL CE DEPARTMENT</b>	<b>21,074</b>	<b>22,176</b>	<b>22,647</b>	<b>471</b>		<b>529</b>	<b>0</b>
	<b>CHILDREN, EDUCATION AND FAMILIES DEPARTMENT</b>							
	<b>Strategy and Corporate Projects</b>							
229	Commissioning	232	230	141	Cr 89	5	Cr 54	0
2,126	Strategy, Performance and Engagement	1,831	1,831	1,772	Cr 59	6	85	0
<b>2,355</b>	<b>TOTAL CONTROLLABLE CEF DEPT</b>	<b>2,063</b>	<b>2,061</b>	<b>1,913</b>	<b>Cr 148</b>		<b>31</b>	<b>0</b>
300	<b>TOTAL NON CONTROLLABLE</b>	4	4	4	0		0	0
Cr 2,956	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 2,129	Cr 2,129	Cr 2,129	0		0	0
<b>Cr 301</b>	<b>TOTAL CEF DEPARTMENT</b>	<b>Cr 62</b>	<b>Cr 64</b>	<b>Cr 212</b>	<b>Cr 148</b>		<b>31</b>	<b>0</b>
	<b>ENVIRONMENT &amp; COMMUNITY SERVICES DEPARTMENT</b>							
	<b>Total Facilities Management</b>							
1,949	Admin Buildings & Facilities Support	1,628	2,940	2,960	20	7	20	0
280	Investment & Non-Operational Property	311	311	311	0		0	0
364	Strategic & Operational Property Services	962	962	962	0		0	0
1,510	TFM Client Monitoring Team	1,694	1,694	1,694	0		0	0
Cr 1,350	Other Rental Income - Other Portfolios	Cr 1,582	Cr 1,582	Cr 1,582	0		0	0
4,006	Repairs & Maintenance (All LBB)	3,314	3,314	3,314	0		0	0
<b>6,759</b>	<b>TOTAL CONTROLLABLE ECS DEPT</b>	<b>6,327</b>	<b>7,639</b>	<b>7,659</b>	<b>20</b>		<b>20</b>	<b>0</b>
84	<b>TOTAL NON CONTROLLABLE</b>	466	466	466	0		0	0
Cr 4,438	<b>TOTAL EXCLUDED RECHARGES</b>	Cr 4,308	Cr 4,308	Cr 4,308	0		0	0
Cr 1,869	<b>Less: R&amp;M allocated across other Portfolios</b>	Cr 1,628	Cr 1,628	Cr 1,628	0		0	0
1,350	<b>Less: Rent allocated across other Portfolios</b>	1,582	1,582	1,582	0		0	0
<b>1,886</b>	<b>TOTAL ECS DEPARTMENT</b>	<b>2,439</b>	<b>3,751</b>	<b>3,771</b>	<b>20</b>		<b>20</b>	<b>0</b>

21,774	TOTAL RCCM PORTFOLIO	23,451	25,863	26,206	343	580	0
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**Reconciliation of Latest Approved Budget**

£'000

Original budget 2022/23

23,451

**Carry Forward Requests approved from 2021/22**

Local Digital Cyber Fund expenditure	100	
Local Digital Cyber Fund income	-100	
Audit Support	34	
Members IT	34	68
	<u>34</u>	

**Central Contingency Adjustments**

Energy contract (part year)	1,312	
Local election May 2022	47	
Legal Support – children's and adults social care	170	
Inflation	12	
IT contract procurement	653	
Resources to support GDPR compliance	80	
Additional Legal costs	140	

**Other Budget Movements**

Repairs and Maintenance	Cr	3
Provision for agency workers contract savings	Cr	22
Adj to NI budget following reversal of 2022-23 increase in November	Cr	45
Step Up to Social Work transferred to HR from CEF		
- expenditure		900
- income	Cr	900

**Latest Approved Budget for 2022/23**
25,863

## **REASONS FOR VARIATIONS**

### **1. Exchequer - Revenue & Benefits Cr £23k**

A £23k underspend is forecast on the staffing budget due to vacancies.

### **2. Democratic Services Cr £35k**

A £35k underspend is forecast on the employees budget.

### **3. Legal Services Dr £500k**

The overspend of £500k remains unchanged from Q2, with the increase in demand for use of counsel similar to the previous financial year, particularly in respect of childcare cases. The Assistant Director for Legal Services has provided the following narrative:

*Legal services is a demand led service and in recent years there has been an upward trend in childcare cases issued by the local authority, and the courts are listing more hearings per case. This has therefore increased spend on counsel, however, the legal budget for counsel has not increased to accommodate for this upward cost pressure. Although the in-house team carry out advocacy to mitigate spend on counsel, they are required to focus on case work.*

*The court bundle lists indicate that in year 2019-20 there were circa 380 hearings. In 2020/21, there was an increase to circa 510 hearings which, whilst not unprecedented, is a significant rise on the previous year. In 2021/22, the figure was circa 420. Between April 2021 and April 2022, to counter external spend, the team has carried out circa 116 hearings in-house, and the team continues to face complex and lengthy cases (for example, an ongoing case ran for 14 days in court and on another case, the Local Authority were requested by the Judge to appoint a senior counsel). The team has also had to deal with an increasing number of DOLS (Deprivation of Liberty) cases. As an example, there have been 15 hearings on one young person's matter. The court identified an issue with cases having a large number of CMH (Case Management hearings). In May 2021, 30 LBB cases were so flagged with one case having had 17 hearings at that point and another 14.*

*The Planning Litigation and Licensing Legal team has also overspent on the budget for counsel's fees. These cases involve planning inquiries before an Inspector, advice concerning planning enforcement action, civil litigation including judicial and statutory review in the Administrative and Planning Court, an application to the Court of Appeal and criminal litigation including attendance at the Crown Court. Some of these cases are complex necessitating the instruction of senior Counsel to ensure the best outcome. In particular, an application for an injunction (and subsequent committal proceedings) in respect of breaches of planning control for land at the junction of Sevenoaks Road and Wheatsheaf Hill, Halstead has attracted a high profile where the service had to instruct a junior and senior counsel to represent the Council in court. It should be noted that the in-house team do not have right of audience at High Court, Court of Appeal and Crown Courts and therefore need to instruct counsel.*

*Due to the increased instructions to legal services on contracts, contract disputes, housing, regeneration, education capital projects and commercial property-related matters arising, the Legal commercial team has had to engage locum lawyers in order to meet the increased demand, thereby putting pressure on the staffing budget.*

*The Director of Corporate Services and Governance has issued a new procedure for instructing counsel for service directors to agree. This includes putting in measures to control expenditure on counsel and giving service departments more ownership of expenditure relating to their cases. The Director of Corporate Services and Governance will also oversee a review of Legal services to look at the work of the service, budget and resourcing requirements.*

### **4. Learning & Development Dr £29k**

The overspend in this area is caused by staffing variance of £17k and an under collection on income of £34k. This is being offset by an underspend of £22k on running costs

### **5. Commissioning Cr £54k**

The underspend in this area is mainly being caused by lower than expected staffing costs

### **6. Strategy, Performance and Engagement Dr £85k**

The overspend in this area is caused by staffing variance of £54k and an under collection on income of £80k. This is being offset by an underspend of £49k on running costs

### **7. Admin Buildings & Facilities Support Dr £20k**

Additional temporary cleaning measures have been reinstated through to March 2023 in order to prevent the spread of Covid this winter. This is expected cost an additional £20k above budget in this financial year.

### **Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempted from the normal requirement to obtain competitive quotations, the Chief Officer has to obtain the agreement of the Director of Resources and Finance Director and (where over £100,000) approval of the Portfolio Holder, and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers have been actioned.

**Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, no virements have been actioned.



## Allocation of Contingency Provision for 2022/23

Item	Original Contingency Provision	Allocations				Total Allocations/Projected for Year	Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Items Projected for Remainder of Year		
	£	£	£	£	£	£	
<b>General</b>							
Provision for Unallocated Inflation	3,977,000	2,732,000		0	2,732,000	(1 & 3) Cr 1,245,000	
Increase in Cost of Homelessness/Impact of Welfare Reforms	1,825,000			200,000	200,000	Cr 1,625,000	
Provision for increase in employer national insurance-outsourced services	910,000			0	0	Cr 910,000	
General Provision for Risk/Uncertainty	3,500,000			250,000	250,000	Cr 3,250,000	
Provision for Risk/Uncertainty Relating to Volume & Cost Pressures	2,871,000			0	0	Cr 2,871,000	
Growth for Waste Services	187,000			0	0	Cr 187,000	
Universal Credit roll out - Claimant Fault Overpayment Recoveries	750,000			0	0	Cr 750,000	
Deprivation of Liberty	118,000			0	0	Cr 118,000	
Building Infrastructure Fund	2,000,000			2,000,000	2,000,000	0	
Provision for potential loss of car park income	500,000	500,000		0	500,000	(1) 0	
Property income recovery/rent variations	500,000	500,000		0	500,000	(1) 0	
Legal support - children and adults social care	170,000	170,000		0	170,000	(1) 0	
Provision of agency workers contract saving	Cr 260,000	Cr 260,000		0	Cr 260,000	(3) 0	
Planning Application backlog	0	90,000		0	90,000	(1) 90,000	
Economic Development posts	0	109,000		0	109,000	(1) 109,000	
Norman Park	0	151,000		0	151,000	(1) 151,000	
Local London Membership	0	50,000		0	50,000	(1) 50,000	
Local election	0	47,000		0	47,000	(1) 47,000	
IT contract procurement	0	989,000		0	989,000	(1) 989,000	
SARS	0	80,000		0	80,000	(1) 80,000	
Additional social workers re caseloads (£2m to a reserve)	0	2,400,000		0	2,400,000	(1) 2,400,000	
Temporary increase in CIN social workers (COVID related)	0	250,000		0	250,000	(1) 250,000	
Business Rates Surplus Levy	0		Cr 322,659	0	Cr 322,659	(4) Cr 322,659	
Additional legal costs	0	140,000		0	140,000	(5) 140,000	
Homes for Ukraine Grant allocated to Departments	0			Cr 1,078,000	Cr 1,078,000	(4) Cr 1,078,000	
Legal Reserve to support potential additional costs in 2023/24	0		635,000		635,000	(4) 635,000	
Education Reserve to fund additional costs in 2023/24 and 2024/25			630,000		630,000	(4) 630,000	
<b>Adult Care &amp; Health Portfolio</b>							
<b>Better Care Fund</b>							
Grant Related Expenditure		402,000		0	402,000	(1) Cr 402,000	
Grant Related Income		Cr 402,000		0	Cr 402,000	Cr 402,000	
<b>Improved Better Care Fund</b>							
Grant Related Expenditure		227,000		0	227,000	(1) Cr 227,000	
Grant Related Income		Cr 227,000		0	Cr 227,000	Cr 227,000	
<b>Public Health Grant</b>							
Grant Related Expenditure		427,000		0	427,000	(1) Cr 427,000	
Grant Related Income		Cr 427,000		0	Cr 427,000	Cr 427,000	
<b>ICS funding</b>							
Grant Related Expenditure		4,528,000		0	4,528,000	(1) Cr 4,528,000	
Grant Related Income		Cr 4,528,000		0	Cr 4,528,000	Cr 4,528,000	
<b>King's funding for SPA</b>							
Grant Related Expenditure		500,000		0	500,000	(1) Cr 500,000	
Grant Related Income		Cr 500,000		0	Cr 500,000	Cr 500,000	
<b>Market Sustainability and Fair Cost of Care Fund</b>							
Grant Related Expenditure		804,000		0	804,000	(1) Cr 804,000	
Grant Related Income		Cr 804,000		0	Cr 804,000	Cr 804,000	
<b>Charging Reform Implementation Support Grant</b>							
Grant Related Expenditure		104,000		0	104,000	(1) Cr 104,000	
Grant Related Income		Cr 104,000		0	Cr 104,000	Cr 104,000	
<b>Supplementary Substance Misuse Treatment &amp; Recovery Grant</b>							
Grant Related Expenditure		264,343		0	264,343	(2) Cr 264,343	
Grant Related Income		Cr 264,343		0	Cr 264,343	Cr 264,343	
<b>Additional Winter Pressures Funding</b>							
Grant Related Expenditure			2,314,000	0	2,314,000	(4) Cr 2,314,000	
Grant Related Income			Cr 2,314,000	0	Cr 2,314,000	Cr 2,314,000	
<b>Children, Education and Families</b>							
<b>SEND Transport Growth</b>	1,000,000		1,000,000		1,000,000	(4) 0	
<b>Homes for Ukraine - DfE Grant</b>							
Grant Related Expenditure		350,000		929,739	1,279,739	(2) Cr 1,279,739	
Grant Related Income		Cr 350,000		Cr 929,739	Cr 1,279,739	Cr 1,279,739	
<b>Renewal, Recreation &amp; Housing</b>							
<b>Property Valuation</b>	100,000				0	Cr 100,000	
<b>Planning Appeals - change in legislation</b>	60,000				0	Cr 60,000	
<b>Accommodation for Ex-Offenders</b>							
Grant Related Expenditure		69,500			69,500	(1) Cr 69,500	
Grant Related Income		Cr 69,500			Cr 69,500	Cr 69,500	
<b>New Homes Bonus - Regeneration</b>							
Grant Related Expenditure			72,521		72,521	(3) 72,521	

APPENDIX 4

Grant Related Income		Cr 72,521			Cr 72,521		Cr 72,521
Homes for Ukraine - General Grant							
Grant Related Expenditure		821,000	1,228,000	4,083,000	6,132,000		6,132,000
Grant Related Income	Cr	821,000	Cr 1,228,000	Cr 4,083,000	Cr 6,132,000	(2)	Cr 6,132,000
Homes for Ukraine - Thank you payments							
Grant Related Expenditure		515,900			515,900		515,900
Grant Related Income	Cr	515,900			Cr 515,900	(2)	Cr 515,900
		<b>18,208,000</b>	<b>7,948,000</b>	<b>1,942,341</b>	<b>1,372,000</b>		<b>11,262,341</b>
<b>Grants included within Central Contingency Sum</b>							<b>Cr 6,945,659</b>
Rough Sleeping Initiative							
Grant Related Expenditure		104,000	455,000		455,000		351,000
Grant Related Income	Cr	104,000	Cr 455,000		Cr 455,000	(1)	Cr 351,000
Homeless Prevention Initiatives							
Grant Related Expenditure		424,000		883,000	883,000		459,000
Grant related Income	Cr	424,000	Cr 883,000		Cr 883,000	(4)	Cr 459,000
Tackling Troubled Families							
Grant Related Expenditure		628,000	490,000		138,000		0
Grant related Income	Cr	628,000	Cr 490,000	Cr 138,000	Cr 628,000	(3)	0
<b>TOTAL CARRIED FORWARD</b>		<b>18,208,000</b>	<b>7,948,000</b>	<b>1,942,341</b>	<b>1,372,000</b>		<b>Cr 6,945,659</b>

Allocation of Contingency Provision for 2022/23 (continued)

Item	Carried Forward from 2021/22	Allocations				Variation to Original Contingency Provision
		Previously Approved Items	New Items Requested this Cycle	Items Projected for Remainder of Year	Total Allocations/Projected for Year	
	£	£	£	£	£	£
<b>TOTAL BROUGHT FORWARD</b>	<b>18,208,000</b>	<b>7,948,000</b>	<b>1,942,341</b>	<b>1,372,000</b>	<b>11,262,341</b>	<b>Cr 6,945,659</b>
<b>Items Carried Forward from 2021/22</b>						
<b>Adult Care &amp; Health Portfolio</b>						
Social Care Funding via the CCG under S75 Agreements						
Improved Better Care Fund						
- Expenditure	2,597,185	2,597,185			2,597,185	(2) 0
- Income	Cr 2,597,185	Cr 2,597,185			Cr 2,597,185	(2) 0
Better Care Fund 2021/22						
- Expenditure	82,975	82,975			82,975	(2) 0
- Income	Cr 82,975	Cr 82,975			Cr 82,975	(2) 0
Public Health						
- Expenditure	1,964,209	1,964,209			1,964,209	(2) 0
- Income	Cr 1,964,209	Cr 1,964,209			Cr 1,964,209	(2) 0
Winter Resilience Funding						
- Expenditure	400,000	400,000			400,000	(1) 0
- Income	Cr 400,000	Cr 400,000			Cr 400,000	(1) 0
<b>Renewal, Recreation &amp; Housing Portfolio</b>						
Rough Sleepers Initiative						
- Expenditure	227,635	227,635			227,635	(2) 0
- Income	Cr 227,635	Cr 227,635			Cr 227,635	(2) 0
New Burdens Funding Grant						
- Expenditure	123,919	123,919			123,919	(2) 0
- Income	Cr 123,919	Cr 123,919			Cr 123,919	(2) 0
Homelessness Reduction Grant						
- Expenditure	89,000	89,000			89,000	(2) 0
- Income	Cr 89,000	Cr 89,000			Cr 89,000	(2) 0
<b>Children, Education and Families Portfolio</b>						
Virtual School CIN Grant						
- Expenditure	62,806	62,806			62,806	(2) 0
- Income	Cr 62,806	Cr 62,806			Cr 62,806	(2) 0
Virtual School PLAC Grant						
- Expenditure	92,669	92,669			92,669	(2) 0
- Income	Cr 92,669	Cr 92,669			Cr 92,669	(2) 0
Tackling Troubled Families Grant						
- Expenditure	334,051	334,051			334,051	(2) 0
- Income	Cr 334,051	Cr 334,051			Cr 334,051	(2) 0
Deed Settlement for Hawes Down Site						
- Expenditure	12,119	12,119			12,119	(2) 0
- Income	Cr 12,119	Cr 12,119			Cr 12,119	(2) 0
<b>Resources, Commissioning and Contracts Portfolio</b>						
Local Digital Cyber Fund						
- Expenditure	100,000	100,000			100,000	(2) 0
- Income	Cr 100,000	Cr 100,000			Cr 100,000	(2) 0
<b>General</b>						
Shared Lives Transformation posts	100,000	100,000			100,000	(1) 0
Members IT	34,000	34,000			34,000	(2) 0
Local Plan Implementation	120,000	120,000			120,000	(2) 0
Audit Support	34,000	34,000			34,000	(2) 0
Broadband at Poverest	6,103	6,103			6,103	(2) 0
EIFS waiting list and volumes	90,000	90,000			90,000	(2) 0
MOPAC Choices grant	75,000	75,000			75,000	(2) 0
Wellbeing for Education	5,821	5,821			5,821	(2) 0
<b>Total Carried Forward from 2020/21</b>	<b>464,924</b>	<b>464,924</b>	<b>0</b>	<b>0</b>	<b>464,924</b>	<b>0</b>
<b>GRAND TOTAL</b>	<b>18,672,924</b>	<b>8,412,924</b>	<b>1,942,341</b>	<b>1,372,000</b>	<b>11,727,265</b>	<b>Cr 6,945,659</b>

Notes:

(1) Portfolio Holder for Adult Care and Health, 22nd March 2022

Description	2022/23 Latest Approved Budget £'000	Variation To 2022/23 Budget £'000	Potential Impact in 2023/24
Housing Needs - Temporary Accommodation	5,990	893	The full year effect of Temporary Accommodation is currently estimated to be £2,459k. This will be reduced by planned transformation savings totalling £2,135k which have been identified for 2023-24 to provide a longer term alternative to expensive nightly paid accommodation. This estimate only takes into account the projected activity to the end of this financial year and not any projected growth in client numbers beyond that point.
Assessment and Care Management - Care Placements	28,981	2,080	The full year impact of the current overspend is estimated at £2,764k. Of this amount £953k relates to residential and nursing home placements for 65+ and £660k for 18-64's. and £681k for Domiciliary care & direct payments for 65+ and £470k for 18-64's. This is based on service user numbers as at the end of December.
Learning Disabilities - including Care Placements, Transport and Care Management	42,270	57	The full year effect (FYE) is estimated at a net overspend of £1,192k. This figure is higher than the in-year overspend as demand-related growth pressures, for example transition and increased client needs, have only a part year impact in 2022/23 but a greater financial impact in a full year. Given the uncertainties that remain in relation to the delivery of savings and the transition cohort, the FYE is likely to change by year end.
Mental Health - Care Placements	6,550	Cr 25	A full year overspend of £4k is anticipated on Mental Health care packages, with residential, nursing and supported living placements £4k underspent and domiciliary care and direct payments £8k overspent.
Supporting People	1,070	Cr 94	The full year effect of Supporting People is currently estimated to be a credit of £94k. This is a result of the estimated savings from retendering of the contracts that has taken place.
Children's Social Care	42,352	8,799	The overall full year effect of the Children's Social Care overspend is a net £7,808k, analysed as Residential Care, Fostering and Adoption of £5,413k and on Leaving Care costs of £2,395k.
SEN Transport	6,480	972	The current full year effect for SEN Transport - based on the current routes - is £871k. This includes the draw down of £1m
Waste Services	20,463	Cr 800	The previously approved budget increase in respect of increased waste volumes is no longer required resulting in a full year budget reduction of £800k.
Moving Traffic Contraventions	Cr 8,962	1,650	The actual number of PCN's issued in 2022/23 has remained lower than original expectations, which officers believe is due mainly to a reduction in traffic congestion meaning fewer vehicles are contravening yellow box junctions. The full year reduction in income is estimated at c£1m.

**SECTION 106 RECEIPTS**

Section 106 receipts are monies paid to the Council by developers as a result of the grant of planning permission where works are required to be carried out or new facilities provided as a result of that permission (e.g. provision of affordable housing, healthcare facilities & secondary school places). The sums are restricted to being spent only in accordance with the agreement concluded with the developer.

The major balances of Section 106 receipts held by the Council are as follows:

<b>31st March 2022 £000</b>	<b>Service</b>	<b>Income £000</b>	<b>Expenditure £000</b>	<b>Transfers to/(from) Capital £000</b>	<b>Projection as at 31st March 2023 £000</b>
<b><u>Revenue</u></b>					
233	Highway Improvement Works	120			353
30	Road Safety Schemes				30
8	Local Economy & Town Centres	-			8
70	Parking	10			80
0	Education	43			43
1,445	Healthcare Services	107			1,552
10	Community Facilities	-			10
443	Other	436			879
<b>2,239</b>		<b>716</b>	<b>0</b>	<b>-</b>	<b>2,955</b>
<b><u>Capital</u></b>					
5,078	Education				5,078
20	Highways				20
2,452	Housing				2,452
686	Local Economy & Town Centres				686
0	Other				-
<b>8,236</b>		<b>0</b>	<b>0</b>	<b>-</b>	<b>8,236</b>
<b>10,475</b>		<b>716</b>	<b>0</b>	<b>0</b>	<b>11,191</b>

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# Agenda Item 7

Report No.  
CSD23053

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** Monday 24 April 2023

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

**Title:** BASIC NEED CAPITAL PROGRAMME UPDATE

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

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 29<sup>th</sup> March 2023 the Executive received the attached report updating them on the capital schemes in the Basic Need Programme. The Executive agreed the recommendations in the report including the updated programme, subject to approval by full Council. The report was also scrutinised by the Children, Education and Families PDS Committee at the meeting on 14<sup>th</sup> March 2023.

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2. **RECOMMENDATION**

**Council is recommended to approve the updated Basic Need Programme as set out in Appendix 3 to the attached report.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable

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## Transformation Policy

1. Policy Status: Existing Policy: See attached report
2. Making Bromley Even Better Priority:  
(1) For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.

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## Financial

1. Cost of proposal: Not Applicable
2. Ongoing costs: Not Applicable
3. Budget head/performance centre: Education Capital Programme
4. Total current budget for this head: £105,104k
5. Source of funding: DfE grants and S.106 contributions

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## Personnel

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

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## Legal

1. Legal Requirement: Statutory Requirement:
2. Call-in: Not Applicable: Council decisions are not subject to call-in

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## Procurement

1. Summary of Procurement Implications: Not Applicable

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## Property

1. Summary of Property Implications: Not Applicable

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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

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## Impact on the Local Economy

Summary of Local Economy Implications: Not Applicable

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## Impact on Health and Wellbeing

Summary of Health and Wellbeing Implications: Not Applicable

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## Customer Impact

1. Estimated number of users or customers (*current and projected*): Not Applicable

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## Ward Councillor Views

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

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/Policy/Legal/Financial/Personnel/Procurement/Property/Carbon Reduction/Local Economy/health & Wellbeing/Customers
Background Documents: (Access via Contact Officer)	See attached report



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<b>Decision Maker:</b>	<b>EXECUTIVE</b>
<b>Date:</b>	<b>For Pre-Decision Scrutiny by the Children, Education and Families PDS Committee on 14 March 2023</b>
<b>Decision Type:</b>	Non-Urgent                      Executive                      Key
<b>Title:</b>	<b>BASIC NEED UPDATE REPORT</b>
<b>Contact Officer:</b>	Robert Bollen, Head of Strategic Place Planning Tel: 020 8313 4697    E-mail: Robert.Bollen@bromley.gov.uk
<b>Chief Officer:</b>	Director of Education
<b>Ward:</b>	All Wards

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1. Reason for decision/report and options

- 1.1 This report provides an update on funding and the capital schemes included within the Council's Basic Need Programme.
- 

2. **RECOMMENDATIONS**

- 2.1 **That the Executive agrees the updated Basic Need Programme as set out in Appendix 3 subject to Full Council approval.**
- 2.2 **That the Executive agrees that new projects at Burnt Ash Primary School, Oaklands Primary School, The Highway Primary School and Trinity CE Primary be added to the Basic Need Programme as detailed in the scheme appraisals in Appendix 1.**
- 2.3 **That the Executive agrees the allocation of an additional £43k of additional S106 allocations to projects within the Basic Need Capital Programme as outline in Appendix 2.**
- 2.4 **That Members note the additional High Needs Provision Capital Funding allocation of £8,478k received for 2022/23 and 2023/24 for improving and expanding SEN and Alternative provision.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: This programme is currently benefitting local children and young people through providing an additional 1,680 temporary and 3,715 permanent schools places in both mainstream and specialist settings.
- 

### Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority (delete as appropriate):  
(1) For children and young People to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
- 

### Financial

1. Cost of proposal: n/a
  2. Ongoing costs: n/a
  3. Budget head/performance centre: Educational Capital Programme
  4. Total current budget for this head: £105,124k
  5. Source of funding: DfE Basic Need Capital Grant, DfE SEND Provision Capital funding, DfE School Condition Allocations (SCA), S106 contributions
- 

### Personnel

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

### Legal

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

### Procurement

1. Summary of Procurement Implications: There are no procurement implications arising from this report. The procurement strategy for the Basic Need Capital Programme has been set out in previous reports.
- 

### Property

1. Summary of Property Implications:
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
- 

### Customer Impact

1. Estimated number of users or customers (current and projected):
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

- 3.1 This report provides a progress update on the delivery of the Council's Basic Need Capital Programme over the past year, additional capital funds received, and new schemes being added to the programme.
- 3.2 The focus of the Basic Needs Programme has now shifted from the delivery of mainstream to specialist places. The programme incorporates High Needs Provision Capital funding received from central government to increase places and improve the suitability of specialist provision.
- 3.3 Starting in Autumn Term 2022 the Council has been undertaking a strategic review of high needs funding and the specialist estate in Bromley. The estates review will be ongoing throughout 2023 and will enable the development of a programme to increase specialist places in Bromley schools.
- 3.4 The Council intends to broadly utilise its High Needs Provision Capital Allocation as follows:
- Provision of additional specialist capacity through (i) the creation of new, or expansion of existing Additionally Resourced Provisions (ARPs) and (ii) the expansion of maintained special schools (75%)
  - Improvements to existing ARPs and maintained special schools (15%)
  - Support to mainstream schools to enhance the inclusion of children with special education needs (SEN) (10%).
- 3.5 During 2022 the Council procured new consultants to support it with delivery of its education capital programme.
- 3.6 The first schemes from the specialist estates review are being added to the programme. There is not currently sufficient funding to deliver all schemes. Unfunded schemes will be brought forward into the Projects in Delivery (Funded) programme once funds are available.

#### **Funding**

- 3.7 The Council receives Basic Need Capital Grant from the DfE to support the delivery of sufficient school places, with over £80m allocated to Bromley since 2011-2022. The Council has received no additional mainstream allocation since 2021-22. The formula for allocation is based principally on projected population growth for children and young people aged 2-18.
- 3.8 In addition, the Council has now received an additional £8,478k SEN Provision Capital Funding allocation for 2022-24.
- 3.9 These allocations are provided in addition to the Basic Need Capital Grant to support local authorities to provide new specialist placements and improve SEN facilities.

<b>Basic Need Allocation</b>	
2011-12 allocation	£4,496,771
Autumn 2011 exceptional in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2012 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
2017-18 allocation	£8,837,573
2018-19 allocation	£6,895,846
2021-22 allocation	£2,237,466
	<b>£80,010,690</b>
<b>SEND/High Needs Provision Capital Funding</b>	
2018-19 allocation	£865,510
2019-20 allocation	£865,510
2020-21 allocation	£865,510
Additional allocation 2018-21 (May '18)	£603,844
Additional allocation 2018-21 (Dec '18)	£1,207,688
2021-22 allocation	£2,450,780
2022-23 allocation	£4,169,618
2023-24 allocation	£4,308,004
	<b>£15,336,464</b>
<b>Total DfE allocation</b>	<b>£95,347,154</b>
<b>Section 106 Funding</b>	
April 2014 draw down	£705,653
July 2017 draw down	£2,889,855
March 2021 draw down	£4,127,637
March 2022 draw down	£980,680
March 2023 draw down	£42,965
	<b>£8,746,789</b>

3.10 The table above provides details of all the Basic Need Capital Grant and SEND Provision Capital Funding received by the Council, along with Section 106 funds drawn down since 2011.

3.11 In addition, the Basic Need capital programme also includes capital contributions from a range of other capital funding programmes including DfE School Condition Allocations (SCA) and Section 106 contributions. These are detailed in Section 6 of this report.

3.12 Appendix 1 provides an appraisal of new schemes being added to the Basic Need Programme.

3.13 Appendix 2 provides details of new Section 106 funding being drawn down against schemes within the programme. All S106 funds currently available for education has been allocated to projects in the Basic Need Programme. This funding has either been spent or supports projects currently in delivery.

3.14 Appendix 3 provides details of the Basic Need Programme and the funding allocated for individual project. Projects are categorised as follows:

- A Completed projects, including projects that are in defects and yet to reach Final Account.
  - B Projects in Delivery (Funded) – schemes that are in the delivery phase, including projects under construction and in procurement, and have available funding allocated to them to allow delivery
  - C Projects in Development (Unfunded) – schemes that are not an immediate priority and are therefore not fully funded, but are being delivered to a ‘shovel ready’ status
- 3.15 Design development of schemes not in the delivery phase (funded or unfunded) of the programme will continue, but schemes will not be brought forward until there is sufficient need and funding is available.

### Recently Completed Schemes

- 3.16 Since the last Basic Need Update Report to the Executive in March 2022, the following schemes have been completed

Bishop Justus	Works to enhance hygiene facilities and accessibility to support a child placed at the school.
Chislehurst School for Girls	Works to provide hygiene facilities and accessibility to support child placed at school.
Marian Vian Primary School (Phase 1)	This scheme provided a new drop off zone for the school and converts the former children and family centre into a nursery. The scheme is funded entirely by S106 contributions.
Stewart Fleming	Phase 2 final account discussions complete including following COVID delays.

### Projects In Delivery (Funded)

- 3.17 Two new schemes proposing to open additional resources provisions (ARPs) for children with SEN at Oaklands Primary School and The Highway Primary School have been added to the Projects in Delivery (Funded) Programme. A financial appraisal for both these schemes has been included within Appendix 1. The appraisal costs are early estimates and subject to revision through the development of each project.

3.18 The following schemes are currently being delivered or progressed to the Projects in Delivery (Funded) stage:

B1	Darrick Wood School	A small access scheme improving the acoustic performance of the Secondary Deaf Base at Darrick Wood School.
B2	Farnborough Primary School	Council contribution of S106 monies towards school led scheme focussing on enhancements and re-providing specialist spaces rather than expansion.
B3	Marian Vian Primary School (Phase 2)	S106 scheme to replace dilapidated year 6 accommodation block. S106 funded. Scheme delivery reliant on further expected S106 contributions.
B4	Nightingale (PRU)	New mental health alternative provision accommodation for Council's Home Hospital Tuition Service (HHTS) and Bromley Trust Academy Blenheim (BTAB).
B5	Oaklands Primary School	Expansion of the school premises to create a new 3 class additionally resource provision (ARP).
B6	Red Hill Primary Schools	This scheme involves carrying out remodelling and limited new build construction at the school to ensure that there is sufficient accommodation to admit 4FE in KS2, creating a guaranteed place KS2 for all pupils leaving Mead Road Infant School. The scheme is currently being reviewed to reduce costs.
B7	St John's CE Primary School	S106 funded scheme. Design works and discussions ongoing with Aquinas Trust. Potential need for more school places in area in future years. Delivery of full scheme reliant on further expected S106 or trust contributions.
B8	The Highway Primary School	New additionally resourced provision (ARP) at school. Two options are being considered for either a 2 or 3 class provision.
B9	Secondary bulge classes	Allocation to support the Council meet its statutory duty for ensuring sufficient school places. Pressure is currently in NW Bromley and will continue until Harris Kent House opens.
B10	Specialist placements	Allocation to support the Council to ensure it has sufficient placements for children and young people with an EHCP through capital works
B11	Redwood Academy	Allocation/contingency to cover Council's contribution to the DfE delivered special free school including site clearance and abnormal costs.

### Projects in Development (Unfunded)

3.19 During 2022/23 works has continued on the Elmstead Wood Primary School with consultation on the disposal of Dorset Road having been undertaken. A Section 77 application will shortly be distributed to the Secretary of State for Education to agree disposal. New schemes have been added to the Projects in Development (Unfunded) programme including at Burnt Ash Primary School and Trinity CE Primary School. A financial appraisal of both schemes has been included within Appendix 1. The appraisal costs are early estimates and subject to revision through the development of each project.

#### 4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Basic Need Capital Programme has added 1,680 temporary and 3,715 permanent school places in mainstream and specialist settings.

#### 5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places, the quality of those places and their efficient organisation is a priority within the Council's strategy Making Bromley Even Better 2021-31; 'For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.' In seeking best value in the delivery of school places this proposal will be the priority; 'To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.' The proposals contained within this report also contribute to key targets within the Children, Education and Families Portfolio Plan.

#### 6. FINANCIAL IMPLICATIONS

- 6.1 The Council has been granted £95.3m in 100% Basic Need Capital Grant and High Needs Provision Capital Funding for the financial years 2011-24 to meet the need for mainstream, specialist and alternative provision school places. The programme includes various transfers from other schemes to support the delivery of the Council's Basic Need Programme. Allocations have also been made to Basic Need to support other education capital schemes, resulting in a total current budget of £105.1m as shown in the table below.

<b>External DfE Funding</b>	£'000s
Basic Need Allocation	80,011
High Needs Provision Capital allocation	15,336
	<b>95,347</b>
<b>Other funding streams</b>	
Approved S106 allocations	8,747
Transfers from DfE Capital Maintenance Grant (SCA)	1,294
Transfer from Reconfiguration of Special Schools Scheme	113
DfE payment towards Trinity CE Primary School MUGA	301
	<b>10,455</b>
<b>Total Basic Need Budget</b>	<b>105,802</b>
Transfer to The Highway Capital Project	-650
Transfer to Beacon House Capital Project	-577
Transfer back from The Highway Capital Project	113
Transfer back from Beacon House Capital Project	391
Transfer from Langley Park BSF Capital Project to Basic Need	3
Transfer from Early Education for Two Year Olds Funding	42
<b>New Basic Need Capital Programme</b>	<b>105,124</b>

- 6.2 The table above sets out the Council's updated Basic Need Capital Programme including the High Needs Provision Capital Funding and the addition of £46k additional S106 funding detailed in Appendix 2.

- 6.3 For the purposes of monitoring total Basic Need related expenditure, and to ensure that any underspends are returned to Basic Need, the £650k and £577k transfers to the Highway Primary Rebuild and Beacon House Refurbishment Schemes respectively have been added back into the list of projects, and the Section 106 funding removed and shown as other funding. £113k, £391k, £3k and £42k have been passed to Basic Need from the Highway, Beacon House, Langley Park School for Boys Capital Project and Early Education for Two Year Olds respectively now that these schemes are closed.
- 6.4 To date, a total of £114,488k expenditure has been committed (completed schemes plus schemes in delivery). Funding of this is broken down as follows:-

	<b>£'000s</b>
Expenditure Committed	114,988
Funded by:	
Basic Need Grant	-79,906
High Needs Provision Capital	-12,710
Other (including S106 and School contributions)	-22,372
Funding in balance	0

## 7. LEGAL IMPLICATIONS

- 7.1 Under Section 14 Education Act 1996 the Council has a statutory duty to ensure that there are sufficient quality primary and secondary school places available to meet the need of pupils aged 5 years to 16 years. This need to ensure sufficient school places, the quality of those places and their efficient organisation is included as a priority within the Council's strategy Making Bromley Even Better 2021-31 which outlines the Council's aspirations relation to education of its children and young persons and how the Council will ensure compliance with legislative requirements and the discharge the Council's legal and statutory obligations.
- 7.2 Officers have provided this Report as an annual update on the Basic Need Programme which relates to the steps the Council is taking in line with its strategic goals. The report outlines the progress of the Programme including source and allocation of funds.
- 7.3 The Executive is asked to note the contents of the Report and the recommendations of Officers.
- 7.4 Legal are available to assist Officers and the Executive, in relation to any queries on the contents of the Report and/or the implementation of the Programme generally, as and when required.

<b>Non-Applicable Headings:</b>	Personnel/Procurement/Property/Carbon Reduction and Social Value Implications; Customer Impact; Ward Councillor views.
Background Documents: (Access via Contact Officer)	[Title of document and date]



## NEW CAPITAL SCHEME APPRAISALS

**Burnt Ash Primary School – Additionally Resourced Provision (ARP)  
Enhancement and Expansion.**

	£'000s	£'000s	£'000s	£'000s	£'000s
	2022/23	2023/24	2024/25	2025/26	Totals
<b>Land Acquisitions</b>	0	0	0	0	<b>0</b>
<b>Contract Payments</b>		100	945	55	<b>1,100</b>
<b>Consultancy &amp; other Fees</b>	25	50	30	5	<b>110</b>
<b>Furniture and Equipment</b>			30		<b>30</b>
<b>Contingency</b>		10	95	5	<b>110</b>
<b>Total</b>	<b>25</b>	<b>160</b>	<b>1,100</b>	<b>65</b>	<b>1,350</b>

**Oaklands Primary School – New Additionally Resourced Provision (ARP)**

	£'000s	£'000s	£'000s	£'000s	£'000s
	2022/23	2023/24	2024/25	2025/26	Totals
<b>Land Acquisitions</b>	0	0	0	0	<b>0</b>
<b>Temporary Works</b>	0	50	0	0	<b>50</b>
<b>Contract Payments</b>		1,000	1,815	145	<b>2,960</b>
<b>Consultancy &amp; other Fees</b>	50	100	57	5	<b>212</b>
<b>Furniture and Equipment</b>			75		<b>75</b>
<b>Contingency</b>		100	182	14	<b>296</b>
<b>Total</b>	<b>50</b>	<b>1,250</b>	<b>2,129</b>	<b>164</b>	<b>3,593</b>

**The Highway Primary School – New Additionally Resourced Provision (ARP)**

	£'000s	£'000s	£'000s	£'000s	£'000s
	2022/23	2023/24	2024/25	2025/26	Totals
<b>Land Acquisitions</b>	0	0	0	0	<b>0</b>
<b>Contract Payments</b>		50	2,040	110	<b>2,200</b>
<b>Consultancy &amp; other Fees</b>	50	100	60	10	<b>220</b>
<b>Furniture and Equipment</b>			75		<b>75</b>
<b>Contingency</b>		5	204	11	<b>220</b>
<b>Total</b>	<b>50</b>	<b>155</b>	<b>2,379</b>	<b>131</b>	<b>2,715</b>

**Trinity CE Primary School – Improvements to existing Additionally Resourced  
Provision (ARP)**

	£'000s	£'000s	£'000s	£'000s	£'000s
	2022/23	2023/24	2024/25	2025/26	Totals
<b>Land Acquisitions</b>	0	0	0	0	<b>0</b>
<b>Contract Payments</b>			671	35	<b>706</b>
<b>Consultancy &amp; other Fees</b>	20	30	18	3	<b>71</b>
<b>Furniture and Equipment</b>					<b>0</b>
<b>Contingency</b>			67	4	<b>71</b>
<b>Total</b>	<b>20</b>	<b>30</b>	<b>756</b>	<b>42</b>	<b>848</b>

## SECTION 106 SCHEDULE

Public Register Reference	Development	S106 Agreement Education Clause	How the money will be allocated	Justification	Works Period	Value of Works	S106 Contribution
	56A Foxgrove Road, Beckenham, BR3 5DB	"Education Contribution Purpose" means the provision of education facilities and/or the improvement of and/or support for existing education facilities at Stewart Fleming Primary School or for other education projects for residents of the Council's administrative area in receipt of no more than four other such contributions under the Act;	Towards the expansion of Stewart Fleming Primary School Phase 2	To support expansion from 2 to 3FE	2015-22	£10,587,000	£42,964.60

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**APPENDIX 3 - BASIC NEED PROGRAMME 2011-23**

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources				Description	Budget Changes		
							Basic Need	High Needs Capital	New S106 Funding	Other		Cost July 2021	Change	Explanation
<b>Completed Projects</b>														
A1	Balgowan Primary School	Internal refurbishment	Bulge Class	2014	Complete	£10,000	£10,000					£10,000	£0	
A2	Balgowan Primary School	Access works at school	Access initiative	2017	Complete	£230,390	£230,390					£230,390	£0	
A3	Bickley Primary School	Kitchen works to complete 2FE expansion	Permanent Expansion	2010-11	Complete	£103,000	£103,000					£103,000	£0	
A4	Bishop Justus	All Phases of Scheme	Permanent Expansion	2016-17	Complete	£4,820,000	£3,224,105			£1,595,895	S106	£4,820,000	£0	
A5	Bishop Justus	Access Initiative	Hygiene Room	2022-23	Pre-tender	£172,075	£172,075					£362,000	£189,925	Scheme delivered within budget
A6	Blenheim Primary School	Minor works to support admission of additional pupils	Bulge Class	2014	Complete	£23,877	£23,877					£23,877	£0	
A6	Bromley Beacon Academy (Beacon House)	Refurbishment of site to provide vocational offer and extend services to KS2 and girls.	SEN Expansion	2015-16	Complete	£4,886,000	£186,000			£4,700,000	DSG	£4,886,000	£0	
A7	Bromley Beacon Academy (Orpington Site) Phases 1,2 & 3	External works and new build block	SEN Expansion	2017-19	Defects/ Final Account	£5,220,000	£3,728,600	£1,184,000		£307,400	CIF Funding	£5,220,000	£0	

A8	Bromley Beacon Academy	Expansion to provide additional 28 places	SEN Expansion	2020	Complete	£20,000		£20,000				£0	£20,000	
A9	Burnt Ash Primary School	Internal SEN unit modifications to address OfSTED recommendations	SEN	2013	Complete	£50,000	£50,000					£50,000	£0	
A10	Castlecombe Primary School	Permanent expansion of the school to 2FE in KS2 including temporary accommodation	Temporary Accommodation	2016-17	Complete	£3,564,662	£3,202,496			£362,166	DSG, CIF	£3,564,662	£0	
B2	Chislehurst School for Girls	Access Initiative	Hygiene Room and Access Improvements	2022-23	Procurement	£156,072	£156,072					£187,000	£30,928	Scheme delivered within budget
A11	Churchfields Primary School	Internal refurbishment, infill expansion, new nursery block	3 x bulge class, 1FE permanent expansion	2011-16	Complete	£1,367,000	£1,367,000					£1,367,000	£0	
A12	Clare House Primary School	Internal modifications to existing school, 3 temporary classroom units, demolition of existing school and construction of new 2FE school building.	3 x bulge class, 1FE permanent expansion	2011-2016	Complete	£6,756,736	£6,546,571			£210,165	DSG	£6,756,736	£0	
A13	Coopers School	Feasibility into options for expansion	Feasibility	2015	Complete	£5,000	£5,000					£5,000	£0	
A14	Crofton Infant School	New build class and facilities for additional 'Busy Bees' class	Additional SEN Unit Class	2014	Complete	£409,000	£384,000			£25,000	Access Initiative	£409,000	£0	

A15	Crofton Junior School	Access Works - New hygiene room, lift and ramps	Access initiative	2017	Complete	£393,188	£393,188					£393,188	£0	
A16	Darrick Wood School	Access Works - acoustic partitions and associated ICT/M&E works	SEN	2012	Complete	£45,000	£45,000					£45,000	£0	
A17	Darrick Wood Infants School	Review of space at school	Site sufficiency	2014	Complete	£3,395	£3,395					£3,395	£0	
A18	Darrick Wood Junior School	Review of space at school	Site sufficiency	2014	Complete	£3,395	£3,395					£3,395	£0	
A19	Dorset Road Infants School	Feasibility	Potential Expansion		Complete	£24,000	£24,000					£24,000	£0	
A20	Edgebury Primary School	New build to support expansion from 1 FE to 2 FE	Permanent Expansion	2016	Complete	£4,434,626	£3,622,388			£812,238	S106 & Planned Maintenance	£4,434,626	£0	
A21	Farnborough Primary School	Internal refurbishment and FF&E	2 x bulge classes	2015 & 2016	Complete	£230,685	£230,685					£230,685	£0	
A22	Glebe	New classroom block to support 2FE ASD secondary expansion	SEN Expansion	2015-16	Defects	£4,887,000	£0			£4,887,000	DSG, School, S106	£4,887,000	£0	Final Account reached. Project under budget, saving to be updated.
A23	Green Street Green	Feasibility on options to expand the school from 2FE to 3FE	Potential Expansion	2015	Complete	£58,211	£58,211					£58,211	£0	
A24	Harris Beckenham Green (Bromley Road Primary)	Internal remodelling/ refurbishment to provide accommodation for the re-organised school	Change of age range + linked to Worsley Bridge	2015-16	Defects	£1,124,988	£1,124,988					£1,124,988	£0	

A25	Harris Primary Academy Crystal Palace	Minor refurbishment and temporary toilet unit to facilitate an extra form of entry in 2011 & 2012. Internal refurbishment and external works to Permanent support permanent expansion of school	3 x bulge classes and permanent expansion	2011-2016	Complete	£1,159,488	£1,138,688			£20,800	DSG	£1,159,488	£0
A26	Harris Primary Academy Kent House	Modular accommodation to provide an additional form of entry in 2011.	Bulge Class	2011	Complete	£263,000	£263,000					£263,000	£0
A27	Harris Primary Academy Orpington	Works to SEN Unit	SEN	2010/11	Complete	£100,000	£57,000			£43,000	Primary Capital Programme	£100,000	£0
A28	Hawes Down Infants School	Internal refurbishments for single bulge class	Bulge Class	2012	Complete	£115,000	£115,000					£115,000	£0
A29	Hawes Down Junior School	Additional class to admit bulge class from infant school and SEN Unit class	Bulge Class	2015	Complete	£829,325	£763,299			£66,026	S106	£829,325	£0
A30	Hawes Down Primary School	Additional class SEN Unit class	SEN Expansion	2021	Complete	£16,000		£16,000				£0	
A30	James Dixon Primary School	Temporary reception block and relocation of contact centre	2 x Bulge Class	2014 & 2015	Complete	£851,631	£729,951			£121,680	DSG	£851,631	£0
A31	Keston CE Primary School	internal and external works to provide permanent facilities for 2012 class.	Bulge class	2012	Complete	£935,804	£935,804					£935,804	£0
A32	Langley Park School for Boys	Internal refurbishment	Bulge class	2015	Complete	£56,000	£56,000					£56,000	£0



A33	Leesons Primary School	Internal refurbishment and FF&E	3 x Bulge Class	2014-16	Complete	£30,000	£30,000					£30,000	£0	
A34	Leesons Primary School	Refurbishment of area separated from former day care centre and new teaching block to support 1 to 2 FE expansion	Permanent Expansion	2017-18	Procurement	£4,426,000	£3,816,216			£609,784	S106, Early Years Capital and Seed Challenge	£4,426,000	£0	
A35	Marian Vian Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	2 x Bulge Class	2015 & 2016	Complete	£154,869	£154,869					£154,869	£0	
B4	Marian Vian Primary School (Phase 1)	Conversion of CFC to nursery and new drop off/pick up arrangements	Bulge classes an other improvements	2021	Procurement	£669,000	£0			£669,000	S106	£669,000	£0	
A36	Mead Road Infants School	Review of space at school	Site sufficiency		Complete	£19,080	£19,080					£19,080	£0	
A37	Midfield Primary School	Internal refurbishment, new classroom block and nursery	3 x bulge classes and permanent expansion	2012 -2015	Complete	£1,624,077	£1,606,277			£17,800	S106	£1,624,077	£0	
A38	Mottingham Primary School	Internal refurbishment, kitchen and utilities works	KS2 bulge classes	2014 & 2015	Complete	£1,019,340	£1,019,340					£1,019,340	£0	
A39	Oaklands	Bulge Class and provision of new reception block to ensure school has sufficient pupil accommodation	Sufficiency and Suitability	2016 & 2018-19	Complete	£2,524,625	£2,391,521			£133,104		£2,524,625	£0	
A40	Parish CE Primary School	3 New reception classrooms, new teaching block and secondary path to support 2 to 3FE expansion	Permanent Expansion	2012 -2014	Complete	£3,509,000	£3,509,000					£3,509,000	£0	

A41	Parish Primary School	Kitchen works to support 2 to 3FE expansion			Complete	£175,000	£175,000					£175,000	£0	
A42	Pickhurst Junior School	Hygiene and Sensory Room and capital works to support creation of Resource Provision			Complete	£456,000	£70,000	£386,000				£456,000	£0	
A43	Poverest Primary School	New accommodation block and refurbishment of dining hall and CFC to form new early years block, enabling 1 to 2 FE expansion	3 x Bulge Class and Permanent Expansion	2014-20	Complete	£5,529,935	£4,631,255			£898,680	S106, Early Years Capital and School Contribution	£5,529,935	£0	
A44	Red Hill Primary School	Improvement of toilet facilities to support increase in pupil numbers	Bulge Class	2012	Complete	£82,000	£82,000					£82,000	£0	
A45	Ravensbourne School	Move Gym to provide new classroom	Bulge Class	2015-16	Complete	£950,890	£950,890					£950,890	£0	
A46	Ravenswood School	First stage of Feasibility	Feasibility	2015	Complete	£6,375	£6,375					£6,375	£0	
A47	Riverside School	New school hall and ASD specific entrance	SEN Expansion	2013-14	Complete	£1,239,506	£836,653			£402,853	S106	£1,239,506	£0	
A48	Riverside School	Opening 3rd site		2020	Complete	£175,000		£175,000				£175,000	£0	
A49	Scotts Park Primary School	Refurbishment of early years area and temporary accommodation block	4 x Bulge Class	2012-14	Complete	£498,000	£463,000			£35,000	S106	£498,000	£0	
A50	St George's CE Primary School	Conversion of existing space to form single bulge class	Bulge Class	2015	Complete	£2,660,000	£1,907,721			£752,279	S106	£2,660,000	£0	

A51	St John's CE Primary 2 Classroom refurbishment	Works during Summer 2017 to convert smaller spaces into classrooms and feasibility on expansion	Bulge Classes		Complete	£369,898	£369,898					£369,898	£0	
A52	St Mark's CE Primary School	Refurbishment of reception classrooms	Suitability	2013	Complete	£135,000	£135,000					£135,000	£0	
A53	St Marys Cray Primary School	Minor works to support admission of additional pupils and feasibility	Additional Pupils	2012	Complete	£78,705	£78,705					£78,705	£0	
A54	St Nicholas CE Primary School	Feasibility into expansion of School to 2FE Primary School	Potential Relocation and Expansion	2015 to 2016	Scheme on hold	£71,000	£71,000					£71,000	£0	
A55	St Paul's Cray CE Primary School	Mixed refurbishment and new build to allow expansion from 1 to 2 FE	Permanent Expansion	2015	Complete	£2,561,720	£2,375,608			£186,112	S106, Early Year Capital, Seed Challenge, UKPN	£2,561,720	£0	
A56	Stewart Fleming Primary School	Temporary accommodation block and internal refurbishment	2 x Bulge Class plus decant accommodation	2015	Complete	£795,000	£421,000			£374,000		£795,000	£0	
	Stewart Fleming Primary School Phases 1 & 2	Phase 1 & 2				£10,587,000	£9,648,316		£42,965	£895,719	School & S106	£10,178,000	£409,000	Covid claim settlement and legal costs
A58	Trinity CE Primary School	Temporary accommodation block and internal refurbishment, new access road and multi use games area	Bulge Class	2013-16	Complete	£1,781,772	£1,139,772			£642,000	S106, ESFA & DSG	£1,781,772	£0	
A59	Trinity CE Primary School	EDC Block Refurbish	Permanent Expansion		Award	£890,000	£640,000			£250,000	S106	£890,000	£0	

A60	Tubbenden Primary School	New unit classroom and ancillary accommodation	SEN Expansion	2017	Defects	£1,056,398	£8,000	£1,006,398		£42,000	School	£1,056,398	£0	
A61	Unicorn Primary School	Temporary Classroom and new build expansion to ensure sufficient hall space, new classroom accommodation for 'bulge' class and hygiene facilities	Bulge Class	2015	Complete	£1,438,000	£1,410,000			£28,000	DSG	£1,438,000	£0	
A62	Valley Primary School	Modular accommodation to facilitate an extra form of entry in 2011 & 2012.	Bulge Class	2011	Complete	£353,000	£353,000					£353,000	£0	
A63	Widmore Centre	Review of accommodation	Feasibility		Complete	£7,000	£7,000					£7,000	£0	
A64	Worsley Bridge Primary School	Temporary modular classrooms for additional 2 classes in 2013, refurbishment and extension	Permanent Expansion and School Re-organisation	2013-16	Complete	£4,850,718	£4,375,808			£474,910	DSG, S106	£4,850,718	£0	
A65	The Highway Primary School	Contingency to cover over-spend on project	Suitability	2010-11	Complete	£537,000	£537,000					£537,000	£0	
A66	Access Initiative	2016-2022 costs	Accessibility	2020-2022	Complete	£420,000	£420,000					£330,000	£90,000	Additional year's schemes
A67	Capitalised Staffing Costs	Education capital project management costs	n/a	2013-22	n/a	£730,000	£730,000					£634,168	£95,832	Reflects additional costs during 2022/23
<b>Cost of Completed Schemes</b>						<b>£95,735,456</b>	<b>£73,342,482</b>	<b>£2,787,398</b>	<b>£42,965</b>	<b>£19,562,611</b>			<b>£835,685</b>	

	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources				Description	Budget Changes		
							Basic Need	High Needs Capital	New S106 Funding	Other		Cost July 2021	Change	Explanation
<b>Projects in Delivery (Funded)</b>														
B1	Darrick Wood School	Access works - acoustic Improvement to classroom	Improvements	2023-24	School delivery	£12,955	£12,955					£0	-£12,955	New Scheme
B2	Farnborough Primary School	LBB Contribution to school scheme to make improvements, and address impact of bulge classes admitted by the school.	Bulge Classes	2022-23	School delivery	£773,391	£0			£773,391		£773,391	£0	
B3	Marian Vian Primary School (Phase 2)	New Year 6 block	Bulge classes an other improvements	2022-23	Pre-tender	£890,134				£890,134	S106.	£890,179	£45	Funding adjustment
B4	Nightingale (PRU)	New facilities for BTAB and HHTS	New accommodation	2022-24	Feasibility	£2,800,000	£1,100,000	£1,700,000				£2,800,000	£0	
B5	Oaklands Primary School	New Resource Provision class	SEN expansion	2023/24	Feasibility	£3,593,000		£3,593,000				£50,000	£3,543,000	Include permanent new ARP costs
B6	Red Hill Primary School	To allow school to admit all children leaving Mead Road Infants School	4FE in KS2 (40 extra pupils)	2022-23	Feasibility	£1,500,000	£1,400,624			£99,376	S106	£2,160,000	-£660,000	Scheme subject to affordability review
B7	St John's Primary School	Review of accommodation and possible options for expansion utilising S106	Possible expansion and Improvements	TBC	Feasibility	£1,004,047				£1,004,047	Section 106 funded	£0	£1,004,047	Progress of full scheme reliant on additional funding
B8	The Highway Primary School	New additionally resourced provision	SEN expansion	2024/25	Feasibility	£2,715,000		£2,715,000						

B9	Secondary bulge classes	Contingency to support bulge classes and expansion if required		n/a	In preparation	£3,000,000	£3,000,000					£3,000,000	£0		
B10	Specialist placements	Contingency to support additional specialist places if required		n/a	In preparation	£500,000		£500,000				£500,000	£0		
B11	Redwood Academy Contingency	Potential Abnormal costs associated with delivery of special free school						£500,000							
B12	Projects In Development	Support for development works for projects in development (unfunded)		Ongoing	Feasibility	£100,000	£100,000					£100,000	£0		
B13	Special Provision Capital Feasibilities	Feasibilities to identify priorities for future SEN investment		2021-22	Feasibility	£450,000	£0	£450,000				£450,000	£0		
B14	Access Initiative 2022-23	Accessibility and adaptations at schools		n/a	Programme	£100,000	£100,000					£100,000	£0	Annual allocation	
B15	Capitalised Staffing Costs 2023-2025	Staffing cost for project management of programme		n/a	n/a	£450,000	£250,000	£200,000				£450,000	£0		
B16	Capitalised Legal and surveyor costs 2022-24	Internal legal and surveyor costs				£200,000	£200,000					£200,000	£0		
Cost of schemes in delivery						£18,088,527	£6,163,579	£9,658,000				Total complete and in delivery value	Complete + in delivery minus programme contingency		
Programme Contingency (5%)						£664,426	£400,000	£264,426							
In delivery (Funded) Schemes Total						£18,752,953	£6,563,579	£9,922,426	£0	£2,766,948					
Completed Schemes and In delivery Schemes Total						£114,488,409	£79,906,060	£12,709,824	£42,965	£22,329,559	£114,988,409	£114,323,982			
Current i) Basic Need Scheme Budget ii) SEN capital Budget								£80,010,690	£15,336,464						
Remaining i) Basic Need Scheme Budget ii) SEN capital Budget								£104,630	£2,626,640						
Changes to programme in delivery															



	School	Description of Works	Type	Year (S)	Status	Project Cost	Funding Sources				Description	Budget Changes		
							Basic Need	High Needs Capital	New S106 Funding	Other		Cost March 2016	Change	Explanation
<b>Projects in Development (Unfunded)</b>														
C1	Burnt Ash Primary School	Expansion of provision to 3 FE and consolidation on site	SEN Expansion and Improvements		Feasibility	£1,350,000		£1,350,000					-£1,350,000	New Scheme
C2	St John's CE Primary School	Refurbishment and new accommodation block to enable expansion 1.5 FE to 2 FE	Permanent Expansion	On hold	On hold/Planning	£4,430,300	£4,430,300					£4,430,300	£0	
C3	Trinity CE Primary School	Remaining Phases for expansion to 4FE	Permanent Expansion	On hold	Post Planning/On hold	£3,013,000	£3,013,000					£3,013,000	£0	
C4	Trinity CE Primary School	SEN Improvement & H&S Works		TBC				£848,000				£0	£848,000	New Scheme
C5	Marian Vian Primary School	Remaining phases of scheme		TBC		£2,500,000	£2,500,000					£2,500,000	£0	
C6	Scotts Park Primary School	New classroom block to complete 2 to 3 FE expansion	Permanent Expansion	TBC	On hold	£2,970,000	£2,970,000					£2,970,000	£0	
C7	St Mary Cray	Re-organisation of school and Duke Youth Centre	Re-development	TBC	On hold	£2,970,000	£2,970,000					£2,970,000	£0	
Total cost of schemes in development						£17,233,300	£15,883,300	£2,198,000	£0	£0	£0		-£502,000	

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Report No.  
CSD23054

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** Monday 24 April 2023

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

**Title:** CONSTITUTION WORKING GROUP

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

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 30<sup>th</sup> March 2023 the General Purposes and Licensing Committee received a report setting out proposals from the Constitution Working Group (attached). Other than the proposal (at 2(a)) to limit the membership of Development Control Committee and Plans Sub-Committees to no more than two Members from the same ward, the recommendations were approved for referral to Council. The recommended changes cover the rules for questions, motions and call-in, an update of the Council's Petition Scheme, and the addition of a special meeting to be devoted to the annual setting of the budget/Council Tax. Since the Committee's meeting, the Chairman of the Working Group has proposed that the limits to the scope of questions which apply to the public should also apply to Members, so this has been added to the proposed changes. The detailed wording of the recommended changes is set out in the attached appendix, which has been updated following the General Purposes and Licensing Committee meeting.
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2. **RECOMMENDATIONS**

**Council is recommended to -**

- (1) Approve the following changes to the Constitution - in line with section 3 of the attached report and the wording set out in the appendix (to take effect for the 2023/24 Council year):**
- (a) Amendments to the rules for questions (as in paragraphs 3.6 to 3.8 of the report.)**
  - (b) Amendments to the rules for motions (as in paragraphs 3.9 to 3.11 of the report.)**
  - (c) Amendments to the rules for call-in (as in paragraphs 3.12 to 3.14 of the report.)**
  - (d) Amendments to the Petition Scheme (as in paragraph 3.15 of the report.)**
  - (e) The additional of a special full Council budget and Council tax meeting (as proposed in paragraphs 3.17 and 3.18 of the report.)**

**(2) Note that Officers will report to a future meeting on proposals for the overall structure of the Constitution, including using gender-neutral language as proposed in paragraph 3.16 of the report.)**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable

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## Transformation Policy

1. Policy Status: Existing Policy
2. Making Bromley Even Better Priority:  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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## 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: £376,460
5. Source of funding: Revenue Budget

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## Personnel

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

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## Legal

1. Legal Requirement: Statutory Requirement: Local Government Acts 1972 and 2000
2. Call-in: Not Applicable: Full Council decisions are not subject to call-in

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## Procurement

1. Summary of Procurement Implications: Not Applicable

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## Property

1. Summary of Property Implications: Not Applicable

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## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable

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## Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable

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## Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable

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## Customer Impact

1. Estimated number of users or customers (*current and projected*): Not Applicable

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## Ward Councillor Views

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

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Local Economy/Health and Wellbeing
Background Documents: (Access via Contact Officer)	See attached report.

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**Decision Maker:** GENERAL PURPOSES AND LICENSING COMMITTEE

**Date:** Thursday 30 March 2023

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

**Title:** CONSTITUTION WORKING GROUP

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

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 6<sup>th</sup> July 2022 this Committee set up a Constitution Working Group to review the Council's Constitution – to simplify and improve the overall structure of the Constitution and to make recommendations for specific, detailed changes. This report presents some detailed changes for Members to consider and refer to full Council.
- 1.2 Officers are also making some suggestions that have not been considered at the Working Group regarding the full Council meeting to approve the budget and Council Tax each year.
- 

2. **RECOMMENDATIONS**

**Council be recommended that -**

- (1) **Officers will report to a future meeting on proposals for the overall structure of the Constitution.**
- (2) **The following changes be made to the Constitution in line with section 3 of this report and the wording set out in the appendix (to take effect for the 2023/24 Council year):**
- (a) **Development Control Committee and Plans Sub-Committee memberships should be limited to no more than two Members from the same ward (as proposed in paragraphs 3.4 and 3.5 below.)**
  - (b) **The rules for questions be amended (as proposed in paragraphs 3.6 to 3.8 below.)**
  - (c) **The rules for motions be amended (as proposed in paragraphs 3.9 to 3.11 below.)**
  - (d) **The rules for call-in be amended (as proposed in paragraphs 3.12 to 3.14 below.)**
  - (e) **The Petition Scheme be amended (as proposed in paragraph 3.15 below.)**
  - (f) **The use of gender-neutral language in the Constitution be approved as proposed in paragraphs 3.16 below.)**
  - (g) **The additional of a special full Council budget and Council tax meeting be considered (as proposed in paragraphs 3.17 and 3.18 below.)**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

## Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority:  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

## 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: £376,460
  5. Source of funding: Revenue Budget 2022/3
- 

## Personnel

1. Number of staff (current and additional): 6
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

## Legal

1. Legal Requirement: Statutory Requirement: Local Government Acts 1972 and 2000
  2. Call-in: Not Applicable: Non-executive decision.
- 

## Procurement

1. Summary of Procurement Implications: Not Applicable
- 

## Property

1. Summary of Property Implications: Not Applicable
- 

## Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users or customers (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

### **3. COMMENTARY**

3.1 At its meeting on 6<sup>th</sup> July 2022 this Committee set up a Constitution Working Group to review the Council's Constitution. The following terms of reference were agreed –

- (1) To consider the overall structure of the Constitution.
- (2) To identify aspects of the Constitution that can be simplified and improved.
- (3) To make recommendations to General Purposes and Licensing Committee for consideration by full Council.

The membership of the Working Group is Councillors Nicholas Bennett (Chairman), Kathy Bance MBE, Robert Evans, Simon Fawthrop, Chloe-Jane Ross, Mark Smith, Melanie Stevens and Pauline Tunnicliffe. The Working Group has met twice (on 21 November 2022 and 31 January 2023.)

3.2 At its first meeting, the Working Group approved in principle a proposal to re-arrange the overall structure of the Constitution to make it simpler and more usable. The intention was not to make changes of substance, but to create a better structure and take opportunities to clarify the wording and remove duplication. This work is ongoing and will be reported to Members in the next Council year.

3.3 The Working Group also considered a number of more detailed issues at its two meetings, and their recommendations are presented in this report (paragraph 3.4 onwards, with detailed changes of wording set out in [Appendix A](#)). If these detailed changes are supported they will be referred to full Council on 24<sup>th</sup> April 2023 and if approved will take effect for the 2023/24 Council year.

#### **Development Control Committee Membership**

3.4 The Working Group noted that the Local Planning Protocol and Code of Conduct (which is Appendix 13 to the Constitution) states that "...no more than two Members sitting on a committee should be representing any particular ward at any particular time." This includes Members sitting as substitutes and applies to both Plans Sub-Committees and Development Control Committee.

3.5 The Working Group recommended that the terms of reference of Development Control Committee be amended to require no more than two members to be from the same ward to reflect the Local Planning Protocol and Code of Conduct.

#### **Public Questions**

3.6 The Working Group considered concerns that the large number of public questions being submitted had become a serious burden on Members and officers and considered a range of options that would reduce the number of questions received. It was noted that the number of questions per person per meeting had already been reduced from three to two in recent years, but also that across London 18 boroughs only allowed one question per person.

3.7 The Working Group recommends that the following changes be made to the Council Procedure Rules around public questions –

- (a) The number of public questions allowed per person be reduced to one per meeting.

(b) The following change be made to clarify the process for late questions on specific reports on an agenda –

“Questions for PDS Chairmen or Portfolio Holders which are submitted after the ten-day deadline has passed will only be accepted if they seek clarification of the details of a report to the committee and which could not have been tabled until the report had been published. These must be submitted within two working days of the report being published on the Council website.”

- (c) Questions which require excessive research (over three hours) to answer will not be allowed.
- (d) Questioners must provide a postal address in the borough where they live, work or study.
- (e) Questions will be restricted to 50 words in length.
- (f) Wording should be introduced to allow the responding Members to make a statement replying to multiple questions on the same issue where appropriate.
- (g) The wording of rules about questions to be clarified, especially with regard to oral and written replies.

### **Questions by Members**

3.8 The Working Group has not considered any changes to the rules for Member questions, but the Chairman of the Working Group has proposed some amendments to clarify the restrictions around executive Members and Executive Assistants asking questions. It is also proposed to confirm that questions can be addressed to the chairmen of sub-committees, but that questions concerning working groups should be addressed to the chairman of the committee or sub-committee that has appointed the working group. Officers also suggest that the amended wording for questions submitted by members after the ten working day deadline are brought into line with the wording proposed for questions from the public (as in paragraph 3.7 (b) above.)

### **Motions at Full Council**

3.9 The Working Group considered the rules for submission of formal motions and recommended that (i) the time limit for formal motions to be submitted be increased to ten working days, in line with questions, so that motions can appear in the “blue book” full Council meeting agenda, and (ii) amendments to formal motions shall be submitted in writing two days before the full Council meeting.

3.10 The Working Group also considered the rules of debate and agreed that changes should be made to allow for one debate on each report or motion, covering the original motion and any amendments. This approach was used at the full Council meeting on 27<sup>th</sup> February with some success. At present, once an amendment is moved and seconded, there is a debate on the amendment and then a vote before the meeting moves back to the original motion or the substantive motion, as amended. This process can be repeated several times as all amendments are dealt with. This can be difficult to follow and take up considerable time. The new proposals will mean that as soon as a motion is moved and seconded any amendments are also moved and seconded before the item is made open for debate. There can then be one combined debate, covering the original motion and all the amendments, before votes are taken consecutively on the amendments and the original or substantive motion at the end of the debate. Debates will therefore be streamlined and clearer, with less opportunity for repetition.



3.11 Under current rules, all Members can speak on each amendment, effectively on each phase of debate, and the mover of the original motion has the right of reply at the end of debate on each amendment, as well as on the original or substantive motion. Under the new proposals only the mover of the original motion can speak twice - at the end of the overall debate, before the final vote is taken. One additional change proposed by the Chairman of the Working Group is for there to be an additional right of reply for the mover of the original motion or the mover of the substantive motion, if an amendment has been carried, to have an additional right of reply after voting on the amendments has been completed, but before the final vote. This is included in the proposed amendments in Appendix A.

### **Call-in**

3.12 Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited (or possibly changed). It provides a check and balance in the leader/executive system of governance – a long-stop that, in theory, prevents the overweening exercise of power by the Executive. Government Guidance suggests that it should, however, be regarded as a measure that is only needed in exceptional circumstances.

3.13 The requirement to have a call-in mechanism derives from the Local Government Act 2000 and the Guidance issued shortly afterwards. The Guidance only requires key decisions to be subject to call-in, although Bromley, like many authorities, currently allows all decisions made by executive Members to be called in. Call-in is rarely used in Bromley, partly because the pre-decision scrutiny approach (which was not anticipated in the Guidelines) enables scrutiny of executive decisions to take place before decisions are taken, which is not always the case at other authorities.

3.14 The Working Group considered that call-in its current form is unnecessary and leads to duplication, repeating debates that have already been held. The Working Group therefore proposes that call-ins should not be allowed where a PDS Committee has already considered the issue and the decision is substantially the same as already supported by the PDS Committee, and that call-in should be restricted to key decisions. No changes are proposed to the number of Members needed to make a call-in (five) or the time allowed for call-ins to be made (five working days from the publication of the decision.) It was also agreed that proposed decisions are only scrutinised at one PDS meeting, unless there is a substantial change in the proposals.

### **Petition Scheme**

3.15 The Working Group considered the operation of the Council's Petition Scheme and suggested one major change – that online petitions will only be accepted if they are submitted via the Council's own on-line petition facility. This has not been used for over ten years but can be re-activated. Petitions created on any of the range of public online petition sites will not be accepted. It is not proposed to change any of the thresholds for public speaking at PDS or full Council meetings in support of petitions, but the opportunity has been taken to improve the wording in the Scheme, and remove duplicate wording.

### **Gender Neutral Language**

3.16 The Working Group agreed that gender-neutral language should be used in the Constitution. This will include using the formulation "he/she" and the term "chairperson" (rather than chairman or chair) although Members noted that individual Members could request how they were addressed when chairing a meeting. This issue will be taken up in the review of the overall structure of the Constitution referred to in 3.2 above.

## Full Council Budget Meeting

- 3.17 One additional matter that was not considered by the Working Group, but which has been discussed informally by some Members, is to introduce a full Council meeting devoted just to the annual setting of the budget and Council Tax, and closely related issues. Such a meeting could be devoted to this one purpose, without the distraction of general questions, motions, statements and reports on other issues. This approach is taken by many other authorities and has some informal cross party support.
- 3.18 Some Members did consider that this special meeting should be an additional meeting in the timetable so that Members are not deprived of one of their five opportunities each year to ask questions and submit motions. If supported by Members, officers can look at the 2023/24 programme of meetings to find a suitable alternative date for the ordinary meeting normally held at the end of February. This would probably need to be on 12<sup>th</sup> February or 11<sup>th</sup> March 2024.

<b>Non-Applicable Headings:</b>	Impact on Vulnerable Adults and Children/Policy/Finance/Personnel/Legal/Procurement/Property/Carbon Reduction/Customers/Ward Councillors
Background Documents: (Access via Contact Officer)	Notes from Constitution Working Group meetings (Not for publication – information relating to the business or financial affairs of any particular person (including the authority).

**Constitution Working Group – Detailed Wording Changes**

(Updated following GP&L Committee on 30 March 2023)

**Part 4 – Rules of Procedure**

**Council Procedure Rules**

**3. SPECIAL MEETINGS**

**3.4 Questions**

There will not be a general public question time at special meetings of the Council, except in exceptional circumstances agreed in advance by the Mayor, but questions relating to specific reports on the agenda may be submitted ~~before 5pm on the second working day after the final day on which the agenda may be published according to the rules set out in section 9.3.~~

3.5 A special meeting shall be held in February or March each year to consider the Council's budget and Council Tax and related issues.

**9. QUESTIONS FROM THE PUBLIC**

**9.1 General**

Members of the public may ask ~~up to two~~ one questions for either oral or written reply at each meeting of Members of the Executive or any Committee Chairman at ordinary meetings of the Council and a maximum period of 30 minutes will be allowed for such questions. This is sSubject to the discretion of the Mayor to refer the question to another Council body if the Mayor considers it a more appropriate body to respond to the question.

**9.2 Order of questions**

Questions will be asked in the order notice of them was received. ~~with all first questions heard first, then all second questions.~~ The Mayor may group together similar questions or vary the order as he or she sees fit. Where there are several questions on the same issue, the responding Member may make a general statement answering these questions together.

**9.3 Notice of questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than 5pm, ten working days before the

meeting. Each questioner ~~must~~ give their the name and an address in the borough where they live, work or study of the questioner and must name the Member of the Council to whom it is to be put.

~~Questions relating to specific reports on the agenda may be submitted before 5pm on the second working day after the final day on which the agenda may be published.~~

Questions which are submitted after the ten-day deadline has passed will only be accepted if they seek clarification of the details of a report to the meeting and the question could not have been tabled until the report had been published. These questions must be submitted within two working days of the report being published on the Council website.

#### 9.4 **Scope of questions**

The proper officer may reject a question if it:

- is not about a matter for which the Local Authority has a responsibility or which affects the borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.
- requires excessive research – more than three hours.
- Exceeds fifty words in length.

#### 9.5 **Record of questions**

The proper officer will record each question and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

#### 9.6 **Asking the question at the meeting**

The Mayor will invite the Member named in the notice to answer the question. If a questioner who has submitted a ~~written~~ question for oral reply is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

#### 9.7 **Supplementary questions**

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 9.4 above.

After a reply to a supplementary question has been given, the Mayor may, having regard to the time available and other matters on the agenda, allow further supplementary questions to be asked by Members (this will usually be no more than one per Member.)

#### 9.8 **Written answers**

Any question for oral reply which cannot be dealt with during the 30 minute period of public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer.

#### 9.9 **Reference of question to the Executive or a Committee**

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

### 10. **QUESTIONS BY MEMBERS**

#### 10.2 **Questions on notice at full Council**

Subject to Rule 9.4, a Member of the Council may ask:

- the Mayor
- a Member of the Executive
- the Leader or
- the Chairman of any Committee, Sub-Committee or Policy Development and Scrutiny Committee

a question on any matter in relation to which the Council has powers or duties or which affects the area of the Council.

#### **General**

10.2.4 Questions will be asked in the order notice of them was received, with all first questions heard first, then all second questions. The Mayor may group together similar questions or vary the order as he or she sees fit. Where there are several questions on the same issue, the responding Member may make a general statement answering these questions together.

10.2.5 Members of the Executive may not submit questions on notice at full Council on executive functions; except where the matter is a non-executive function.

10.2.6 Executive Assistants may not submit questions to the Portfolio Holder that they assist, nor can they ask questions of the PDS Chairman of the Committee that scrutinises that portfolio.-

10.2.7 Questions to the Chairmen of working groups set up by Committees or Sub-Committees shall be addressed to the Chairman of the appointing Committee or Sub-Committee.

## 10.4 Notice of questions

A Member may only ask a question under Rule 10.2 or 10.3 if either:

- (a) they have given notice in writing of the question to the proper officer by 5pm ten working days before the meeting; or
- (b) if the question is about a report on the agenda, it has been submitted before 5pm on the second working day after the final day on which the agenda may be published; or
- (c) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is, if possible, given to the proper officer by 10.00 am on the day of the meeting.

~~Questions considered by the Mayor to be defamatory, frivolous or offensive will be rejected.~~

The proper officer may reject a question if it:

- is not about a matter for which the Local Authority has a responsibility or which affects the borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.
- requires excessive research – more than three hours.
- Exceeds fifty words in length.

## 11. MOTIONS WITH NOTICE

### 11.1 Notice

Except for motions which can be moved without notice under Rule 12, written notice of every motion, signed by the Member or Members giving the notice, must be delivered to the Director of Corporate Services and Governance at least ~~ten~~<sup>six</sup> days before the date of the meeting unless

- (a) it is urgent, or
- (b) it may be moved without notice.

### 11.2 Motion set out in agenda

The Director of Corporate Services and Governance will, will date and record each motion received in a book, open to inspection by Members, in the order in which they are received. ~~M~~maintaining the order of receipt, publish each motion ~~will be set out~~ in the agenda for the following Council meeting.

### 11.3 **Scope**

Every motion shall be relevant to a matter in which the Council has powers or duties or which affects the Borough. The Mayor shall, if a need arises, give a ruling on the relevance of motions.

### 11.4 **Motions withdrawn or not withdrawn**

A motion may be withdrawn by the mover. If a motion is not moved at the Council meeting by the person giving notice or by some other Members on the mover's behalf it shall, unless postponed by consent of the Council, be treated as withdrawn.

### 11.5 **Automatic reference to the Executive, an Executive Member or a Committee**

If the subject matter of a motion comes within the Terms of Reference of the Executive, an Executive Member or a Committee, it shall, after being moved and seconded, be referred without debate for consideration and report unless previously resolved.

### 11.6 **Discretion of Mayor**

A motion may be dealt with at the meeting at which it is brought forward if the Mayor considers it convenient and conducive to the despatch of business. A motion will be rejected if the Mayor considers it to be defamatory, frivolous or offensive.

## 13. **RULES OF DEBATE**

### 13.1 **No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded, and until any amendments have been moved and seconded.

### 13.2 **Right to require motion in writing**

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

### 13.3 **Secunder's speech**

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

### 13.4 **Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Mayor.

### 13.5 **When a Member may speak again**

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- ~~(a) — to speak once on an amendment moved by another Member;~~
- ~~(b) — to move a further amendment if the motion has been amended since he/she last spoke;~~
- ~~(c) — if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);~~
- (ad) in exercise of a right of reply;
- (be) on a point of order; and
- (cf) by way of personal explanation.

### 13.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add words

as long as the effect of (ii) to (iv) is not to negate the motion.

- ~~(b) — Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.~~
- ~~(c) — If an amendment is not carried, other amendments to the original motion may be moved.~~
- (b) — Amendments to formal motions should be submitted in writing two days before the start of the meeting.
- (dc) - If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion. ~~to which any further amendments are moved.~~
- ~~(e) — After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.~~

### 13.7 Alteration of motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.



- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

### 13.8 Withdrawal of motion

A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

### 13.9 Right of reply

~~(a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.~~

~~(b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.~~

~~(ae) The mover of anthe amendment has no right of reply to the debate, on his or her amendment.~~

(b) Following the conclusion of all votes on amendments to the original motion there shall be only one speech allowed, namely the mover of the original motion or, if amended, the mover of the successful amended motion (the new substantive motion), shall have a right of reply before the final vote.

## Part 4 – Policy Development and Scrutiny Procedure Rules

### 15. Call-in

- (a) When a key decision is made by
  - (1) the Executive
  - (2) an individual member of the Executive or
  - (3) a Committee of the Executive, or
  - (4) ~~a key decision is made by~~ an officer with delegated authority from the Executive

the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 2 days of being made. ~~Chairmen of all Policy Development and Scrutiny Committees-All Members~~ will be sent copies of the records of all such decisions within the same timescale, by the Proper Officer.

- (b) Call-in will not be allowed where a decision has already been scrutinised and the decision is substantially the same as that supported by the relevant Policy Development and Scrutiny Committee and this will be stated in the notice of the decision.
- ~~(b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days this being the first call-in period after the publication of the decision.~~
- (c) If the decision is subject to call-in, then d—During that period, the Proper Officer shall make arrangements to call-in a decision for scrutiny by the relevant Policy Development and Scrutiny Committee if so requested with reasons by any five Members of the Council and shall then notify the decision-taker of the call-in.
- ~~(d) The at notice of decision -will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days this, being the first call-in period after the publication of the decision.~~
- e) If a call-in is made, a Policy Development and Scrutiny Committee will meet within a time period agreeable to all parties to the call-in. This ~~should~~must be within ten working days (including the day of the call-in and the day of the meeting) unless the parties agree to extend the date or take the issue to the next ordinary meeting of the Policy Development and Scrutiny -Committee, if this is later. In cases where there is not unanimity on the date of the Committee to consider the call-in, the Chairman of the main Policy Development and Scrutiny-Committee to decide.
- (df) Having considered the decision, the Policy Development and Scrutiny Committee may refer it back to the full Executive, with its reasons. The Executive shall then reconsider. A decision which has been referred back to the Executive following a call-in must be considered within 20 working days of the call-in meeting, or it will fall.
- (ge) The Policy Development and Scrutiny Committee will not exercise its right to refer decisions to the full Council except in exceptional circumstances such as, for example, an alleged intention by the Executive to act contrary to law or the policy and budget framework.
- (hf) If following a “called-in” decision, a Policy Development and Scrutiny Committee does not meet or does meet but does not refer the matter back to the full Executive, the decision shall take effect on the date of the Policy Development and Scrutiny Committee meeting, or the expiry of that further 5 working day period, whichever is the earlier.
- ~~(g) Key decisions by Chief Officers are subject to call in and referral back to the Executive.~~
- (hi) Where Executive decisions have been submitted for pre-decision scrutiny at full Council there will not be a right of call-in, provided that the Executive decision accords with the views of Council.

- (i) A Member who is a party to the call-in shall not chair the PDS meeting considering the call-in.

## 16. Call-in and Urgency

- (a) The call-in procedure set out above shall not apply where the Executive decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, along with reasons why, and therefore not subject to call-in.
- (b) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

## 21 Portfolio Holder Attendance at PDS Committees and Pre-decision Scrutiny

A key function of policy development and scrutiny is to hold the Executive and Portfolio Holders to account and to undertake pre-decision scrutiny of prospective executive portfolio decisions. PDS Committees, in their work programmes, shall allocate a slot for Portfolio Holders to attend to answer questions from the public and Members and to give a general account for their Portfolios. PDS Committees shall also undertake pre-decision scrutiny of prospective executive Portfolio decisions which are brought to their attention. Prospective executive decisions shall only be scrutinised at one PDS Scrutiny committee meeting unless there is a substantial change in the proposals.

Where an executive Portfolio decision cannot be considered by a service PDS Committee, the Executive & Resources PDS Committee can fulfil the pre-decision scrutiny function.

It is important to remember that PDS Committees cannot make decisions and are fulfilling the important role of challenge to the Portfolio Holder.

## London Borough of Bromley

### Petition Scheme

#### **Who can submit a petition? or e-petition?**

The Council welcomes petitions and a petition can be submitted by any person of any age who lives, works or studies in the borough of Bromley. All petitions will be acknowledged within five working days.

#### **What information should my petition contain?**

Your petition will need to include:

- A title;
- A short, clear statement explicitly setting out what action you would like the Council to do (or not do).
- Any supporting information which you feel is relevant to the petition and reasons why you consider the action requested to be necessary;
- Where appropriate, a clear choice of options for signatories to choose from, i.e. will you simply be asking people to 'agree' with the petition or will you give them the option to 'agree' or 'disagree'?
- Petitions should include space for signatories to complete the required information, including a postal address in the borough.

#### **What formats are acceptable?**

The Council will accept petitions in paper format that have been physically signed. Each sheet should clearly state what the petition is about and include space for people to provide their name, address and signature.

The Council will accept e-petitions only where they are submitted using the Council's own e-petition facilities on the Council website, or where a full print-out including names and addresses is submitted.

## Who can sign a petition ~~or e-petition~~?

A petition can be signed by a person of any age who lives, works or studies in Bromley. All petitioners should provide as appropriate their home, work or education establishment address. ~~Anyone signing an e-petition should also include a valid email address, for verification purposes.~~ You can only sign a petition once; the list of signatories will be checked by officers and any duplicate signatures or obviously frivolous responses will be ~~discounted~~ removed.

## What issues can my petition ~~or e-petition~~ relate to?

Your petition ~~or e-petition~~ should be relevant to some issue on which the Council has powers or duties or ~~which affects the borough on which it has shared delivery responsibilities through the Local Area Agreement or other partnership arrangement.~~ It should also be submitted in good faith and be decent, honest and respectful. Your petition may be **rejected** if it:

- Contains intemperate, inflammatory, abusive or provocative language.
- Is defamatory, frivolous, vexatious, discriminatory or otherwise offensive; or contains false statements.
- Is too similar to another petition submitted within the past six months.
- Discloses confidential or exempt information, including information protected by a court order or government department.
- Discloses material which is otherwise commercially sensitive.
- Names individuals, or provides information where they may be easily identified, e.g. individual officers of public bodies provided that this exemption will not apply to executive councillors, committee chairmen, the head of paid service or any statutory or non-statutory chief officer.
- Makes criminal accusations.
- Contains advertising statements.
- Refers to an issue which is currently the subject of a formal Council complaint, Local Ombudsman complaint or any legal proceedings.
- Relates to the Council's planning or licensing ~~functions~~ applications as there are separate statutory processes in place for dealing with these matters.

During politically sensitive periods, such as prior to an election, politically controversial material may need to be restricted.

If your petition relates to an issue which is beyond the powers of the Council to address, it may be more appropriate to start an e-petition on the Number 10 Downing Street website. Advice on the admissibility of petitions and e-petitions can be obtained from Democratic Services (contact details below).

## Privacy policy

The details you give us are needed to validate your support but will not be Published. ~~on the website. This is the same information required for a paper petition or an e-petition.~~ The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the petition ~~or e-petition.~~ The Director of Corporate Services and Governance will maintain a register of all petitions submitted

## ~~What information should my petition or e-petition contain?~~

~~Your petition or e-petition will need to include:~~

- ~~• A title;~~
- ~~1. A statement explicitly setting out what action you would like the Council to do or not do. If you wish a Councillor or a senior officer to give account for a matter before a Policy Development and Scrutiny Committee then you must identify that individual and give reasons why they need to;~~
- ~~• Any information which you feel is relevant to the petition/e-petition and reasons why you consider the action requested to be necessary;~~
- ~~• A clear choice of options for signatories to choose from, i.e. will you simply be asking people to 'agree' with the petition or will you give them the option to 'agree' or 'disagree'?~~
- ~~• Paper petitions should include space for signatories to complete the required information.~~

## How Many signatures does my petition nNeed?

To qualify as a valid petition under the Council scheme a paper petition requires a minimum of 25 valid signatures and an e-petition 200 signatures. Signatures must be supported by a verifiable postal address in the borough. In exceptional circumstances, the Council may consider accepting petitions with fewer signatures where there is local issue affecting a small number of residents.

## ~~Promoting petitions and e-petitions~~

~~The Council will not host e-petitions on its website. It is, therefore, down to the lead petitioner to spread the word about their e-petition in order to get as many people as possible to sign up. If this is not done then your e-petition could receive no signatures. Raising awareness of it could be done in a number of ways such as promoting it on local community websites, discussion forums or newsletters. The Council will not promote or advertise paper petitions or allow copies to be left for signature on its premises although your Ward Councillor may be prepared to assist you or promote your petition.~~

## What will happen to a Petition ~~or e-Petition~~ once it is submitted?

Once a petition ~~or e-petition~~ has been submitted it will be referred to an appropriate Council officer for consideration. A Councillor (this will normally be the relevant Portfolio Holder, but in some cases it will be the appropriate committee chairman) will be identified to oversee the Council's response. This might include taking the action requested in the petition, or explaining why the action will not be taken. Other possible responses might be to refer the matter to a Policy Development and Scrutiny Committee or to the full Council, to commission research or public consultation, to hold a public meeting or to request an investigation. A response will normally be sent to you within 10 working days ~~and will be posted on the Council's website.~~

## What if I am dissatisfied with the Council's Response?

If you are dissatisfied with the Council's response you may ask that the matter is re-considered ~~if your petition has sufficient signatures by a relevant Policy and Development & Scrutiny Committee.~~

If your petition has more than 250 valid signatures (2,000 for an e-petition) you, or a person you nominate, ~~can will be invited to~~ address the next available Policy Development and Scrutiny (PDS) committee for up to 5 minutes.

~~If your petition has more that 500 signatures (4,000 for an e-petition) you may instead ask that the petition is referred to full Council for consideration and you or your nominee can address the Council up to for 5 minutes. If your petition is to require a Councillor or a senior officer of the Council (except in exceptional circumstances, this will be an officer at Assistant Chief Officer level or above) to give evidence in public before a Policy Development and Scrutiny Committee this will require a petition of 500 signatures (2,000 for an e-petition.)~~

After considering your petition the PDS Committee or Council can refer it to the Executive, a relevant Portfolio Holder or a Chief Officer with recommendations for action. ~~At the next scheduled meeting of the Committee or Council there will be a report back either advising that the recommendation has been complied with or giving reasons why it has not been possible to do so. The Director of Corporate Services will maintain a register of all petitions submitted, and will report annually to Council on petitions received, actions taken to address petitions or reasons why it has not been possible to do so.~~

## What can petitions ~~and e-petitions~~ achieve?

When you submit a petition ~~or an e-petition~~ to the Council it can have positive outcomes that lead to change and inform debate. It can bring an issue to the

attention of the Council and show strong public approval or disapproval for something which the Council is doing, and local Councillors will always be informed about petitions which affect their Wards. As a consequence, the Council may decide to, for example, change or review a policy, hold a public meeting or run a public consultation to gather more views on the issue.

### Contact Details

For more information and advice, ~~or~~ to discuss a potential petition or to submit your petition, ~~or e-petition~~, please contact Democratic Services -

Democratic Services Team

London Borough of Bromley

Civic Centre

Stockwell Close

Bromley

BR1 3UH

Tel. 020 8461 7743

e-mail: [committee.services@bromley.gov.uk](mailto:committee.services@bromley.gov.uk)



Report No.  
CSD23030

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE  
COUNCIL

**Date:** 22 March 2023  
24 April 2023

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

**Title:** ANNUAL SCRUTINY REPORT 2022/23

**Contact Officer:** Philippa Gibbs, Deputy Democratic Services Manager  
Tel: 020 8461 7638    E-mail: Philippa.Gibbs@bromley.gov.uk

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** (All Wards);

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1. Reason for report

The Council's Constitution (Article 6.03 (d)) requires that a report is made each year to full Council which summarises work carried out by Policy Development and Scrutiny (PDS) Committees. The 2022/23 report (attached), including contributions from PDS Chairmen summarising the work of their committees, is due to be considered and approved by Executive, Resources and Contracts PDS Committee on 22 March 2023 and received and noted by Full Council.

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2. **RECOMMENDATION**

2.1 That the Executive, Resources and Contracts PDS Committee approved the Annual Scrutiny Report 2022/23.

2.2 That Full Council receive and note the Annual Scrutiny Report 2022/23.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
- 

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: £366,000
  5. Source of funding: Revenue Budget
- 

Personnel

1. Number of staff (current and additional): 7 posts (6.67fte)
  2. If from existing staff resources, number of staff hours: 2 hours
- 

Legal

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

Procurement

1. Summary of Procurement Implications: None
- 

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Members of the Council and interested members of the public.
- 

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

<b>Non-Applicable Sections:</b>	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the London Borough of Bromley (Article 6) 2019/20 Annual PDS Report



# **Policy Development & Scrutiny Annual Report 2022/2023**

**For submission to Full Council on 24<sup>th</sup> April 2023**

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# 1. Foreword

1. On behalf of all my colleagues who are engaged in Policy Development and Scrutiny Committees in the London Borough of Bromley, I have great pleasure in presenting our Annual Report for 2022/2023, which summarises the work that has been carried out by the Committees during the Council year.
2. The economy has exited strongly from Covid related restrictions, brings a spike in the CPI inflation measures. This has added to the ongoing cost pressures faced by Bromley Council over the fiscal year just ending. The consequence of the challenges faced, around the revenue budget constraints and the capital and maintenance programme challenges leaves a funding gap in the medium to long term which has to be settled. The 2023/24 budget has been balanced, however for future years the gap as follows; £1.7M for 2024/25 and £10.1M for 2025/26 and £29.6M for 2026/27. These figures allow for growth pressures of £25M in 2023/4 rising to £49M in 2026/7. As part of the budgeting process growth will need to be contained to ensure that future years budget gaps are met. £2M saved in the coming year will reduce the 2024/5 budget gap and reduce the pressure on 2025/6 budget. Early savings will reduce the need to eat into reserves and increase the income from treasury management. The Council has a legal obligation to set a balanced budget, so effort is needed to generate income and find additional savings over this period to 2026/27. Innovation and initiatives over the next few years will be really important in driving down the budget gap for future years. This will mean investing in IT and Accommodation to ensure the Council is fit for the future. But this strategy is even more important in meeting the net zero carbon dioxide target for direct Council activities by 2029. Over the next year more invest to save and efficiency measures should come forward to help promote these ambitions.
3. Against this tough background 2022/23 has come in on budget subject to the use of some contingency. Over recent years the Council has set balanced budgets, without significantly impairing the delivery of frontline services. However, in light of the challenges ahead, the Council will increase Council Tax this coming year by a Bromley element of 4.99%, including the 2% increase to fund social care. In addition the Labour London Mayor and GLA also increased their precept, (This is expected to be a whopping 9.7% though the final details have yet to be agreed) making a net overall increase of 6.1% for Bromley residents. Current assumptions indicate a similar 4.99% increase in Bromley's Council Tax share in 2024/25. Bromley Council will as a result of the changes sacrifice its debt free status, meaning that residents will now contribute towards debt interest rather than benefitting from interest on reserves.
4. The Council continues to promote significant change, both in organizational terms and in its ability to continue to provide services expected by residents. The Council has over 1300 statutory obligations to discharge, which cost several millions of pounds per annum. These take priority over discretionary spending. The funding gap can't be closed without taking some difficult decisions and halting some services all together. Due to prudent financial management, Bromley Council is able to deal with these challenges but needs to ensure that early decisions are taken and adequate reserves are retained and where appropriate invested to maintain sustainable finances.
5. In addition to the financial challenges ahead and the need to become a different organisation with fewer resources, the Council should grasp opportunities for wider integration across public services including health and local government and look at cooperation with other Local Authorities to drive efficiencies. The Council will need to identify new investment opportunities to help protect key services. This might need a new look with an investment and revenue generation sub-committee, to help grow revenue outside the usual call on tax payer funds. Scrutiny will remain key to ensure that there is adequate control and stability. In the context of these challenges, the Council should review its current structures including the PDS function to ensure that scrutiny can drill down to an appropriate level when looking at opportunities for value for money.
6. The PDS Committees will continue to have an important role over the coming years to formulate acceptable solutions for the reduction in service provision, which has to come, whilst continuing to deliver quality services to the residents of Bromley.

7. Finally, I would like to thank all Committee Chairmen, members, and the dedicated Council officers for their diligence and hard work during last year in finding practical solutions, which have ensured that Bromley Council could formulate a balanced budget and is able to continue to provide essential services next year, which are important to our residents.

**Cllr. Simon Fawthrop**

**Chairman, Executive Resources and Contracts PDS Committee**

## 2. Policy Development and Scrutiny Chairmen 2022/23



Cllr Simon Fawthrop  
Executive, Resources & Contracts



Cllr Mark Brock  
Adult Care & Health Services



Cllr Kira Gabbert  
Children, Education & Families



Cllr Will Rowlands  
Environment and Community Services



Cllr David Cartwright  
Public Protection and Enforcement



Cllr Tony Owen  
Renewal, Recreation & Housing

# 3. Policy Development and Scrutiny in Bromley

## Introduction

- 2.1 Six Policy Development and Scrutiny (PDS) Committees at Bromley discharge the overview and scrutiny functions conferred by sections 21 and 32 of the Local Government Act 2000 and successive legislation. The Executive and Resources PDS Committee has an over-arching, co-ordinating role on behalf of the other five PDS Committees and is required by the Council's Constitution to present Full Council with an Annual Report "on the Policy Development and Scrutiny functions and PDS budget, and amended working methods if appropriate" (Article 6, Section 6.03 (d) of the Constitution).
- 2.2 The PDS Committees in 2022/23 were:
- Executive, Resources & Contracts (covering both the Resources, Contracts and Commissioning Portfolio and the Executive)
  - Adult Care & Health Services
  - Children, Education & Families
  - Environment & Community Services (covering both the Sustainability, Green Services and Open Spaces Portfolio and the Transport, highways and Road Safety Portfolio)
  - Public Protection and Enforcement
  - Renewal, Recreation & Housing
- 2.3 In addition to these Committees there are two PDS Sub-Committees:
- Health Scrutiny Sub-Committee (Adult Care and Health)
  - Budget Sub-Committee (Children, Education and Families)
- 2.4 Although they have no decision-making powers, PDS Committees and Sub-Committees have key roles in contributing to policy development and scrutinising the decisions of the Executive and individual Portfolio Holders.

## Policy Reviews

- 2.5 PDS Committees advise Portfolio Holders, the Executive and Full Council on policies, budgets and service delivery. PDS Committees can commission groups of Councillors to review an issue or policy, so assisting a Portfolio Holder or the Executive to improve a service or function affecting local people. This can be linked to a forthcoming decision by a Portfolio Holder or the Executive or to assist in formulating fresh, new policy. In each case detailed, evidence-based assessments are carried out and recommendations made in a report. In the process, Councillors can speak to a broad range of people to help gather information for their evidence-based reports.

## One-Off Reviews

- 2.6 In addition to in-depth policy reviews, PDS Committees can also review a topical issue at Committee with comments and recommendations referred on to the Portfolio Holder. These reviews are often based around a presentation or an evidence-giving session with expert witnesses.



## Performance and Budget Monitoring

- 2.7 PDS Committees monitor the performance of services, functions and contracts within their remit, assessing performance against key performance indicators and policy objectives. Concerns are reported to a Portfolio Holder who can then, if necessary, be called to a PDS Committee meeting to account for the performance of his or her Portfolio.
- 2.8 PDS Committees are also involved in the budget setting process and provide considered comments and recommendations for the Executive to take account of when formulating the Council's annual budget. Similarly, PDS Committees also monitor in-year spend of budgets and raise concerns where there is any possibility of overspend or other issues affecting spending priorities.

## Call-in

- 2.9 The call-in process is a key means by which PDS Committees can hold the Executive to account. Any five Councillors can call in a decision and prevent it from taking immediate effect until it has been re-considered by a PDS Committee. The Committee can then interview the Portfolio Holder and officers and consider whether the decision is appropriate, within the Council's policy framework, and whether it should be reconsidered. If the Committee feels that the decision should be reversed or altered, it can make a recommendation to the Executive, which then has to reconsider the matter.
- 2.10 At the time of writing, one call-in has been made in 202/23. The continued low level of call-in reflects an emphasis given to pre-decision scrutiny leading to better and more robust decisions which are less likely to be challenged.

# 4. Report from Executive, Resources & Contracts PDS Committee

**Chairman: Cllr. Simon Fawthrop**

**Vice-Chairman: Cllr. Sean Slator and Cllr Bob Evans**

## 1. Introduction

In 2022/23 the Committee held 10 scheduled meetings. The regular meetings included the scrutiny of items to be decided at the Executive's meetings, in addition to matters reported to the directly to the Committee. I would also like to thank the members of the committee for their contributions and thank the Officer team, for their support across the year, including call overs and agenda setting as well as numerous adhoc meetings and briefings.

## 2. Scrutiny of the Executive and the Resources Portfolio Holder

The Committee's principal role is to scrutinize the decisions of the Executive and the Resources Portfolio Holder as well as holding the Leader of the Council, the Chief Executive Officer and the Resources Portfolio Holder to account. This Committee has discharged its responsibilities diligently and competently during the year. I would like to thank all the above for their valuable contributions.

## 3. Review of Council Activities

The Committee has been very conscious of the need to reduce costs and has diligently scrutinized budget and capital programme reports and measures to bring costs under control, including overspends across some budget headings. The contracts register and the disposal of various surplus assets, the performance of the Council Tax support scheme and issues concerning homelessness and temporary accommodation, Treasury Management performance which continues in the top 10% of Local authority performances, the various invest-to-save projects, as well as details on the growth fund and investment fund initiatives and the risk register were also considered. The committee also considered the best use of assets and had a major report on the capital assets and the future HQ options to consider. Lastly the Council is undergoing a transformation programme to help shape the Council's future and change the way it does business, at every stage the programme needs to have the ability to roll back if the transformation leads to degradation in service to our residents. That does not mean to say that services cannot or should not be delivered differently to how they are delivered today.

## 4. Scrutiny of Contracts.

The Committee also reviewed the work of key supplier contracts including the IT Services contract provided by BT (as an employee of BT this was chaired by Cllr Slator, to avoid any conflict of interest). We also reviewed the work of Liberata, whilst it has been good to see the Liberata contract performing well and showing both good value for money and a good level of service, we have also looked at the ways in which they can add more value to their services. We will be looking at both contractors and consultants in the near future to help the drive towards permanent employees which help provide a more consistent service for Bromley's residents.

## 5. Outlook

The Government's cost reductions have continued to impact on the Council's finances. The task to find the savings necessary to balance the Council's budget has been a major factor across this year. By keeping on top of the cost pressures which include additional growth items, this year will be crucial in delivering a balanced budget in future years. The main challenge is closing the funding gap of £29.8 million by 2026/27, a lot of hard work remains to ensure the Council continues to set legal budgets over the coming years. On a positive note a Brexit bounce for the economy (predicted last

year), had just started prior to the coronavirus risk. As this risks becomes more of an issue, the Brexit bounce could be temporarily knocked off course.

## **6. Conclusions**

The Council is now into a transformation phase, undergoing significant organizational and estate changes, whilst maintaining its ability to continue to provide services expected by residents. The era of streamlining, re-organizing and efficiencies, whilst continuing to provide services “as usual” is becoming harder and difficult decisions will now have to be taken about service provision. Statutory obligations will have to take precedence over providing discretionary support, but innovation and technologies such as AI might be able to help contain growth pressures.

The challenges for Bromley Council in the coming years are the need to make the wider public fully aware of the Council’s financial position of balancing on-going service pressures against a backdrop of challenging central Tax payer support to ensure that planning is in place for dealing with the budget gap in future years. This will include both cost reductions and revenue generation within the policies of managing resources well, the 2027 zero carbon target and the clean and green approach adopted by the Conservative administration.

**Councillor Simon Fawthrop**  
**Chairman, Executive & Resources PDS Committee**

# 5. Report from Adult Care and Health PDS Committee

**Chairman: Cllr. Mark Brock**

**Vice-Chairman: Cllr. Dr Sunil Gupta FRCP FRCPath**

## **Introduction**

The Committee has met 4 times thus far this municipal year with a further meeting on the 15<sup>th</sup> March. Alongside the elected Members on the Committee we also have co-opted members representing Bromley Carers, Bromley Mental Health Forum and Bromley Experts by Experience.

## **Policy Development & Scrutiny**

During the year the Committee reviewed various services and initiatives as well as decisions for the Executive and the Adults, Care and Health Portfolio Holder.

Key areas scrutinised by the Committee this year were:

- The Portfolio Plan
- Budget Monitoring, Capital Programme and Contracts Register
- Social Care Reforms
- Tackling Loneliness Strategy 2022-2026
- Integrated Sexual Health Tender
- Draft Budget 2023- 2024
- Learning Disability Short Breaks
- Housing Support Mental Health Services
- Integrated Support to Care Homes
- Advocacy Services
- Adults Substance Misuse
- Supported Living for Padua Road, Bromley Road and Brosse Way
- Adult Mental Health Recovery and Support@Home Service
- Mental Health Flexible Support Service
- Integrated Community Equipment Stores

Updates were received on the following:

- Public Health Management of the Covid-19 Pandemic
- Covid-19 Surge Capacity Support Nurses
- Extra Care Housing Schemes
- Learning Disability Complex Needs Day Service
- Bromley Safeguarding Adults Board 2021-2022
- Learning Disability Supported Living Services
- Domiciliary Care
- Infrastructure Support to Voluntary Services

Information Briefings were received on:

- Risk Register
- Assistive Technology

- Bromley Local Account 2021-2022
- CQC Improvement Plan for Bromley Healthcare
- Complaints & Compliments Annual Report 2021-2022
- Minutes from Health Scrutiny Sub-Committee Meetings

**Key Areas Scrutinised:**

**Covid-19 Pandemic Response**

The Public Health Department reported to the Committee on their management of the Covid-19 Pandemic through the implementation of their Bromley Outbreak Management Plan which was first published in June 2020. There were a number of workstreams overseeing different aspects of the plan and it have been updated several times. The Committee commended the Department for their excellent work, particularly in their partnership working to support care settings, which they were awarded a National MJ award for.

**Tackling Loneliness Strategy**

The Committee received two updates this municipal year on progress of the Tackling of the Tackling Loneliness Strategy Action Plan 2022-2026 which was launched in at the end of 2021. A full time member of staff was recruited this year to oversee this strategy, and it is also the focus of Cllr M Botting in his role as an Executive Assistant. The Committee particularly welcomed the growth of the Befriending Service and the ongoing expansion of the Bromley Simply Connect Database.

**Bromley CQC Action Plan**

Both the PDS and Health Sub-Committee received updates on the Bromley Healthcare CQC Action plan following their CQC rating deeming them as 'Requiring Improvement' in their inspection in February 2022. Both Committees were pleased to find that careful attention is being paid to the recommendations by the CQC, particularly around audit process and recruitment, and that work was being taken forward in a thorough manner.

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Lastly, I would like to thank all members of the Committee for their hard work and excellent input this municipal year to our meetings.

**Councillor Mark Brock**  
**Chairman, Adult Care & Health PDS and Health Scrutiny Sub-Committee**

## 6. Report from Children, Education & Families PDS Committee

**Chairman: Cllr. Kira Gabbert**

**Vice-Chairman: Cllr. Jonathan Andrews**

### Introduction

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Current year has been a busy one for the Committee. Increased demand for the services continued as longer-term effects of the Covid pandemic and associated lockdowns on families and children became apparent, with spiralling inflation and cost of living crisis adding additional challenges in all areas.

This report provides a summary of the activity of the Committee and work that has been undertaken to ensure Bromley maintains its position as one of the best boroughs to raise a family, delivering good services and support to children and young people and their families and carers.

### Scrutiny

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The Committee has a statutory responsibility to review annual reports of key services. As a result of changes introduced in a previous reporting cycle, 6-monthly reports are being provided to the Committee in the present cycle, although it is currently being considered if reporting should go back to the annual frequency.

This Committee reviewed the following reports to date – early intervention and family support; private fostering; adoption; corporate parenting; the virtual school; compliments and complaints report; youth justice service. As part of our regular scrutiny we also reviewed the work of the Bromley Safeguarding Children's Partnership (BSCP), Local Authority Designated Officer (LADO) report and Independent Reviewing Officer annual report.

In addition, I and the vice-chairman have requested the department to produce a report on harmful effects of gambling and support that is available to affected children and young people in the borough. This will be provided to the Committee at the next meeting.

### Engagement with children and young people

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The Members feel it is vital to ensure that our young people remain engaged in the work of the Committee. Following my meeting with the Bromley Youth Council (BYC) representatives and the director of children's services, the Committee Members made a decision to co-opt two representatives of BYC as non-voting Members of the Committee. The Portfolio Holder and the officers welcomed the decision. This development has been incredibly positive for the Committee, with newly co-opted Members actively participating in the discussions, offering valuable insights and suggestions for improvements.

The Members also suggested that representatives of Living in Care Council (LinCC) and BYC and representatives of local schools' councils should be invited to participate more fully in the life of the Council, for example to be invited to attend the very important and poignant events such as Holocaust Remembrance Memorial, Armed Forces Day and similar.

### Our role as corporate parents

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The needs and experiences of the children and young people for whom Members have corporate parenting responsibility is always at the forefront of our decision-making process. In our roles as

corporate parents it is our vision that the children and young people we care for are protected, respected and fully supported and go on to live happy and fulfilled adult lives after leaving care.

Among many success stories is “Our House” that hosts the Living in Care Council (LinCC) and Changes for Care Leaver (CfCL) for their official meetings and various projects. I had a privilege of attending one of the meetings in February and had a first-hand experience of a positive impact of this initiative. Bromley care leavers Come Dine with Us project has been a great success, too, and is supported by the Mayor of Bromley.

This year’s Children Looked After Celebration of Achievement Awards Ceremony took place on 17th February at The Warren. This annual event is aimed at acknowledging the amazing progress the children have made. LinCC and CfCL treated the audience to an engaging presentation about the important work they do. The event was well attended by the Members of the Council which was very pleasing to see.

### Virtual school

I was pleased to note the Virtual School’s role in promoting the education of children for whom we have corporate parenting responsibility. The Virtual School works to help every child to make progress in their learning through bespoke support, such as a post-16 years pilot scheme on the Bromley campus of London South East Colleges where staff delivered on-site support to young people. Personal Education Plans are in place until the end of Year 13 and this includes work to keep young people engaged with education, employment or training, including the “Fresh Start” scheme, mentoring and careers advice. A higher education mentoring programme is in place. Extensive support and mentoring is offered to young people interested in training or apprenticeship opportunities.

### **Families**

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The Committee reviewed the work of the Early Intervention and Family Support Services. A wide range of services and initiatives were delivered such as Bromley Children Project. Other initiatives included the Reducing Parental Conflict programme. An extensive range of free parenting courses is available at the Children and Family Centres, focussing on different skills and needs and age groups, from babies to teenagers.

### Homes for Ukraine support

I also would like to separately recognise the extensive work of the department to support Ukrainian refugee families including the establishment of the Ukraine Support Hub. The war has displaced millions of Ukrainians. Hundreds of our Borough’s residents generously offered Ukrainian families a safe place to stay under the Homes for Ukraine scheme. Many more arrived under the Family scheme. More than 200 children and young people who had moved to the Borough under the Homes from Ukraine scheme had been successfully placed in local schools with English language support courses made available to their families. The Committee Members actively followed this workstream throughout the current cycle.

### **SEND**

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Our SEND (Special Educational Needs and Disability) services remain crucial. Plans are in the development stage for a new Special Free School (ref Education section for more details). The Committee recommended that Phoenix Centre site can be used by Riverside, a Community Special School. This has created additional 16 specialist school places from September 2022 with the option for further additional places from September 2023.

Special Educational Needs transport transformation programme is underway.

Woodlodge is an independent living skills centre in Bickley and Sundridge Ward that supports the development of independence and social skills for children and young people with special educational needs and disabilities. The facilities are utilised by three Bromley special schools: Marjorie McClure, Glebe, and Riverside, along with Bromley College, Nash College and CASPA (Children on the Autistic Spectrum Parents' Association). This provision is invaluable for our children and the report about future funding is coming to the Committee during the current cycle.

## **Education**

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### School places

The Local Authority has an important role to ensure that there are enough school places for all children in the borough. The school places planning group met earlier in the year to assess the current situation and projections. Figures from this year's National Secondary Offer Day (as published on 01 March) reveal that the majority of Bromley school children once again received offers from their preferred secondary schools. Just under 91 per cent of Bromley's school children will be attending one of their top four choices of secondary school, with nearly 69 per cent offered their first preference. The figures demonstrate that our continued collaborative working with the borough's schools has ensured a sufficiency of places. A further meeting of the school place planning working group is scheduled for April 2023.

The officers continued to work with the Department for Education to establish a Special Free School within Bromley. Work is now progressing with a view to moving forward with a planning application.

### Support for mental health

The Committee recognises the impact of the pandemic and successive lockdowns on the mental health and wellbeing of children and young people over the past several years. The issues affecting families have been further exacerbated by the ongoing cost of living crisis. The Members acknowledge that this area represents a challenge and remains a priority. At the last meeting, I have proposed that the Committee undertake a deep dive on mental health provision for children and young people in the near future, including representation from Bromley Y and CAMHS, and this was supported by the Committee.

## **Budget**

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There are significant demand and cost pressures faced by the department. These had been considered in detail during the Budget Sub-Committee meeting held on 19 January 2023, chaired by Cllr Andrews.

### Budget 2023/24

Members are aware that there is a clear need to make savings in future years. Service transformation would be a key mechanism to deliver the required savings via more efficient and cost-effective services, and the recent transformation of SEND transport provided a good example of a service being delivered more efficiently. Work is also ongoing to establish a new Special Free School in the Borough which is anticipated to provide a much needed in-borough offer to Bromley children whilst reducing the number of costly out-of-borough placements and associated costs such as transport.

Recruitment and retention of in-house social workers remains an area of primary focus of the department and the Committee is closely following the initiatives aimed at recruiting and retaining of the permanent personnel.



## Dedicated Schools Grant

There is a significant deficit in the High Needs Block which reflects the experience of other local authorities across the country and in London. The officers had developed a Dedicated Schools Grant Recovery Management Plan in consultation with the Department for Education to address this and it is anticipated that the deficit position could be reduced over time as a result of the mitigating measures. This remains an area of focus for the department and the Committee.

## **Ofsted**

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Work is underway to prepare for expected Ofsted service inspections including recent mock Inspections of the Children's Service and Youth Justice Service.

## **Practice Observation Week**

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A Practice Observation Week was arranged in February 2023 and Committee Members were encouraged to attend. This was the first Practice Observation Week since we came out of the pandemic and it is hoped to hold this on an annual basis from now on.

## **Final comments**

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The Committee has worked to deliver scrutiny in a timely manner to ensure excellent services are being delivered by the Council to all children and young people of the Borough and their families and carers. We are mindful of both the increasing demand and cost pressures on the services and are actively planning for the future. This includes continuous budget monitoring, ensuring enough school places are available including the specialist school places, implementing special educational needs innovative transport solutions, and focusing on employing and retaining excellent personnel – all aimed at making Bromley even better.

The Committee remains committed to ensuring that children and young people and their life experiences should always be central to our decision-making.

**Councillor Kira Gabbert**  
**Chairman, Children, Education and Families PDS Committee**

## 7. Report from Environment and Community Services PDS Committee

**Chairman: Cllr Will Rowlands**

**Vice-Chairman: Cllr Simon Fawthrop**

A few days before I began writing this report, I was having a clear out of old papers. Within the pile was an old History essay I had written at A-Level, with Mr Minns' opening remark being 'This sounds to me like the thoughts of Chairman Rowlands!' A comment which I suppose finally has some relevance.

Before I divulge my thoughts on the year just gone - my first year serving as Environment PDS Chairman, I would like to take this opportunity to formally thank the Conservative Group who elected me to the position of Chairman, and with it, placed their trust in me to help deliver for our residents some of the most vital services, within the most public of Council departments.

I would like to especially thank my Vice Chairman, the ever-supportive Cllr Fawthrop, along with the two Portfolio Holders, Cllr's Bennett and Cuthbert, who have proven to be an effective double act in their roles, with their enthusiasm for the jobs they do, alongside their co-operation making the role of my committee easier and more effective. I would also like to take this moment to thank all members of the committee from both the administration and opposition parties - who have, on the whole, ensured professionalism and respect is shown to other members, as well as the role we play in this element of the democratic process, with any disagreements being aired and in an amicable and non confrontational manner and resolved in good spirit.

Finally, I would like to pay tribute to all the officers who directly report to the committee, as well as those who, despite not reporting and answering questions to committee, play an important role in obtaining information, carrying out research, and dealing with the public on a daily basis. Last but not least, thanks is owed to Steve Wood, the clerk, along with Colin Brand, who without their efforts, the purpose of the committee would be irrelevant.

This year has seen the Environment PDS scrutinise two Portfolio Holders for the first time. I promised members that I would report my findings and recommendations for a permanent way forward, which I shall do before the Annual Meeting of the Council.

This year, for the first time in the Environment PDS, I asked my successor as Executive Assistant, Cllr Turrell, the EA to Cllr Cuthbert to update us on his progress in the role. Cllr Turrell impressed members with his knowledge and commitment to the tasks he has been assigned - these being the works on the Kelsey Park bridge, as well as succeeding me in monitoring the performance of Fix my Street.

Over the course of this past year, My committee has overseen the scrutiny of the following Council contractors:

Glendale  
Idverde  
APCOA  
Riney  
Veolia

The scrutiny which we have undertaken has been extremely thorough with all members partaking in good debate. We have made it very clear when we are pleased with the service we are receiving from contractors and have also been very clear when we aren't pleased. When the latter has occurred, my committee has always done its best to ensure the criticism fed back to contractors is always constructive, with suggestions on ways to improve failing areas backed up with concrete evidence. All contractors are only criticised when there is a clear justification for doing so.

My committee has provided the following feedback to the following contractors:

Glendale - We identified failings in the service - notably a backlog which required the employment of a sub-contractor to help clear some of the workload. We accepted this was because of Storm Eunice, 16th- 19th February 2022, and allowed Glendale time to bring their workload back under control.

Idverde - We were extremely disappointed in the performance of this contractor for numerous reasons, some reasons mentioned in the report, other concerns raised by members were external to the report content. As Chairman, I felt I had no choice but to tell them we expected a significant improvement in their performance over the coming year.

Veolia - We were extremely pleased with Veolia and their performance over the past year. They have hit their targets, openly and enthusiastically worked with the Council, and gave my committee no cause for concern looking ahead to the future.

APCOA - This contractor provided the Council with an excellent performance over the past year, and a report update which was by far the best presentation we received from a contractor. APCOA have clearly taken on board the critical feedback we gave in the early years of this contract and have significantly improved the service they provide to us.

Riney - Both Riney and the committee agreed that the weather this winter has been the primary cause of the current backlog of works within the Borough. Despite this, it was pointed out to Riney that they have consistently underperformed for some time now and we expected to see an improvement in the upcoming year.

At the time of writing this, we are yet to have received our presentation from Fix my Street. This will be purely from a technological side as the Council is responsible for the service side.

I have also been in talks with Thames Water, UK Power Networks and Southern Gas Networks regarding these organisations making a visit to my committee. I feel it is important that we engage with these stakeholders as, whilst they aren't directly employed by the Council to carry out works, they are working on Council land and property, and their actions do have consequences on all our residents. These meetings will, depending on their availability, be included within a PDS meeting framework, or an open presentation with Q&A session with all members invited.

My committee has overseen the continuation of existing policies relating to tree planting, carbon strategy, and Road safety management amongst others. This is alongside creating new policies which will help the Council achieve our ambitious target of being carbon neutral by 2027.

My committee has also worked cross party to establish a strategy relating to a Wildflower Verge policy. A subcommittee was set up comprising of seven members of the main committee which agreed to a trial run of wild verges in eleven locations across the Borough.

Over the course of the next year, I look forward to seeing how policies such as the phasing out of parking metres, our tree management strategy, and our Wildflower Nature Verges progress, as well as working with all members as my committee continues its work to improve the services the Council provides within this department.

**Councillor Will Rowlands**  
**Chairman, Environment and Community Services PDS Committee**

## 8. Report from Public Protection and Enforcement PDS Committee

**Chairman: Cllr David Cartwright QFSM**

**Vice-Chairman: Cllr Kim Botting FRSA**

The PP&E PDS has had a busy year scrutinising both the local authority and its partners' work in "Making Bromley Even Better". It has worked closely with council officers, the police and other partners within the Safer Bromley Partnership, to keep Bromley safe by protecting consumers and residents, supporting and regulating businesses, and protecting and improving our environment. By utilising an approach of support for our businesses and residents, along with assertive enforcement where necessary, Bromley continues to be one of the safest London Boroughs in which to live, work and visit. The breadth of the Committee's scrutiny work over the last year is wide and includes:

- **Safer Bromley Partnership (SBP) & Community Safety:** It has been a challenging year for our community and the different partners within the SBP. With regard to crime, there has been an increase in the total notifiable criminal offences in Bromley, especially in burglary, theft of and from motor vehicles and some crimes involving violence. However, on the more positive side, there have been decreases in knife crime offences and ASB calls. The PDS has continued to scrutinise the Police with particular emphasis around the reporting of their performance. This has not been an easy task due to changes in data sharing via MOPAC and lack of basic available information. The PDS has now asked the police and MOPAC for a review of data collection and publication, to ensure the Committee can see police performance clearly in future years. The PP&E PDS has also scrutinised other specific partners including the recently audited Probation Service, who presented their improvement action plan, following a recent inspection by His Majesty's Inspectorate. The PDS also, scrutinised the MOPAC spending plan for projects which support community safety in the borough. Regarding our borough's identified local areas of deprivation, over the past year there have been 12 successful Community Impact Days concentrating on crime and ASB 'hotspots'. In addition, there have been 26 Acceptable Behaviour Contracts voluntarily implemented with young persons, aimed at ensuring engagement in behavioural change.
- **Statutory Noise Nuisance Out of Hours Service Review:** This is a project that will refocus this important service to cover times of most need. It will achieve this through the reorganisation of existing resources and the addition of two officers on duty who will, in real time, intervene on behalf of residents affected by excessive noise. With over 83 notices for noise nuisance served in 2022, this new service provision will enable the swifter resolution of issues, through engagement and, if necessary, formal enforcement measures.
- **Emergency Planning & Corporate Resilience:** During the last year, the Emergency Planning & Corporate Resilience team have provided a full range of training courses for staff and volunteers. Staff also took part in a live exercise with blue light partners at Biggin Hill Airport in November, where a number of operational scenarios were tested. The team also worked upon 23 real emergency incidents, the most notable was a Fire on the 15<sup>th</sup> Floor of St Mark's Square in Bromley, which saw 150 residents evacuated and a Council run rest centre opened. The team has just completed a testing and exercising programme for each Directorate, working through a number of scenarios including as a large fire at the Civic Centre, a cyber-attack, large scale industrial action by our suppliers and the emergence of a COVID variant and subsequent lockdown.
- **Food Safety & Hygiene Programme:** With over 2,750 food premises requiring inspection, Bromley are responsible for ensuring appropriate and safe food provision of these

establishments. The problems associated with the Covid Pandemic caused the cessation of food safety inspections of food businesses. The resulting backlog of existing food businesses requiring inspection and the number of new food businesses registering during this period grew significantly, as it did across London and indeed the country. Bromley's food safety officers have worked closely with the Food Standards Agency (FSA) to develop an achievable and acceptable plan to reduce this backlog. This has been particularly difficult as there is, currently, a national shortage of available accredited and experienced food safety officers and recruitment to overcome this backlog has been a serious problem. The FSA are fully aware of, and acknowledge, this issue.

- Houses in Multiple Occupation (HMOs): With an increasing demand over recent years for HMOs in Bromley, the PDS fully supported the recent strengthening of planning control for HMOs. This has improved the Council's ability to ensure HMOs are of good quality and not a nuisance to their neighbours. Over the past year, some 27 HMOs have applied for permission to continue to operate, with one known HMO held to account for not doing so. There are 234 licenced HMOs in Bromley, with a further 150 applications currently being processed. HMOs operating before the recent changes in planning regulations do not require retrospective planning permission.
- Trading Standards: This is an important area of the Council's responsibility. Trading Standards Officers have continued their highly regarded work over the past year. Through regular updates to local residents, warning of ongoing 'scams' such as cold calling, telephone and doorstep sales etc., they continue to support all Bromley residents and in particular the elderly and most vulnerable. Trading standards work is wide and varied and, by way of example, a recent key project involved the enforcement of regulations in privately rented properties in the borough. The PDS gave its support to the project outline and proposals, and then scrutinised the successful outcome of its introduction, which resulted in 8 formal investigations and 6 paid fines of £20,000.
- Environmental Enforcement & the Fly tipping Action Plan: The Committee has continued to support the Neighbourhood Management Team's commitment to keep the borough's streets clean and green, to reduce litter, fly tipping and dog fouling. They have undertaken a review of the services they provide to expand the deployment of contracted works, public education, and enforcement. Targets have been set to reduce the number of fly-tipping incidents in the borough per year and to take formal action against at least 10% of those responsible for fly-tips. Highlights of the year include a joint operation with Bromley Police resulting in the seizure of a number of vehicles during July 2022 and the prosecution of the owners. These vehicles were linked to a series of fly tipping offences in Bromley. The team have also instigated new cross-border arrangements with Kent County Council and Sevenoaks District Council.
- Parking Enforcement: Parking enforcement activities are undertaken in accordance with the Bromley Parking Strategy. This covers the management of public car parks, on-street parking, and civil parking enforcement. It also includes Penalty Charge Notices (PCNs) issued by CCTV for school zigzag lines, bus stops and moving traffic contraventions, as well enforcing 'blue badge' fraud. When a PCN is issued, the registered keeper has a minimum of 2 chances to appeal and a formal representation can be made directly to the Council, where an authorised officer will investigate and respond in line with the parking appeal policy. If the appeal is rejected, the register keeper will have the opportunity to register their appeal with the Environment and Traffic Adjudicators (ETA) for an independent review of the PCN. In 21/22 80,941 PCNs were issued, 24,239 appeals were processed by the Council with only 239 cases heard by the adjudicator, of which only 38 were upheld.

This is but a small sample of the work of the PP&E PDS. Other areas of scrutiny undertaken over the past year include planning enforcement, the Contaminated Land Inspection Strategy, the Council's Stray Dog Service Contract, the Bromley Youth Council and the performance of the South London and Maudsley NHS Trust in respect of public and community safety.

I would like to take this opportunity to, firstly, thank the Portfolio Holder for Public Protection and

Enforcement for all her support and guidance over the past year. Secondly, I would thank all members who have served on the PP&E PDS for their enthusiastic contribution and wise counsel, which has ensured the continued safety of Bromley borough, its communities, and its local residents. Finally, I would like to place on record my sincere thanks and appreciation for the sterling work of all Council officers who have not only supported the PP&E PDS in carrying out its scrutiny function, but who continue to serve and support all those who live, work and visit our borough.

**Cllr David Cartwright QFSM**  
**Public Protection & Enforcement PDS Chairman**

# 9. Report from Renewal, Recreation and Housing PDS Committee

**Chairman: Cllr Tony Owen**

**Vice-Chairman: Cllr Keith Onslow**

2022/3 has been a year of change and challenge for the RRH Scrutiny Committee, Portfolio Holder and Cabinet. If arbitrary housing targets continue ad infinitum there is a huge risk that the borough will be ruined in the eyes of local residents.

The 2022 Borough Elections saw the departure of 4 members of the Committee and the Portfolio Holder. 5 new members are not only new to the Committee but also first time Bromley councillors. Only 2 members remain from 2021/2 although the Chairman has now become the Portfolio Holder. The Committee Chairman and Vice-Chairman are both new to the Committee but bring 40+ years of local council experience.

The year commenced with a comprehensive induction (all councillors invited) presented by both council officers and external partners. Thematic sessions were added to routine scrutiny business covering the Housing Revenue Account and partnership with Housing Associations.

Homelessness and the level of overnight accommodation required is an ongoing and massive challenge. Developers are predominantly building one bedroom flats whereas the need is primarily 2-3 bedrooms and above family accommodation. The Council has started building its own units and the Committee has been monitoring the progress and problems with contractors.

The future blueprint will be contained in the new Borough Plan (due 2024) - and Supplementary Planning Guidance which has been released for consultation in Bromley and Orpington. Strong public objection to high rise building has been raised across the Borough with a fear of Bromley becoming like Croydon or Lewisham. National Planning Guidance, the London and Local Plans are frequently at odds with one another and local opinion. Considerable lobbying of local MPs and government ministers has taken place but no sensible discussion between parties is discernible. Gareth Bacon MP presented a 10 minute rule bill to parliament <https://www.parallelparliament.co.uk/mp/gareth-bacon/bill/2021-22/unauthoriseddevelopmentoffences> and there is an expectation that this will be incorporated in the levelling up bill.

The PDS and Development Control Committees have been and will be taking an active part in shaping plans. Ad infinitum housing targets, and no planning concept of a place being full, give options of building on the green belt, building up or knocking down properties on large plots and cramming in new development.

The Scrutiny Committee has reviewed the Borough's property portfolio and noted the maintenance/refurbishing/rebuilding/sell requirements and options. The contract terms for West Wickham pool and library have been approved. Plans for the Churchill Theatre and Walnuts Leisure Centre are subject to consultation and consideration. A proposal to move the Council's main offices into the Direct Line building is being prepared. These and other schemes will be examined and recommendations made to the Executive (decision making) committee.

The above is a summary of the main changes and challenges. The ambitious refurbishment of Crystal Palace Park has been approved and progress continues to be monitored. The relocation of Mottingham and Cray learning shops are among many other items that have been subject to scrutiny and recommendations.

**Councillor Tony Owen**  
**Chairman, Renewal, Recreation and Housing PDS Committee**



Report No.  
CSD23060

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** COUNCIL

**Date:** Monday 24 April 2023

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

**Title:** HEALTH AND WELLBEING BOARD - CHAIRMAN'S ANNUAL REPORT 2022/23

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

**Chief Officer:** Tasnim Shawkat, Director of Corporate Services and Governance

**Ward:** All

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1. Reason for decision/report and options

- 1.1 At its meeting on 30<sup>th</sup> March 2023 the Health and Wellbeing Board received an annual report for 2022/23 from Cllr David Jefferys, the chairman, and noted that the report (attached) would be passed to full Council for information.

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2. **RECOMMENDATIONS**

**Council is recommended to receive and note the Health and Wellbeing Board Annual Report for 2022/23.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not applicable

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Transformation Policy

1. Policy Status: Existing Policy
2. Making Bromley Even Better Priority:  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.

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Financial

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

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Personnel

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

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Legal

1. Legal Requirement: Statutory Requirement
2. Call-in: Not Applicable: Reports to full Council are not subject to call-in

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Procurement

1. Summary of Procurement Implications: Not Applicable

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Property

1. Summary of Property Implications: Not Applicable

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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:

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Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable

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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable

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Customer Impact

1. Estimated number of users or customers (*current and projected*): Not Applicable

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Ward Councillor Views

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

<b>Non-Applicable Headings:</b>	Impact on vulnerable adults and children/Policy/Finance/Legal/Personnel/Procurement/Property/Carbon Reduction/Local Economy/Health and Wellbeing/Customers
Background Documents: (Access via Contact Officer)	None

## **Health and Wellbeing Board Chairman's Annual Report 2022/23**

**Chairman:** Cllr. Dr. David Jefferys  
**Vice-Chairman:** Cllr. Robert Evans

The Health and Wellbeing Board met four times in 2022/23. The September meeting was cancelled following the sad passing of Her Majesty Queen Elizabeth II.

The Board discussed a wide range of issues during the Civic Year. These discussions covered four themes, namely developing, and monitoring the Winter Preparedness Plan (this was anticipated to be a very difficult winter with predictions of a high incidence of influenza infections and the impact of Covid-19 variants); reviewing the health and wellbeing consequences of the pandemic; working on health promotion and prevention initiatives; and working on the new 5-year JSNA Plan for Bromley. This work was undertaken in addition to fulfilling the statutory responsibilities of Board.

The areas of work that have been explored include:

### June 2022:

- Update on Children and Young People's Mental Health
- Public Health Management of COVID-19 Pandemic (including discussion on lessons learnt from the pandemic)
- Substance Misuse Needs Assessment
- Review of Current Health & Wellbeing Strategy Priorities
- Promoting Brain Health – proposal for a Task and Finish group

### December 2022:

- Health and Wellbeing Strategy: JSNA Priority Area - Presentation from the Falls Service
- Bromley Winter Plan 2022/23 Update
- Additional Hospital Discharge Funds 2022/23
- Learning from the COVID-19 Vaccination Programme
- Integrated Commissioning Board Update
- Bromley Safeguarding Children Partnership Annual Report
- Innovations from the ICB/CCG
- Annual Public Health Report – “The Calendar of Bugs 2023”

### February 2023:

- Health and Wellbeing Boards - Guidance November 2022
- Update on Children and Young People's Mental Health
- Bromley Safeguarding Adults Board Annual Report 2021/22
- Update on the New Health And Wellbeing Strategy
- Screening Update

### March 2023:

- Health and Wellbeing Strategy update
- JSNA Update
- Update on the Bromley Mental Health and Wellbeing Strategy
- Presentation of the Children's JSNA
- HIV infections monitoring

- Update on Post-COVID syndrome service
- Integrated Commissioning Board Update
- Vaping in Children
- Suicide Prevention Workstream: Update and Plans
- Screening Update
- Combating Drugs Partnership
- Update on the Brain Health Task and Finish Group

### **Development of the new JSNA**

Prior to the December meeting of the HWB, a 'Workshop on the new Health and Wellbeing Strategy' was held. HWB Members, and wider partners received an initial presentation on the new Health and Wellbeing Strategy following which attendees were allocated to smaller breakout groups to hold further discussions. This output was taken forward in discussions at the February and March meetings. The Board has paid close attention to the health and prevention priorities developed by the SE London ICB. The Bromley HWB has sought to appropriately complement and implement the ICB strategy recognising the particular needs and circumstances in our Borough and communities.

Throughout the year the HWB were also provided with updates on the Better Care Fund and Improved Better Care Fund Performance and Healthwatch Bromley - Patient Experience Reports. The Board was also pleased to receive and agree the publication of the annual reports from the Bromley Safeguarding Children Partnership and the Bromley Safeguarding Adult Board. The Board commented on the great work undertaken by the two Boards and the clarity of their new style annual reports.

There has been a continued emphasis on partnership working within the Health and Wellbeing Board which has representation from a range of key partners including the Local Authority, Bromley Integrated Care System, Bromley Safeguarding Adults Board, Bromley Safeguarding Children Board and Bromley Voluntary Sector.

The Chairman attended the pan London HWB Chairs meetings organised by London Councils ( these were held monthly in the first half of the Civic Year) and several ad hoc meetings called by the London Councils Group. The Chairman also represented the HWB at the meetings of the Adult Safeguarding Board and the Bromley "inter chairs meeting".

I would like to thank the commitment and hard work of Board Members, key partners and Local Authority Officers in continuing to support and provide challenge to this wide-ranging work programme which is key to improving the quality of health and wellbeing provision across Bromley.

**Councillor Dr. David Jefferys**  
**Chairman, Health and Wellbeing Board**

Report No.  
CSD23051

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:**       **COUNCIL**

**Date:**                   **Monday 24 April 2023**

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

**Title:**                   **APPOINTMENT OF INDEPENDENT PERSONS**

**Contact Officer:**     Philippa Gibbs, Deputy Democratic Services Manager  
Tel: 020 8461 7638   E-mail: Philippa.Gibbs@bromley.gov.uk

**Chief Officer:**        Director of Corporate Services and Governance

**Ward:**                   (All Wards);

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1. Reason for report

On 22 March 2023, Members of the Standards Committee interviewed two applicants for the post of Independent Person. The interview process was supported by the Monitoring Officer and at the conclusion of the interviews the Committee decided to offer the position of Independent Person to both applicants.

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2. **RECOMMENDATION(S)**

1. **That the appointment of Mr Andrew Jackson and Mr Gary Rogers as Independent Persons, for a four-year term until the end of May 2027, be approved.**
2. **That Mr Andrew Jackson and Mr Gary Rogers be co-opted to the Standards Committee in addition to the existing two Independent Persons.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

### Corporate Policy

1. Policy Status: Not Applicable
  2. BBB Priority: Excellent Council
- 

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Democratic Services
  4. Total current budget for this head: £359k
  5. Source of funding:
- 

### Personnel

1. Number of staff (current and additional): The Monitoring Officer, Deputy Monitoring Officer, Democratic Services Manager and Deputy Democratic Services Manager support the Standards Committee function and liaise with the Independent Person
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement: Requirement of the Localism Act 2011
  2. Call-in: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: None
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There is the potential for all 60 Councillors to consult the Independent Person in the event of complaints concerning breaches of the Code of Conduct.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

### 3. COMMENTARY

3.1 The statutory role of the Independent Person is as follows:

- They **must** be consulted by the authority before it makes a decision on an allegation of misconduct by a Councillor that it has decided to investigate or before it decides on action to be taken in respect of that Councillor.
- They **may** be consulted by the authority in respect of a standards complaint at any other stage.
- They **may** be consulted by a Councillor or co-opted member against whom a complaint has been made.

3.2 In addition, the Independent Persons

- Attend Standards Committee
- Are consulted on the outcome of the initial filtering of complaints
- Attend interviews for future Independent Persons
- Comment and advise on training for Members in relation to ethical standards.
- Provide input into Member Induction in relation to standards of conduct training.

3.3 Given the potential conflict between the roles, the Standards Committee are of the opinion that it is appropriate for two Independent Persons to be appointed on this occasion.

3.4 On 22 March 2023, Members of the Standards Committee interviewed two applicants for the post of Independent Person. The interview process was supported by the Monitoring Officer and at the conclusion of the interviews Members decided to offer the position to the two applicants, Mr Andrew Jackson and Mr Gary Rogers.

3.5 On 6 December 2021, the Standards Committee appointed Ms Kath Nicholson and Mr Jonathan Farrell as Independent Persons for a four-year term, until May 2026.

3.6 It is being recommended that the Independent Persons are co-opted to the Standards Committee. If Council agree the recommendations, there will be a total of four Co-opted Members (Independent Persons) on the Standards Committee.

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## COUNCIL

24<sup>th</sup> APRIL 2023

## MOTIONS

### **(A) Consulting Bromley Residents on Road Safety Strategy**

To be moved by Cllr Alisa Igoe and seconded by Cllr Simon Jeal:

Transport for London state on roads which are shared a person walking who is hit by a vehicle travelling at 30mph is up to five times more likely to be killed than if they were hit at 20mph. They report that since introducing 20mph limits on the Transport for London Road Network (TLRN) the number of overall collisions has reduced by 25% and collisions resulting in death or serious injury have also reduced by 25%, those involving vulnerable road users have decreased by 36% and those involving people walking have decreased by 63%.

With well above expected Killed and Seriously Injured (KSI) figures in Bromley and changing travel patterns since the pandemic, this Council agrees a new road safety strategy on speeding is needed and therefore calls on the Environment PDS Committee to oversee a public consultation of residents and other stakeholders, including schools, health and care providers and local businesses, to identify dangerous roads where they would support the introduction of 20mph speed limits to improve road safety for all road users and to encourage active travel. Priority for interventions and funding bids would then be assessed giving weight to respondents' views.

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