

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

Minutes of the meeting held at 7.00 pm on 4 April 2012

Present:

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

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr and
Councillor Robert Evans

**139 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
SUBSTITUTE MEMBERS**

Apologies for absence were received from Cllr Sarah Phillips. Councillor Tom Papworth sent apologies for arriving late.

140 DECLARATIONS OF INTEREST

Councillor Judi Ellis declared a personal interest as a governor of The Riverside School.

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

No questions had been submitted.

**142 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 25TH JANUARY 2012
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 25th January 2012 (excluding exempt items) be confirmed as a correct record.

143 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES12056

The Committee considered the following matters arising from minutes of previous meetings.

(88) & (89) Blue Badge Enforcement - The Committee noted the information that had been supplied, but requested a further, more detailed update on issues such as the costs of enforcement and the amounts recovered through fines.

(119) Total Place Pilots - A briefing note had been circulated by the Finance Director on 30th January 2012.

(120) Bus Route Design Contract - Members re-stated that they had asked for a report at this meeting on expenditure under the Bus Route Design Contract since the end of the London Bus Priority Network, and that they expected this to be submitted for the next meeting.

(120) Corporate Contracts Register - The Committee stated that the submission of the Corporate Contracts Register to every meeting should be re-instated.

(120) Library Cleaning Services/Office Cleaning - The Committee requested a report for the next meeting on their request that officers try to ensure that local companies can participate in these contracts, particularly for library cleaning.

(130) Costs of Council Services - The Committee discussed how the Council could communicate the true cost of Council services to residents in a clear and relevant manner. This needed to be reflected in the summary information presented with the Council tax demand, but also in dealing with issues across all portfolios and in public consultations, and in small matters such as the on-going maintenance and enforcement costs of installing yellow lines. The Chairman agreed to consider this with senior officers.

RESOLVED that

(1) The Corporate Contracts Register be submitted to each meeting.

(2) Reports be submitted for the next meeting on (i) the Bus Route Design Contract and (ii) Library Cleaning Services/Office Cleaning, as outlined above.

(3) A further update be provided on Blue Badge Enforcement.

144 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions which had been published on 16th March 2012, and in particular that the IT contracts listed under the Resources Portfolio were now too be considered in one report to the Executive on 11th April, and that the report on Sheila Stead House was not ready for consideration.

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

No questions had been submitted.

146 RESOURCES PORTFOLIO - PREVIOUS DECISIONS

The Committee noted five decisions made by the Resources Portfolio Holder since the last meeting.

147 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

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

147.1 CAPITAL PROGRAMME MONITORING Q3 2011/12 AND ANNUAL CAPITAL REVIEW 2012 TO 2016

Report RES12054

At its meeting on 1st February 2012, the Executive had received a report on capital expenditure and receipts and new capital schemes supported by Chief Officers in the annual capital review process. The Executive had agreed changes to the capital programme for the period 2012/13 to 2015/16, including changes which affected the Resources capital programme.

RESOLVED that the Resources Portfolio Holder be recommended to endorse the changes to the Resources Capital programme approved by the Executive.

147.2 EXTENSION OF EXISTING OCCUPATIONAL HEALTH CONTRACT

Report CEX10

It was proposed that the existing occupational health contract with Preventative Health Care Ltd be extended for a further year to 31st July 2013. Officers had been investigating a shared service with Bexley and Croydon, but this had not proved to be viable and the other Councils had not wished to proceed.

Some Members were concerned that the report did not make clear that this contract had already been extended. Although the service would have to be market tested at some point, the judgement was that an extension offered the best option. Negotiations with the contractor had secured a 17% reduction in the contract price, and benchmarking with other local authorities showed that the current provider offered excellent value for money. It was also noted that the service had helped to secure a significant reduction in sickness levels.

RESOLVED that on grounds of best value and continuity of service, the Resources Portfolio Holder be recommended to approve the extension

of the employee occupational health contract with Preventative Health Care Ltd, from 1 August 2012 to 31 July 2013 with the option to extend by a further year being delegated to the Director of Resources after consultation with the Resources Portfolio holder.

147.3 KINGSWOOD HOUSE, KINGSWOOD ROAD, SHORTLANDS

Kingswood House had closed on 31st March 2012. Two potential Council uses for the site were under consideration – a respite centre for children with special educational needs, and as temporary accommodation for homeless families.

Members pointed out that the road names on the plan in the report were illegible.

RESOLVED that the Resources Portfolio Holder be recommended to agree to the retention of Kingswood House, Kingswood Road, Shortlands, to enable a consideration of alternative Council uses, and to authorise the marketing of the property if the alternative uses are not supported.

148 HOLDING THE CHIEF EXECUTIVE TO ACCOUNT

The Chief Executive addressed the Committee on the key matters that he was dealing with. The previous few months had been dominated by the budget-setting process and significant changes to staffing. With the budget settled, and many of the savings being taken early freeing up funds for invest-to-save projects, he expected to be able to focus more on staff morale and issues affecting staff such as accommodation changes, car parking charges and the proposal to move away from national terms and conditions.

The Chief Executive would continue to chair meetings of the Assistant Directors in the new Education and Care Services Department until a Director was appointed, and interviews for the Education Assistant Director post were scheduled for the end of April. Public Health staff had now moved to the Civic Centre, with the Director of Public Health reporting to the Chief Executive. The Health and Wellbeing Board was now in place and the local Clinical Commissioning Group had been established. With the Health and Social Care bill going through Parliament there would be further opportunities to integrate services and cut out duplication. Other major issues were continuity planning, proposals for shared regulatory services with Bexley and Croydon and the Queen's Diamond Jubilee visit.

Questioned by Members, the Chief Executive accepted that with a number of senior officers having left the Council in recent months it was important to ensure that knowledge and expertise was not lost. Human Resources were looking at improving succession planning and a new Corporate Management Team had been established to broaden out the senior management role. The Future Leaders and Graduate Management Trainee schemes were still in

place, but the Chief Executive was wary of starting new cohorts too soon as there was a tension with meeting the expectations of existing staff in these programmes.

Members asked when a Director of Education and Care Services would be in post: the Chief Executive responded that following the failure to appoint during the initial process it was not likely to be before September or October. He confirmed that the recruitment process had started before Christmas, that Portfolio Holders had been consulted on the original job description and that the cost of employing head-hunters had been in the region of £20,000. He felt that there had been tension between the need to appoint a professional expert and a strategic manager. Members pressed to be involved in planning the new recruitment process – the Chief Executive promised to discuss this with the Leader.

A Member questioned whether the Council had carried out an equality impact assessment on the effect of budget cuts, which he considered were having a particular impact on the less affluent parts of the borough. The Chief Executive responded that he was aware that some Councils had faced legal challenges, but the Council was careful to ensure that all proper processes were followed. The issue of party political material being distributed alongside the Council's environmental newsletter was also raised; it was confirmed that this had been a mistake by the distribution company, who had apologised for the error, written to all the households affected and made a donation to the Mayor's charity. The Leader added that the story running in the local press implied that it was the Council that had apologised; he would see that this impression was corrected.

The Committee discussed whether the drive for shared services was slowing down – it was suggested that potential partners did not have to be limited to the adjacent authorities. The Chief Executive responded there were difficulties to overcome in successfully sharing services but that a range of discussions were going on with Councils and other public sector bodies. Members also commented that channel shift to cheaper means of contact, as recommended by the New Technology Working Group, was slow in some areas, such as school admissions and free school meals. The Chief Executive confirmed that this had been discussed recently by the Corporate Management Group and officers were aware of the need to encourage the community to move away from expensive means of communication. It was suggested that this linked in with the need to provide better information about the cost of services to the public.

Members challenged the decision to keep the Internal Audit report on the Executive's agenda in part 2. It was explained that this was because there was an on-going employment tribunal case. The Committee called for the report to be made public as soon as the employment tribunal case was resolved.

149 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report RES12057

The Committee scrutinised reports on the agenda for the Executive's meeting on 11th April 2012.

(5) Update on the Implementation of the Flooding and Water Act 2010
Report ES12031

The Executive was being asked to approve proposals for Sustainable Urban Drainage and a Sustainable Urban Drainage (SUDS) Approving Body (SAB), as required under the Flooding and Water Act 2010, to approve a draft response to DEFRA and to release funding of £220k from Central Contingency to implement the proposals. The report had already been scrutinised by the Environment PDS Committee - the Chairman of that Committee commented that he would have liked a shared service approach to be considered.

The Committee supported the proposals.

(6) Budget Monitoring 2011/12
Report RES12053

The Committee considered the Budget Monitoring report which covered activity levels up to the end of January 2012. The report showed that expenditure was being contained within budget. A Member questioned whether, in view of the potential for receiving NNDR rebates for unoccupied property, it would be more beneficial to leave surplus Council buildings empty to secure a rebate rather than employ property guardians. It was confirmed that this was taken into account; in some circumstances it was necessary to secure the protection afforded by property guardians.

The Committee supported the proposals.

(7) Council Tax Support: Technical Reforms of Council Tax
Report RES12064

The Department for Communities and Local Government had issued two consultation papers on (i) localising support for council tax in England and (ii) technical reforms of council tax. Council tax support would replace council tax benefit from April 2013; the new system would result in a loss of approximately £2.3m in grant for Bromley based on 2011/12 expenditure, and it would be difficult for the Council to collect the benefit. Older people would be protected under the new arrangements, meaning that there would be a greater impact on people of working age.

The Resources Portfolio holder reported that he had been in discussion with Bexley about the new system, and modelling of the implications was being carried out, but final guidance was awaited. He considered that the Council should pass on the costs of the new system to claimants and those who were

in a position to pay. Members suggested that the proposals might make potential landlords more reluctant to let properties and would therefore increase homelessness and that the exemption classes needed to be used to encourage landlords to bring empty properties back into use. The Finance Director commented that more properties might become available for rent and the Council was proactively taking measures on empty properties.

The number of claimants was rising at about 3% per annum, and it was a reasonable assumption that this would continue. There had also been a significant increase in single person households. Members stated that they need to see more detailed statistics about the actual numbers of claimants and the trends. Officers reported that there were about 21,000 claimants, and about 13,000 households were facing a reduction in support - the numbers would be provided in future reports.

Members commented on the proposal that the default position for recovering council tax should be in twelve monthly instalments. Bromley, in common with many other authorities, collected in ten instalments as this helped both cash-flow and collection rates.

New computer systems would be required, but the Council's IT contractor considered that this would be difficult to achieve within the timescales. Public consultation on the new arrangements would need to be carried out in June/July.

(8) Local Government Resource Review – Proposals for Business Rates Retention

Report RES12061

Following consultation, the Government had confirmed its intention to introduce the Business Rate Retention Scheme in April 2013. The scheme was intended to create an incentive for local authorities to promote growth by being able to retain a proportion of business rates from any local growth they achieved. Final details of the scheme would not be known until December 2012, although Members would be kept informed of progress, particularly at the Members' Finance seminar on 27th June.

The Committee noted that the system would not particularly benefit authorities in outer London with few brown-field sites to develop, and the reset proposals would limit the benefits achieved through development. In response to questions from Members, the Finance Director stated that the Government would continue to set business rates, and that the authority would probably obtain more income from the New Homes Bonus than Business Rate Retention.

The Leader confirmed that he would continue to lobby the Government on the proposals.

(9) Development of Autism Spectrum Disorder (ASD) Secondary Provision

Report ACS12025

It was proposed, subject to statutory consultation, to expand Riverside School by one form of entry (8 children in each year group) from September 2013. This required the draw down of capital funding from the basic need grant of £1.2m to complete the necessary building works at the St Paul's Cray site. The expansion of high quality services would help to address the shortfall in provision in the borough and reduce expenditure.

The Committee supported the proposals.

150 DISASTER RECOVERY PLANS FOR LONDON BOROUGH OF BROMLEY

Report DRR12/041

The Civil Contingencies Act 2004 imposed a statutory duty on public bodies such as local authorities to have business continuity arrangements in place, and the Committee received a report updating them on business continuity and disaster recovery plans for the Council. Plans were owned by individual departments and services, but were based on a standard template and were tested by Internal Audit and an external consultant. A number of different scenarios were used – the major exercise in 2008, “Exercise Coldplay,” had been based on a national flu pandemic, while other issues included heavy snow and utility failures. It was important to identify single points of failure – for example home working was dependent upon the Council’s IT system working, so a new generator had been purchased.

Members commented that it was important to include suppliers, contractors and partners in business continuity planning, and it was confirmed that this would be pursued in the next few months.

RESOLVED that the business continuity and disaster recovery systems in place be noted.

151 ANNUAL PDS REPORT

Report RES12059

This report would now be considered at the Committee’s meeting in June.

152 UPDATES FROM PDS CHAIRMEN

PDS Committee Chairmen reported on the work of their Committees as follows –

Children and Young People PDS Committee: Councillor Stephen Wells reported that the inspection of the Youth Offending Team (YOT) by the Youth Justice Board had been very positive, and showed that it had made remarkable progress in recent years to become one of the best YOTs in the

country. Interviews for the post of Assistant Director, Education, were due to be held on 27th April. There was still considerable uncertainty around the impact of the Academies programme and grants from the DfE. The Committee was keen to see progress on the SEN invest to save scheme and on moves away from paper-based applications for school admissions and school meals.

Environment PDS Committee: Councillor William Huntington-Thresher reported that his Committee had considered proposed changes to parking fees across the borough. It was suggested that the impact of the new charges on usage and revenues should be examined after three months; Councillor Huntington-Thresher confirmed that a six month review was planned.

Public Protection and Safety PDS Committee: Councillor Douglas Auld reported that although overall, crime was down, there were concerns about burglary. His Committee had received assurances from the new Borough Commander that the levels of PCSOs in the borough would return to normal by August/September. Discussions with Bexley and Croydon on shared regulatory services were progressing well, and a new stray dog kennelling service was being set up which other boroughs could buy in to. Following the escape of four adolescents from a unit at the Bethlem Royal Hospital, the Chief Executive of the South London and Maudsley NHS Trust had attended the Committee. All the escapees had now been returned to custody.

153 WORK PROGRAMME
Report RES12058

The Committee considered its work programme, including working groups and the programme of scheduled meetings. The Chairman proposed that a working group be set up in the new Council year to take a broad overview of the changes to local government finance in the next few years, and requested that officers begin to draw up terms of reference.

RESOLVED that the report be noted.

**154 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**

155 EXEMPT MINUTES OF THE MEETING HELD ON 25TH JANUARY 2012

Consideration of the exempt minutes of the meeting held on 25th January 2012 was deferred to the next meeting.

156 RESOURCES PORTFOLIO - PREVIOUS EXEMPT DECISIONS

The Committee noted two exempt decisions made by the Resources Portfolio Holder on 6th February 2012.

157 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS

The Committee scrutinised proposed decisions of the Resources Portfolio Holder relating to the following matters -

157.1 2 BETTS WAY, ANERLEY
Report DR12/0738

The Committee supported the proposal to accept the best offer for sale of the property.

157.2 FORMER LEESONS DAY CENTRE, CHIPPERFIELD ROAD, ST PAUL'S CRAY
Report DDR12/036

The Committee considered a revised offer for the site.

157.3 SHEILA STEAD HOUSE, BUSHELL WAY, CHISLEHURST

This report was withdrawn.

158 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee scrutinised part 2 reports on the Executive's meeting on 11th April 2012 as follows.

(13) Award of Contracts for Care/Support Services in Two New Extra Care Housing Schemes
Report AXS12022

The Committee supported the recommendations.

(14) Capita Secure Information Systems Contract Variation
Report RES12065

The Committee supported the recommendations.

(15) Internal Audit Investigation Report

Report CEO1195

The Committee noted the report.

**(16) Former Blue Circle Site: Joint Use Education Payment 106
Contribution**

Report DRR12/039

The Committee recommended that the revised payment should not be accepted.

159 CLOSING REMARKS

Councillor Nicholas Bennett requested that an updated organisation structure for the Council be provided.

As this was the final meeting of 2011/12, the Chairman thanked both Members and Officers for their work throughout the year.

The Meeting ended at 10.36 pm

Chairman