

EXECUTIVE

Minutes of the meeting held on 12 September 2012 starting at 7.00 pm

Present:

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Peter Morgan,
Tim Stevens and Stephen Wells

Also Present:

Councillor Nicholas Bennett J.P., Councillor Eric Bosshard,
Councillor Peter Fookes, Councillor Russell Mellor and
Councillor Richard Scoates

49 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Colin Smith.

50 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

51 MINUTES

a) Minutes of the previous meeting

RESOLVED that the Minutes of the meeting held on 25th July 2012, excluding exempt information, be confirmed.

b) Matters Arising report

Reference was made to Opportunity Site G, High Street, Bromley Churchill Place (Minute 192/1 – 23rd May 2012 refers) the closing date for expressions of interest had now passed (7th September 2012) and an updating report would be submitted to the Executive' meeting in October.

Concerning the Biggin Hill Heritage Centre (Minute 33 – 25th July 2012 refers) the Director of Renewal and Recreation reported that further meetings were being held with the Trust representatives and a progress report would be submitted to the Executive's October meeting.

In respect of the Council Tax Report to the last meeting, the Leader advised that letters had been sent again to the government and MPs and acknowledgements had been received (Minute 35 – 25th July 2012 refers).

RESOLVED that the report be noted.

52 QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions had been received.

53 ACTIVE CITIZENS WORKING GROUP REPORT

Report RES12145

The Active Citizens Working Group was established by the Executive and Resources PDS Committee on 10th January 2012 against the backdrop of the government's proposals called the 'Big Society'. Its remit was to evaluate the current local provision on voluntary service contributions and national and local developments to identify ways that the Council could 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. The Working Group, under the Chairmanship of Councillor Richard Scoates, decided that the title 'Active Citizens' better described local arrangements and had submitted its report which included 13 recommendations to the Executive and Resources PDS Committee on 18th July 2012. The proposals had been endorsed by the PDS Committee and referred to the Executive for its consideration.

Councillor Scoates attended the meeting to introduce the report and drew attention to the strong ethos already in the Borough in respect of volunteering with some 2190 voluntary organisations offering differing levels of support. He advised that the aims of the proposals were not just around volunteers but also those who needed voluntary help and drew attention to various examples of schemes operating in other areas. A key element was the need for good 'signposting' and one way of addressing this was to use social media and technology. Westminster City Council had set up a 'Community map' facility to advertise opportunities for volunteers. Included in the recommendations was the proposal that Bromley adopt a similar styled community map to indicate the full extent of volunteering activity in an individual's local area. The Council would be acting as a facilitator in pulling together volunteers and voluntary groups as well as involving existing volunteering networks in a more creative way. He thought that the involvement of the New Technology Working Group could be helpful in the recommendations concerning using social media.

The Chairman thanked Councillor Scoates and the members of the Working Party for their report and commented on encouraging community spirit and what individuals and groups in the local area could achieve as for example with the Friends of Parks and Snow Friends groups which had proved so successful. He had some reservations on the proposals concerning use of social media and felt there should be clear guidelines. Other members also referred to the fact that the Council already used Facebook and Twitter and it was about improving what was already there. Councillor Evans had doubts about the use of a Community Charter and felt that if people had to sign a charter then it lost its voluntary aspect. Councillor Scoates agreed and advised that this had not been included in the recommendations. Members

also discussed the need to involve young people in the process, particularly as many volunteers tended to be in the older/retired age range. Councillor Arthur spoke about the importance of involving schools and the Youth Council in engaging with young people to volunteer. The Executive expressed general support for the proposals but wanted to see further work done in respect of the social media recommendations. The Chairman advised concerning the cost implications that these needed to be carefully assessed and whilst some funding might be forthcoming from the community fund such initiatives would need to be considered on a case by case basis in line with the Council's overall priorities. The Chief Executive was requested to look further at the proposals and how matters could be progressed building on what the Council was already doing.

RESOLVED that approval be given in principle to the recommendations with the exception of recommendations 2 d) and e), the implications of which should be examined further in conjunction with the New Technology Working Group, and Officers consider how to progress the remaining recommendations and come back with detailed proposals as to their implementation.

54 BUSINESS IMPROVEMENT DISTRICT PROPOSAL FOR ORPINGTON

Report DRR12/106

The Renewal and Recreation PDS Committee on 10th July 2012 had discussed an initial draft Proposal for the submission of a Business Improvement Districts (BIDs) for Orpington. The Committee had endorsed the emerging themes of the Proposal and the timescales for progressing towards a formal ballot of businesses taking place in February 2013. Since July the Proposal had been refined into a draft document setting out what would be delivered to businesses in the BID area, what services would be provided, how it would be funded and how the BID process would operate. The formal approval of the Executive was now being sought to the Orpington BID Proposal, the arrangements for the ballot and the establishment of the BID Company.

The Director of Renewal and Recreation introduced the report and referred to the statutory process that was required to be followed including the formation of the legal body, Orpington First Ltd to take forward the ballot and eventually Town Centre Management. If successful the present arrangements for a Council funded Orpington Town Centre Manger would not be required. The intention was that if the Orpington BIDs Proposal was successful then the same process would be rolled out to other Town Centres with the effect that Council run Town Centre Management would cease altogether from 2014. The Portfolio Holder for Renewal and Recreation spoke in support of the BIDs proposal and the benefits to Orpington Town Centre. Members discussed the financial implications for the Council which were mainly the liability to pay the BID levy on Council-occupied properties located in the BID area. It was emphasised that the Council as landlord would not be required to pay

additional levy on The Walnuts as it was the individual tenants who paid the levy. Councillor Evans asked about the Council's responsibilities in relation to the BIDs Proposal where reference was made to options for free parking periods, a waste management service and employment of a Team of Rangers in Orpington. The Director explained that these were aspirations that the new company were hoping to introduce but that would be their responsibility to make a good business case for and raise the appropriate finance. He commented that the concept behind the Team of Rangers was for them to act as guides providing information to visitors and would not be a security based project. The Public Protection and Safety Portfolio Holder referred to the previous arrangement by The Glades Management in Bromley who had funded for a while 2 additional Town Centre PCSOs and that this could be a future option for the BIDs Company to consider.

The Chairman referred to the fact that no Ward Members comments had been received according to the report and asked the Officers to ensure that all Ward Members were adequately briefed over the proposals.

RESOLVED that

- 1) the draft Orpington BID Proposal document (Appendix C of the report), incorporating a map to define the proposed BID area be noted;**
- 2) the Council's Ballot Holder be instructed to hold a ballot in February 2013, according to the Business Improvement District Regulations (England) 2004, being satisfied that the BID Proposal does not conflict with any of the Council's priorities and plans, and that its geographic scope is within the boundaries of the London Borough of Bromley;**
- 3) the Portfolio Holder for Renewal and Recreation nominate an officer to vote 'Yes' on behalf of the Council;**
- 4) subject to a BID 'yes' vote, the Director of Resources be authorised to enter into all legal agreements necessary to establish and operate the BID, and that the agreements ensure that the BID company acts at all times in the best interests of the Town Centre;**
- 5) approval be given for the Council to pass ownership of the Christmas Lights and associated infrastructure to the Orpington 1st BID Company, as explained in paragraph 3.13 of the report; and**
- 6) approval be given in principle for the BID to take over the running of the public Toilets in the Walnuts Square, and agreement be give for a contribution to be made of up to £5k to the BID in respect of running costs, as set out in paragraph 3.14 of the report, should a formal request be submitted.**

55 BUDGET MONITORING 2012/13

Report RES12141

Consideration was given to the second budget monitoring report for 2012/13 based on expenditure and activity levels up to July 2012. The report also highlighted any significant variations which would impact on future years as well as any early warnings that could impact on the final year end position. Members noted that it was still fairly early in the financial year but vigilance needed to be maintained to ensure budgets were kept in check.

RESOLVED that

- 1) the latest financial position be noted and that a projected net underspend of £1,434k is forecast based on information as at July 2012 consisting of a £1,416k net underspend on services and additional council tax freeze grant income of £18k;**
- 2) a projected reduction to the General Fund balance of £116k made up of £1,434k underspends referred to in (1) above, and carry forwards of £1,550k funded from underspends in 2011/12 be noted;**
- 3) the comments from the Director of Renewal and Recreation and the Education and Care Services Management Team detailed in sections 3.2 and 3.3 of the report be noted;**
- 4) the allocation of the Council Tax Support grant of £84k from the Central Contingency to the Resources Portfolio as detailed in section 3.4.3 of the report be agreed;**
- 5) the early warning detailed in section 3.11.1 of the report be noted; and**
- 6) Portfolio Holders and Senior Officers be reminded of the need to ensure expenditure is kept within budgets.**

56 OUTCOME OF OFSTED INSPECTION OF LOCAL AUTHORITY ARRANGEMENTS FOR THE PROTECTION OF CHILDREN

Report ED12032

The Chairman advised members that he had asked for this report to come to the Executive because of the importance the Council placed on its responsibilities for safeguarding children. The report detailed the outcome of an unannounced inspection by Ofsted carried out over 8 days in July of the local authority's arrangements for the protection of children. This was a new inspection framework setting a more robust benchmark in the assessment of child protection services by examining evidence of the impact of the help given to children and their families. Bromley was only the third in the country, and the first in London, to be inspected under the new framework. The

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Inspection outcome concluded that Bromley had been judged as adequate against all four areas examined. The full report of the Inspection was published on 17th August 2012 and had listed areas for improvement either immediately, within 3 months or within 6 months. A detailed Action Plan had been developed to address the improvement areas identified for immediate action or within 3 months and was appended to the report.

The Portfolio Holder for Care Services advised that he found the Inspectors comments very encouraging particularly regarding the interim arrangements in place following the establishment of the new Education & Care Services Department and whilst action was being taken to recruit a new Director. He thanked the Chief Executive and Senior Officers in the department for their work in ensuring that the statutory functions were discharged clearly and effectively. The high priority that Council Members gave to children's services including the appointment of a Children's Champion (Councillor Pauline Tunnicliffe) had also been highlighted in the Inspectors report. Councillor Evans commented that the term 'adequate' was used by Ofsted and did not really convey how well the department had done especially in light of the more rigorous Inspection regime now in operation. The Chief Executive advised that the new Director, Terry Parkin, would take up his duties on 29th October 2012.

RESOLVED that the report be noted.

57 SUPPORTING PEOPLE SERVICES JOINT FRAMEWORK AGREEMENT

Report CS12031

The Executive considered a report seeking approval for Bromley to join a new Joint Framework Agreement being set up by Lewisham and Southwark London Boroughs from 1st April 2014 for supporting people services. Bromley had already been participating in a framework agreement for Supporting People Services as a secondary authority since 2010 but this framework was due to expire on 31st March 2014. Members were advised that use of this framework had proved extremely beneficial as it had enabled the Council to call off contracts with relatively little additional procurement activity, yet had also made it possible to achieve £264k ongoing annual revenue savings on contracts let using the framework. In addition the pricing information had provided a useful benchmark that could be used in contract negotiations outside of the framework. The one off cost of joining was £10k but as it could be used to place contracts with an annual value of £1.5m which was why it had come to the Executive.

The proposals had been scrutinised by the Care Services PDS Committee at its meeting on 4th September 2012 who had agreed with the recommendations. The Portfolio Holder for Care Services speaking in support of the proposals referred to the savings that had been achieved using this process.

RESOLVED that approval be given for Bromley to join the contract framework agreement for Supporting People Services which is being set up jointly by the London Boroughs of Southwark and Lewisham for a one off cost of £10k.

58 OFFICE ACCOMMODATION STRATEGY

Report DRR 12/107

Consideration was given to a report seeking approval to a supplementary capital allocation of £400,000 to cover the additional costs identified following a review of the capital project costs and assessment of the forecast outturn costs against the original budget heads previously reported to the Executive (Minute 124 08.12.10 refers). The programme of works that had been agreed had increased the office space available in the North Block and St Blaise and allowed for the vacation of the Old Town Hall, Exchequer House, Joseph Lancaster and Ann Springman properties. Members were advised that action had been taken where possible to contain the costs within the original capital programme but it became clear that there was likely to be a much greater variation than originally anticipated. A number of budget heads had been identified where the predicted variation was significantly different from the original budget costs and these were detailed in the report.

Members noted that the Executive and Resources PDS Committee when pre-scrutinising the report at its meeting the week before had been very critical of the situation. The Director of Renewal and Recreation circulated at the Executive meeting a list of Key Dates starting from when authority was given to proceed with the works back in December 2010 as requested by the PDS Committee. The Chairman of the PDS Committee advised that there were two issues of concern a) that the project management of the programme of works had not been done as professionally as it should have; and b) it had taken too long to alert the Leader and Executive of the cost overrun. The Chairman stated that he accepted the concerns raised and that the Audit Sub-Committee had been requested to fully investigate the situation and make any necessary recommendations. The Chief Executive accepted that the PDS Committee did not have all the information before it and a full forensic investigation would be carried out and reported to the Sub-Committee. Various other members also expressed their concerns including the Portfolio Holder for Renewal and Recreation who hoped that lessons had been learnt for the future so that any major project had proper qualified consultants.

Councillor Fookes said he was not aware of which services had now moved into the North Block and the Chief Executive undertook to circulate updating information to members regarding occupancy of the North Block.

RESOLVED that

1) approval be give for a supplementary capital allocation of £400,000 to ensure the successful completion of the programme of works and reoccupation of the North Block; and

2) the results of the Audit examination of the project overrun and any recommendations arising from this be reported back to the Executive.

59 UPDATE: DRAW DOWN OF FUNDING FOR TACKLING TROUBLED FAMILIES

Report ED129045

The Executive agreed that the above report, which had not been included on the published agenda, be dealt with at this meeting as a matter of urgency on the following grounds – to enable the planned recruitment of 5 key posts to take place in September 2012. These posts were needed to undertake the payment by results outcomes work before the end of March 2013. The successful achievement of payment by results outcomes would secure further funding for the Council in 2013/14. The necessary approval of the Executive was required as the grant for this work was held in the central contingency. The Chairman of the Executive and Resources PDS Committee indicated that he had been made aware of the late report.

The Assistant Director, Safeguarding and Social Care, explained the background to the report. Bromley had been successful in its bid to secure additional ring fenced funding under the Government programme “Tackling Troubled Families” which was a payment by results initiative. For 2012/13 Bromley had received £535,200 which included a contribution to cover – the initial identification of families; the coordination of the programme; and an 80% up front attachment fee in respect of work during year 1 with the 136 families Bromley had committed to work with. In response to a member question the Executive was advised that most of the families identified were already known to the department. Full details were set out in the report on how the programme was progressing and the next stages. The recruitment of the Family Support and Parenting Practitioners was now urgently required so that interventions with the families could begin as the time frame for measuring outcomes was a minimum of six months.

Members in discussing the proposals were generally supportive but wished to be assured about the mechanism for measuring the outcomes and achievements and were advised that the government had not yet clarified how this would be done and was still work in progress. The Portfolio Holder for Resources thought it would be helpful to receive a report in due course on how targets were measured and the outcomes achieved. The Assistant Director agreed to report back on some case studies in respect of families involved with the project. The Chairman also agreed this would be helpful as part of the role of members as corporate parents and commented on the project’s potential links to the Mentoring Scheme which had proved successful.

RESOLVED that

- 1) approval be given to the planned expenditure and the proposal to adopt the existing commissioning process, used by the Bromley Children Project Children and Family Centres; and
- 2) the initial draw down of part of the grant from central contingency totalling £270,121 as detailed in the report be agreed.

60 CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

There were no additional issues to be reported from the Executive and Resources PDS Committee.

61 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*

62 EXEMPT MINUTES OF THE MEETING HELD ON 25TH JULY 2012

The Exempt minutes of the meeting held on 25th July 2012 were confirmed.

63 AWARD OF CONTRACT FOR MENTAL HEALTH FLEXIBLE SUPPORT SERVICE

The Executive considered a report on the results of the tendering process for the flexible support service for people with mental ill health and agreed the award of the contract as recommended.

Chairman

The Meeting ended at 8.36 pm