

EXECUTIVE

Minutes of the meeting held on 10 June 2014 starting at 7.00 pm

Present

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

Also Present

Councillor Nicholas Bennett J.P., Councillor Peter Fookes,
Councillor William Huntington-Thresher and Councillor
Pauline Tunnicliffe

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Colin Smith.

Apologies were also received from Councillors Eric Bosshard and Will Harmer as Chairman and Vice-Chairman respectively of the Executive and Resources PDS Committee. Councillor Kim Botting had also forwarded apologies for absence as a visiting Member.

Councillor Tim Stevens had provided apologies for late arrival in view of attendance at the General Purposes and Licensing meeting.

2 DECLARATIONS OF INTEREST

There were no declarations.

3 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 2ND APRIL 2014

The minutes were agreed.

4 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were no questions.

5 UPDATE ON PORTFOLIO HOLDERS, APPOINTMENT OF EXECUTIVE ASSISTANTS AND MEMBER WORKING GROUPS AND APPOINTMENT OF MEMBERS TO THE BROMLEY ADOPTION PANEL

Report CSD4091

Members noted appointments by the Leader of the Council to help with administration of Executive business during 2014/15. Elected Member representation on the Bromley Adoption Panel for 2014/15 was also confirmed. Details of the appointments were tabled at the meeting. This included appointments by the Leader to the Crystal Palace Park Project Board (reference to the Project Board being omitted from Report CSD4091).

There was a position on the respective Working Parties/Working Group and Advisory Panel for a representative from each of the minority groups on the Council. Nominations were expected, but should there be a meeting of any of the bodies at (3) below before receipt of official nominations, the Leader was content for the minority groups to send a representative to the particular meeting.

RESOLVED that:

(1) the Leader of the Council's appointment of Executive Members for 2014/15 along with their Portfolio responsibility be noted as –

- **Councillor Stephen Carr, Leader of the Council**
- **Councillor Colin Smith, Deputy Leader of the Council and Portfolio Holder for the Environment**
- **Councillor Graham Arthur, Portfolio Holder for Resources**
- **Councillor Robert Evans, Portfolio Holder for Care Services**
- **Councillor Peter Morgan, Portfolio Holder for Renewal and Recreation**
- **Councillor Tim Stevens, Portfolio Holder for Public Protection and Safety;**
- **Councillor Stephen Wells, Portfolio Holder for Education;**

(2) the Leader of the Council's appointment of Councillor Diane Smith as Executive Support Assistant for the Care Services Portfolio, 2014/15, be noted;

(3) the Leader of the Council's appointment of Members to the following Working Parties/Group and Advisory Panel for 2014/15 be noted –

- **SEN Working Party**

**Councillor Nicholas Bennett
Councillor Teresa Ball
Councillor Robert Evans
Councillor Judi Ellis
Councillor Peter Fortune
Councillor Mary Cooke
Councillor Pauline Tunnicliffe
Councillor Stephen Wells
+ 1 Labour Member and 1 UKIP Member (to be confirmed)**

- **Town Centre Working Party**

Councillor Stephen Carr
Councillor Peter Dean
Councillor Nicky Dykes
Councillor Will Harmer
Councillor William Huntington-Thresher
Councillor Alexa Michael
Councillor Peter Morgan
Councillor Ian F. Payne
Councillor Sarah Phillips
Councillor Colin Smith
Councillor Michael Tickner
+ 1 Labour and 1 UKIP Member (to be confirmed)

- **Child Safeguarding and Corporate Parenting Working Party**

Councillor Nicholas Bennett
Councillor Judi Ellis
Councillor Robert Evans
Councillor Hannah Gray
Councillor Diane Smith
Councillor Tim Stevens
Councillor Pauline Tunncliffe
Councillor Stephen Wells
+ 1 Labour and 1 UKIP Member (to be confirmed)

- **Local Development Framework Advisory Panel**

Councillor Melanie Stevens
Councillor Eric Bosshard
Councillor Stephen Carr
Councillor Peter Dean
Councillor William Huntington-Thresher
Councillor Charles Joel
Councillor Russell Mellor
Councillor Alexa Michael
Councillor Peter Morgan
Councillor Colin Smith
Councillor Lydia Buttinger
Councillor Nicky Dykes
+ 1 Labour and 1 UKIP Member (to be confirmed)

- **Constitution improvement Working Group**

Councillor Graham Arthur
Councillor Eric Bosshard
Councillor Nicholas Bennett
Councillor Stephen Carr
Councillor Peter Dean

**Councillor Robert Evans
Councillor Tony Owen
Councillor Tim Stevens
Councillor Colin Smith
Councillor Will Harmer
+ 1 Labour and 1 UKIP Member (to be confirmed)**

- **Crystal Palace Park Project Board**

**Councillor Stephen Carr
Councillor Colin Smith
Councillor Peter Morgan
+ 1 Labour and 1 UKIP Member (to be confirmed); and**

(4) Member representation on the Bromley Adoption Panel, 2014/15, be confirmed as –

**Councillor Nicholas Bennett
Councillor Alan Collins and
Councillor Diane Smith.**

6 PROVISIONAL FINAL ACCOUNTS 2013/14

Report FSD14032

Report FSD14032 considered the 2013/14 provisional outturn, both Council wide and at Portfolio level. Potential implications for the Council's financial position in 2014/15 were also considered.

The 2013/14 provisional outturn showed an overall net reduction in balances of £1.2m (before carry forwards from 2012/13), representing a variation of 0.6% compared with the final approved budget of £214.2m.

Highlighting that this was the second year of Portfolios delivering within budget, and receipts for new income streams accurately reflecting forecast amounts, the Portfolio Holder for Resources commended the Director of Finance.

Concerning liabilities for old (pre 1993) insurance claims and their financial impact for the Council, the Director of Finance indicated that there was no change from the position previously provided to Members.

RESOLVED that:

(1) provisional revenue and capital outturns for the 2013/14 financial year, and the earmarked balances on the General Fund at 31st March 2014 be noted;

(2) a more detailed analysis of the 2013/14 final outturn would be reported for each Portfolio to the relevant PDS Committees;

(3) variations in 2013/14 impacting on the Council's 2014/15 financial position be noted;

(4) carry forwards of £407k related to repairs and maintenance, approved under delegated powers, be noted (Appendix 5 to Report FSD14032);

(5) the request for carry forwards totalling £1,147k (net) be approved, subject to the money being allocated to Central Contingency and Portfolio Holder approval being sought for further expenditure, as detailed at Appendix 5 to Report FSD14032;

(6) comments from the Director of Transformation and Regeneration, the Director of Corporate Services, and the Executive Director of Education, Care and Health Services, as detailed at sections 3.2, 3.3 and 3.4 of Report FSD14032, be noted;

(7) the release of £2.1m NHS funding from Central Contingency be agreed, and this amount set aside in an earmarked reserve, as detailed at paragraph 3.5.14 of Report FSD14032;

(8) the balance of the Public Health funding of £449k be transferred from Central Contingency to an earmarked reserve, as detailed at paragraph 3.5.15 of Report FSD14032;

(9) match funding of £90k for the all-weather pitch at Charles Darwin School be approved, as detailed at paragraph 3.5.16 of Report FSD14032;

(10) a one-off Insurance fund top-up of £500k in 2013/14 be approved, as detailed at paragraph 3.5.17 of Report FSD14032;

(11) provision of a separate report on the meeting agenda covering the Economic Development and Investment Fund (as detailed at paragraph 3.5.18 of Report FSD14032) be noted;

(12) a Transformation Fund be set up with a £4m contribution, as detailed at paragraph 3.5.19 of Report FSD14032;

(13) the Prior Year adjustments totalling £2.342m, as detailed at section 3.7 of Report FSD14032, be noted; and

(14) Council approval also be obtained for the recommendations at (7), (8) and (12) above.

7 CAPITAL PROGRAMME OUTTURN 2013/14

Report RES 14042

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Members were provided with the final outturn on capital expenditure and receipts for 2013/14.

Capital expenditure, 2013/14, out-turned at £25.2m compared to the final approved budget of £33.6m. The £8.4m underspend included £5.4m on acquiring further High Street properties and around £3m primarily due to delays in commencing projects. These would be re-phased into 2014/15.

RESOLVED that:

(1) the report be noted; and

(2) carry forward of the unspent capital budget (£74k) on the block provision for emergency works to surplus sites (paragraphs 3.8 and 3.9 of Report RES 14042), be approved.

8 ECONOMIC DEVELOPMENT AND INVESTMENT FUND

Report DRR 14/055

An update was provided on the Council's Economic Development and Investment Fund including expenditure to date and commentary on growth and investment opportunities that can shape future use of the fund; also how additional funding can contribute to achieving medium and longer term objectives of the Council's financial strategy.

Maximising economic growth included a commitment to identifying investment opportunities and undertaking key infrastructure improvements in the main growth areas of Biggin Hill, Cray Business Corridor and Bromley Town Centre. Consultants had been commissioned to provide a critical assessment of the future growth capacities of the Biggin Hill Strategic Outer London Development Centre and the Cray Business Corridor. There had also been work with GLA planners for a similar development capacity study in Bromley Town Centre. The growth assessments had informed development of planning policy options for the areas, these being taken forward as part of the Local Plan Review. The studies had also been critical in identifying and prioritising development opportunities, so informing future investment decisions for the fund.

To date £9.8m had been spent (including costs) on acquiring four High Street units currently generating income of £615k p.a. Terms had also been agreed on acquiring four further units at £18m (£19.044m including costs), producing income of £1,064,800 p.a. Once acquired, total annual income from the investments would be £1,679,800, the investments generating an overall initial yield of approximately 6%.

Including further approvals i.e. Growth Fund Study at £170k, Crystal Palace Development work at £200k and the Bromley Town Centre Bid at £110k, total approvals amounted to £29,349k. From total available sums in the Fund at £47,296k, an uncommitted balance of £17,947k remained.

To meet existing commitments and take advantage of new investment opportunities from on-going growth work, it was proposed to supplement the existing Fund balance with a further £13,792k from the general reserve in 2013/14, bringing the uncommitted balance to £31,739k.

The Portfolio Holder for Renewal and Recreation encouraged further investment in properties. The Director of Finance highlighted an aim of securing a £2m return from commercial property investment. Provision was available to buy further investment properties and the Leader suggested work with the Assets Management Working Group to speed up property acquisitions.

The Portfolio Holder for Resources highlighted concern from the Executive and Resources PDS Committee that there had been insufficient consultation with Members on investment proposals. The Director of Renewal and Recreation gave assurance that ward Members would be consulted on specific proposals and where appropriate these would also be presented to PDS Committees for pre-decision consideration.

RESOLVED that:

(1) operation of the fund to date be noted; and

(2) Council be recommended to allocate additional funding of £13,792k, from under-spends in 2013/14 (as shown in the “Provisional Final Accounts 2013/14” report), to the Economic Development and Investment Fund (Earmarked Reserve), as detailed at sections 5.3 to 5.4 of Report DRR14/055.

**9 INVEST TO SAVE SCHEMES ADULT SOCIAL CARE -
OUTCOME OF INVESTMENT**

Report CS14064

In 2011 it was agreed to allocate £1.191m from the NHS funds for social care for invest to save projects over a two year period (2012/13 and 2013/4). The projects related to older people with dementia, adults with physical disabilities and young people with learning disabilities.

At the end of 2012/13, £1.054m remained unspent and it was agreed to carry forward the amount to the 2013/14 budget to enable the projects to be completed.

Report CS14064 provided a brief update on the projects, proposed the return of £352k to central contingency, and requested that the remaining £489k be carried forward to the 2014/15 budget so the projects can be completed.

Additionally, in February 2013, invest to save funding of £611k in 2013/14 and £264k in 2014/15 was agreed to support the reconfiguration of day

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opportunities for older people. Report CS14064 also sought confirmation of the £264k allocation in 2014/15 to support transition to the new operating model.

RESOLVED that:

(1) the return of £352,000 to the Council's central contingency be noted and the carry forward of £488,920 to 2014/15 be agreed to complete the adult social care invest to save projects; and

(2) the allocation of the £264,390 2014/15 invest to save funding for the reconfiguration of day opportunities for older people, as agreed by Executive in February 2013, be confirmed.

10 GATEWAY REVIEW - LEARNING DISABILITY SUPPORTED LIVING SCHEMES

Report CS14040

It was proposed that five learning disability supported living schemes, whose contracts all end on 10 January 2015, would be grouped together for tendering with the potential for:

- lower bids resulting from economies of scale;
- more efficient use of Council resources; and
- tenders that are more attractive for providers

The schemes collectively accommodate 32 people with a learning disability and incur combined expenditure of £1,781,656 per annum. With a proposed five year term, the value of the contract was expected to be approximately £8m to £9m.

RESOLVED that:

(1) grouping the schemes together for tendering, in order to drive the best possible pricing, be agreed; and

(2) commencement of the procurement procedure be approved to enable award in accordance with the Council's financial and contractual requirements.

11 DEPRIVATION OF LIBERTY SAFEGUARDS - FUNDING REQUEST

Report CS14039

Report CS14039 outlined the recent Supreme Court judgement related to Deprivation of Liberty Safeguards. The report considered the implications of the judgement and actions to address them.

The report also set out the financial implications of the judgement with supplementary briefing tabled. Agreement was sought to draw-down the Local Government and Community Voices Grant, not previously accessed, to cover the increase in volume of Deprivation of Liberty Safeguards.

The Executive Director, Education, Care and Health Services highlighted the significant increase in requests for Deprivation of Liberty Safeguards since the Supreme Court judgement. Court of Protection guidance was anticipated in the next few weeks and the Leader suggested further briefing for Members at a time when more information can be provided.

RESOLVED that:

(1) draw-down of the Local Reform and Community Voices Grant be approved for Deprivation of Liberty in order to meet the new legal requirements; and

(2) the following be noted -

- **further monies may be required to meet any additional demands arising from the judgement;**
- **this would be clarified once further details of the judgement and its consequences become available and further mapping work has been carried out; and**
- **these outcomes would be reported to a later meeting.**

12 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.

13 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

14 EXEMPT MINUTES OF THE MEETING HELD ON 2ND APRIL 2014

The exempt minutes were agreed.

15 AWARD OF CONTRACT FOR THE TENANCY SUPPORT SERVICES FOR HOMELESS PEOPLE

Report CS14041

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Report CS14041 set out results of the tendering process related to Tenancy Support services for Homeless People.

**16 AWARD OF CONTRACT - TENANCY SUPPORT SERVICES
FOR YOUNG PEOPLE**

Report CS14042

Report CS14042 outlined a recommended approach on Tenancy Support Services for Young People.

**17 PURCHASE OF A PROPERTY FOR AN EDUCATIONAL
ESTABLISHMENT**

Report ED14071

Members considered a business case for the purchase and refurbishment of a property for an educational establishment.

Chairman

The Meeting ended at 7.52 pm