

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

Minutes of the meeting held at 7.00 pm on 19 November 2014

Present:

Councillor Eric Bosshard (Chairman)
Councillors Nicholas Bennett J.P., Ian Dunn, Ellie Harmer,
Will Harmer (Vice-Chairman), William Huntington-
Thresher, David Livett, Russell Mellor, Keith Onslow,
Tony Owen, Ian F. Payne, Chris Pierce, Pauline Tunncliffe
and Angela Wilkins

Also Present:

Councillor Graham Arthur, Councillor Stephen Carr and
Councillor Robert Evans

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

Apologies for absence were received from Councillor Peter Fookes (replaced by Councillor Ian Dunn), Councillor Samaris Huntington-Thresher and Councillor Kate Lymer (replaced by Councillor Chris Pierce.)

67 DECLARATIONS OF INTEREST

Councillor Eric Bosshard declared an interest in relation to agenda item 14 on the Executive's agenda (Planned Highway Maintenance Programme 2015/16) as his road was on the planned maintenance list.

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

No questions had been received.

**69 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 8TH OCTOBER 2014
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 8th October 2014 (excluding exempt information) be confirmed.

70 MATTERS ARISING FROM PREVIOUS MEETINGS
Report CSD14152

The Committee received a summary of matters arising from previous meetings. It was noted that the report back on the Winter Health Project was now due at the January meeting.

71 FORWARD PLAN OF PRIVATE AND KEY EXECUTIVE DECISIONS

The Committee noted the Forward Plan of Key and Private Executive Decisions as published on 28th October 2014.

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

Three questions for written reply had been received from Councillor Ian Dunn – these are set out in appendix 1 to these minutes.

73 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

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

73.1 TREASURY MANAGEMENT - PERFORMANCE Q2 2014/15 & MID-YEAR REVIEW
Report FSD14067

The report summarised treasury management activity up to 30th September 2014. The report included a mid-year review of the Treasury Management Strategy Statement and Annual Investment Strategy and an update on the Council's investment with Heritable Bank – it was expected that the Council would eventually receive all its money back from Heritable Bank.

RESOLVED that the report be noted and Council be requested to approve the changes to the 2014/15 prudential indicators set out in Annex B1 to the report.

73.2 INSURANCE FUND - ANNUAL REPORT 2013/14
Report RES14072

The Committee considered a report advising them on the position of the Insurance Fund as at 31st March 2014 and presenting statistics relating to insurance claims for the past two years. In 2013/14, the total Fund value reduced slightly from £3,022k to £2,981k. A mid-year review of the Fund had been carried out and it was estimated that the final Fund value at 31st March 2015 could reduce to around £2.5m. A Member commented that insurance premiums were likely to rise in the coming year.

RESOLVED that the contents of the report be noted.

74 SCRUTINY OF THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor Stephen Carr, attended the meeting to give an update on his work and answer questions. He began by emphasising the importance of work on the budgets for 2015/16 and the following years, and the new approach being taken with the public consultation meetings that involved new meetings with resident's association representatives in an attempt to stimulate more detailed and focussed discussions. The message was blunt that although there had to be a safety net for the vulnerable, services needed to change and be provided in more creative ways. Senior members and officers were lobbying M.P.s whenever possible to secure a fairer distribution of government grant for Bromley. He hoped that the outsourcing of leisure provision to Mytime would lead to services becoming income-generating in future. The Council itself had to become more efficient, and he had asked the Chief Executive to remove another £2m from the budget through further efficiencies. In addition, the Council was considering moving away from the Civic Centre to more efficient property.

The third Invest Bromley event had just taken place and there had been an encouraging turn-out from local companies. There was good progress on a number of development issues mainly around town centres such as the Bromley North Village improvements, Site G, Site K, the old Town Hall, the opening of the new Penge Library, the cinema-led scheme in Orpington and the Beckenham High Street improvements, as well as potential investment in Crystal Palace Park (both the ZhongRong proposals and the £2m improvements mainly from GLA funding), the West Camp at Biggin Hill and at Lagoon Road in the Cray Valley.

On the integration of health and care services there were significant challenges but the involvement of Kings College was positive for the residents of Bromley. On public transport, the Leader had met with the Mayor's transport advisor to outline the needs of residents in Bromley, and in particular the concerns about residents using the Hayes Line losing connectivity to Cannon Street and Charing Cross if the current Bakerloo Line proposals went ahead. There had been discussions about the possibility of opening a link from Bromley North to Lewisham (for the DLR) and central London.

The Leader was questioned by members of the Committee on a number of issues. On the negotiations with ZhongRong about Crystal Palace Park, he accepted that there had been difficulties, partly because of the different cultures and expectations, but ZhongRong was now re-engaged in the process and the exclusivity period did not expire until February. A Member sought clarification on the discussions around improving rail services from Bromley North. The Leader stated that he had made very clear that the Council was disappointed that the Mayor's manifesto promise to pursue the DLR extension to Bromley North was not being maintained, and with the Bakerloo Line proposals under which many residents would lose their direct links to Cannon Street and Charing Cross. He had questioned the costs of the

Bakerloo Line extension and pressed for consideration of options to improve connectivity between Bromley North and Lewisham. He hoped that more detailed information could be provided on this to Members.

The Chairman endorsed the Leader's comments about needing more creative and imaginative solutions, and mentioned the replacement of the Chislehurst Road bridge at Petts Wood as an example where a contractor had devised a completely different methodology which was both cheaper and a year quicker to implement.

On Crystal Palace Park, a member asked about the consultation on the future of the National Sports Centre (NSC.) The Leader clarified that he had set up an Executive Project Board for the Park several years ago, which had strong working relationships with various stakeholder groups. He had been disappointed with the NSC proposals, which he felt should have been more imaginative and taken a more positive attitude to sports provision for local people. A local ward councillor responded that she agreed with Cllr Carr's approach to the consultation and emphasised that a holistic approach was needed for the Park.

Responding to comments about the New Homes Bonus and the need to be more proactive about town centres, the Leader reported that, along with London Councils, he had forcefully protested about the top-slicing of the New Homes Bonus and was pleased that the money was now coming to the Council. He emphasised that good quality mixed use developments were needed to improve the viability of town centres.

A member commented that the needs of small businesses had to be considered, and in particular he mentioned the difficulties caused to local businesses by the poor broadband speeds experienced in some of the rural parts of the borough. The Leader agreed that both large and small businesses were needed to improve the local economy, and the Renewal and Recreation Portfolio Holder was very keen to encourage all businesses in the borough.

A member complained that there had been no budget consultation meetings in the north of the borough. The Leader responded that he was trying to create a more strategic focus and that residents and resident's associations from the north of the borough were welcome to attend the meetings, but also that he would be willing to go to the north of the borough.

75 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report CSD14153

The Committee considered the following reports on the part 1 agenda for the meeting of the Executive on 26th November 2014.

(5) Capital Programme Monitoring – 2nd Quarter 2014/15
Report RES14075

The report summarised the current position on capital receipts and expenditure following the second quarter of 2014/15, and sought the Executive's approval for a revised Capital Programme.

RESOLVED that the recommendations be supported.

(6) Budget Monitoring 2014/15
Report FSD14069

The Committee received the third budget monitoring report for 2014/15 based on expenditure and activity levels up to September 2014. It noted with concern the projected overspend in the Care Services Portfolio but was reassured that measures were being taken to address and correct it.

RESOLVED that the report be noted, in particular the on-going cost pressures and projected overspend in the Care Services Portfolio.

(7) Council Tax Support/Reduction – 2015/16
Report FSD14071

Following public consultation, proposals for a scheme for providing assistance to households in meeting their council tax liability in 2015/16 had been drawn up for approval by full Council.

A Member questioned whether it was necessary to carry out extensive consultation every year. Officers advised that there were strict legal requirements requiring consultation whenever the scheme changed, and that the consultation was mainly focussed on-line.

A Member commented that there appeared to have been a large increase in delayed correspondence from Liberata – he was advised to raise matters with the Head of Revenues and Benefits. Liberata managers were due to attend the Committee's meeting in January and this would be a good opportunity to raise matters directly with them – Members were encouraged to give advance notice of any detailed issues they particularly wanted to cover.

RESOLVED that the recommendations be supported.

(8) Older People Day Opportunity Services Investment
Report CS14112

It was proposed to establish an Innovation and Development Fund to which day service providers could make bids to for service improvements supporting specific outcomes.

The Care Services PDS Committee had considered the report at its meeting on 11th November 2014 and had supported the proposals. The Committee

had been informed that transport remained an issue, and this would continue to be looked at thorough the draft adult transport policy. Residents who wanted traditional day services would continue to be provided for.

RESOLVED that the recommendations be supported.

(9) Integrated Community Equipment Services
Report CS14097

It was proposed to extend the current contract with Medequip under the London Consortium Framework for two years from 2nd July 2015.

The Care Services PDS Committee had considered the report at its meeting on 11th November 2014 and had supported the proposals. The Committee had noted that Medequip were performing well and that health contributions from Bromley Clinical Commissioning Group (CCG) were being received.

RESOLVED that the recommendations be supported.

(10) Public Health Commissioning 2015/16
Report CS14101

The report set out Public Health commissioning intentions for 2015/16 and highlighted where changes were proposed to existing arrangements.

The Care Services PDS Committee had considered the report at its meeting on 11th November 2014 and had supported the proposals.

RESOLVED that the recommendations be supported.

(11) Future Delivery of Statutory and Discretionary Services to Schools
Report FSD14070

The report set out proposals for the delivery of support services to schools and recommended that the Schools Finance and HR Schools Teams be transferred to Liberata on 1st January 2015.

RESOLVED that the recommendations be supported.

(12) Health and Safety in Bromley Schools
Report ED15107

An audit of health and safety compliance of maintained and voluntary aided school premises had been carried out during 2013/14. It was proposed that the Executive should set aside £1.8m from the Dedicated Schools Grant and £140k from the Education Planned Maintenance Programme to fund an action plan to address the issues identified.

A Member commented that health and safety audits should be considered for other areas of activity. The Chairman expressed concern that the report had

been circulated after the rest of the agenda, and the chairman of the Education PDS Committee stated that the report had not been considered by his Committee.

RESOLVED that the recommendations be supported.

(13) Growth Fund Update

Report DRR14/107

The Council was committed to identifying investment opportunities and undertaking key infrastructure improvements in the main growth areas of Biggin Hill, the Cray Valley and Bromley Town Centre. Consultants URS and DTZ had been commissioned to provide a critical assessment of the future growth capacities of both the Biggin Hill Strategic Outer London Development Centre and the Cray Business Corridor. The report summarised their findings and proposed a programme of actions supported by allocation of £10m from the Economic Development and Investment Fund.

RESOLVED that the recommendations be supported.

(14) Planned Highway Maintenance Programme 2015/16

Report ES14093

The report recommended programmes of planned road and footway maintenance for completion in the period up to 2015/16 and provided schemes of work for future years. It also provided information on the Council's annual bid to Transport for London (TfL) for bridge assessment and strengthening. The Executive was asked to release £505k Department for Transport (DfT) funding from central contingency for planned highway maintenance.

The report had been considered by the Environment PDS Committee at its meeting on 4th November 2014, and the Committee had supported the proposals.

RESOLVED that the recommendations be supported.

(15) Public Toilet Provision

Report ES15002

It was proposed to close the Penge High Street public toilets and introduce the Community Toilet Scheme (CTS) in three locations, producing annual savings of £21k. A Member asked whether any further objections had been received (it was thought that there had been nothing further), commented that one of the restaurant premises for the proposed CTS was at the rear of the premises and not very accessible and asked what was proposed for the building after it was closed. Another Member asked whether the former public toilets at Chislehurst had been sold, as they were an eyesore; the Resources Portfolio Holder responded that all former public toilet buildings were being

sold off for alternative uses, and he would establish the current status of the building at Chislehurst.

A Member suggested that the future of all remaining public toilets should be addressed in one go. However, it was reported that discussions were still continuing over the toilets in West Wickham. It was also suggested that providing public conveniences was not a statutory requirement and that the Council might at some point have to consider withdrawing funding for the CTS

The report had been considered by the Environment PDS Committee at its meeting on 23rd September 2014 and the Committee had supported the proposals, adding that the building should not be allowed to fall into disrepair.

RESOLVED that the recommendations be supported.

(16) Delegations of Authority
Report ES14098

The report set out proposed delegations relating to the Administration of Scrap Metal Dealers Act 2013 and the Anti-Social Behaviour, Crime and Policing Act 2014. It also proposed to give authority to the Executive Director of Environment and Community Services to convey the agreement of the Council for the London Councils Transport and Environment Committee (TEC) to continue to provide an appeals service for parking on private land for the British Parking Association, and for a minor change to the Scheme of Delegation to allow officers to remove unauthorised items from all highways (rather than just from maintained highways).

RESOLVED that the recommendations be supported.

76 BROMLEY YOUTH EMPLOYMENT PROJECT

On 14th July 2014, following pre-decision scrutiny by this Committee, the Resources Portfolio Holder had approved a proposal for the Bromley Education Business Partnership to deliver the Bromley Youth Employment Project (phase 2.) The project included a Project Board, on which Councillor Mellor sat, and a Performance Management Framework with quarterly performance monitoring reports to the Committee, of which this was the first, covering August to the end of October.

Officers updated the Committee on progress. A borough wide Employer Engagement programme had commenced, two graduate interns had been recruited on fixed one year terms to develop the Council's strategy and work with Community Links Bromley, a programme of employability workshops had started and a programme of door knocking (over 50 per month) was being used to identify young people who were NEET (not in employment, education or training) who could receive targeted support. It was confirmed that there was direct contact with local businesses and ten young people had already been placed into employment. Young people needed to remain in these placements for six months for these to count as successful. It was confirmed

that teachers were invited to the events so that knowledge was being fed back to schools.

RESOLVED that progress made on the delivery of the Bromley Youth Employment Project be noted.

77 SECTION 106 AGREEMENTS: UPDATE
Report DRR14/092

The Committee received its regular update on the use of financial contributions due through section 106 agreements. Officers had identified a need for a more focussed approach to monitoring this money, and there was now a monthly meeting of key officers to ensure that the money was used effectively. In most cases, if the money was not used developers could ask for the agreement to be varied so that the money could be returned, but this rarely happened. Officers were asked to check how much money had actually been returned to developers in recent years. Members also suggested that ward Councillors should ensure that they achieved improvements to their wards through section 106, and that training for Members on this issue should be considered.

RESOLVED that the contents of the report be noted.

78 MOTION FROM COUNCIL - UK CORPORATION TAX
Report CSD14160

At the meeting of full Council on 13th October 2014 the following motion had been moved by Councillor Ian Dunn and seconded by Councillor Katherine Bance MBE –

“This Council requests the Executive to include a requirement in all future tenders that the successful bidder should pay full UK Corporation Tax on the profit they make on the contract and not make use of tax havens.”

With the agreement of Councillor Dunn, the motion had been deferred to this meeting so that officers could ensure that Members were properly informed of the legal and financial implications of the motion.

Payment of the correct amount of tax by organisations contracting with the public sector had been a sensitive issue for a number of years. The Committee was advised that section 117 of the Local Government Act 1988 prevented non-commercial considerations being taken into account in decisions around the award of contracts. Non-commercial matters included “the location in any country or territory of the business activities or interests of contractors.” Most Council contracts would have a catch-all provision requiring contractors to comply with all relevant regulations, but it was not possible to exclude them for sharp practice, as opposed to clear breaches of law.

Some Members considered that these were very broad national and European issues which the Council was unlikely to be able to influence, but it

was decided that a letter should be sent to the Chancellor of the Exchequer advising him of the Council's concerns and asking what was being done to prevent exploitation of tax havens by contractors.

RESOLVED that the legal and financial advice set out in the report is noted, and that it is not necessary to report further to the Executive, but that a letter be sent to the Chancellor of the Exchequer setting out the Council's concerns and asking what is being done to ensure that organisations involved in local government contracts pay the correct amount of tax.

79 UPDATES FROM PDS CHAIRMEN
Report CSD14154

Updates were received from PDS Chairmen on recent PDS meetings –n these are set out in appendix 2.

80 WORK PROGRAMME 2014/15
Report CSD14155

The Committee considered its work programme for 2014/15. A member suggested setting up a Strategy Working Group, while another member urged that all PDS Committees should work through all the services/budgets within their portfolios over the course of a year, identifying savings. The Leader responded that there was already a challenge to PDS Chairmen to do this, but focussing on key matters. There was already a Member Finance Steering Group and a Strategic Asset Management Steering Group looking at how considerable savings could be achieved, so it was decided to defer consideration of any new Working Groups. A Member requested that information about the Strategic Asset Management Group be circulated.

RESOLVED that the contents of the report be noted.

**81 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**

**82 EXEMPT MINUTES OF THE MEETING HELD ON 8TH
OCTOBER 2014**

The exempt minutes of the meeting held on 8th October 2014 were confirmed.

**83 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES
PORTFOLIO HOLDER REPORTS**

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

83.1 Egerton Lodge, 1 & 2 Park Road, Bromley

The Committee supported a proposal to sell Egerton Lodge.

**84 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
REPORTS**

The Committee scrutinised reports on the Executive's part 2 agenda for the meeting on 26th November 2014 concerning Bromley Town Centre Development Strategy and the future of Anerley Town Hall.

The Meeting ended at 9.00 pm

Chairman