

# LONDON BOROUGH OF BROMLEY

## MINUTES

of the proceedings of the Meeting of the  
Council of the Borough  
held at 7.00 pm on 24 February 2014

Present:

**The Worshipful the Mayor  
Councillor Ernest Noad**

**The Deputy Mayor  
Councillor Judi Ellis**

### Councillors

Reg Adams	John Getgood	Peter Morgan
Graham Arthur	Julian Grainger	Gordon Norrie
Douglas Auld	Ellie Harmer	Tony Owen
Jane Beckley	Will Harmer	Tom Papworth
Julian Benington	David Hastings	Ian F. Payne
Nicholas Bennett J.P.	Brian Humphrys	Sarah Phillips
Ruth Bennett	Samaris Huntington-	Neil Reddin FCCA
Eric Bosshard	Thresher	Charles Rideout
Katy Boughey	William Huntington-	Richard Scoates
Lydia Buttinger	Thresher	Colin Smith
John Canvin	John Ince	Diane Smith
Stephen Carr	Russell Jackson	Tim Stevens
Roger Charsley	Charles Joel	Harry Stranger
Peter Dean	Kate Lymer	Michael Tickner
Nicky Dykes	Paul Lynch	Pauline Tunnickliffe
Robert Evans	Mrs Anne Manning	Michael Turner
Roxhannah Fawthrop	David McBride	Stephen Wells
Simon Fawthrop	Russell Mellor	
Peter Fookes	Alexa Michael	
Peter Fortune	Nick Milner	

The meeting was opened with prayers

In the Chair  
The Mayor  
Councillor Ernest Noad

### 53 Apologies for absence

Apologies were received from Cllrs Katherine Bance MBE, David Jefferys and Catherine Rideout. Apologies for arriving late were received from Councillors Ruth Bennett and Nicky Dykes.

**54 To confirm the Minutes of the meeting of the Council held on 2nd December 2013**

The Minutes of the meeting held on 2<sup>nd</sup> December 2013 were confirmed.

**55 Declarations of Interest**

The following declarations of interest were made –

- Cllr Carr, as a member of the Lee Valley Trust Regional Board in relation to the budget report.
- Cllr Morgan, as his daughter was a director of Kier, who provided services to the Council.
- Cllr Papworth, as his wife was employed by a Legal Charity.
- Cllrs Colin and Diane Smith as their daughter was a part time employee of the Library Service.

**56 To consider any petitions received**

No petitions had been received for consideration at this meeting.

**57 Questions from members of the public where notice has been given**

Eight questions were put by four members of the public. These are set out in Appendix A to these minutes.

**58 Oral questions from Members of the Council where notice has been given.**

Seventeen questions had been received; twelve were dealt with at the meeting but five would receive a written response. These are set out in Appendix B to these minutes.

**59 Written questions from Members of the Council where notice has been given**

The answers to thirteen written questions were tabled. These are set out in Appendix C to these minutes.

**60 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.**

One statement was made by Cllr Colin Smith, Environment Portfolio Holder, regarding the recent floods. He remarked on the awesome power of nature revealed through the recent storms and floods, and on the unprecedented threat of groundwater flooding in the more rural parts of the borough, as well as in Borkwood Court, Orpington and Courtfield Rise, West Wickham. He praised the work of Councillors Julian Grainger and Nicholas Bennett in

particular in assisting communities in these areas. A contingency sum had been set aside in the budget to support work on emergency flood damage, and he would be writing to the Treasury/DCLG to ensure that this was repaid to the Council. The Council's duty was to coordinate the work of the various agencies, including the emergency services, the Environment Agency and the Army. Councillor Smith recorded his thanks to Council staff and those from these agencies, but stated that Thames Water, the insurance companies and UK Power Networks had not been as cooperative as had been hoped.

Other Councillors added their thanks to staff and raised various related matters with Councillor Smith, including the loss of trees in the recent storms. Responding to comments, Councillor Smith agreed that it would be helpful if London Councils could be used to help address the issues around cooperation on flooding problems on a London-wide basis, although he emphasised that with groundwater flooding it was not physical barriers that were needed but an overall lowering of the water table. In West Wickham, a culvert carrying a tributary of the Bourne River had become clogged with silt and tree roots – the Environment Agency were now working on this and the water was already flowing more smoothly. At Borkwood Court in Orpington the properties involved were on low ground which was affected by water running off from higher ground. The Portfolio Holder understood that neighbouring landowners were not responsible for this, unless they had taken actions which made the problems worse. Councillor Smith agreed that it would be useful for the Environment PDS Committee to receive a full report reviewing the action taken following the floods and storms.

**61            Budget (Revenue and Capital) and Council Tax setting - to consider the recommendations of the meeting of the Executive held on 12th February 2014**

**(1) 2014/15 Council Tax**

The Director of Finance circulated supplementary information and amended recommendations.

There were no changes to the final Mayoral precept accepted by the London Assembly on 14<sup>th</sup> February 2014.

The final position on levies has now been received and there have been no further changes since the meeting of the Executive.

The Department for Education had announced funding of £382k for the Special Educational Needs (SEN) Reform Grant and £273k for the Adoption Reform Grant. Local Authorities could spend these one-off grants to recognise the programmes of change underway in the areas of SEN and adoption but may choose how to spend these monies in order to best meet local need. The 2014/15 draft central contingency already included £150k for the SEN Reform Grant and this would be increased to reflect this recent notification. The Adoption Reform Grant would also be allocated to the central

contingency and any drawdown of these grants would require the approval of the Executive.

Council were requested to set aside funding from underspends in 2013/14 for planned one-off Member initiatives as detailed in additional recommendation 2.3 below.

The above changes required the following amendments to be made to the recommendations of the Executive:

“Amended Recommendation (2.1)

- (i) Approves a revised Central Contingency sum of £12,976k to reflect the changes in (d), (f), (g) and (h) above (see also section 5 of Report FSD14014).

To note that, since the meeting of the Executive, the Council has received notification of two grant allocations from the Department for Education. £382k has been allocated for the Special Educational Needs (SEN) Reform Grant (increased from £150k already included in the central contingency) and £273k has been allocated for the Adoption Reform Grant. Both of these grants have been allocated to the central contingency and any drawdown will require the approval of the Executive.

- (m) Sets a nil variation in Bromley’s council tax for 2014/15, compared with 2013/14, and a 1.3% reduction in the GLA precept. This results in an overall reduction (including GLA precept) of 0.3%.
- (n) Notes the final position on the GLA precept, as accepted by the London Assembly on 14<sup>th</sup> February 2014.

Additional Recommendation (2.3)

- (i) Council to agree to set aside earmarked reserves totalling £1,475k funded from underspends in 2013/14 for the following one-off Member initiatives:
  - (a) Impact of Winter Damage for Repairs to Potholes and Highways (£1,000k);
  - (b) Community Fund (£250k);
  - (c) Replacement of Fallen Trees following Storm Damage (£100k);
  - (d) Provision for emergency flood damage (£100k);
  - (e) Refurbishment of War Memorials (£25k).
- (ii) Council to note that the detailed arrangements for these initiatives will be reported to the Executive.

Amended Recommendation (2.4)

Council Tax 2014/15 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (o) and 2.2 above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2013/14 £	2014/15 £	Increase/decrease (-) %
Bromley	1,010.07	1,010.07	0.00
GLA	303.00	299.00	-1.32
Total	1,313.07	1,309.07	-0.30

#### Amended Recommendation (2.5)

3. That the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
  - (a) £558,151k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act.
  - (b) £432,711k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
4. To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below."

A motion to receive and adopt the recommendations as amended was proposed by Councillor Stephen Carr and seconded by Councillor Graham Arthur.

The following amendment was proposed by Councillor Tom Papworth and seconded by Councillor Reg Adams –

"After allowing for the report from the Director of Finance the following amendments are proposed to the recommendations of the Executive set out in the Blue Book on pages 35-44.

The following changes be made to the recommended budget for 2014/15:

#### New Recommendation (3)

Council to agree:

- (a) the 2014/15 New Homes Bonus of £5,040k be utilised for the acquisition of temporary accommodation to reduce the use of nightly paid accommodation to meet statutory housing duties. Based on equivalent

acquisition costs, refurbishment and savings already reported to Executive from the utilisation of Bellegrave (Executive 9<sup>th</sup> January 2013) potential savings of £210k in 2014/15 rising to £500k per annum from 2015/16 may be realised. If at a future date a property is no longer required, it would be available for sale and a capital receipt generated;

- (b) the creation of a Local Initiative Fund of £210k in 2014/15 increasing to £440k per annum from 2015/16 to be divided amongst Bromley's 22 wards. Funds to be used as agreed by a Local Initiative Action Group consisting of ward members, residents' association Chairs and other community leaders as identified by the Portfolio Holder of Renewal and Recreation;
- (c) the remaining £60k per annum from 2015/16 be set aside to support future year's budgets."

**On being put to the vote, this amendment was LOST.**

Councillor Peter Fookes stated that he would not be tabling an amendment on behalf of his party, but gave a speech about his concerns about the proposed budget.

After debate, a recorded vote was taken on the Budget and Council Tax proposals, more than one third of Members present having risen from their seats to request this.

The following Councillors voted to support the amended recommendations –

Graham Arthur, Douglas Auld, Jane Beckley, Julian Benington, Nicholas Bennett JP, Ruth Bennett, Eric Bosshard, Katy Boughey, Lydia Buttinger, Stephen Carr, Roger Charsley, Peter Dean, Nicky Dykes, Judi Ellis, Robert Evans, Roxhannah Fawthrop, Simon Fawthrop, Peter Fortune, Julian Grainger, Ellie Harmer, Will Harmer, David Hastings, Brian Humphrys, Samaris Huntington-Thresher, William Huntington-Thresher, John Ince, Russell Jackson, Charles Joel, Kate Lymer, Paul Lynch, Anne Manning, Russell Mellor, Alexa Michael, Nicholas Milner, Peter Morgan, Gordon Norrie, Tony Owen, Ian Payne, Sarah Phillips, Neil Reddin, Charles Rideout, Richard Scoates, Colin Smith, Diane Smith, Harry Stranger, Tim Stevens JP, Michael Tickner, Michael Turner and Stephen Wells.

The following Councillors voted against the amended recommendations –

Peter Fookes and John Getgood

The following Councillors abstained –

Reg Adams, John Canvin, David McBride, Ernest Noad and Tom Papworth

**Accordingly, the recommendations of the Executive (as amended) were CARRIED as follows -**

**(1) Council -**

- (a) approves the schools budget of £114.9 million which matches the estimated level of Dedicated Schools Grant (DSG);**
- (b) approves the operation of a discretionary Business Rates relief scheme based on guidance from Central Government for the period that Government funding remains available (expected to be 2014/15 and 2015/16);**
- (c) subject to agreement of (b) above agrees to delegate to officers authority to make decisions on a case by case basis, with a senior officer considering any request for a review;**
- (d) notes that the 2014/15 Draft Budget for pension fund deficit has been reduced by £200k per annum, allocated across portfolio budgets and the central contingency, to reflect the outcome of the triennial valuation reported to the Pension Investment Sub Committee on 11<sup>th</sup> February 2014;**
- (e) approves the contribution of £5,040k from New Homes Bonus to the Economic Development and Investment Fund and utilisation of Collection Fund Surplus (£2,964k) towards meeting the 2015/16 Budget Gap by creating an earmarked reserve;**
- (f) agrees to reduce the provision for unallocated inflation by £377k to reflect latest information on general inflation;**
- (g) agrees to reduce the provision for uncertainty in grants by £357k to reflect final grant settlement for 2014/15;**
- (h) agrees to reduce the provision for risk/uncertainty in the Central Contingency Sum by £160k;**
- (i) approves a revised Central Contingency sum of £12,976k to reflect the changes in (d), (f), (g) and (h) above (see also section 5 of Report FSD14014).**

**(To note that, since the meeting of the Executive, the Council has received notification of two grant allocations from the Department for Education. £382k has been allocated for the Special Educational Needs (SEN) Reform Grant (increased from £150k already included in the central contingency) and £273k has been allocated for the Adoption Reform Grant. Both of these grants have been allocated to the central contingency and any drawdown will require the approval of the Executive. )**

- (j) approves the following provisions for levies for inclusion in the budget for 2014/15:

	£'000
London Pension Fund Authority	486
London Boroughs Grant Committee	310
Environment Agency (Flood defence etc.)	236
Lee Valley Regional Park	391
Total	1,423

- (k) approves the revised draft 2014/15 revenue budgets to reflect the changes detailed above (see also Appendix 3 to Report FSD14014);
- (l) agrees that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise any proposed savings reported to the previous meeting of the Executive;
- (m) sets a nil variation in Bromley's council tax for 2014/15, compared with 2013/14, and a 1.3% reduction in the GLA precept. This results in an overall reduction (including GLA precept) of 0.3%;
- (n) notes the final position on the GLA precept, as accepted by the London Assembly on 14<sup>th</sup> February 2014;
- (o) approves the approach to reserves outlined by the Director of Finance (see Appendix 5 to Report FSD14014).
- (2) (i) Council to agrees to set aside earmarked reserves totalling £1,475k funded from underspends in 2013/14 for the following one-off Member initiatives:
- (a) Impact of Winter Damage for Repairs to Potholes and Highways (£1,000k);
  - (b) Community Fund (£250k);
  - (c) Replacement of Fallen Trees following Storm Damage (£100k);
  - (d) Provision for emergency flood damage (£100k);
  - (e) Refurbishment of War Memorials (£25k).
- (ii) Council to note that the detailed arrangements for these initiatives will be reported to the Executive.
- (3) Council Tax 2014/15 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).



Subject to 1 (a) to (o) and 2 above, the total Band D Council Tax will be as follows:

	2013/14 £	2014/15 £	Increase/decrease (-) %
<b>Bromley</b>	<b>1,010.07</b>	<b>1,010.07</b>	<b>0.00</b>
<b>GLA</b>	<b>303.00</b>	<b>299.00</b>	<b>-1.32</b>
<b>Total</b>	<b>1,313.07</b>	<b>1,309.07</b>	<b>-0.30</b>

(4) Council formally resolves as follows:

- (i) it be noted that the Council Tax Base for 2014/15 is 124,189;
- (ii) it is calculated that the Council Tax requirement for the Council's own purposes for 2014/15 is £125,440k;
- (iii) that the following amounts be calculated for the year 2014/15 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
  - (a) £558,151k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) £432,711k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) 125,440k being the amount by which the aggregate at (iii) (a) above exceeds the aggregate at (iii) (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year;
  - (d) £1010.07 being the amount at (iii)(c) above, divided by (i) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year;
- (iv) To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below.
- (v) that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings.

**LONDON BOROUGH OF BROMLEY**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
673.38	785.61	897.84	1,010.07	1234.53	1458.99	1683.45	2,020.14

**GREATER LONDON AUTHORITY**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
199.33	232.56	265.78	299.00	365.44	431.89	498.33	598.00

**AGGREGATE OF COUNCIL TAX REQUIREMENTS**

Valuation Bands							
A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
872.71	1018.17	1163.62	1309.07	1599.97	1890.88	2181.78	2618.14

(vi) that the Council hereby determines that its relevant basic amount of council tax for the financial year 2014/15, which reflects a nil increase, is not excessive. (The Referendums Relating to Council Tax Increases (Principles) (England) Report 2014/15 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2014/15. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.)

**(2) Capital Programme**

A motion to include the new scheme proposals supported by Chief Officers in the Capital Programme, subject to a fully costed feasibility study on the scheme to upgrade/replace the SharePoint Productivity Platform being approved by the Resources Portfolio Holder, was moved by Councillor Stephen Carr, seconded by Councillor Colin Smith and **CARRIED**.

**62 2014/15 Pay Award**

A motion to approve the following recommendations for a bottom-loaded pay increase –

- 1.7% for staff earning less than £21k pa (fte)
- 1.2% for staff earning £21k or more but less than £44k pa (fte)
- 1% increase for staff on £44k pa or more (fte)

was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

**63 2014/15 Pay Policy Statement**

A motion to approve the 2014/15 Pay Policy Statement was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

**64 Members Allowances Scheme 2014/15**

A motion to approve the 2014/15 Members Allowances Scheme and Mayoral and Deputy Mayoral allowances, with no increases in allowances, was moved by Councillor Tony Owen, seconded by Councillor Russell Mellor and **CARRIED**.

**65 Review of Councillor IT and Telephones**

A motion to approve new arrangements for Councillor IT and telephone support was moved by Councillor Will Harmer, seconded by Councillor Nicholas Bennett and **CARRIED**.

**66 Treasury Management - Performance Quarters 2 and 3 2013/14 and Part-Year Review**

A motion to approve changes to the 2013/14 prudential indicators was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr and **CARRIED**.

**67 Treasury Management - Annual Investment Strategy 2014/15**

A motion to approve the Treasury Management Statement and Annual Investment Strategy for 2014/15, including the prudential indicators and the Minimum Revenue Provision (MRP) policy statement was moved by Councillor Graham Arthur, seconded by Councillor Stephen Carr and **CARRIED**.

**68 To consider Motions of which notice has been given.**

Three motions had been received as follows –

**(A) Crystal Palace Park**

The following motion was moved by Councillor Russell Jackson and seconded by Councillor Sarah Phillips -

*“Whilst emphasising the importance of improvements to transport infrastructure in the area, this Council welcomes the potential £500m of investment in Crystal Palace Park by the ZhongRong Group and calls on the Council to safeguard and ensure the future use of the park for all residents.”*

The motion was **CARRIED**.

### **(B) Orpington Foodbank**

The following motion was moved by Councillor Peter Fookes and seconded by Councillor John Getgood -

*“This Council calls on the Portfolio Holder for Resources to let the Orpington Foodbank at a peppercorn rent.”*

The motion was **LOST**.

The Mayor suggested that the Executive and Resources PDS Committee should look again at the facts behind this decision.

### **(C) Housing**

The following motion was due to be moved by Councillor Peter Fookes and seconded by Councillor John Getgood -

*“This Council calls on the Executive to use the £4.2 Million in the Section 106 monies account to relieve the problems of the growing housing crisis in this borough by working with housing associations to purchase properties for renting and to reduce the demand for temporary housing in this borough.”*

This motion was not considered due to lack of time.

## **69 The Mayor's announcements and communications.**

The Mayor thanked those who had supported recent events including the Charity Appeal dinner at the House of Lords in January, the Quiz Evening and the recent BYMT concert at the Park Langley Performance Centre. All of these events had been very successful and raised generous amounts for the Mayor's Charity, Bromley Y. He also set out details of forthcoming events –

- Friday 21<sup>st</sup> March: A wine tasting evening at Ferraris Restaurant in East Street (organised by Bromley Y.)
- Sunday 23<sup>rd</sup> March: A BYMT Symphony Orchestra concert which will be held at Langley Park Performance Centre.
- Tuesday 1<sup>st</sup> April 2014: Another dinner at Mings Chinese Restaurant at Petts Wood.
- Tuesday 20<sup>th</sup> May 2014: A charity dinner at Aqua Bar and Grill.
- Tuesday 3<sup>rd</sup> June at 6.30pm: A Reception for Retiring Councillors.

**70 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 item 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 summary  
refers to matters  
involving exempt information**

**71 Pension Fund Triennial Valuation**

A motion to approve the recommendations made by the General Purposes and Licensing Committee at its meeting on 24<sup>th</sup> February 2014 was proposed by Councillor Owen, seconded by Cllr Mellor and **CARRIED**.

Mayor

The Meeting ended at 10.28 pm