

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

Minutes of the meeting held at 7.00 pm on 31 January 2013

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,
Ellie Harmer and Peter Fookes

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr,
Councillor Peter Morgan and Councillor Richard Scoates

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

Apologies for absence were received from Councillor John Getgood, who was replaced by Councillor Peter Fookes, and Councillor Tom Papworth. Councillor Will Harmer and Councillor Graham Arthur, Resources Portfolio Holder, sent apologies for having to arrive late.

292 DECLARATIONS OF INTEREST

Councillor William Huntington-Thresher declared an interest as a member of the Affinity Sutton London Regional Scrutiny Board in relation to the report on the Bromley Youth Employment Project (minute 306 (a).)

Councillor Ruth Bennett declared an interest as she lived near the Holy Trinity Convent development in relation to item 17 on the Executive's agenda (Payment in Lieu: Framework for Capital Process.)

During consideration of item 12 on the Executive's agenda (Commissioning Strategy for Older People – Day Opportunities and Respite Care) Councillor Peter Fookes declared an interest as a trustee of Melvin Hall.

During consideration of item 13 on the Executive's agenda (Gateway Review: Adult Direct Care Services) Councillor Douglas Auld declared an interest as his wife was employed as a social worker.

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

No questions had been received.

294 MINUTES OF THE EXECUTIVE AND RESOURCES PDS COMMITTEE MEETING HELD ON 3RD JANUARY 2013 (EXCLUDING EXEMPT ITEMS)

RESOLVED that the minutes of the meeting held on 3rd January 2013 (excluding exempt information) be confirmed.

295 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES13025

The Committee received an update on matters arising from previous meetings. It was noted that there was an update on the new Technology Working Group's report later on the agenda, and that the report requested by the Committee at the last meeting on London Councils was scheduled for the meeting on 27th March.

296 FORWARD PLAN OF PRIVATE AND KEY EXECUTIVE DECISIONS

The Committee received the latest version of the Forward Plan of Private and Key Decisions.

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

No questions had been received.

298 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following reports for pre-decision scrutiny where the Resources Portfolio Holder was minded to take a decision.

298.1 TREASURY MANAGEMENT - PERFORMANCE Q3 2012/13
Report RES13021

The Committee noted a summary of treasury management activity for 2012/13 and in particular the third quarter ending 31st December 2012. The report included an update on the Council's investment with Heritable Bank. Officers commented that the Localism Act could open up some opportunities for a wider range of investment opportunities but this needed to be balanced against achieving security, liquidity and yield – in that order.

RESOLVED that the report be noted and the recommendation be supported.

**298.2 TREASURY MANAGEMENT - ANNUAL INVESTMENT
STRATEGY 2013/14**
Report RES13022

The report set out the proposed Treasury Management Strategy and Annual Investment Strategy for 2013/14 which were required by the CIPFA Code of Practice for Treasury Management in the Public Services to be approved by full Council. The report also included prudential indicators and the Minimum Revenue Provision (MRP) Policy Statement, both of which required full Council approval. The report recommended the inclusion of Certificates of Deposit, Commercial Paper and Floating Rate Notes as eligible investment vehicles.

Members asked whether there had been any consideration of working with other boroughs on treasury management. Officers confirmed that all opportunities were being investigated, but referred to a recent issue where the cost of actuarial valuation advice for Bromley was already lower than the London framework price. Members also noted that at present the advice was to invest for terms of just one year.

RESOLVED that the report be noted and the recommendations be supported.

299 SCRUTINY OF THE LEADER OF THE COUNCIL

The Chairman invited Cllr Stephen Carr, Leader of the Council, to address the Committee. He summarised some of the issues that he was focussed on as Leader. Much of his work centred on the budget and ensuring that there was a consistent, long-term approach to the Council's finances. The draft 2013/14 budget had been built from a baseline review/zero-based budgeting approach, with public consultation meetings in November and consideration by all PDS Committees in January. There had been a number of meetings with government Ministers and letters sent lobbying on behalf of the borough. The merger of the former Children and Young People and Adult and Community Services Departments had produced efficiencies, and he expected that further efficiencies would be achieved. He emphasised that the movement of staff out of national terms and conditions was vital for the Council's culture and for supporting staff, and that his administration was determined that it would succeed.

Other important issues that he was dealing with included the security concerns at the Bethlem Royal Hospital, public transport options and the Council's priority of seeking an extension of the DLR to Bromley, the financial problems at the South London Hospitals Trust, the public meetings on Policing, the safeguarding work of the Children's Board, the issues around planning and the Green Belt (he had met with Nick Boles MP, the Planning Minister), library provision in Penge and Anerley, Crystal Palace Park (where there was potential for using Heritage Lottery Funding to invest in the Park), the Orpington Priory Scheme, the Bromley North Village improvements and

the other forthcoming developments in Bromley Town Centre at Site K and the old Town Hall.

The Leader responded to questions from the Committee. He confirmed that in setting the 2013/14 Council Tax Bromley would be staying within the rules set by the Government and would take a decision in the best interests of Bromley residents. He agreed that the Building a Better Bromley priorities needed to be updated and given a clearer focus. Asked about executive responsibility and scrutiny arrangements for Public Health, the Leader stated that these issues were being considered, but final decisions had not yet been made. A Member commented that there needed to be a clearer public understanding of where funding was from for some of the major initiatives across the borough, such as the Bromley North Village improvements and the Bromley Youth Employment Project. Another Member added that even when there was little or no Council funding involved, such as with the Orpington Business Improvement District (BID) proposals there were important messages about the Council's role and Bromley being "open for business." The Leader agreed that the Council needed to work in partnership to bring in both public and private investment for key schemes, to use its own funds to invest in the right capital schemes, and to take credit for initiating a number of schemes. He agreed with another Member that when new facilities were opened there should be opportunities to share facilities across Council departments and with other partners such as health services, the voluntary sector and the Police. Asked about new infrastructure such as GP surgeries to match population increases in the borough, the Leader commented that the demographics of the borough had actually not changed very much in recent years, but the Community Infrastructure Levy (CIL) offered an opportunity to obtain funding from developers to contribute to new local facilities.

300 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the agenda for the meeting of the Executive on 6th February 2013.

(5) Bromley's Local Plan – Options and Preferred Strategy for Consultation Report DRR13/022

The report set out the Options and Preferred Strategy document on Bromley's Local Plan. The Committee noted that the Development Control Committee had considered the report in detail at its meeting 29th January 2013.

(6) Parking Shared Service – Collaboration Agreement Report ES13019

At its meeting on 28th November 2012 the Executive had agreed to establish a shared parking service with LB Bexley. The Executive had requested a further report so that they could consider and approve the draft Collaboration Agreement; this had now been prepared. It was intended that the shared service would become operational on 1st April 2013.

RESOLVED that the recommendations be supported.

(7) Budget Monitoring 2012/13

Report RES13017

The report set out the latest position on the 2012/13 budget based on expenditure and activity levels up to the end of November 2012; a projected net underspend of £3,261k was forecast. Members raised the following issues –

- Members commented that it was important to reduce budgets where underspends occurred and not spend money for the sake of it. Managers were able to allocate resources within their budgets, but large surpluses needed to be put in contingency.
- The Committee was informed that contracts had been exchanged that morning for the purchase of one of the three properties proposed to be acquired from the Investment Fund, but it was possible that the other two purchases might not proceed. This was because due diligence had uncovered certain issues with the buildings. The consultants involved would only receive payment if the purchases were completed.
- It was confirmed that there was a provision for risk in respect of failing to achieve car parking income. It was important that shortfalls were highlighted so that action could be taken to find income or savings elsewhere. This was also the case if charges were not increased with inflation each year.
- The £300k to be set aside for the commissioning work was to enable business cases to be drawn up.
- Members commented on the possibility of renegotiating the lease for Biggin Hill Airport; for the Council to achieve a satisfactory change it would require both parties to be flexible.
- Members requested that they be provided with a complete register of property owned by the Council, including all costs and highlighting all empty properties.
- It was noted that attempts to share legal services with LB Bexley had largely not materialised, but negotiations were still ongoing with Medway.

RESOLVED that the recommendations be supported.

(8) Council Tax 2013/14
Report RES13033

The report identified the final issues affecting the 2013/14 revenue budget and made recommendations to the Council meeting on 27th February on the level of the Bromley element of the 2013/14 Council Tax and also on the schools budget. It was confirmed that the GLA would not be meeting to agree its precept until 25th February. The draft budget had been drawn up assuming a 1.2% reduction in GLA precept and a 2% increase in the Bromley element. One area of concern was the Council's continuing reliance on damping within the grant allocation system, which left the Council vulnerable should this be phased out in the medium term, and the Leader had been lobbying strongly on this point.

RESOLVED that the recommendations be supported.

(9) Capital Programme Monitoring Q3 2012/13 and Annual Capital Review 2013 to 2017
Report RES13023

The Committee considered the current position on capital expenditure, following the third quarter of 2012/13, and proposed changes to the capital programme.

A Member asked about uses for the former Kingswood home in Shortlands – it was confirmed that options were being considered. Members asked about the role of the Strategic Asset Management Group; the Leader confirmed that this was an executive group with no formal decision making powers – he would brief Members on its activities outside the meeting. The Finance Working Group was a PDS meeting and the Working Group would be reporting to the Committee's meeting at the end of March.

The Council had been awarded £558k of new capital funding in 2012/13 for Early Education for Two Year Olds. A Member asked what this money would be used for; any proposals would be considered via the appropriate PDS Committee.

RESOLVED that the recommendations be supported.

(10) Gateway Review 0, 1, 2 Approval of 2013/14 operational Building Maintenance Budgets, Planned Maintenance Programmes and Preferred Procurement Option
Report DRR13/028

The report set out proposed budgets for building maintenance in 2013/14 totalling £2,124,540. Additional savings of £158,000 had been identified, but the Chairman cautioned that economising too much on maintenance could store up problems for the future. The programme included provision for statutory asbestos management checks.

Members were reassured that the procurement arrangements did allow for smaller local companies to bid for work. A Member queried the number of 350 operational properties used in the report (paragraph 3.5) – this would be checked. Another Member noted that the lift to the floor of the Council Chamber was not capable of carrying modern powered wheelchairs, and this also needed investigating.

RESOLVED that the recommendations be supported.

(11) Gateway Review of Intermediate Care

Report CS12070

The report recommended that the Council re-tendered jointly with the PCT for the provision of up to 42 Intermediate Care beds for a new contract to commence in December 2013. The proposals had been supported by Care Services PDS Committee.

RESOLVED that the recommendations be supported.

(12) Commissioning Strategy for Older People Day Opportunities and Respite Care – Invest to Save

Report RES13034

The Care Services PDS Committee on 16th January 2013 had considered a report on the Commissioning Strategy for Day Opportunities and Respite Care Older People and had recommended that the Executive approve the proposed approach.

A Member commented that with users only being offered one session at a day centre per week the services would not be sustainable, particularly as he could see no active marketing of what was available. The Chairman of the Care Services PDS Committee commented that in the past there had been some extra resources in the system, and that the services needed to be updated to meet current and future expectations. Community Links Bromley was being charged separately with providing marketing support. She considered that the new arrangements would result in a better service that would also be able to pay for itself.

RESOLVED that the recommendations be supported.

(Councillor Peter Fookes declared an interest during consideration of this item as a trustee of Melvin Hall).

(13) Gateway Review: Adult Direct Care Services

Report CS12060

The report reviewed the options for delivering reablement, extra care housing for older people and learning disability services which were currently delivered by in-house teams. It was proposed that the extra care housing service and the reablement services would be tendered and that there should be a further

report on the most appropriate future commissioning model for the in-house learning disability service later in the year.

The Chairman drew attention to the comparative costs for Reablement between the in-house service and the external provider ACSC. The Chairman of the Care Services PDS Committee commented that although the in-house service offered a higher quality ACSC were achieving the same outcomes for less resources.

RESOLVED that the recommendations be supported.

(Councillor Douglas Auld declared an interest during consideration of this item as his wife was employed as a social worker.)

301 NEW TECHNOLOGY WORKING GROUP - UPDATE
Report RES13029

The Committee received an update on progress with implementing the recommendations of the New Technology Working Group. Councillor Will Harmer, who chaired the Working Group, reported that it had reconvened on 24th January and decided to pursue several issues, in particular a digital vision for Bromley, assistive technology and Member's technology, where the business case for widespread use of tablets needed further consideration.

Members commented as follows on a number of aspects of the Working Group's report –

- Members requested information on the amount of accommodation used for storage and the cost of this. It was confirmed that the Council did have a document retention policy, and a Member commented that it was essential that archivists and historians were involved so that documents vital for understanding the borough's heritage were preserved. The recent office moves had resulted in the destruction of many unnecessary files and a reduction in office space used for storage.
- Freedom of Information (Fol) requests had continued to increase and were now being received at a rate of more than fifteen hundred per annum. There was concern that, with relatively few of these coming from local residents, the Council needed to ensure that the resources spent on responding were minimised.
- Members raised concerns at the level of security around the Council's systems, which appeared to be "gold-plated" compared to other organisations.
- A Member raised the issue of increasing wi-fi coverage, and reminded the Committee about the concerns about mobile phone masts. The wi-fi system covering the Committee rooms was currently not working, but was expected to be operational within a few weeks.

RESOLVED that the report be noted.

302 UPDATES FROM PDS CHAIRMEN
Report RES13027

The Committee noted updates that had been circulated from PDS Chairmen from their Committees' meetings in January.

Councillor Douglas Auld, as Chairman of the Public Protection and Safety PDS Committee, drew Members' attention to the financial implications of the Coroners and Justice Act 2009. Under the Act, local authorities would be responsible for providing coroner's officers, rather than the Police – the cost was estimated to be in the region of £200k per annum and transitional arrangements had not yet been established. He also reported that £132k of the savings identified in the 2013/14 Public Protection and Safety budget had not been accepted; the money would now need to be found from other budgets.

The Care Services PDS Committee had considered the changes to housing benefit which encouraged tenants in larger properties than they needed to downsize. A Member reported that he had been informed that tenants with three bedroom properties were being prevented from moving into two bedroom properties. The Chairman of the Committee, Councillor Judi Ellis, informed the Committee that the Department for Work and Pensions had attended a recent Health Social Care and Housing Partnership Board meeting. They had provided training for the local Citizens Advice Bureau and staff at the Mottingham and Cotmandene Learning Shops. They had been persuaded to carry out more home visits and had taken on more staff to do this.

The Chairman of the Environment PDS Committee, Councillor William Huntington-Thresher, reported on the trial scheme for littering fines operated by XFOR. As intended, the scheme was covering its costs, but it was too early to tell whether it was helping to reduce littering. The number of fines being issued was still relatively small - these fines were originally £80, but were now £100. Another Member stated that he did not consider that there was a littering problem, that offenders should be warned before they received fines, and that shopkeepers and shoppers were against the XFOR patrols. Councillor Huntington-Thresher confirmed that young people under 18 had been pursued through the courts for littering offences. Another Member added that scientists at Bristol University had found a way to stop chewing gum from sticking to pavements making its removal much easier.

303 WORK PROGRAMME
Report RES13028

The Committee received an update on its work programme and the progress of PDS Working Groups. Members discussed the timetable for preparing the annual PDS Report, which would go to this Committee on 27th March for

referral to the full Council meeting on 22nd April. One Chairman commented that his report would need to be considered by his Committee after the deadline for the Executive and Resources Committee agenda.

The Chairman confirmed that the Local Government Finance Working Group would be reporting to the Committee's meeting on 27th March.

304 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**

305 EXEMPT MINUTES OF THE MEETING HELD ON 3RD JANUARY 2013

The exempt minutes of the meeting held on 3rd January 2013 were confirmed.

306 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS

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

306.1 Bromley Youth Employment Project - Award of Contract

The Committee considered proposals to award a contract for the provision of a Youth Employment Project.

307 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee scrutinised three reports on the part 2 agenda for the Executive's meeting on 6th February 2013 concerning (17) Payment in Lieu: Framework for Capital Progress, (18) Penge and Anerley Libraries, 46 Green Lane, and (19) Capital Receipts.

The Meeting ended at 9.55 pm

Chairman