

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

Minutes of the meeting held on 14 July 2010

Present:

Councillor Eric Bosshard (Chairman)
Councillors Robert Evans (Vice-Chairman),
Nicholas Bennett J.P., Judi Ellis, Peter Fookes,
Will Harmer, William Huntington-Thresher,
Russell Jackson, Paul Lynch, Russell Mellor, Nick Milner,
Tony Owen, Sarah Phillips and Tim Stevens

Also Present:

Councillor Graham Arthur, Councillor Julian Benington and
Councillor Neil Reddin

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

Apologies for absence were received from Councillor David McBride and Councillor Stephen Carr. Councillor William Huntington-Thresher also sent apologies for his late arrival at the meeting.

44 DECLARATIONS OF INTEREST

Councillor Peter Fookes declared personal interests as a Friend of the Churchill Theatre, a member of the Pineapple Club and a Trustee of Penge and Anerley Age Concern.

Councillor Tim Stevens declared a personal interest as a member of the Bromley Mytime Board.

Mark Bowen, Director of Legal, Democratic and Customer Services, declared a prejudicial interest in the report at item 19 on the Executive's agenda.

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

No questions had been received.

**46 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 9TH JUNE 2010
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 9th June 2010 be confirmed as a correct record.

47 MATTERS ARISING FROM PREVIOUS MEETINGS AND INFORMATION UPDATES

Report LDCS10119

The Committee considered an update on matters arising from previous meetings. Further updates were given as follows -

Minute 28.1 - The report about the extent of permitted development rights at Biggin Hill airport was being prepared for Development Control Committee.

Minute 13 - The system publishing details of Council expenditure over £500 had now gone live, and the Deputy Director of Finance thanked members for their comments on the draft arrangements.

Minute 238 - An update report was being prepared for the Data Working Group – a meeting date would be discussed with Councillor Grainger.

48 CORPORATE CONTRACTS REGISTER

The Committee received the latest update of the Corporate Contracts Register. The Chairman reminded members that although the report on SEN Transport Contracts was not available for pre-decision scrutiny by this Committee, it would be discussed at the Children and Young People PDS Committee on 20th July before going to the Executive on 21st July, and members could attend both meetings.

The Chairman urged that the Contracts Register be checked more thoroughly and any inaccuracies be removed in future. (Action: SH)

49 FORWARD PLAN OF KEY DECISIONS

The Committee considered the Forward Plan of key Decisions. The Chairman stated that the Committee needed the entries in the Forward Plan to be up to date and to tie in with entries in the Contracts Register. (Action: GW)

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

Two questions had been received relating to 28 Beckenham Road, Beckenham (The Studio), but these had been received too late to be dealt with at this meeting. Members suggested that the questions be dealt with by the Executive at the meeting on 21st July 2010.

51 RESOURCES PORTFOLIO - PREVIOUS DECISIONS

The decisions made following the Committee's previous meeting were noted. These related to the extension of the existing Occupational Health Contract, the former Leasons Day Centre, Chipperfield Road, Landlord's Consent for

Development at Biggin Hill, Riverside Close, St Paul's Cray, 14-18 Ranmore Path, St Mary Cray, the contract to supply lease cars, and proposed arrangements for Mobile Phones.

52 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

52.1 TREASURY MANAGEMENT PERFORMANCE - 4TH QUARTER 2009/10 AND ANNUAL REPORT 2009/10 Report DR10049

The Committee considered a proposed decision by the Resources Portfolio Holder to note the actual prudential indicators for 2009/10, approve the Treasury Management Annual Report for 2009/10 and agree that it be referred to Council.

Members noted the update on the Council's investment with Heritable Bank – the Committee was informed that the approach being taken was to continue to wait for further dividends in the expectation of full recovery.

Members requested that the term “accommodative policy approach” in paragraph 3.20 of the report should be explained (Action: PT).

RESOLVED that the proposed decisions be supported.

52.2 INSURANCE FUND - ANNUAL REPORT 2009/10 Report DR10062

The Portfolio holder was being recommended to endorse the Insurance Fund Annual Report 2009/10.

Councillor Nicholas Bennett commented that the introduction to the report should refer to the Council as being substantially self-insured.

RESOLVED that the proposal to endorse the Insurance Fund Annual Report be supported.

53 PRE-DECISION SCRUTINY OF EXECUTIVE AND LOCAL STRATEGIC PARTNERSHIP EXECUTIVE REPORTS Report LDCS10120

The Committee considered the reports on the Executive's agenda for the meeting on 21st July 2010 and the following comments were made. The Committee also noted the agenda for the Local Strategic Partnership Executive meeting on 19th July.

5. Bromley Museum at the Priory, Orpington Report DRR10/00063

Councillor Sarah Phillips reported that this matter had been considered at length by Renewal and Recreation PDS Committee. It was confirmed that the

additional costs of carrying out further work would be minimal as this would be done by officers, but it was pointed out that officer time could be measured as opportunity costs. Questioned by Members, officers reported that efforts were being made to find a warehouse style building to house the book stacks, possibly as part of a shared services agreement with LB Bexley.

6. Financial Monitoring 2010/11

Report DR 10065

The Deputy Director of Finance explained the key factors affecting the Council's financial position. He identified the key areas of overspend relating to placements for adults with learning or physical disabilities in the ACS budget, and increased costs for Looked after Children and SEN transport within the CYP budget. This increase in service pressures was accompanied by a loss of grants.

The Committee suggested that the provision for Member priorities should be looked at again in the light of the financial position.

7. Capital Programme Monitoring – 1st Quarter 2010/11

Report DR10066

The Committee noted several overspends in 2009/10 and requested details of the funding arrangements for the building of Bishop Justus School. The Council had managed the scheme on behalf of the Diocese of Rochester and the Department for Communities, Schools and Families, receiving agency payments as appropriate.

The Chairman commented that the Council needed to take a more professional approach to remain in control of contracts.

8. Update on the Council's Financial Position 2011/12 to 2014/15

Report DR09081

PDS Committees would have a key role in considering how to deal with grant reductions in the coming years, and the Chairman urged PDS Committees to set up task groups to address issues within their portfolios.

Councillor Robert Evans pointed out that the tables on pages 8 and 9 of the report did not have any labelling for the vertical axis.

Councillor Nicholas Bennett suggested that he wanted to see a report to the Executive on the implications of the new Government for local government. Councillor Robert Evans responded that CYP PDS Committee would be considering several reports at its next meeting on key issues arising from government education policy.

9. Dependency on External Grants

Report DR10067

The Committee noted the report.

10. Commissioning Arrangements for Supporting People Services for Young People

Report ACS10043

Councillor Judi Ellis proposed that the Executive should ask for a report six months after the proposals are implemented to ensure that financial benefits, and benefits to the service users, are being achieved. She also suggested that a letter should be sent to the Government outlining the severe impact of the Southwark judgement on the approach to be taken by Councils to young people of 16/17 presenting as homeless. The Director of Legal, Democratic and Customer Services advised on the impact of the judgement, which had resulted in a considerable shift in the law.

RESOLVED that the recommendations in the report be supported, but in addition the Executive be requested to (i) receive a further report after six months of operation of the contract to show the financial and service benefits of the proposed approach, and (ii) agree that the Leader should write to the Rt Hon Grant Shapps MP, Minister of State for Housing and Local Government, and Bob Neill MP, Parliamentary Under Secretary of State, Communities and Local Government, to complain about the cost impact of the Southwark judgement for local authorities.

54 HR UPDATE

Report HHR10001

The Committee received a report updating them on staffing numbers and the post establishment of the Council. The report also covered implementation of the recommendations of the PDS HR Review, progress on year one of the Council's HR Strategy 2009-2012 and information on departmental training budgets. Updated versions of charts D and E were tabled.

It was confirmed that agency workers were used where necessary, for example for children's social workers, where there was a national shortage. The Council used a neutral vendor to reduce costs. The Chairman commented that staff sickness levels were still in excess of private sector levels. Most of the changes in departmental establishments were as the result of reorganisations – the largest being the move of the Property Division from Resources to Renewal and Recreation. Officers were requested to confirm the exact number of posts transferred. (Action: VJ)

The Committee expressed concern at the apparent increase in the number of externally funded posts illustrated by chart E. Officers responded that this reflected cleansing of the data, rather than a real increase, and that they were confident that the figures were now more robust, with staff information now held in one data warehouse. If external funding for a post was withdrawn, then

the post would cease, but the Council would still have legal obligations to the post-holder and as a good employer would seek to redeploy them if a suitable post was available. (Councillor Judi Ellis confirmed that funding was secured for the Thyme out project.) In response to a question from a member, it was explained that staff on secondment were recorded only once, in the post where they were actually working. Managers had various options for covering posts where the post-holder was seconded elsewhere. Work was continuing to improve the statistical reporting of the data.

The Committee considered the updates on the recommendations from the PDS HR Review. On recommendation 2, concerning job-descriptions, it was confirmed that all posts did have job descriptions and work was continuing to tie these to the HR system. On recommendation 3, concerning the recording of skills and qualifications, officers reported that, given financial constraints, this was not a priority, and that the Council did already have enough information about its staff to manage redeployment.

Members also discussed the departmental training budgets, set out in Appendix 3 to the report. It was confirmed that the heading “Renewal and Recreation – Other” mainly covered continuing professional development (CPD) for planners.

The chairman concluded that, in view of the Committee’s concerns about the quality of the data and the need to plan using accurate information on staff numbers and grant funded posts, there should be a further report to the Committee in September. (Action: CO/VJ)

RESOLVED that updated information be presented to the Committee’s meeting in September.

55 COMMUNICATIONS REVIEW - RESPONSE OF THE CHIEF EXECUTIVE TO THE WORKING PARTY'S REPORT
Report LDCS10132

The Committee received a report summarising the Chief Executive’s comments on the Communications Working Group’s report, as requested by the Committee on 11th March 2010. The 49 recommendations in the Working Group’s report had now been broken down into five sections.

(i) Actions in train or being implemented

The Chief Executive confirmed that the “corporate grid” approach to coordinating communications work would be used in future. Although the joint bid with LB Bexley for funding upgrades to the Council’s website had been rejected, website development would continue to improve transactional capabilities and support use of cheaper, more accessible contact channels. A social networking pilot project was underway. Members queried why the response to some recommendations was that a business case would be required; the Chief Executive stated that he was anxious to avoid unnecessary costs. Councillor Tony Owen commented in relation to

recommendation 34 that many schools found promoting the Walking to School Project a burden with no real outcomes. The Chief Executive responded that he would take this issue up with the Children and Young People Department.

(ii) Strategic Issues

Councillor Nicholas Bennett complained that the new “Your Bromley Borough Councillors” poster did not include home addresses as requested by several new Members; it was acknowledged that one address had been wrong. Councillor Will Harmer stated that he was not on the all Councillors email list – these issues would be investigated.

Councillor Nicholas Bennett urged that PDS reports be publicised, even if it was necessary to include a health warning about their status. The Chief Executive undertook to look at this issue.

(iii) Staffing and Structures

The Chief Executive described the current staffing arrangements for the Communications Team, and the allocation of responsibilities. There were now two centrally based staff, plus one located in the Environmental Services Department. Two staff had resigned and one had been redeployed. Two posts were now vacant - one of them the proposed new Assistant Director post – pending further discussion on the way forward. The Committee recognised that there were numerous other people involved in communications work across the Council. Councillor Tony Owen stated that there should be demand analysis to establish the level of communications staffing needed.

Councillor Nicholas Bennett commented that the Council should be more proactive in addressing the communications aspects of Freedom of Information (Fol) requests. The Chief Executive responded that measures had been taken to address this, and that communications staff were also more involved with departmental management.

(iv) Process Issues

Councillor Nicholas Bennett reminded Members that the leaflets and publications reviewed by the Working Group were still in the Members’ Room. He strongly supported the recommendation (No. 15) about utilising the Design Studio for all publicity materials.

(v) Future Investment

Councillor Russell Jackson informed Members that LB Croydon had now stopped web-casting its meetings. Councillor Nicholas Bennett commented that the recommendation that the Council should not produce its own newspaper or magazine was far-sighted, given the recent criticisms of these publications, but he felt that the Council should be more ambitious in using its existing regular publications. The Chief Executive stated that he would like to

follow through with many of these recommendations, but in the current financial environment it was necessary to take a very cautious approach.

In conclusion, the Chairman stated that communications was a very important issue that the Council should keep in focus. He proposed that all the recommendations should now be referred to the Executive for consideration.

RESOLVED that the comments of the Chief Executive be noted, the Report be endorsed and the Executive be requested to consider the report at their meeting in September.

56 UPDATES FROM PDS CHAIRMEN

The Committee received updates from PDS Committee Chairmen on recent and forthcoming activity.

Councillor Robert Evans (Children and Young People PDS) highlighted the debates around the extension of Academies and the need to make reductions in the budget in the current year. He also reported that the Portfolio Holder had decided to curtail phase 3 of the Children and Families Centres, re-directing funding to existing centres.

Councillor William Huntington-Thresher (Environment PDS) reported that Working Groups on Transport and Street Cleansing were starting.

Councillor Judi Ellis (Adult and Community PDS) reported that Adult and Community PDS Committee had recently received reports on supporting independence, complaints (a very thorough report including examples of where complaints had been used to improve services which she commended as an example for other PDS Committees to follow) and the housing service, where a small group of staff were dealing with large numbers of applicants, some with complex needs. She had also attended a very successful day promoting the issues around adult safeguarding.

The Committee was expecting a report on closer links between health and social care in the light of Government proposals for GP commissioning. Councillor Graham Arthur, Adult and Community Portfolio Holder, informed the Committee that he viewed the proposals as a great opportunity to streamline the current arrangements and unify services with a single point of entry to health and social care. He emphasised that this would need clear accountability on finance and that oversight of health should be part of the democratic process.

Councillor Sarah Phillips (Renewal and Recreation PDS) informed the Committee that Working Groups had been set up to look at the Bromley North Village and the next steps for Libraries. Her committee was also expecting a report on shopping parades.

Councillor Tim Stevens (Public Protection and Safety PDS) reported that several of the partners who were due to appear at the Safer Bromley

Partnership scrutiny session had dropped out before the meeting. He intended to re-schedule their sessions for October. The Committee was also expecting to look at the Noise Strategy and CCTV in the Autumn.

57 WORK PROGRAMME 2010/11
Report LDCS10121

The Committee considered its work programme for 2010/11. Councillor Tim Stevens reminded the Committee that scrutiny sessions with the Leader, the Resources Portfolio Holder and the Chief Executive had not been scheduled, and the Chairman confirmed that this would be done.

Councillor Nicholas Bennett proposed terms of reference for a new Working Group as follows –

“To look at developments in new technology and consider the way it can be used to deliver the improvement, efficiency and effectiveness of Council services.”

Councillor Bennett also undertook to email to all Councillors inviting them to become members of the new Working Group.

Councillor Peter Fookes proposed a Working Group to investigate the “Total Place” agenda. The Chairman asked him to expand on this idea before the Committee considered whether or not to establish a Working Group.

Councillor Will Harmer suggested that the Bromley North Village Working Group should include a Bromley Town Ward Councillor. Councillor Sarah Phillips confirmed that he or his colleagues would be very welcome.

RESOLVED that

(1) The latest version of the work programme be noted, and scrutiny sessions be added with the Leader, Resources Portfolio Holder and Chief Executive.

(2) A New Technology Working Group be set up with terms of reference as set out above, comprising Councillors Nicholas Bennett, Judi Ellis, Will Harmer and any others expressing an interest.

58 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 the 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**

59 EXEMPT MINUTES OF THE MEETING HELD ON 9TH JUNE 2010

The exempt minutes of the meeting held on 9th June 2010 were confirmed.

60 RESOURCES PORTFOLIO - PREVIOUS EXEMPT DECISIONS

The Committee noted exempt decisions taken by the Portfolio Holder since the last meeting regarding the former Leasons Day Centre, Chipperfield Road, 14-18 Ranmore Path, St Mary Cray, the contract to supply lease cars, and proposed arrangements for Mobile Phones.

61 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS

The Committee considered and made comments on two proposed decisions by the Resources Portfolio Holder concerning the future of the following properties –

61.1 2 BETTS WAY, ANERLEY

61.2 208 HIGH STREET, ST MARY CRAY

62 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee considered reports on the part 2 agenda for the Executive's meeting on 21st July 2010.

Key to Actions

SH = Susan Haynes, Corporate Procurement Manager
VJ = Val Jenkins, Head of HR Organisational Development
CO = Charles Obazuaye, Assistant Chief Executive (HR)
PT = Peter Turner, Deputy Director of Finance
GW = Graham Walton, Democratic Services Manager

The Meeting ended at 10.58 pm.

Chairman