

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

Minutes of the meeting held at 7.00 pm on 18 July 2012

Present:

Councillor Eric Bosshard (Chairman)
Councillors Douglas Auld, Nicholas Bennett J.P.,
Ruth Bennett, Judi Ellis, Will Harmer, Brian Humphrys,
Russell Mellor (Vice-Chairman), Nick Milner, Ernest Noad,
John Getgood, Tom Papworth and Ellie Harmer

Also Present:

Councillor Julian Benington, Councillor Robert Evans,
Councillor Peter Fookes, Councillor Richard Scoates and
Councillor Michael Tickner

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

Apologies for absence were received from Councillors William Huntington-Thresher, Sarah Phillips and Stephen Carr.

200 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

No questions had been received.

**202 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 14TH JUNE 2012
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 14th June 2012 (excluding exempt information) be confirmed.

203 MATTERS ARISING
Report RES12121

The Committee received the list of matters outstanding from previous meetings. An update on blue badge enforcement was tabled. It was noted that Members had requested further information relating to unemployment rates during consideration of the Bromley Youth Employment Project report – this would be circulated and the item added to future Matters Arising Reports.

204 FORWARD PLAN OF KEY DECISIONS

The Committee received the Forward Plan of Key Decisions as published on 15th June 2012.

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

No questions had been received.

206 HOLDING THE RESOURCES PORTFOLIO HOLDER TO ACCOUNT

Councillor Graham Arthur addressed the Committee as Portfolio Holder for Resources. He informed the Committee that the 2011/12 accounts had been closed on time, with all portfolios remaining within budget, and summarised some of the improvements that had been made including increased rigour in capital accounting, more accurate budget monitoring reports and more effective action to deal with long term debtors. However, there were also challenges coming up such as the changes to housing benefits – although he supported the principle of everyone making a contribution towards their rent he considered that the arrangements needed to be considered in detail and vulnerable people needed to be treated sympathetically. He was pleased that 42 public health staff had now transferred across to the Council's management resulting in greatly improved liaison and he recognised that the governance arrangements for the Health and Wellbeing Board needed to be addressed before next April. He suggested that the Constitution Improvement Working Group look at this, and also at scrutiny of the Health, Housing and Social Care Partnership. He supported moving the Council away from national pay negotiations for staff, and the proposals for introducing staff car parking charges and reviewing essential car users. He also referred to the improved equipment in the committee rooms and the possibility of refurbishing the Council Chamber which had not been done since its construction 27 years ago.

Councillor Arthur responded to a number of questions from the Committee about these and other issues, including progress with use of the invest to save fund, delays in completing the contract for the operation of the performance hall at Langley Park School for Boys and the so-called "graph of doom" which showed how care costs would put increasing pressure on Council budgets. He confirmed that although the Council had achieved major savings it was important to continue to make fundamental changes and seek early opportunities for further savings.

The Chairman confirmed that Councillor Arthur had agreed to speak to the Committee in more detail about public health at its October meeting.

207 RESOURCES PORTFOLIO - PREVIOUS DECISION

The Committee noted one decision taken by the Resources Portfolio Holder since the last meeting regarding the Bromley Youth Employment Project. It was noted that a further report was expected in January 2013 before a final decision was to be taken.

208 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 take a decision.

208.1 OUTSOURCING OF THE PAYMENTS TEAM

Report RES12133

As part of the 2012/13 budget process officers had considered all areas of expenditure with a view to identifying where services could be delivered in a more efficient way. Outsourcing the Payments Team within the existing Liberata contract would be low risk but would free up significant senior management time to focus on maximising income rather than staff management. Liberata would be expected to improve the service and deliver revenue savings.

It was confirmed that TUPE would apply to the staff involved, and that Liberata would have to pick up any additional costs from early retirements.

RESOLVED that the proposals be supported.

208.2 TREASURY MANAGEMENT - ANNUAL REPORT 2011/12

Report RES12116

The Committee considered a report summarising treasury management activity during the March quarter and including the Treasury Management Annual Report for 2011/12 which was required to be reported to full Council. The report also included an update on the Council's investment with Heritable Bank. Investments as at 31st March 2012 totalled £173.9m, excluding the balance of the heritable investment) and there was no outstanding external borrowing.

Officers confirmed that it was increasingly difficult to find banks that the Council could invest with, but a AA+ rating was still acceptable.

RESOLVED that the Treasury Management Annual Report 2011/12 be noted and the Portfolio Holder be recommended to ask full Council to approve the actual prudential indicators in the report.

**209 HOUSING AND COUNCIL TAX BENEFIT SERVICE
MONITORING REPORT**
Report RES12129

The Committee received a report on the level of performance provided by the Liberata Benefits Service during the period from 1st December 2011 to 31st March 2012.

Members noted that Liberata's performance on time taken to assess new claims and changes of circumstances was below the 13 day monthly target throughout the year until March, when the figure suddenly dropped to 6.19, meaning that the annual target was hit. Officers explained that this was expected and was related to the positive impact of the benefits uprating and annual rent increases for many housing association properties.

Officers summarised the efforts being made to explain changes in benefit regulations, and confirmed that complaints were recorded so as to identify issues relating to national policy changes as opposed to complaints about the service provided.

RESOLVED that the levels of performance against the 2011/12 performance plan and the content of the 2012/13 performance plan be noted.

210 REVENUES SERVICE MONITORING REPORT
Report RES12130

The Committee received a report on performance of the Revenues Service provided by Liberata up to March 2012. Performance was improved in most areas of activity except collection of business rates, where most local authorities were experiencing difficulties due to the financial climate.

Members asked whether any particular sectors were struggling to make payments in time, or larger organisations were worse than smaller ones; the Liberata representative offered to investigate and provide some figures.

Rates for the use of direct debit to pay Council Tax were, at about 68%, amongst the highest in London, but Members pressed for this to be further improved and requested some historical data on the issue.

RESOLVED that the contents of the report be noted.

211 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report RES12

The Committee considered reports on the agenda for the Executive's meeting on 25th July 2012.

(5) Proposals for the Biggin Hill Heritage Centre

Report DRR12088

The report set out proposals to release £19k to the Biggin Hill Battle of Britain Trust to allow fund raising to continue, and £4k to cover the costs of analysing the Heritage Trust's submission to date, and to delegate authority to the Director of Renewal and Recreation, with the approval of senior Members and subject to suitable conditions, to release further S.106 funding.

Councillor Julian Benington attended the meeting as Chairman of the Biggin Hill Heritage Centre Working Party. He gave brief history of the proposals for a heritage centre, emphasising that the Working Party was pressing for a new, more robust business plan.

The Director of Resources informed the Committee that the second recommendation in the report regarding delegation of authority to release further S.106 funds needed to be amended to clarify that the delegation was to the Director of Renewal and Recreation with the agreement of the Leader and the Chairman of the Working Party.

RESOLVED that the recommendations be supported.

(6) Bromley Museum at the Priory, Orpington – Update

Report DRR12089

The Heritage Lottery Fund (HLF) had accepted a revised first stage submission from the Council for the extension of the Borough's museum service into part of the now vacated library building. The report asked the Executive to accept the HLF development grant, approve the submission of a stage 2 application for funding, increase the Council's match funding contribution should the stage 2 bid be successful to £488k and reduce the total capital budget to £2.468m.

RESOLVED that the recommendations be supported.

(7) Council Tax Support

Report RES12126

The Executive was being provided with an update on implementation of the Council Tax Support scheme in April 2013 asked to approve an option (option 2 (c) in the report) for the purposes of consultation. The Chairman pointed out that a business plan for the various options had already been requested.

Concerns were raised about the difficulty of recovering Council tax debt from the additional people not previously liable to pay, and it was noted that the courts could impose an attachment to benefits, although it was likely that Council tax would be behind other benefits. The Committee discussed the impact of changing the percentage of Council tax that would be assessed for Council tax support from the recommended 75% (option 2 (c)) to 80% (option

2 (a)), producing less savings, but Councillors concluded that option 2 (c) was the correct approach.

RESOLVED that the recommendations be supported, including the approval of option 2 (c) as the authority's proposed scheme and a follow up study be reported to this Committee.

(8) Budget Monitoring 2012/13

Report RES12131

The Committee noted the budget monitoring report based on activity levels up to the end of May. The Chairman drew attention to the impact of redundant Council-owned property not being sold quickly.

RESOLVED that the recommendations be supported.

(9) Capital Programme Monitoring – 1st Quarter 2012/13

Report RES12137

The report set out the latest position on capital expenditure and sought approval of a revised capital programme. The Committee noted that a number of post-completion reports were due to be received during 2012/13.

RESOLVED that the recommendations be supported.

(10) Development of Autism Spectrum Disorder (ASD) secondary provision at Glebe Special School

Report ED12015

The Committee considered a report on the development of ASD provision at the Glebe School, including expansion by 2 forms of entry from September 2014, involving building works at a cost of £4.8m funded from a loan from reserves.

This report was considered in conjunction with the following agenda item.

RESOLVED that the recommendations be supported.

(Councillor John Getgood requested that his opposition to the principle of using a loan from reserves with interest charged to the DSG to fund the proposals.)

(11) Short Breaks for Children/Young People with Autism Spectrum Disorder

Report CS12023

The report provided background on the work being carried out to support the cohort of young people with ASD who in future would be educated in the borough who might require short break provision. The development of the project had been overseen by the Executive Working Party on Special

Educational Needs. The report set out the cost pressures in this area and how it was proposed to develop the project in future with increasing numbers of children but without additional funding. A number of Members expressed concern that the proposals to develop two 4-bed units for short term residential respite, which had been endorsed by Members at the last meeting of the SEN Working Party, were no longer included. They proposed an addition to the resolutions to address this.

RESOLVED that the Executive be recommended to accept the following revision to recommendation 2.3 –

“2.3 Note that the Kingswood site is not required by the Education and Care Services Department for short breaks provision, but the Council should still be pursuing acquisition of two 4 bed units for short term residential respite.”

(12) Grant in Contingency – Two Year Old Funding
Report ED12014

The report set out requests to release funds of £400k held in contingency into the Early Years and Childcare budget.

RESOLVED that the recommendations be supported.

(13) Change of Management Arrangements for Council Owned LD Homes

The report set out proposals to de-register the two registered care homes for adults with learning disabilities operated by the Council resulting in improved choice and opportunities for their residents and ongoing financial savings. It was also proposed that the housing management function of the four Council owned houses for people with learning disabilities be put out to selected tender. The report also summarised the initial scoping work with regard to market testing of Bromley’s Learning Disability provider service.

A Member expressed concerns that the appointment of the housing provider might be driven by cost at the expense of quality. He was assured by officers that the leases would be tightly drawn to safeguard the quality of the service provided: further details would be provided to him.

RESOLVED that the recommendations be supported.

212 BIG SOCIETY WORKING GROUP - DRAFT REPORT

At its meeting on 10th January 2012 the Committee had established a working group to “evaluate the current local position on voluntary service contributions, and upcoming national and local developments, to identify ways the Council can better create and market opportunities for local people to become involved in shaping and delivering services to achieve involvement and improvement, and greater efficiency and effectiveness.”

Councillor Richard Scoates, as Chairman of the Working Group, introduced their report, commenting that the term “big society” had political overtones for many people and the Working Group advocated the use of the term “active citizen.” Some Councillors commented that volunteering worked best without local authorities and other agencies interfering, but Councillor Scoates emphasised that the approach for the Council should be to facilitate local groups to grow and unlock their potential. Other members commented that Community Links Bromley was geared towards established organisations, when there were a plethora of other groups, clubs and societies active in the borough.

RESOLVED that

(1) The report be endorsed and referred to the Executive for consideration of the recommendations.

(2) The Committee’s thanks to Councillor Scoates as chairman and Harriett Martyn as support officer be recorded.

213 UPDATES FROM PDS CHAIRMEN

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

Education PDS Committee: Councillor Nicholas Bennett reported on the recent “select committee” meeting to look into the issue of sold services to schools. The meeting had been very interesting and a report would be produced with recommendations. In particular, he felt that there was a lack of market analysis and marketing skills. He considered that there were lessons to be learnt in terms of using this format of meeting, including ensuring that all Members prepared by attending the pre-meeting, recognising that witnesses needed to be given incisive questions rather than comments and statements, and there probably needed to be fewer witnesses for each session to allow detailed questioning.

Public Protection and Safety PDS Committee: Councillor Douglas Auld reported that his Committee on 24th July would be considering the Government’s white paper “Putting Victims First – More Effective Responses to Anti-Social Behaviour” which simplified the number of anti-social behaviour orders (ASBOs.)

Care Services PDS Committee: Councillor Judi Ellis had had to leave the meeting early, but she had left some notes of her Committee’s activities which would be circulated after the meeting.

214 WORK PROGRAMME
Report RES12123

The Committee considered the latest version of its work programme.

Councillor Will Harmer noted that a Section 106 Monitoring Report was due at the next meeting and asked for a note to be circulated on the Section 106 agreement relating to the "Blue Circle" site.

Councillor Nicholas Bennett stated that he wanted a meeting of the Transport Statement Working Group to be called by the Chairman of the Environment PDS Committee so that potential routes for an extension of Tramlink can be discussed.

RESOLVED that the report be noted.

215 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

216 EXEMPT MINUTES OF THE MEETING HELD ON 14th JUNE 2012

The exempt minutes for the meeting held on 14th June 2012 were confirmed.

217 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS

The Committee considered two exempt reports concerning proposed decisions by the Resources Portfolio Holder submitted for pre-decision scrutiny as follows -

217.1 Lease of the TrEE Centre (Training and Education in the Environment)
Report DRR12/071

The Committee supported proposals for the TrEE Centre to be leased to the Shaw Trust.

217.2 THE OAKFIELD CENTRE, OAKFIELD ROAD, PENGE
Report DRR12/050

The Committee considered the outcome of the marketing of this property.

218 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee considered exempt reports on the agenda for the Executive's meeting on 25th July 2012 as follows -

**(17) Award of Contract for Support Services at Johnson Court
(Learning Disability Supported Living Scheme)**
Report CS12019

The Committee supported the award of a contract for core support services at Johnson Court.

(18) Re-provision of Agency Contract
Report CE1206

The Committee supported proposals for the supply of agency staff.

(19) Sale of CDM2007.org Training Website
Report RES12128

The Committee supported proposals for the sale of the Council owned CDM2007.org website.

(20) Capital Monitoring - Capital Receipts
Report RES12137

The Committee noted actual and anticipated capital receipts from asset disposals.

The Meeting ended at 9.45 pm

Chairman