

## **EXECUTIVE**

Minutes of the meeting held on 2 April 2014 starting at 7.00 pm

### **Present**

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

### **Also Present**

Councillor Eric Bosshard, Councillor Peter Fookes,  
Councillor William Huntington-Thresher and Councillor  
Richard Scoates

### **305 APOLOGIES FOR ABSENCE**

There were no apologies.

### **306 DECLARATIONS OF INTEREST**

Councillor Stevens declared a personal interest at item 11 by virtue of being a Governor at Scotts Park Primary School.

### **307 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 12TH FEBRUARY 2014**

#### **(a) MINUTES**

The minutes were agreed.

#### **(b) MATTERS ARISING**

##### **Report CSD14034**

Members received an update on matters arising from previous meetings.

### **308 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

Three questions were received for written reply. Details of the questions and responses are at **Appendix A**.

### **309 BUDGET MONITORING 2013/14**

##### **Report FSD14026**

Members considered the fifth budget monitoring position for 2013/14 based on expenditure and activity levels to January 2014. In so doing, the Director of

Finance highlighted that recommendation 2.1 (g) of Report FSD14026 should be a recommendation to Council.

Concerning potential additional costs for open insurance claims and provision for some particularly old claims from 1990 and before, some of the claims were being resisted - details of historic claims and the periods they related to could be provided to Members. The Leader suggested that this was a matter the Portfolio Holder for Resources could look into.

Overall, the Leader referred to the need to come within budget and have continued financial discipline.

**RESOLVED that:**

**(1) the latest financial position be noted;**

**(2) a projected net underspend on services of £1,521k is forecast based on information as at January 2014;**

**(3) a projected increase to the General Fund balance from £20m to £23.412m, as detailed in para 3.9 of Report FSD14026, be noted, made up of £1,521k underspends of portfolio budgets (2) above, underspends in Central items of £2,756k (consisting of Cr £2,659k Central Contingency, Cr £300k Interest on General Fund Balances, Cr £1,233k Business Rates Retention Grant, £16k Local Services Support Grant, Cr £55k prior year adjustment and the creation of earmarked reserves totalling £1,475k), plus £865k carry forwards from 2012/13;**

**(4) comments from the Director of Transformation and Regeneration, the Director of Corporate Services, and the Director of Education, Care and Health Services, as detailed at sections 3.2, 3.3 and 3.4 of Report FSD14026 be noted;**

**(5) £280k be released from Central Contingency for the Benefit Cap Pilot as detailed at paragraph 3.5.4 of Report FSD14026;**

**(6) £107k be released from Central Contingency for Welfare Reforms Admin Costs Pilot as detailed at paragraph 3.5.5 of Report FSD14026;**

**(7) Council be recommended to agree that NHS funding to support Social Care totalling £1,936k be set aside as an earmarked reserve as detailed at paragraph 3.5.8 of Report FSD14026;**

**(8) grant of £145k from the London Waste and Recycling Board be released from Central Contingency as detailed at paragraph 3.5.9 of Report FSD14026;**

**(9) £64k be released from 2014/15 Central Contingency in respect of Local Reform and Community Voices grant as detailed at paragraph 3.5.10 of Report FSD14026;**

**(10) Council be recommended to agree that a sum of £1.7m be set aside as an earmarked reserve to ensure the support of key health and social care initiatives as detailed at paragraph 3.5.11 of Report FSD14026;**

**(11) the increase in Business Rates Retention income as detailed at paragraph 3.6.2 of Report FSD14026 be noted;**

**(12) £297k be carried forward for urgent works to Children's Centres as detailed at paragraph 3.7.2 of Report FSD14026;**

**(13) £16k of the Adult Social Care Data Funding is no longer required and has been returned to Central Contingency as detailed at paragraph 3.8.1 of Report FSD14026;**

**(14) the Prior Year adjustment as detailed at section 3.10 of Report FSD14026 be noted;**

**(15) an earmarked reserve of £192.5k be set up for the future maintenance of Cheyne Woods and Cypher Gate open space as detailed at paragraph 3.13.1 of Report FSD14026; and**

**(16) the early warnings detailed at section 3.15 of Report FSD14026 be noted.**

### **310 UPDATE ON NEW NATIONAL ADULT SOCIAL CARE DATA FUNDING**

#### **Report CS14034**

At its meeting on 11th September 2013 Executive agreed the drawdown of £59,058 non-ring fenced grant from central contingency to support development/implementation of new adult social care and financial statutory reporting during 2013/14 and 2014/15.

Report CS14034 provided an update of the project including progress and spend against the original proposals. A £16k reduction in use of the grant was estimated as it had been possible to absorb some staffing costs into revenue budgets. Another update was due in six months when further details on actual costs would be available.

#### **RESOLVED that:**

**(1) carry forward of £33k of the non-ring fenced grant to 2014/15 be approved; and**

**(2) return to general balances of an estimated £16k under-spend be agreed.**

**311 APPOINTMENTS TO THE FRAMEWORK FOR VARIOUS  
PUBLIC HEALTH SERVICES - ADDENDUM TO CATEGORY K**

**Report CS14038**

At its meeting on 12<sup>th</sup> February 2014, the Executive appointed providers to a framework for various categories of Public Health Service. An appeal was subsequently received from ToHealth Ltd for their tender to be re-evaluated - the tender having failed as the company had suffered significant losses in two consecutive years.

The company indicated that the losses were due to research and development costs having been written off whilst it looked to expand into other areas of service; the company also provided assurance of sufficient financial backing to support the service over the lifetime of a contract if appointed to the Framework.

Quality evaluation of the tender (two stages) was subsequently completed and requirements were met for the company's inclusion on to the Framework. Indicative rates from the company also compared favourably with those currently paid by the Council.

**RESOLVED that ToHealth Ltd be appointed on to Category K of the Framework for various Public Health Services, as shown in the revised list of providers at Appendix 1 to Report CS14038 - the framework lasting for two years with the option to extend for a further two years and subject to an annual review to ensure it continues to meet service requirements in the various categories.**

**312 DRAW-DOWN OF GOVERNMENT FUNDING FOR DELIVERING  
SPECIAL EDUCATIONAL NEEDS STATUTORY REFORMS  
ARISING FROM THE FAMILY AND CHILDREN ACT 2014  
(BROMLEY SEN & DISABILITY SERVICES)**

**Report ED14043**

To enable the SEN Service to deliver reforms set out in the Children and Families Bill (to be enacted in September 2014) approval was sought for the release of government funds at £381,937 held in the 2014/15 central contingency. The funds comprised year 3 of Government funding for the Special Educational Needs and Disability (SEND) Pathfinder reforms.

Although it was not possible to predict final outcomes and plans for children/young people, there were clear indications that no significant revenue costs would be incurred for the Council. The Pathfinder reforms were not a new burden and would have to be taken forward. The draw-down funding would be used to cover costs for a number of activities including transition work from Statements to Education, Health and Care (EHC) Plans within a statutory time frame (to be announced).

A proposed spending plan for the funding highlighted £35k for a temporary case worker to assist in the transition of Statements to EHC Plans. Posts appointed with the funding would be short term contracts for the length of the grant. With the EHC Plan replacing existing SEN, Care and Health plans, the Portfolio Holder for Education suggested there could be long term savings - the EHC Plan effectively being a single, integrated Plan.

**RESOLVED that draw-down of £381,937 from the Council's central contingency fund for 2014/15 be approved.**

**313 GATEWAY REVIEW OF TENANCY SUPPORT SERVICES FOR YOUNG PEOPLE**

**Report CS14024**

The current contracts for Tenancy Support Services for Young People end on 30th August 2014.

Report CS14024 reviewed both on-going demand and outcomes by the current service. The report also made recommendations for future commissioning of the services.

Members supported the recommendations presented. In so doing the Portfolio Holder for Resources suggested a study of experiences/quality benefits obtained from the services i.e. along value for money lines.

**RESOLVED that:**

**(1) approval be given to negotiate a new contract with One Support for a period of three years with the potential to extend for a further two years, subject to the negotiation of efficiency savings either in unit price or by a reconfiguration of the service, and with authority to extend being delegated to the Executive Director for Education, Care and Health Services, in consultation with the Portfolio Holder;**

**(2) if a competitive tendering exercise is required, a short extension of the current contract with One Support be agreed for three months from 1<sup>st</sup> September 2014 to 30<sup>th</sup> November 2014 in order to ensure that arrangements between a new provider and the landlords and staff transferring under TUPE regulations can be managed in an orderly manner – the extension also enabling the possibility of the Council procuring by use of the new Supporting People Framework, currently being developed by L B Southwark and L B Lewisham, to which the Council will be a party; and**

**(3) if the negotiations with One Support are satisfactory, the outcome be reported to Members and if the negotiations are unsuccessful, officers proceed with a procurement exercise requesting Member authority to make a contract award at the appropriate time.**

**314 GATEWAY REVIEW 0,1 & 2 APPROVAL OF 2014/2015  
EDUCATION BUILDING MAINTENANCE BUDGETS,  
EDUCATION PLANNED MAINTENANCE PROGRAMME AND  
PREFERRED PROCUREMENT OPTIONS**

**Report DRR14/026**

Members were apprised of the proposed 2014/15 maintenance budget for education buildings at £1,808,711 (funded by the DfE Capital Maintenance Grant), the proposed allocation being:

Planned Maintenance Programme	£1,208,711
Seed Challenge Fund	£300,000
Security Fund	£150,000
Suitability Fund	£150,000
<b>Total</b>	<b>£1,808,711</b>

Report DRR14/026 also outlined criteria used to assemble the Education Planned Maintenance Programme and the preferred procurement option for the programme.

Schools that had converted to academy status were not eligible for funding from the budget. However, the local authority would honour allocations made to schools within the programme that subsequently converted to academy status in-year.

Brief consideration was given to ways for ensuring that buildings used by academy schools are satisfactorily maintained. Any condition monitoring by the Local Authority would tend to be reactive rather than proactive. Governors representing the Local Authority at academy schools can have a role in raising maintenance concerns and local ward Members can also raise concerns. There was also a significant role in this regard on the Government's part (Education Funding Agency) as provider of capital maintenance funding to academy schools.

**RESOLVED that:**

- (1) overall expenditure of £1,808,711 be approved for the 2014/15 maintenance budget for education buildings;**
- (2) the criteria used to assemble the planned maintenance programme be approved (Gateway review 0 & 1);**
- (3) the proposed education planned maintenance programme be approved;**
- (4) authority be delegated to the Director of Corporate Services to vary the planned programme where such action is considered necessary to**

**either protect the Council's assets or make the most effective use of resources;**

**(5) Gateway Review 2 be approved as the preferred procurement option and method to be used;**

**(6) authority be delegated to the Director of Corporate Services to select the most economically advantageous tender for any individual item of expenditure under the approved programme referred to at (1) to (5) above;**

**(7) the Director of Regeneration and Transformation be authorised to submit planning applications where appropriate in respect of schemes identified in the education planned maintenance programme;**

**(8) the £600k allocation to Suitability, Security and Seed Challenge programmes be agreed as part of the £1,808,711 budget and responsibility for management be delegated to the Executive Director of Education, Care and Health Services; and**

**(9) the Executive Director of Education, Care and Health Services be authorised to submit planning applications where appropriate in respect of schemes in the Suitability, Security and Seed Challenge programmes.**

**315        APPROVAL OF PROCUREMENT STRATEGY FOR BASIC  
              NEED PROJECTS; THE GLEBE SCHOOL EXPANSION; AND  
              ALLOCATION OF SECTION 106 FUNDING TO EDUCATION  
              SCHEMES**

**Report ED14044**

Report ED14044 sought to:

- (i) outline a procurement strategy for individual capital schemes within the Council's Basic Need Programme (12 projects);
- (ii) propose that the Glebe School expansion project be added to the Council's Capital Programme (with the case for this work outlined); and
- (iii) secure agreement to devolve funding to the Harris Federation (subject to consultation) to allow the expansion of Harris Crystal Palace Primary School.

Members were also asked to review and agree the allocation of Section 106 funding to education schemes.

A summary was provided of the proposed works and their values.

L B Bromley was experiencing a significant increase in primary age pupils. Basic Need Capital Grant was provided to increase capacity at publicly funded schools. Other funding streams included Section 106 contributions,

*Executive*  
*2 April 2014*

Seed Challenge and Dedicated Schools Grant (DSG). The Glebe Capital Scheme was supported by DSG contributions.

In discussion it was indicated that both James Dixon and Balgowan Primary Schools had been looked at in the context of expansion. The Harris Primary School at Shortlands, opening September 2014, and the new Harris Bilingual Primary School, Bromley, would have a positive effect on place planning. In looking at school expansion, it was necessary to consider schools having outstanding or good Ofsted assessments.

For schemes likely to impact on transport and infrastructure, the Deputy Leader highlighted a need to consult ward Members at an early stage.

To prevent any budget overspend, the Leader emphasised discipline and for any potential overrun on costs to be brought to the Executive's attention as soon as possible.

**RESOLVED that:**

**(1) Appendix 2 to Report ED14044 be noted – Bromley Basic Need Programme - with particular reference to the Priority 1 and Priority 2 projects contained therein;**

**(2) approval be given to the fully costed appraisal of schemes at Chislehurst St Nicholas Primary School, Clare House Primary School, Edgebury Primary School, the Glebe Foundation School, Harris Crystal Palace Academy, Midfield Primary School, Oaklands Primary School, Parish CE Primary School, Princes Plain Primary School, Scotts Park Primary School, St Mark's Primary School, St Paul's Cray CE Primary School and Worsley Bridge Primary School;**

**(3) the expansion of the Glebe School be added to the Council's Capital Programme with a total project value of £4.8m;**

**(4) approval be given to the devolution of funding to the Harris Federation for delivery of the expansion scheme at Harris Crystal Palace on the basis of staged payments agreed and reimbursed by the Local Authority, subject to final agreement to expansion following consultation;**

**(5) with the exception of Harris Crystal Palace Academy and interim 'bulge class' schemes being carried out in a number of these schools during summer 2014 to ensure that sufficient places are available for the September 2014 reception intake, schemes over £1m be brought back to the Executive to agree award of the main construction contract;**

**(6) Section 106 money be released to the projects listed within Appendix 3 of Report ED14044; and**

**(7) the Executive Director of Education, Care and Health Services be authorised to submit planning applications in association with these works.**

**316 DRAFT FURTHER ALTERATION TO THE LONDON PLAN  
CONSULTATION RESPONSE**

**Report DRR14/025**

The GLA had issued draft Further Alterations to the London Plan (2011) for consultation and Report DRR14/025 outlined the main proposed changes impacting on the Borough. It also set out a suggested response to the GLA.

The Council's Local Development Framework Advisory Panel (LDFAP) considered the main areas of change at its March meeting.

The Council was in the process of preparing its Local Plan which has to be in 'general conformity' with the London Plan. The London Plan forms part of the Development Plan for the Borough against which planning applications are considered.

Members considered recommended responses to proposed changes impacting on the Borough.

Highlighting the recommended response to Policy 6.9 on cycling, the Deputy Leader preferred to see alternative wording in the recommended response. Although not against a number of measures for cyclists such as quiet ways and supportive of work with local cycling groups, he preferred to see the word "welcome" removed, asking that it is not included in responses until fully considered at Member level.

Concerning a proposed alteration to Policy 6.11 on smoothing traffic flow and tackling congestion, the Deputy Leader also expressed his concern for a recommendation from the Roads Task Force report on 20 mph zones. He indicated that not all boroughs supported 20 mph zones and he was not supportive of the Mayor of London taking this forward – it was not an area where a "one size fits all" solution could apply.

The Portfolio Holder for Renewal and Recreation noted a proposed alteration to the Introduction to Housing Supply indicating that the Mayor of London SHLAA 2014 shows that over the period 2015-2025 London has the capacity for at least 420,000 additional homes or 42,000 per annum. The Portfolio Holder questioned the meaning of the words "at least".

Highlighting Policy 3.7 on large residential developments, the Portfolio Holder for Renewal and Recreation noted that the proposed alteration included the statement that "*the policy encourages higher densities on sites of 5ha+ or 500 units or more*". The Portfolio Holder did not support the policy.

*Executive*  
*2 April 2014*

Concerning Policy 3.3 on increasing housing supply, the Leader referred to the proposed alteration showing a minimum of 641 units per annum for L B Bromley within the annual average housing supply monitoring targets 2015 to 2025. He suggested the target was meant to be a negotiated settlement and that 500 was a more accurate and appropriate figure for L B Bromley. The Leader suggested that 500 should be re-emphasised indicating that some areas, such as inner London, were more appropriate for higher densities than others.

Noting a proposed emphasis on locating new housing supply within areas of good public transport accessibility - as indicated in the proposed alteration to Policy 3.3 - Councillor William Huntington-Thresher (Orpington) suggested that transport infrastructure should be in place before increasing housing supply. Transport solutions take time to deliver and improvements such as a DLR extension to the borough had yet to take place; it was necessary to emphasise the lead time for such infrastructure before any significant increase of housing in the borough.

To reduce the level of new housing supply, Councillor Huntington-Thresher also suggested that it might be easier to extend properties in outer London so providing some additional capacity. Supporting this approach, the Leader suggested there could be less overcrowding in terms of densities and housing supply. The Portfolio Holder for Renewal and Regeneration agreed that the ability to extend in L B Bromley should be recognised in setting a housing supply target for the borough.

Subject to comments outlined above, Recommendation 2.2. of Report DRR14/025 was agreed.

**RESOLVED that:**

**(1) the key changes proposed in the London Mayor's draft Further Alterations to the London Plan be noted along with the timescale for the Council to respond by 10<sup>th</sup> April 2014; and**

**(2) subject to the comments above, the Table of Responses forming Appendix 1 to Report DRR14/025 be the basis of the Council's response to the London Mayor.**

**317            ADOPTION OF THE SECOND REVISION OF THE KENT  
                  DOWNS AREA OF OUTSTANDING NATURAL BEAUTY  
                  MANAGEMENT PLAN**

**Report DRR14/041**

Adoption of the second revision to the Kent Downs Area of Outstanding Natural Beauty (ANOB) Management Plan (2014 to 2019) was recommended to Members.

The Kent Downs ANOB is a landscape of national and international importance with a small portion of the landscape lying within the borough's Darwin Ward.

The production, subsequent review, and adoption of a Management Plan for the landscape are a statutory duty placed on the Local Authorities by the Countryside and Rights of Way Act 2000.

**RESOLVED that:**

**(1) the second revision of the Kent Downs AONB Management Plan (2014-2019) be adopted by the Council; and**

**(2) powers be delegated to the Portfolio Holder for Renewal and Recreation to deal with any matters that are raised that would materially affect the Plan during the AONB wide adoption process.**

**318 HOUSEHOLD WASTE RECYCLING CENTRES: GRANT FUNDING FROM LONDON WASTE & RECYCLING BOARD**

**Report ES14031**

To help London boroughs improve recycling facilities and boost recycling rates, the London Waste and Recycling Board (LWRB) launched a £1.2m "Driving Up" Performance Fund in October 2013. L B Bromley has been awarded £145k from this fund to enhance facilities at the Waldo Road and Churchfields Road Household Waste Recycling Centres (HWRCs).

The project is expected to divert 1,000 – 2,000 tonnes of material p.a. from landfill to either recycling or re-use, representing a potential saving in disposal costs of between £48k – £115k p.a.

**RESOLVED that the £145k grant offered by the London Waste and Recycling Board be accepted and the sum released from Central Contingency to improve the Household Waste Recycling Centres at Waldo Road and Churchfields Road.**

**319 MAINTENANCE OF GREEN SPACES TRANSFERRED TO L B BROMLEY**

**Report ES14028**

Two Section 106 agreements had secured the transfer of Cyphers Gate and Cheyne Woods to the Council along with a revenue sum for their future maintenance. The Section 106 funds for maintaining the areas of land relate to:

- the legal agreement concerning the development at Kings Hall Road Beckenham and transfer of an area of land to the Council with

*Executive*  
*2 April 2014*

£157,500 towards future maintenance of the open space and tennis courts; and

- the Cheyne Hospital development, with transfer of a woodland area along with £35,000 to cover future maintenance of the land.

Maintenance works to the sites, as outlined in Report ES14028, were now required.

Approval was sought to: (i) set aside the sums above (£192,500) in an earmarked reserve for the future maintenance of Cheyne Woods and Cypher Gate open space; and (ii) spend £23,750 of the £192,500 on initial one-off works plus estimated annual maintenance of £8,900 p.a. as summarised below:

<b>Area of land</b>	<b>One-off works</b>	<b>Annual maint</b>
	<b>£</b>	<b>£</b>
Cyphers Gate open space, Kings Hall Road	9,500	6,400
Cheyne Woods, Wood Lodge Road	14,250	2,500
<b>Total estimated costs</b>	<b>23,750</b>	<b>8,900</b>

In a Decision taken on 2<sup>nd</sup> April 2014, the Portfolio Holder for the Environment approved the carrying out of maintenance works outlined at paragraph 3.3 of Report ES14028 i.e. the enabling, opening and management of Cyphers Gate open space and the management of Cheyne Woods. The Executive was asked to set aside the £192,500 revenue sum in an earmarked reserve.

**RESOLVED that the setting aside of £192,500 in an earmarked reserve for the future maintenance of Cheyne Woods and Cyphers Gate open space be agreed.**

### **320 GRANT FUNDING FROM FORESTRY COMMISSION TO SUPPORT TWO YEAR WOODLAND IMPROVEMENT PROGRAMME**

#### **Report ES14035**

Approval was sought to accept grant funding of £126,420 from the Forestry Commission under its Woodland Improvement Grant (WIG) scheme, with Report ES14035 outlining proposed improvements at 30 of the Council's woodland sites.

The Council is expected to provide match funding of £31,605, met from a combination of an 'in kind' contribution from existing staff time and volunteer time (50%) and use of the Parks Development budget (50%). The WIG funding includes provision for £7,500 towards 150 hours of staff time to

oversee the work programme and monitor contracts. Terms and conditions for the grant were provided.

The WIG applied for by the Council comprises two strands: (i) the Woodland Access WIG aiming to provide and improve facilities for free public access to woodlands where there is a need and (ii) the Woodland Biodiversity WIG aiming to improve woodland structure and health through careful thinning based on sound silviculture for wildlife to thrive.

**RESOLVED that:**

**(1) the £126,420 grant offered by the Forestry Commission to enhance and sustain 30 of Bromley's woodland sites, as identified at Appendix A to Report ES14035 be accepted; and**

**(2) the scheme be added to the capital programme i.e. £77,410 for 2014/15 and £49,010 for 2015/16.**

**321 APPROVED SUPPLIER LISTS - PROPOSED NEW ARRANGEMENTS**

**Report CSD14057**

It was recommended that the service provider for the Council's "Approved List" requirements for construction and other similar activities be changed from "Exor" to "Constructionline". In recent months, a noticeable disinvestment in service arrangements (including technical support) by new owners of the current provider had resulted in a decline in quality and consistency of supplier information and customer support.

Changes were also being made to the EU Procurement Regulations which codify SME considerations. The direction indicated by UK Government was to ensure that opportunities for SME inclusion are considered within tender strategies with any unnecessary barriers to SME participation removed. It was necessary to meet the new requirements and adapt different approaches to supply chain support and e commerce arrangements. The full introduction of E Sourcing arrangements was also expected within the next two years.

Additionally, there had been a move towards the adoption of standardised approaches to pre-selection arrangements across the Public Sector generally with elements of assessment being "Passported" between authorities.

An options appraisal process indicated that use of Constructionline provided the best fit for the Council's current and future requirements. The service, owned by the Department of Business Innovation and Skills (DBIS) and operated by Capita, was available for use by any Local Authority. It did not require formal contracting arrangements for access; however, Authorities making use of the service were required to agree to adopt the Constructionline "Code of Conduct" in their operation of the arrangement.

*Executive*  
*2 April 2014*

**RESOLVED** that “Constructionline” be appointed to provide the Council’s Approved List Service for construction related activity and services of a similar nature.

**322            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.

**323            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**

**324            EXEMPT MINUTES OF THE MEETING HELD ON  
12TH FEBRUARY 2014**

The exempt minutes were agreed.

**325            PENGE LIBRARY, 46 GREEN LANE - AWARD OF CONTRACT**

**Report DRR14/036**

Members were advised of the outcome of the tendering process to fit out 46 Green Lane as the new Penge Library. This included a recommendation for award of contract.

Details were also provided of the estimated total cost for the project.

Chairman

The Meeting ended at 8.15 pm.

**Appendix A**

**QUESTIONS FROM MR COLIN WILLETTS FOR WRITTEN REPLY**

1. Could the Portfolio Holder tell us the reason why the parking hotline service 0300 30 38 6662 has been discontinued?

**Reply**

The correct number is 0300 3038662.

-----

2. With regard to W4F

i) would the Leader meet/or discuss with senior Environmental Agency staff/Government minister/s to urgently draw up contingency plan/s in case of an unfavourable outcome at the High Court?

**Reply**

I can confirm that in addition to Cray Valley West's 3 excellent Ward Councillors John Ince, Judi Ellis and Harry Stranger, Peter Fortune and David McBride from neighbouring Cray Valley East Ward, Cllr Colin Smith, GLA Assemblyman James Cleverly, Bob Neill, MP Jo Johnson, MP and Mr Andrew Wilson, Chairman of the most directly affected Residents' Association, I have met directly with the Environment Agency to discuss the relevant issues and will certainly be doing so again following the outcome of the High Court hearing on 28<sup>th</sup> March 2014 which is another step closer to getting the Waste4Fuel site cleared.

Deposit of waste material without planning permission has also occurred on an area of land adjoining the site of the Waste4Fuel transfer station. This will be considered urgently at tomorrow evening's Plans Sub-Committee 1 meeting so that the Council can take positive steps to inhibit the unauthorised spread of the site.

ii) if you have met our suggested criteria item i), could you tell us the details of this contingency plan?

**Reply**

At this stage the Environment Agency would prefer not to discuss their tactics given that the operators of this site have continued to run rings around the law and by-pass regulations for far too long.

The EA's belief and logic, which I reluctantly have to concede that I agree with given where we find ourselves, is that to notify W4F in advance of their intentions could prove counterproductive to achieving the earliest possible resolution of this desperately unhappy situation.

-----

3. Could the Leader tell us what Cllr Bennett and Cllr W. Huntington-Thresher actually do in their role on the London Regional Scrutiny Board and as Independent Board member (respectively).

**Reply**

The Council through General Purposes and Licensing Committee appoints one Member (currently Councillor Nicholas Bennett) to the Affinity Sutton London Regional Scrutiny Board which meets regularly throughout the year. The Scrutiny Board monitors and scrutinises services and performance. The Council is not responsible for any other appointments which are made by Affinity Sutton.

-----