

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

Minutes of the meeting held at 7.00 pm on 21 November 2012

Present:

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

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr,
Councillor Richard Scoates, Councillor John Canvin,
Councillor Roger Charsley, Councillor Roxhannah
Fawthrop, Councillor Julian Grainger, Councillor Gordon
Norrie, Councillor Tony Owen, Councillor Charles Rideout
CVO, QPM, Councillor Colin Smith, Councillor Diane
Smith, Councillor Tim Stevens J.P. and Councillor Pauline
Tunncliffe

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

There were no apologies for absence. Councillor Tom Papworth apologised for needing to leave early.

258 DECLARATIONS OF INTEREST

Councillor Nicholas Milner declared an interest in the report on Customer Services (item 14 on the Executive's agenda) as he held shares in Capita.

During consideration of the report on Technical Reforms of Council Tax (item 5 on the Executive's agenda) Councillor Brian Humphrys declared an interest as he was in receipt of single person discount.

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

No questions had been received.

260 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETING HELD ON 18 OCTOBER 2012 (EXCLUDING EXEMPT ITEMS)

RESOLVED that the minutes of the meeting held on 18th October 2012 (excluding exempt information) be confirmed.

261 MATTERS ARISING FROM PREVIOUS MEETINGS

Report RES12188

The Committee received an update on matters arising from previous meetings.

262 FORWARD PLAN OF PRIVATE AND KEY DECISIONS

The Committee noted the latest Forward Plan of Private and Key Decisions. It was noted that three Care Services reports had been deferred until the next cycle of meetings.

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

No questions had been received.

264 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.

264.1 LAND AT THE REAR OF 161-165 RAVENSBORNE AVENUE, BROMLEY

Report RES12196

Authority was sought to declare a small piece of unmanaged woodland surplus to Council requirements and to dispose of it as two separate plots to adjoining homeowners for use as extensions to their gardens.

RESOLVED that the recommendation be supported.

264.2 FORMER PUBLIC TOILETS

Report DRR12/133

Following the implementation of the Community Toilet Scheme, a further tranche of public toilets had closed and the report set out options for their disposal. The sites were proposed to be sold rather than offered for leasing or rent as there would be considerable capital

costs involved to convert them for other uses. If approved, marketing would probably begin in the new year. Officers confirmed that the costs of demolition in each case had been assessed by the Council's own building surveyors, but the works would be put out to tender.

Councillor Julian Grainger urged that the toilets adjoining the Greenwood Community Centre in Green Street Green in his ward be made available for purchase by the Hall or for some other community use.

RESOLVED that the recommendations be supported.

264.3 CAPITAL PROGRAMME-2ND QUARTER MONITORING 2012/13

Report RES12178

At its meeting on 24th October 2012 the Executive had agreed a revised Capital Programme for the four year period 2012/13 to 2015/16, including changes to the programme for the Resources Portfolio which were now presented to be confirmed. The Chairman urged that surplus sites be sold more quickly to reduce ongoing maintenance costs and realise capital receipts.

RESOLVED that the recommendations be supported.

265 SCRUTINY SESSION: THE RESOURCES PORTFOLIO HOLDER

The Chairman invited Councillor Graham Arthur, the Resources Portfolio Holder, to address the Committee. He reported that the 2012/13 budget was on target to underspend, and that any underspends were being transferred to risk reserve. He was encouraging departments to come forward with invest to save schemes. He accepted that there were budget challenges ahead, and there was concern at the impact of the benefit changes in April 2013 as more people became liable to pay a share of their housing costs. He was aware that Housing Associations had done much to warn their tenants of the changes, but private sector tenants might be less well prepared. In the area of health, the £11m public health budget and 23fte staff would come fully under Council control from April 2013, and officers had secured additional funding to assist with the transition. Public Health and Care Services were already working well together and using the joint strategic needs assessment to target resources. Additional funds had been secured for GPs to carry out special work with the elderly (£5m) and for the Council to align social care service with health (£6m over two years).

Asked about future Council Tax levels, Councillor Arthur stated that an increase of 2% was being built into the financial forecasts. The Council had to balance the one-off government grant which was not built into the Council Tax base against the greater income from this modest rise.

Councillor Arthur explained that the Council had considerable scope for flexibility with the new housing benefit changes, except on the issue of single occupancy. While it was helpful that the new arrangements would encourage people to move to smaller accommodation, releasing much needed larger properties, there was concern that foster children did not count in the assessment of bedrooms required, and officers had been asked to look into this. A Member commented that the change to paying housing benefits direct to the claimant would lead to more people failing to pay their rent and therefore more evictions and homelessness. The Leader confirmed that representations had been made to MP's about this.

Councillor Arthur informed the Committee that the invest to save budget was £10m. However, it had been decided that the business case for the proposals for residential accommodation for children with special needs was not strong enough. Other invest to save projects such as complex educational needs, in-house fostering and day services were being developed.

It was confirmed that the £400m figure for health services commissioned by the Bromley Clinical Commissioning Group represented expenditure for both young people and adults – the total local health budget. Councillor Arthur confirmed that there were robust discussions with health on how this should be allocated. A Member mentioned that the work being done to improve Child and Adolescent Mental Health Services (CAMHS) needed to continue, particularly to reduce delays on waiting for assessments and improve the use of therapists. Councillor Arthur responded that the CAMHS had improved in recent years. Councillor Ellis added that the CCG was focussing more on community services rather than just on hospital provision.

(Councillor Brian Humphrys declared an interest during this item as he was in receipt of single person discount.)

266 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

RES12143

The Committee considered the following reports on the agenda for the meeting of the Executive on 28th November 2012.

(5) Technical Reforms of Council Tax

Report RES12164

The report set out changes under the Local Government Finance Act 2012 which would enable Councils to set locally the level of Council tax discount that could be awarded in certain circumstances from 1st April 2013. It was proposed that Bromley would apply 0% discount to Second Homes, "Class A" exemption (empty dwellings undergoing major repair) and "Class C" exemption (vacant dwellings), would make no change in respect of "Class L" exemption (liability of mortgagees in possession) and would not apply the Empty Homes Premium in 2013/14.

Members considered that applying no discount for class C would potentially be unfair for executors following the death of a homeowner, so it was proposed that a six month grace period be allowed. Councillor Nicholas Bennett suggested that Empty Homes Premium should be applied after six months.

RESOLVED that the recommendations be supported, with the exception that a six month grace period should be allowed for Class C exemptions where the homeowner has deceased.

(6) Budget Monitoring 2012/13
Report RES12195

The Committee considered the third budget monitoring report for 2012/13 based on expenditure and activity levels up to September 2012. An underspend of £3,113,000 for 2012/13 was currently projected.

RESOLVED that the recommendations be supported.

(7) Public Health Transition Funding
Report CEO1211

The report set out details of the activities which were proposed to be funded as part of the transition of Public Health responsibilities from the PCT to the Council on 1st April 2013. It was confirmed that an officer transition group had been established to monitor the process and Members would be updated on the financial position via budget monitoring reports. NHS staff would be transferring to Bromley under TUPE so would retain their existing terms and conditions, and in addition some posts had statutory reporting provisions back to the NHS.

RESOLVED that the recommendations be supported.

(8) Public Health Transfer of Contracts
Report CEO1210

The report summarised the arrangements for transferring responsibility of existing contracts commissioned by Public Health to the Council on 1st April 2013. A Member remarked on the large number of short term contracts for sexual health provision, many relating to screening services. Officers confirmed that opportunities to secure savings through re-contracting would be investigated.

The Chairman requested an organisation chart for public health.

RESOLVED that the recommendations be supported.

(9) Procurement Strategy for Modular Buildings for Schools Capital Programme

Report ED12067

The Council had a requirement for modular buildings to ensure that it met its statutory requirements for providing sufficient school places. Since 2011 these had been provided through LB Lewisham's Modular Building Framework. This had recently been re-tendered and authority was being sought to use the new framework.

Members remarked on the fluctuations of the birth-rate affecting the number of school places needed, and agreed that the flexibility that modular buildings provided was necessary.

RESOLVED that the recommendations be supported.

(10) Parking Shared Services

Report ES12110

This item was considered in a joint session with the General Purposes and Licensing Committee. The following documents were circulated in addition to the report – a summary of the consultation responses received from staff, a letter dated 20th November 2012 from the Directors of Environment & Wellbeing and Finance & Resources at LB Bexley, and the draft minutes from the meeting of the Environment PDS Committee on 20th November 2012. The Environment PDS Committee had supported the proposed shared parking service with Bexley, but added an additional request that an assessment of externalisation opportunities be brought forward once the shared service had been successfully established with a report on options in 12 months' time.

Members considered that the savings on offer of £100,000 were modest compared to the scale of the service. The proposed staffing structure appeared to contain too many managerial posts, and could be further trimmed to achieve more savings – particularly the Strategy and Service Development Team. Officers explained that the manager posts at this level, while including supervisory responsibilities, were not at management grade, and this team played an important role in developing the statutory Parking strategies for both boroughs, assessing and responding to customer needs, and dealing with issues such as complaints and freedom of information enquiries.

Members sought clarification on whether new staff would be recruited only on Bromley terms and conditions. It was confirmed that costs would be split according to the collaboration agreement, whether staff were appointed by Bromley or Bexley. The proposal was based on secondment of staff as there would be pension liabilities for Bromley.

Members were concerned at references to a joint parking strategy in the response given to staff, given that the two authorities might have different priorities and different problems to address. The aim would be to align

strategies as far as possible, but the report correctly confirmed that the respective boroughs would retain their own formal Parking Strategies which would continue to be agreed by Members. Some Members suggested that as Bromley appeared to be a better performing service the advantage in the shared service would be greater for Bexley. It had been suggested at the Environment PDS Committee meeting that if Bromley was bearing a risk if performance was poor, consideration should be given to providing a financial incentive if the opportunity to improve performance was realised. Members were also reluctant to agree that the power to approve the formal Shared Service Collaboration Agreement should be delegated to an officer, and felt that this should be confirmed by the Executive.

Officers confirmed that the Parking Service was already largely outsourced, with contracts for enforcement & car parks management, and ICT. Efficiency savings had already been made, and there was little scope for “salami slicing” further savings. A larger service would reduce duplication and be better able to cope with peaks of work.

Officers were already working with Liberata to investigate the potential benefits of an outsourced debt collection service. There were differences between bailiff services for Council Tax and parking, but Liberata had invested in effective IT systems that could look at all a debtor’s debts together. Further evidence was needed to show that they would be effective at collecting parking debt. The Environment PDS Committee had suggested that outsourcing should be investigated once the shared service had been established, but other Members suggested that if the boroughs’ views diverged this could mean increased costs to disentangle the new arrangements and that all options should be considered.

The Chairman stated that he was not in favour of joint management and decision-making as this would lead to increased costs, delay and lack of clarity over responsibility. He was concerned that the savings were too small, and too many staff were being retained. He suggested that this was a good opportunity for an employee buy-out and that this and other options should be examined further before a decision was made.

RESOLVED that the Executive be informed that the Committee does not support the current proposal for a shared parking service with LB Bexley, and considers that all the alternative approaches should be considered before a decision is made.

(11) Local Government Ombudsman Report
Report RES12201

The Local Government Ombudsman had recently found maladministration causing injustice in a complaint against the Council. It was recommended that the Council accept the recommendations of the Ombudsman and authorise payment of compensation totalling £7,000.

RESOLVED that the recommendations be supported.

(12) Carbon Reduction Commitment (CRC) Scheme: 2011/12 Annual Report

Report ES12123

The Executive received annual reports on the Carbon Reduction Commitment (CRC) scheme; the report set out activity during 2011/12 including the purchase of carbon allowances to cover 2011/12's emissions. The Leader confirmed that the Council was continuing to press for academies to become responsible for the financial liabilities relating to their own carbon emissions.

RESOLVED that the recommendations be supported.

(13) Carbon Management Programme: Progress Report 2011/2012

Report 12122

The report was the fourth annual report summarising the Council's progress in reducing its energy consumption and carbon footprint in 2011/12.

RESOLVED that the recommendations be supported.

(14) Formal Consultation on Outline Service Proposals and Procurement Strategy

Report RES12204

The report summarised the options for the future provision of customer services, which included Bromley Knowledge (web services), Reception Services and the Contact Centre. It was proposed to make substantial savings by outsourcing these services to a private contractor, and it was recommended that officers should negotiate with Capita and Liberata to explore this.

Officers confirmed that quality would be maintained through careful assessment of the service levels required and clear, tightly drawn KPIs. A Member commented that it was vital that the contractor should provide analysis of faults so that services could be improved. In response to a question from another Member about the zero email volumes shown for some services in appendix 1 to the report, it was explained that some services could not be delivered on-line.

RESOLVED that the recommendations be supported.

267 COMMUNICATIONS WORKING GROUP - UPDATE
Report RES12201

The Communications Working Group had delivered its report in February 2010. The Committee received an update on progress with the implementation of the forty-nine recommendations in the report, set out in a spreadsheet.

Councillor Nicholas Bennett had chaired the Working Group, and he stated that he was disappointed with the speed of progress. He understood that it was not possible to pursue some of the recommendations in the changed economic circumstances but there were a number of other recommendations where he expected more to be done. These included the following –

- (1) Cabinet responsibility for communications: Cllr Bennett considered that Cabinet members should be more proactive on communications.
- (6) Publication of Working Group reports: This appeared to have been ignored - the work of “backbenchers” needed to be promoted. Officers stated that recent work related to the SEN Working Group, the Active Citizens Working Group and the Beckenham and West Wickham Working group had been publicised.
- (14) Checking the branding of materials before printing: More should be done to move towards print on demand.
- (17&18) Communication costs properly accounted for and separate codes set up: Officers responded that codes had been put in place.
- (21a) More proactive campaigning: Cllr Bennett felt that more should be done to publicise the Council’s views on issues such as planning policy.
- (35) Enhancements to the website: Cllr Bennett considered that the search engine needed to be improved and the website needed to give residents access to street by street information.
- (36) Provision of live CCTV footage at busy junctions: Cllr Bennett considered that this would not be expensive or difficult to achieve and would have great public benefit.
- (46) Enhancing the role of libraries: Cllr Bennett considered that little progress had been made.

Officers explained that the spreadsheet was a working document enabling recommendations to be kept under review, and that progress was being made in ensuring that publicity was focussed through the communication leads.

RESOLVED that the report be noted.

268 BRIEF UPDATES FROM PDS CHAIRMEN

Written updates on the recent work of their Committees were received from Councillor Sarah Phillips (Renewal and Recreation PDS Committee) and Councillor Nicholas Bennett (Education PDS Committee).

269 WORK PROGRAMME 2012/13
Report RES12190

The Committee received an update on its work programme and the progress of Working Groups.

**270 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**

**271 EXEMPT MINUTES OF THE MEETING HELD ON 18th
OCTOBER 2012**

The exempt minutes of the meeting held on 18th October 2012 were confirmed.

272 ASSETS HELD FOR SALE

The Committee received a report on Council property assets held for sale.

**273 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES
PORTFOLIO HOLDER REPORTS**

The Committee scrutinised the following proposed decision of the Resources Portfolio Holder -

273.1 ISARD HOUSE GLEBE HOUSE DRIVE HAYES

The Committee considered a report on options for the disposal of this site.

**274 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
 REPORTS**

The Committee scrutinised two reports on the part 2 agenda for the Executive's meeting on 28th November 2012 concerning (18) the Award of the Street Lighting Maintenance and Improvements Contract and Street Lighting Invest to Save Initiative , and (19) Street Works Tender.

The Meeting ended at 9.41 pm

Chairman