

RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 14 June 2022

Present:

Councillor Tony Owen (Chairman)
Councillor Shaun Slator (Vice-Chairman)
Councillors Mike Botting, Will Connolly, Tony McPartlan,
Keith Onslow, Chris Price, Will Rowlands and
Alison Stammers

Also Present:

Councillor Yvonne Bear, Portfolio Holder for Renewal,
Recreation and Housing
Councillor Julie Ireland (observing)

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Pauline Tunnicliffe and Councillor Mike Botting attended as her substitute.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC

There were no questions.

4 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 16 MARCH 2022

RESOLVED: That the minutes of the meeting of Renewal, Recreation and Housing PDS Committee on 16 March 2022 be agreed as a correct record.

5 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME Report CSD22070

The report set out progress against outstanding actions from previous meetings and the forward work programme of the Committee.

The Chairman invited Committee Members to nominate items for scrutiny as part of the Committee's planned programme of thematic sessions during the

2022/23 municipal year. The thematic session of the next meeting of the Committee on 12 September 2022 would focus on Bromley's updated Local Plan to be agreed by the end of 2024.

RESOLVED: That the report be noted.

HOLDING THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER TO ACCOUNT

6 HOUSING, PLANNING AND REGENERATION PORTFOLIO PLAN UPDATE - 2021/22 QUARTER 4 Report ACH20-044

This report presented the Housing, Planning and Regeneration Portfolio Plan update for Quarter 4 2021/22.

The Portfolio Plan was refreshed each year in line with the Council's Transformation Programme, vision and strategies and was focused on the economic development of town centres; conservation of the built and natural environment; wellbeing of Bromley's residents, workers and learners; and ensuring residents had access to affordable, decent and secure homes.

In considering Priority 1: Support the Economic Development of Town Centres, a Member observed that whilst measures were in place to support larger town centres and small shopping areas, there was also a need to promote the economic wellbeing of medium-sized town centres, such as Chislehurst. The Assistant Director, Culture and Regeneration confirmed that whilst the Local Authority had limited funds for economic development, there was scope to consider the town centre management needs of medium-sized town centres on an individual basis.

With regard to red-rated actions within Priority 2: Protect, Conserve and Regenerate the Borough's Built and Natural Environment, the Committee was advised that workflow issues in parts of the planning application process had led to a backlog of planning cases. Immediate measures had been introduced to address this, including a three-month suspension of the pre-application service for all schemes of less than five residential units. Work was underway to manage down the backlog, including addressing recruitment and retention issues, and the situation was being closely monitored by Senior Officers and the Portfolio Holder. In response to a question from the Chairman, the Director of Housing, Planning, Property and Regeneration observed that Members could assist by routing their ward enquiries via the Assistant Director of Planning and Building Control as well as by advertising the temporary suspension of the pre-application service to their residents. Another Member had a query around Community Infrastructure Levy (CIL) funding and the Director of Housing, Planning, Property and Regeneration confirmed that work would be undertaken with Ward Members in relation to any CIL funding opportunities to ensure local priorities were identified.

RESOLVED: That progress on the actions associated with the Housing, Planning and Regeneration Portfolio Plan for Quarter 4 2021/22 be noted.

7 PRE-DECISION SCRUTINY OF RENEWAL, RECREATION AND HOUSING PORTFOLIO REPORTS

The Committee considered the following reports where the Renewal, Recreation and Housing Portfolio Holder was recommended to take a decision:

A PROVISION OF LIBRARY SERVICES - CONTRACT PERFORMANCE REPORT & POST-COVID OPENING HOURS Report HPR2022/021

The report provided an update to Members on the performance of Greenwich Leisure Ltd (GLL) in delivering the Library Service contract and requesting that a temporary remodelled pattern of opening hours be made permanent.

The GLL Libraries contract commenced on 1 November 2017 with a ten-year contract term and the option of a further five years by mutual consent. Performance by GLL Libraries was measured against 26 bespoke Key Performance indicators and all contract milestones relating to monitoring and service planning had been fully met during the monitoring period. In December 2019, the Portfolio Holder agreed a temporary pattern of library service opening hours for a six-month period with a further six-month extension option to better fit local need during the COVID-19 service recovery period. The response to a recent consultation undertaken with customers and staff indicated a strong community preference to make the temporary pattern of library service hours permanent, subject to minor adaptations to Mottingham and Hayes Libraries' opening hours.

In response to a question from a Member, the Assistant Director, Culture and Regeneration advised that the proposed changes to library opening times maintained the required 527.5 hours of library service provision across the borough set out in the GLL contract and offered increased evening access at some libraries. The library service was primarily delivered by permanent staff; however, consistent use was made of a bank of trained casual staff who provided cover, including some evening and weekend work. Quarterly meetings were held with union representatives to resolve arising issues with the most recent meeting being held on 17 February 2022 and the next to be arranged for late-June 2022.

A Member raised a recent incident of anti-social behaviour at Biggin Hill Library and asked what security measures had been put in place to ensure staff safety. The Assistant Director, Culture and Regeneration confirmed that a security guard was based on site during at-risk periods and that CCTV was being installed on site. No similar incidences of anti-social behaviour had been experienced at other libraries. Another Member queried whether

previous proposals to move Beckenham library were being progressed and the Assistant Director, Culture and Regeneration explained that feasibility work undertaken two years previously had demonstrated that maintaining the library in its current location was the better option. The operational property review was underway and would review all Council-owned buildings, including libraries.

The Chairman led the Committee in thanking the library staff for their excellent work in supporting Bromley residents, workers and learners throughout the pandemic.

RESOLVED: That the Portfolio Holder be recommended to:

- **Note the performance of the service provider since the last report on service performance was presented in November 2021; and,**
- **Agree that the temporary Library Service opening hours introduced for the COVID-19 period be made permanent as set out in Report HPR2022/021.**

**B PENGE BUSINESS IMPROVEMENT DISTRICT (BID)
RENEWAL 2023-2028
Report HRP2022/020**

The report sought Portfolio Holder authority for a renewal ballot of the existing Penge SE20 Business Improvement District for a term of five years, commencing 1st April 2023 and expiring 31st March 2028.

The Penge SE20 Business Improvement District (BID) was launched in 2018 for a term of 5 years to expire in 2023. During its successful first term, a number of successful initiatives had been introduced, including the Street Rangers patrol and business grant programmes. In preparing for the end of the existing BID term, the Penge SE20 BID Board and Management Team had undertaken initial feasibility work which confirmed the local business community's support for a renewal of the BID mandate to for a second five-year term. The BID Board subsequently voted to support a ballot for a second term of five years from April 2023 to March 2028 and it was planned to present the final Penge SE20 BID Proposal 2023 to the Council on or by 31 August 2022.

RESOLVED: That the Portfolio Holder be recommended to:

- **Note the headline BID levy rules and emerging key priorities of the Penge SE20 BID for its 5-year term.**
- **Delegate authority to the Director of Housing, Planning and Regeneration that:**

- **Upon being notified that the BID proposer wishes to put proposals for a Renewal BID to a ballot, to review the final version of the BID Renewal Proposal which is expected to be delivered to the Authority by 31 August 2022; and,**
- **Upon being satisfied that the BID Renewal Proposal has been submitted in accordance with Business Improvement Districts (England) Regulations 2004 (Regulations) and does not conflict with any of the Council's priorities and plans, and that its geographic scope is within the boundaries of the London Boroughs scope and is within the boundaries of the London Borough of Bromley, to instruct the Ballot Holder to hold the BID ballot on 13 October 2022, in accordance with the regulations.**
- **Delegate authority to the Director for Housing, Planning and Regeneration that upon review of the final version of the BID Proposal, to vote on behalf of the Council for eligible Council-occupied hereditaments which fall within the proposed BID area.**

**C FINAL OUTTURN REPORT 2021
Report HRP2022/024**

The report presented the final outturn report for the Renewal, Recreation and Housing Portfolio for the 2021/22 financial year.

The final outturn for the 'controllable' element of the Renewal, Recreation and Housing budget for the 2021/22 financial year showed a net underspend of £127k compared to the last reported figure of a net overspend of £102k which was based on activity at the end of December 2021.

RESOLVED: That the Portfolio Holder be recommended to endorse the final outturn report 2021/22.

**D APPROVAL TO DISPOSE OF COBB HOUSE (HILLSIDE)
PROPERTY UNDER THE MORE HOMES BROMLEY LLP
SCHEME PART 1 (PUBLIC) REPORT
Report HPR2022/023A**

The urgent report sought Portfolio Holder authority for More Homes Bromley LLP disposal of Cobb House (Hillside) property.

More Homes Bromley was formally established in June 2016 as a Limited Liability Partnership between the Council and Mears Limited to acquire and refurbish up to 400 properties for use as housing for tenants nominated by the Council for a period of 40 years. Cobb House, a property with 10 self-contained converted flats, was acquired as part of this scheme in January 2019. In October 2019, More Homes Bromley became aware of an Enforcement Notice relating to this property and in June 2020, the Planning

Inspectorate issued a decision which required More Homes Bromley to cease using six of the ten flats by June 2021 and reinstate the property to four flats by December 2021. In complying with the Enforcement Notice, More Homes Bromley moved tenants from the property, decommissioned six units and reinstated the Property to four units, resulting in ongoing rent loss. Three options were considered for the future of this property and it was proposed to proceed with the sale of the site for which an offer had been made.

RESOLVED: That the Portfolio Holder be recommended to:

- **Agree that More Homes LLP Board dispose of the property Cobb House (known as Hillside); and,**
- **Delegate authority to the Director of Housing, Planning and Regeneration and the Head of Finance ASC, Health and Housing in consultation with the Assistant Director of Strategic Property to complete the negotiations and sale of the property as set out in Report HPR2022/030B.**

8 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

A ADOPTION OF THE PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT Report HPR2022/024

The report recommended the adoption of the revised Planning Obligations Supplementary Planning Document (SPD) which had recently undergone public consultation.

The SPD provided a framework setting out the types of obligations that could be secured on a wide range of planning applications. It was necessary to agree a revised SPD following the adoption of the Bromley Community Infrastructure Levy and changes to national, regional and local planning policy since the agreement of the current SPD in 2010. An updated version of the revised SPD was tabled for consideration by the Renewal and Recreation Committee which incorporated changes requested by the Development Control Committee at its meeting on 7 June 2022.

The Chairman noted that the updates to the revised SPD included specifying that the Walnuts' development should provide a leisure facility that was 'equal to or better' the existing provision. The SPD had also been amended to give more emphasis to over-arching aims, such as securing improvements to the transport network, rather than drilling down to specific examples of how this could be achieved.

RESOLVED: That the Executive be recommended to:

- **Approve the updated revised Planning Obligations Supplementary Planning Document for adoption, including changes requested by the Development Control Committee.**
- **Authorise the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to approve any further minor changes (e.g., formatting) to the updated revised Planning Obligations Supplementary Planning Document prior to adoption.**

**B CONTRACT AWARD: ACCOMMODATION AND TENANCY SUSTAINMENT FOR YOUNG PEOPLE
Report HPR2022/023A**

The report recommended a contract to deliver the Accommodation and Tenancy Sustainment Service for young people be awarded following a competitive tender process.

RESOLVED: That the Executive be recommended to approve the award of contract for the Accommodation, Tenancy Sustainment and Support Service for young people as detailed in Report HPR2022/023B.

**C LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN REPORT
Report HPR2022/028**

The report presented a public report of the Local Government and Social Care Ombudsman issued following the upholding of a complaint about the Local Authority's provision of housing.

The Assistant Director of Housing confirmed that the Local Authority had taken all actions required by the Local Government and Social Care Ombudsman in relation to the complaint. A new Head of Housing Options and Support had recently joined the Local Authority and had made significant improvements across the service including the introduction of a comprehensive training programme and more robust case work and performance management processes.

RESOLVED: That the Executive be recommended to note the published findings of the Local Government and Social Care Ombudsman and the actions taken by the Local Authority in response.

**D NEXT STEPS FOR THE CRYSTAL PALACE PARK REGENERATION PLAN
Report HPR2022/022**

The report provided an update on the Regeneration Plan for Crystal Palace Park and set out the next steps to take forward the planned capital scheme.

RESOLVED: That the Executive be recommended to:

- **Approve the Council committing to the terms of a shadow S106 agreement relating to the regeneration of Crystal Palace Park (CPP) before any construction works commence *Planning Application reference 20/00325/OUT* ("Outline Planning Application").**
- **Note the terms of the shadow section 106 agreement attached to the agenda and to confirm:**
 - **in respect of any section of CPP to be retained by the Council and developed under a planning permission granted under reference 20/00325/OUT, that it shall comply with the terms of the shadow section 106 agreement: or**
 - **in respect of any section of CPP to be sold or leased, that no development shall be progressed on the relevant land until such time as the purchaser or lessee has entered into a section 106 agreement with the Council, incorporating the obligations from the shadow section 106 agreement that are relevant to the part of the site. It is acknowledged that certain obligations in relation to (non-residential) development of CPP covered in the s.106 agreement may be discharged by the Council under commercial agreements made between the purchaser/lessee and the Council.**
- **Approve an initial addition of £4.5m to the capital programme in 2023/24 to forward fund the capital regeneration works in CPP, which will need commence prior to any of the housing land capital receipt being received. Note that subsequent CPP works will then be funded from the capital receipt from disposal of the housing land.**
- **Approve the commencement of the forwarded funded heritage restoration capital works, limited to £4.5m (expected housing receipt £17.5m) noting that the capital programme will regularly be updated to reflect the impact of this on total scheme expenditure.**
- **Authorise Officers to action the disposal of the Sydenham and Rockhill housing sites ("Housing Sites") in line with the approved Outline Planning Application.**
- **Approve the placing of advertisements of the intention to dispose of the Housing Sites and the proposed disposal by way of a grant of a long lease of CPP to CPPT to section 123(2A) of the Local Government Act 1972 and the preparation of a further report in respect of any representations received.**

- **Approve the following course of action in respect of the capital requirements for the regeneration of the Park:**
 - **Approve that any capital receipt generated by the disposal of the Housing Sites will be ringfenced solely for heritage works in CPP, as required by the enabling development Planning Permission, as set out in para 3.10.**
 - **Agree that any capital receipt generated by the Housing Sites will be spent on the Park's Regeneration Plan capital scheme (including returning funds spent to date to the Council and the endowment) within ten years of the capital receipt entering the Council's bank account. If the funds are not spent within this time period, as set out in this report, the Council will be penalised by 2% per annum of the remaining funds and required to grant the penalty monies to the Trust.**
 - **Approve that once the capital receipt for the Housing Sites is received that the Council's capital programme budget is increased in line with the value of the receipt, subject to details of that amendment with updated scheme costs and funding being agreed by the Executive through the capital monitoring reporting process. Any such amendments will be subject to the principle 3 that total spending on this scheme will never exceed actual income to the Council secured from capital receipts and grants and contributions from third parties.**
 - **Agree that any interest accrued by the Council from the capital receipt for the Housing Sites is also used for the regeneration of the Park, with interest calculated at General Treasury Management rates, and the approved capital programme updated accordingly.**
- **Agree that the spend to date of £1.185m returned to the Council will be used as the match funding required for grant applications effectively recycling the investment to date.**
- **Delegate authority to the Director of Housing, Planning, Property and Regeneration to settle agree and negotiate the commercial terms in respect of the proposed disposal of the Housing Sites subject to Executive approval and disposal by way of a grant of a lease to the CPPT of the Park.**
- **Note that the lease is to be granted on the basis of a long lease and on terms which are appropriate given the long-term nature of the interest to be granted by the Council. The Council shall obtain**

an independent valuation of the terms of the disposal of the Housing Sites and of the grant of lease in order to comply with the best value considerations pursuant to s.123 of the Local Government Act 1972, and relevant statute governing subsidy control.

- Delegate authority to vary the existing Environmental Services contracts in relation to CPP on or before 1 October 2022 so that, as such arrangements apply to CPP, the idverde Parks Management and Grounds Maintenance contract and the Veolia Parks Security contract shall come to an end on 31st March 2023, with the CPPT arranging new and equivalent contractual arrangements commencing on or before 1st April 2023. This authority will be given subject to the CPPT having sufficiently progressed tenders for replacement management and maintenance, and security contract(s) before 1 October 2022, to the satisfaction of the Director of Environmental and Community Services in agreement with the Director of Corporate Services and Governance.**
- Approve that the endowment fund to be met from the housing enabling receipt will be provided to CPPT as soon as sufficient funds are available to meet the target value of £4.3m, provided that at such time the Trust has already entered into a long lease for the Park. For avoidance of doubt, the amount provided for the endowment fund will be limited to the excess of the capital receipt from the enabling disposal that is not required to fund the Italian Terraces and Tidal Lakes, up to a maximum of £4.3m.**
- Approve that, as detailed in para 3.22, subject to the CPPT lease commencing on 1st April 2023, the Council will in addition to the provision of the endowment fund, provide a grant to the Trust of £125k per annum to assist in the costs of management of CPP, noting that the payment of this grant will be reviewed every ten years and that the value of the grant shall increase annually in line with the Consumer Price Index from 1st April 2024 (capped at a maximum of 3% per annum), subject to the term of the lease.**
- To approve an additional project resource of £113k a year from 1 April 2023 for Culture and Regeneration for overseeing the restoration works through to completion in as set out in para 3.26. This will fund one dedicated post and the costs of external specialist advice to deliver this complex scheme.**
- To make necessary adjustments to revenue budgets to reflect the termination of current contract arrangements relating to management, maintenance and security services within Environment & Community Services from 1st April 2023 and the loss of existing lease rental income from CPP to Property and**

Culture & Regeneration from 1st April 2023, as set out in section 6, and Part 2 of the same report.

- **Approve the placing of advertisements of the intention to dispose of the remainder of the Park by way of a long lease to the Crystal Palace Park Trust pursuant to section 123(2A) of the Local Government Act 1972 and the preparation of a further report in respect of any representations received.**
- **Delegate authority to the Director of Corporate Services in conjunction with and in consultation with the Portfolio Holder for Renewal, Recreation and Housing, to take all of the necessary steps to appropriate for planning purposes the relevant site and to manage the implications arising therefrom and to deal with any compensation issues.**
- **Delegate all matters relating to the legalities of the recommendations to the Director of Corporate Services and Governance in agreement with the Director of Housing, Planning, Property & Regeneration.**

9 RENEWAL, RECREATION AND HOUSING INFORMATION BRIEFING

The items comprised:

- **Housing, Planning and Regeneration Risk Register 2021/22 Quarter 4 Update**

RESOLVED: That Information Items be noted.

PART 2 (CLOSED) AGENDA

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

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

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

11 EXEMPT MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE HELD ON 16 MARCH 2022

The exempt minutes of the meeting of Renewal, Recreation and Housing PDS Committee on 16 March 2022 were agreed as a correct record.

PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) EXECUTIVE REPORTS

A CONTRACT AWARD: ACCOMMODATION AND TENANCY SUSTAINMENT FOR YOUNG PEOPLE PART 2 (EXEMPT)

The Committee considered a report setting out Part 2 (Exempt) aspects of the contract award.

B NEXT STEPS FOR THE CRYSTAL PALACE PARK REGENERATION PLAN PART 2 (EXEMPT) REPORT

The Committee considered a report setting out Part 2 (Exempt) aspects of the regeneration plan.

12 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER REPORTS

A APPROVAL TO DISPOSE OF COBB HOUSE (HILLSIDE) PROPERTY UNDER THE MORE HOMES BROMLEY LLP SCHEME PART 2 (EXEMPT) REPORT

The Committee considered a report setting out Part 2 (Exempt) aspects of the requested disposal.

The Meeting ended at 8.04 pm

Chairman