

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

Minutes of the meeting held at 7.00 pm on 6 December 2011

Present:

Councillor Eric Bosshard (Chairman)
Councillors William Huntington-Thresher, Sarah Phillips,
Russell Mellor, Nick Milner, Nicholas Bennett J.P.,
Russell Jackson (Vice-Chairman), Will Harmer,
Peter Fookes, Douglas Auld, Julian Benington,
Ruth Bennett, Tom Papworth and Stephen Wells

Also Present:

Councillor Stephen Carr and Councillor Graham Arthur

**96 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
 ALTERNATE MEMBERS**

Councillor Judi Ellis sent apologies.

Councillor William Huntington-Thresher tendered apologies for lateness.

97 DECLARATIONS OF INTEREST

Councillor Fookes declared an interest for the Corporate Contracts Register and Day Centre item on the Executive agenda in his capacity as Treasurer of Penge and Anerley Age Concern.

Councillor Julian Benington declared an interest due to personal acquaintance with one of the principals of the companies interested in Opportunity Site C.

Councillor Bosshard declared an interest as the Council's representative on Affinity Sutton.

Councillor Auld declared an interest as his wife was a senior social worker in Bromley's Adult and Community Services department.

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

There were none.

**99 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 14TH NOVEMBER 2011
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 14th November be confirmed as a correct record.

The Committee requested an update report on Blue Badge enforcement issues once information was available in January, including costs and details of all prosecutions.

100 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES11147

RESOLVED that progress on matters arising from previous meetings be noted.

It was confirmed that the report of the Special Educational Needs Working Party would be coming before the Committee in January.

101 CORPORATE CONTRACTS REGISTER

The Committee received the latest version of the Contracts Register dated 7 November 2011.

Further information was requested on two bus route design contracts (one for Highways and one transportation); and also value for money information on the BYMT contract to provide musical tuition in schools. The Committee were interested in the outcomes achieved by the substance misuse contracts listed in the schedules, and were informed that this was being kept under scrutiny by the Public Protection and Safety PDS, who had just received an annual report on these services.

Councillor Wells pointed out that the SEN working group had been exploring ways to find efficiencies on transport provision, by looking at approaches such as collective pick-up points, use of parents as escorts, and payment of travel expenses to parents rather than buying in discrete transport provision.

The Committee received assurances that the Counsel Services framework enabled the Council to procure these services as and when required, and that its use did not fetter the Council from using other specialist advocates when circumstances demanded.

The Committee also noted that whilst the Council wished to obtain savings where possible from shifting to open source systems, the Microsoft Enterprise Agreement was still in place because of the time lag in moving away from current versions of line of business systems which were only able to integrate fully with Microsoft products.

The Committee queried the Council's two separate contracts for asbestos removal, but were informed that this separation provided best value for money because of the different factors and standards in handling this process within educational establishments as opposed to other corporate buildings.

102 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions, published on 16 November 2011.

The Committee was unhappy about the fact that Executive agenda papers for pre-scrutiny were not delivered to councillors until the day before the meeting, meaning that all members of the Committee did not have sufficient time for consideration of items before the meeting. One solution was to publish the Executive papers earlier than at present and another to move the E&R PDS meetings closer to the Executive meetings. The Leader expressed concerns about the latter course of action because it might not afford the Executive sufficient time to study outcomes from the E&R meeting before its own meeting.

103 QUESTIONS TO THE RESOURCES PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

There were none.

104 RESOURCES PORTFOLIO - PREVIOUS DECISIONS

The Committee noted the decisions taken by the Portfolio Holder since the Committee's last meeting on 14th November.

105 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following reports for pre-Decision scrutiny on matters where the Portfolio Holder was minded to make decisions:

105.1 CAPITAL PROGRAMME MONITORING Q2 2011/12

The Executive received the 2nd quarterly capital monitoring report for 2011/12 at its meeting on 16th November, and agreed a revised Capital Programme for the four year period 2011/12 to 2014/15.

The Committee expressed support for wider use of project post-completion reviews, covering not only financial but also logistical and quality considerations.

RESOLVED that

- 1) the changes agreed by the Executive in November be endorsed;
and**

- 2) a following post-completion report on Civic Centre emergency back-up be received later in the year.**

105.2 THE OAKFIELD CENTRE, OAKFIELD ROAD, PENGE

The Committee considered future uses for the Oakfield Centre, which was due to close at the end of November 2011 following the relocation of the activities carried out there.

Whilst noting the suggestion that it might be used for temporarily housing homeless families, the Committee received advice that such conversion would be costly and that the Council possessed other properties which were likely to be more suitable for these purposes.

The Committee therefore supported the recommendation to declare The Oakfield Centre, Oakfield Road, Penge surplus to requirements and to agree that it be offered for sale on the open market.

106 HOLDING THE LEADER TO ACCOUNT

The Leader of the Council, Councillor Stephen Carr, attended and outlined the current challenges being tackled by the Council.

Organisational reconfiguration was in train, and he was concerned to take it forward in a way which would minimise uncertainty for staff. Moves were now underway to recruit a new Director for the merged CYP and ACS departments. Similarly, work continued to look at new ways of working to achieve efficiencies, most notably by moving towards shared service approaches with neighbouring Boroughs.

Public meetings had recently taken place to discuss the budgetary issues faced by the Council, and the Leader felt that there was a genuine appreciation by those attending of the dilemmas facing the Council in making difficult service choices. News on the government financial settlement was expected imminently, and he was hopeful that lobbying by Jo Johnson might mitigate the impact of the proposed top-slicing of funding linked to schools' transfer to academies.

Questions discussed with the Committee included the potential impact of proposals for the privatisation of the Tribunals Service and future working with Liberata, the status of landlord discussions with Biggin Hill Airport, the evolution of local partnership arrangements, the need to sustain the Government's funding of Council Tax freezes beyond the current one-year horizon, and the need to communicate actively with local residents about the limitations in using reserves to overcome the current financial pressures facing services.

The Chairman thanked the Leader for his informative contribution.

107 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report RES11148

The Committee considered reports on the agenda for the Executive's meeting on 14 December 2011.

(5) Annual Audit Letter

The report contained a high level summary of the external auditor's findings, including recommendations for improvement.

The Committee supported the recommendation

(6) Budget Monitoring 2011/12

The report contained monitoring information on expenditure and activity levels up to October 2011, and highlighted significant variations to date.

The Committee supported the recommendations

(7) Community Infrastructure Levy – DCLG Consultation on detailed proposals and draft regulations for reform

The report set out a draft response to the current consultation.

The Committee supported the recommendations

(8) Introduction of trial of revised Green Garden Waste collection service and textile collections

The report sought the Executive's approval to use a projected underspend in the Environment Portfolio plus Invest to Save fund funding, to meet costs of the proposed green garden waste trial.

The Committee was supportive of the principles set out in the report, but queried some of the practicalities involved in reclaiming containers where a subscriber withdrew from the scheme. Consequently, the Committee supported the recommendations, subject to requesting the Portfolio Holder to first give consideration to making an initial charge to customers to cover the cost for the wheelie bin provided.

(9) Release of Government Funding to support the Step Up to Social Work programme

The report sought authority to release funding in the CYP budget to run this programme in partnership with neighbouring boroughs.

The Committee supported the recommendations

(10) Procurement Arrangements for Domiciliary Care services

The report sought approval to waive competitive tender requirements to continue the existing contractual arrangements for a period of up to 4 months from 28th August 2012 if required, to ensure arrangements are in place while the procurement exercise is completed.

The Committee supported the recommendations

(11) Support for the Voluntary Sector – Community Links Bromley

The report proposed awarding a contract to Community Links Bromley for 3 years from 1st April 2012, with an option to extend for a further 2 years; with additional funding for the first year (2012/13) being met by uncommitted LPSA reward grant. Councillor Mellor commented, in the light of his experience chairing a working group on this issue, about the valuable strategic role this organisation played in training and supporting voluntary groups.

The Committee broadly supported the recommendations, but requested that regular reports be submitted to members monitoring successes/outcomes achieved as a result of this expenditure and investment. They also felt that a market testing exercise should take place before this initial three year period had elapsed, to ascertain whether similar organisations based in neighbouring boroughs might be able to put forward proposals on a 'shared services' basis to achieve greater efficiencies or enhanced outcomes

(12) Gateway Review – Day Opportunities for Older People

The report proposed the extension of current contracts for dementia day care centres, and for mainstream centres with dementia-specific places, until March 2013. This would enable a wider assessment of possible alternative approaches and specifications for future provision.

The Committee supported the recommendations

(13) Funding Arrangements for Information, Advice and Guidance

The report outlined current and future proposed arrangements for the provision of these services.

Since the report had only been sent out on the day of this meeting, the Committee did not feel able to discuss it; members were requested to pass any comments they had on to the Chairman, who could then raise them at the Executive meeting.

(14) Bromley Museum at the Priory, Orpington

The report proposed the re-submission of a first stage application to the Heritage Lottery Fund.

The Committee supported the recommendations.

108 SECTION 106 AGREEMENTS: UPDATE
Report DRR11/141

The Committee received an update on S106 agreements.

Discussion covered concerns about the implications of the current Blue Circle situation; the application of the new Community Infrastructure Levy regulations; and potential applications for reductions based on changes to scheme viability.

RESOLVED that

- 1) the position be noted; and**
- 2) the Executive be requested to consider the allocation and use of S106 balances that were not already committed or earmarked for specific projects.**

109 UPDATES ON KEY ISSUES FROM PDS CHAIRMEN

PDS Chairmen reported on the work of their Committees as follows:

Adult and Community Services - The Committee met on 30th November and considered a new proposal from Age Concern UK to introduce charges for the brokerage service for people who do not meet our eligibility criteria for social care, which should prove to be an interesting pilot. The Committee continued to consider the growing homeless issue. At the Committee's next meeting on 13th December the Committee will be looking at advice and guidance services, aiming to define priorities to assist in drawing up the right contract specifications to meet the future needs of local people.

Children and Young People – Key items under consideration were ways to achieve SEN spending efficiencies, through re-examination of transport provision and formulating Invest to Save schemes to bring a greater proportion of SEN provision in-Borough. In addition, indications suggesting that there might be mitigation of the effects of proposed top-slicing of grantfunding arising from schools' migration to academy status needed to be balanced with information that a further 10 primary schools might be switching.

Recreation and Renewal – the next meeting would be held on 13th December.

Public Protection and Safety – whilst significant savings had been achieved in various service budgets under the Portfolio's remit, any further significant savings were likely to be achieved through shared services approaches – these were already in place for CCTV and under active discussion for regulatory services. In addition, income generation through selling specialist services and inspections was receiving an encouraging response in the market. The Borough Chief Commander and his deputy were both departing;

a new deputy had been appointed, and the Council was seeking to discuss whether there should be some involvement on our part in the appointment of the next Borough Commander (there was disquiet at having to share this level of cover with another Borough in the meantime). The Committee had received the Annual Report on substance misuse services (complemented by a planned visit to providers). A further visit was planned to the local Fire Station.

Environment – in addition to the issues going up to the Executive and being pre-scrutinised by this Committee, the Environment PDS were involved in discussing winter preparations; the Snow Friends initiative had proved very popular, with nearly 3,000 people actively involved.

110 WORK PROGRAMME 2011/12
Report RES11149

The Committee noted the Work Programme set out in the report, including progress of PDS Working Groups.

The Committee requested a report on the contents and implications of the Localism Act to be presented to its meeting on 4th January, and a report on Total Place pilots, and the potential for the Council to get involved, to the 25th January meeting. The Committee also suggested that, to assist in progressing issues raised under the Localism Act, consideration should be given to restarting the Constitution Improvement Working Group.

111 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 listed below as it was 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.

112 EXEMPT MINUTES OF THE MEETING HELD ON 14TH NOVEMBER 2011

RESOLVED that these minutes be confirmed as a correct record.

113 RESOURCES PORTFOLIO - PREVIOUS EXEMPT DECISIONS

The Committee noted exempt Decisions taken by the Portfolio Holder since the Committee's last meeting on 14 November.

114 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee considered and commented on decisions that the Executive was being asked to take as follows:

(20) Street Environment Contract 2012- 2017/19: Street Cleansing: Graffiti Removal: Public Conveniences: and Highway Drainage Cleaning

This report proposed the award of contracts for these services, and corresponding funding arrangements.

The Committee requested that sweeping and drain cleaning schedules be circulated to all members so that they might comment on whether frequencies could be adjusted based on their local knowledge.

The Committee supported the recommendations

(21) Opportunity Site G, Bromley Town Centre

The report sought a steer from the Executive on proposals to take forward market testing of this site.

The Committee supported the proposal

(22) Former Bromley Town Hall and South Street Car Park, Bromley (Opportunity Site C)

The report sought the Executive's views on progressing the disposal of this site

The Committee supported the proposal, in line with timescales outlined by the potential developers.

(23) Library Stock Supply Contract Review

The report reviewed options for future library stock purchase.

The Committee supported the recommendations.

The Meeting ended at 10.17 pm

Chairman