

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

Minutes of the meeting held at 7.00 pm on 27 March 2014

Present:

Councillor Eric Bosshard (Chairman)
Councillors Reg Adams, Douglas Auld,
Nicholas Bennett J.P., John Getgood, Ellie Harmer,
Will Harmer, Brian Humphrys, William Huntington-
Thresher, Nick Milner, Ian F. Payne, Neil Reddin FCCA
and Pauline Tunnicliffe

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr,
Councillor Robert Evans and Councillor Stephen Wells

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

Apologies for absence were received from Councillors Peter Fookes (replaced by Councillor John Getgood), Kate Lymer (replaced by Councillor Douglas Auld), Tom Papworth (replaced by Councillor Reg Adams), Russell Mellor and Tony Owen.

451 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

No questions had been received.

**453 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 5TH FEBRUARY 2014
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 5th February 2014 (excluding exempt information) be confirmed.

454 MATTERS ARISING FROM PREVIOUS MEETINGS
Report CSD14051

The Committee noted matters arising from previous meetings.

455 FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS

The Committee noted the latest edition of the Forward Plan of Key and Private Executive Decisions as published on 4th March 2014.

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

(1) From Councillor Katherine Bance MBE (for written reply)

Are there any circumstances when a school operating in Bromley, whether LEA, Academy or Free, would have its deeds held by the DfE?

Reply:

The Council holds the deeds of all community schools and, where it owns the playing fields of church schools, it holds those deeds too.

In the case of academies, if the school was not foundation before its conversion the Council continues to hold the freehold deeds and in each case the lease is handed over to the academy's solicitors to register on completion. If a school was already foundation then, on conversion, it will hold its own freehold deeds. So far the Council has not completed the grant of a lease of any free schools but where the Council was a landlord of a free school the same procedure would happen as with academies.

The Council has no information as to the arrangements academies and free schools have for keeping their deeds nor of any specific requirements that may be imposed by the Secretary of State.

(2) From Glenn Paten, Christ Central Church, Penge (for oral reply – question asked by Peter Heath of Christ Central Church)

At the time of the murder in 2013 the Portfolio Holder for Public Protection and Safety made a commitment to improve community safety for local people. Local youth and family services are surely a 'Big Society' solution to changing the face of our immediate community. This is a unique opportunity to build a better Penge.

Even at this late stage, will the Committee recognise the community need in Penge for the services Christ Central Church is providing at Snowdown Close and accept our lower offer for the former CAB building in the best interests of community cohesion, community safety and the well being of disadvantaged young people?

At the Chairman's invitation, Mr Heath explained that the Church had been operating at Snowdown Close since August 2013, with a variety of activities for the community including education, youth work, dance classes and debt

advice. Recognising the need in the community, the Church was keen to scale up its activities at Snowdown Close.

Reply:

The Portfolio Holder thanked Mr Heath for his question and the documentation supplied by the Church, and commented that the Council recognised the good work that Christ Central Church was doing for the community at Snowdown Close. The Council had looked at a variety of options for the property; in July 2013 proposals to dispose of it had been delayed to give community groups an opportunity to submit alternative proposals. He stated that he would consider all the representations that had been received, including the petition, the views of the ward members and of the Committee before making a decision.

The Chairman invited questions from other Members. Responding to questions from Councillor Getgood, who was a ward member, Mr Heath explained that the Church was engaging with up to 100 children with ages ranging from 5 to 19 and around 50 families from the estate. Positive activities were arranged to encourage the community, including sessions on debt advice, relationship counselling, street dance and sound production. An after-school homework club was proving particularly useful for parents whose first language was not English. All activities were provided by Church volunteers and the Church had spent about £2,000. The Church had started its work with a Soccer School about a week after the murder in the area – there had been some scepticism initially, but they had been welcomed by the Police and local Residents Associations. The building was being well-used, and the Church wanted to carry out further improvements. Mr Heath estimated that the Church had been carrying out about half of these activities before from its own premises in Green Lane. He was not personally aware of the Council's legal position regarding the building, but he thought that Glen Paten was more aware of this.

The Chairman thanked Mr. Heath for his attendance and contributions.

457 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

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

457.1 CAPITAL PROGRAMME MONITORING Q3 2013/14 AND ANNUAL CAPITAL REVIEW 2014 TO 2018
Report FSD 14029

At its meeting on 12th February the Executive had received a report summarising the current position on capital expenditure and receipts following the third quarter of 2013/14 and presenting for approval the new capital schemes supported by Directors in the annual capital review process. One new scheme was proposed for the Resources Portfolio - £1.5m for the upgrade/replacement of the Sharepoint Productivity Platform.

RESOLVED that the recommendation to note the changes to the Resources Capital Programme be supported.

458 SCRUTINY OF THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor Stephen Carr, attended the meeting to update the Committee on his work and answer questions. He began by emphasising that, despite the 2014/15 budget having been agreed and the forthcoming elections, much work was currently going on to address the future shape of the authority as it moved towards a slimmer, commissioning model, including taking independent advice and consulting with other authorities on shared services. Numerous baseline reviews had now been carried out and the results would be coming to Members after the election period. There had been recent success in investing in property, and the move to local pay and conditions for staff had been successfully managed. The Council was working closely with local housing associations on benefit reforms and Council tax collection continued to be good. Generating additional income would be particularly important in the future, both through the new homes bonus and business rate growth. The Leader remained optimistic about the Crystal Palace development, which would bring much needed jobs, investment and business rates, although the Council was aware of the traffic/transport issues that needed to be overcome.

The Leader was asked for an update on Site G in Bromley town centre. The future of the proposed development by Muse had been complicated by Crest starting work on their scheme, but the Leader felt that there could still be a viable scheme to redevelop Site G. There would probably need to be a further tender exercise to find a new partner for the site. He confirmed that the doctor's surgery in Ravensbourne Road was not part of the Muse scheme.

The Leader was asked about the impact of the revised London Plan, and the difficulty of providing the infrastructure to support increased housing, especially where new health and education facilities could not be provided on-site and Section 106 contributions were collected instead. In particular, there appeared to be more emphasis on higher density housing in outer London without putting in place the transport infrastructure needed to get workers into central London. He agreed that, following the massive investment in Crossrail and the Olympic Park, south east London (not just Bromley) was due some further transport investment, and he was meeting regularly with the Mayor's transport advisor to press this case. A Member suggested that extending the London Overground from New Cross via Grove Park to Bromley North might represent a cheaper and more realistic alternative to the £800m extension of the DLR from Lewisham – the Leader confirmed that the DLR was still the Council's priority, but that the Overground option might be more deliverable.

Councillor Nicholas Bennett reminded the Leader about the Council question he had submitted on the financial burdens of new legislation, to which he was still awaiting a reply. Officers confirmed that a response had been drafted, and would be circulated to all Members shortly, subject to final clearance.

Asked about progress with the Crystal Palace Park development, the Leader stated that he was frustrated at the delays in obtaining details of the scheme. He also urged that people should keep an open mind on issues such as transport and accessibility, remembering that there were many entrances to the Park which could absorb visitors, and that unless all the issues could be resolved the development would not proceed. He reminded Members that the Council was not disposing of the land, but granting a lease that would enable it to retain control of the site. He explained that in China it was normal to conclude a land deal and then put together a business case, whereas in the UK the two had to go together. The Council had responded robustly to the developer's initial proposals and negotiations were now under way - it was hoped that they would conclude by the end of April.

The Chairman thanked the Leader for updating the Committee.

459 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report CSD14052

The Committee considered the following reports on the part 1 agenda for the meeting of the Executive on 2nd April 2014.

(5) Budget Monitoring
Report FSD14026

The Committee considered the fifth budget monitoring report for 2013/14 based on expenditure and activity levels to January 2014. The report also highlighted significant variations and early warnings and sought a number of approvals.

RESOLVED that the recommendations be supported.

(6) Update on New National Adult Social Care Data Funding
Report CS14034

In July 2013 the Department of Health had announced new burden funding to support the development and implementation of new adult social care and statutory financial reporting during 2014/15. The Executive had requested regular updates and, five months into the project, this was the first update. The Executive was asked to carry forward £33k of the non-ring fenced grant to 2014/15 and return the estimated underspend of £16k back to general balances.

The report had also been considered by the Care Services PDS Committee on 11th March 2014.

RESOLVED that the recommendations be supported.

(7) Appointments to the Framework for Various Public Health Services – Addendum to Category K
Report CS14038

At its meeting on 12th February 2014 the Executive had agreed a Framework of Providers for various Public Health Services categories. During the mandatory standstill period the Council had received an appeal from ToHealth Ltd whose tender submission for Category K: NHS Health Check Community Outreach Service had failed based on an evaluation of their finances. ToHealth Ltd had now provided satisfactory assurance that they had sufficient financial backing to support the service over the lifetime of any contract, and it was recommended that they be appointed to Category K.

RESOLVED that the recommendations be supported.

(8) Drawdown of Government Funding for Delivering Special Educational Needs Statutory Reforms Arising from the Family and Children Act 2014 (Bromley SEN and Disability Services)
Report ED14043

The Executive was asked to approve the drawdown of £381,937 of funding from the central contingency fund for 2014/15 to deliver the reforms set out in the Children and Families Bill about to be finalised in April 2014 and enacted in September 2014.

The report had also been considered by the Education PDS Committee on 18th March 2014.

RESOLVED that the recommendations be supported.

(9) Gateway Review of Tenancy Support Services for Young People
Report CS14024

The current contracts for Tenancy Support Services for Young People were due to end on 30th August 2014. The report reviewed outcomes achieved by the current service and the on-going demand, and made recommendations for the future commissioning of these services. It was proposed to agree a new contract by negotiation with the current provider, One Support, for a period of three years with the potential to extend for a further two years. If this could not be secured authority was sought to extend the current contract for three months to 30th November 2014 to enable a competitive tendering exercise to take place and to manage the transfer in an orderly way.

The report had also been considered by the Care Services PDS Committee on 11th March 2014. The Committee had raised some concerns, but these issues were being addressed.

RESOLVED that the recommendations be supported.

(10) Gateway Review 0, 1 and 2: Approval of 2014/15 Education Building Maintenance Budgets, Education Planned Maintenance programme and Preferred Procurement Options
Report DRR14/026

The report set out the maintenance budget for education buildings and the criteria used to assemble the planned maintenance programme. The proposed Programme was available in the Members Room and once agreed this would be circulated to all Bromley maintained schools and education premises.

It was confirmed that where the authority agreed to carry out a project this would be honoured if the school subsequently converted to academy status. It was suggested that future reports should clarify the status of the schools involved.

RESOLVED that the recommendations be supported.

(11) Approval of Procurement Strategy for Basic Need Projects and the Glebe School Expansion and allocation of Section 106 Funding to Education Schemes
Report ED14044

The report covered details of individual capital schemes from the Council's Basic Need Programme and associated procurement strategy, asked the Executive to approve that the Glebe School Expansion Project be added to the Capital Programme, requested that funding to devolved to the Harris Federation (subject to consultation) to allow the expansion of Harris Crystal Palace Primary School and sought agreement for the allocation of Section 106 funding to education schemes.

The Chairman noted that some of the detailed figures in the report needed to be checked and tidied up.

It was noted that the Programme included both academy and free schools.

RESOLVED that the recommendations be supported.

(12) 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, inviting responses by 10th April 2014. The report outlined the main proposed changes impacting on the borough and set out a proposed response at Appendix 1. The main issues had been considered by the Local Development Framework Advisory Panel at its meeting on 5th March 2014.

In policy 3.3, Increasing the Housing Supply, Bromley's annual target for new housing supply had been increased to 641 from the 500 in the 2011 Plan. Members suggested that the response needed to be stronger, indicating the

benefits of providing community facilities on-site rather than through payments in lieu and, in view of the long lead-in time, the need to provide improved transport infrastructure at an early stage. The Leader indicated that this target was too high and that there would be further negotiation.

The Committee discussed revised policy 5.16 waste self-sufficiency, which brought the deadline for zero waste going to landfill forward from 2031 to 2026, as part of the strategy of making London self-sufficient in waste. Some Members were sceptical that this could be achieved, and suggested that it would require greater reliance on incineration which was not necessarily very clean, but it was also stated that research showed that incineration was extremely clean.

RESOLVED that, subject to the comments above, the recommendations be supported.

(13) Adoption of the Second Revision of the Kent Downs Area of Outstanding Natural Beauty Management Plan

Report DRR14/041

The Executive was asked to approve a second revision to the Kent Downs Area of Outstanding Natural Beauty which provided more active guidance, and delegate powers to the Portfolio Holder for Renewal and Recreation to deal with any matters raised during the adoption process.

RESOLVED that the recommendations be supported.

(14) Household Waste Recycling Centres: Grant funding from London Waste and Recycling Board

Report ES14031

The Council had been awarded £145k from the London Waste Regulation Board's Driving up Performance Fund for enhancements to the Household Waste Recycling Centres at Waldo Road and Churchfields. At Waldo Road the money would fund the removal of the redundant Vertical Composting Unit enabling the relocation and expansion of storage facilities for the Community Payback Scheme.

RESOLVED that the recommendations be supported.

(15) Maintenance of Green Spaces Transferred to LB Bromley

Report ES14028

The report provided details of the maintenance responsibilities of two areas of land that had been transferred to the Council – the Cyphers Gate open space in Kings Hall Road, Beckenham and Cheyne Woods in Wood Lodge Road, West Wickham.

The report had also been considered by the Environment PDS Committee on 25th March 2014 – Councillor Huntington-Thresher urged that the

arrangements for drawing down the money should be simplified and it was confirmed that the funding would be included in the revenue budget each year.

RESOLVED that the recommendations be supported.

(16) Grant Funding from the Forestry Commission to Support the Woodland Improvements Programme
Report ES 14035

The Council had received an award of £126,420 from the Forestry Commission under its Woodland Improvement Grant Scheme which would be used to fund improvements at thirty of the Council's woodland sites.

RESOLVED that the recommendations be supported.

(17) Approved Supplier Lists – Proposed New Arrangements
Report CSD14057

It was recommended that the Council change its service provider for its "Approved List" requirements from Exor to Constructionline.

RESOLVED that the recommendations be supported.

460 PROJECT MANAGEMENT FOR BUILDING PROJECTS
Report DRR14/035

At a meeting of the Education Budget Sub-Committee on 2nd May 2013 Members had requested a report to this Committee giving an overview of the Council's approach to project management for building projects.

Councillor Neil Reddin, as Chairman of the Sub-Committee, welcomed the report and drew Members' attention to a number of schools built in recent years where although the designs had been impressive there had been crucial factors missed out. He was particularly concerned at the practice of "piggy-backing" (adding additional works to a scheme not connected with the project.) Officers confirmed that this was no longer allowed where there was any risk to the project, whether in terms of budget or programme.

The report set out a basic timeline for a project from inception onwards. It was clarified that initially there would be both an indicative budget based on standard assumptions, which could then be refined, and a basic briefing from the client. Members made the point that Head Teachers and Governors were rarely experienced in leading major building projects, and therefore needed guidance from the authority. It was confirmed that there was a briefing template to focus attention on all the factors that needed to be considered, and officers did meet with them to prepare a development brief. The Committee emphasised the importance of learning lessons from each project; officers confirmed that all projects were examined for this purpose and there was proper documentation.

It was explained that the role of a clerk of works was different to a project manager, and involved visiting a development site on a regular basis to check on progress. The concept was now rather old-fashioned, but it was still useful in some circumstances.

RESOLVED that the contents of the report be noted.

461 UPDATES FROM PDS CHAIRMEN
Report CSD14053

The Committee received updates from PDS Chairmen for the following recent meetings – Public Protection and Safety PDS on 4th March, Care Services PDS on 11th March, Education PDS on 18th March and Environment PDS on 25th March.

462 ANNUAL PDS REPORT FOR 2013/14
Report CSD14055

The Constitution required that a report was made to full Council each year summarising the work of PDS Committees. The draft report for 2013/14 had been prepared, including contributions from all PDS Committee Chairmen.

Councillor William Huntington-Thresher informed the Committee that he would revise the wording of the section of his report dealing with on-street enforcement.

RESOLVED that the annual Policy Development and Scrutiny report for 2013/14 be approved for submission to Council.

463 WORK PROGRAMME 2014
Report CSD14054

The Committee noted the latest update on its work programme and on the activities of PDS working groups.

The Committee's Youth Employment Working Group was due to meet on 29th or 30th April. Councillor William Huntington-Thresher had expressed an interest in participating, but more Members were needed. A reminder would be emailed after the meeting – it was suggested that Members of the Education PDS Committee should also be invited.

RESOLVED that the work programme be noted.

464 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**

465 EXEMPT MINUTES OF THE MEETING HELD ON 5TH FEBRUARY 2014

The exempt minutes of the meeting held on 5th February 2014 were confirmed.

466 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES PORTFOLIO HOLDER REPORTS

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

466.1 20 Snowdown Close, Penge

The Committee considered a report on the outcome of the recent marketing exercise for 20 Snowdown Close.

466.2 Banbury House, Bushell Way, Chislehurst

The Committee considered a report on options for the future of Banbury House, Bushell Way, Chislehurst.

466.3 Egerton Lodge, 1&2 Park Road, Bromley

The Committee considered options for the future of Egerton Lodge, 1 and 2 Park Road, Bromley.

466.4 Provision of Insurance Service - Royal Borough of Greenwich

The Committee considered proposals for a shared service arrangement with the Royal Borough of Greenwich for the provision of insurance services.

466.5 Contracting Arrangements for Mobile Voice and Data Services

The Committee considered proposals to award a contract for the Council's mobile and data services.

467 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee scrutinised a report on the part 2 agenda for the Executive's meeting on 2nd April 2014 concerning the award of the contract for conversion works for the new Penge Library.

The Meeting ended at 8.47 pm

Chairman