

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

Minutes of the meeting held at 7.00 pm on 9 July 2015

Present

Councillor Simon Fawthrop (Chairman)
Councillors Nicholas Bennett J.P., Judi Ellis, Ellie Harmer,
William Huntington-Thresher, David Livett, Russell Mellor,
Alexa Michael, Keith Onslow, Tony Owen, Ian F. Payne
and Angela Wilkins

Also Present

Councillor Graham Arthur, Councillor Stephen Carr,
Councillor Robert Evans, Councillor Will Harmer and
Councillor Tim Stevens J.P.

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

Apologies for absence were received from Councillors Ian Dunn, Nicky Dykes and Stephen Wells. Apologies for lateness were received from Councillor William Huntington-Thresher.

171 DECLARATIONS OF INTEREST

The following declarations of interest were made –

Cllr Simon Fawthrop - in relation to item 10 on the Executive's agenda, Reorganisation of Bromley Adult Education College, although he had been granted a dispensation to participate, as his wife worked for the College, and in relation to agenda item 14, Exchequer Service Monitoring Report, as he worked for British Telecom.

Cllr Ian Payne – in relation to items on the Executive's agenda as his daughter worked in child protection.

Cllr Alexa Michael in relation to item 10 on the Executive's agenda, Reorganisation of Bromley Adult Education College, as she was a governor of the College.

Graham Walton, Democratic Services Manager, also declared an interest in relation to item 10 on the Executive's agenda, Reorganisation of Bromley Adult Education College, as his wife worked for the College

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

No questions had been received.

**173 MINUTES OF THE EXECUTIVE AND RESOURCES PDS
COMMITTEE MEETING HELD ON 3RD JUNE 2015
(EXCLUDING EXEMPT ITEMS)**

RESOLVED that the minutes of the meeting held on 3rd June 2015 (excluding exempt items) be confirmed.

174 MATTERS ARISING FROM PREVIOUS MEETINGS
Report CSD15088

The Committee received an update on matters arising from previous meetings. This included an appendix listing consultants employed by the Council in 2014/15, as requested by the chairman at the previous meeting. The appendix listed consultants by department and also those employed on capital schemes, so it was possible for consultants to be listed more than once for different contracts. The Chairman asked that the appendices be considered by the other PDS Committees.

Updates from PDS Chairmen from recent meetings are attached at Appendix A.

RESOLVED that

(1) The lists of consultants be submitted to other PDS Committees.

(2) A Contracts Working Group be established under the chairmanship of Councillor Stephen Wells and also including Councillors Simon Fawthrop, William Huntington-Thresher, Keith Onslow and Angela Wilkins to look at contract-related issues such as legal requirements, contract clauses and contract management to ensure value for money.

175 FORWARD PLAN OF KEY AND PRIVATE DECISIONS

The Committee noted the Forward Plan of Key and Private Executive Decisions as published on 16th June 2015.

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

No questions had been received.

177 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.

177.1 TREASURY MANAGEMENT - ANNUAL REPORT 2014/15

Report FSD15044

The report summarised treasury management activity during the March quarter and included the Treasury Management Annual Report for 2014/15, which was required to be reported to full Council. The report ensured that the Council was implementing best practice in accordance with the CIPFA Code of Practice for Treasury Management. The report also includes an update on the Council's investment with Heritable Bank. Investments as at 31st March 2015 totalled £254.8m (excluding the balance of the Heritable investment) and there was no outstanding external borrowing.

RESOLVED that the report be noted and the Resources Portfolio Holder be recommended to approve the actual prudential indicators.

177.2 THE LODGE, COWPER ROAD, BROMLEY BR2 9RT

Report DDR15/061

The Whitehall Recreation Ground Lodge had been the subject of several unsuccessful sales, with two planning permissions having been refused and the appeals dismissed. A local estate agent had been engaged to remarket the property by way of an informal tender exercise seeking only unconditional offers.

As it was desirable to be able to accept an offer immediately after expiry of call-in it was proposed that the Resources Portfolio Holder authorise the Director of Regeneration and Transportation to accept offers above his normal delegation limit of £500,000.

Members queried the extent of the land involved, seeking reassurance that the land to be sold would not encroach on park land.

RESOLVED that the Resources Portfolio Holder be recommended to agree the recommendation that authority to accept an offer for the property should be delegated to the Director of Regeneration and Transformation, provided that the no park land is lost giving extra value to the purchaser, or an overage clause with a time limit is included in the sale.

178 SCRUTINY OF THE CHIEF EXECUTIVE

The Chief Executive, Doug Patterson, attended the meeting to give Members an update and answer questions. He gave a brief summary of his current priorities, which included work on addressing the budget shortfall to 2018/19, integrating health and social care, Biggin Hill Airport and changes to

organisational structure resulting from the departure of the Executive Director of Education Care and Health Services and movement towards a “thin client” structure in Environment and Community Services. He mentioned in particular that the number of Directors and Assistant Directors had been reduced by half to eighteen. Another challenge was trying to define minimum levels of statutory services and ensuring that value for money was maintained.

The Chief Executive responded to questions on the following issues –

- Commissioning – About £196m (41% of gross budgets) was spent on contracts. He acknowledged the need to come to members earlier in the commissioning process to draw out savings in what activities and services the Council could cease to offer. He also recognised that there was a potential skills gap around commissioning as the organisation contracted. Additional training was needed for both members and officers; this was already being discussed, but he denied that the Council could be seen as lacking in expertise and therefore a “soft touch” by potential contractors.
- Structure – With the departure of the Executive Director of Education Care and Health Services, the Assistant Directors in that Department were now reporting directly to the Chief Executive. The Council was moving towards a flatter structure more focussed on its needs. Mr Patterson envisaged a much smaller organisation that would buy-in expertise as needed when the larger contracts were renewed. He anticipated further shrinkage in education and changes to relationships in social care and public health. He acknowledged that there were one-off problems with IT, but he was comfortable that the Council was moving towards a more resilient IT platform for the future.
- Crystal Palace Park – The Chief Executive was optimistic that the outlook for Crystal Palace Park was better than at any time since he had been in Bromley, with realistic expectations and a wider recognition of the importance of the Park as a regional asset.

179 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report CSD15089

The Committee considered the following reports on the Part 1 agenda for the Executive’s meeting on 15th July 2015.

(7) Budget Monitoring 2015/16
Report FSD15047

The Committee considered the first budget monitoring report for 2015/16, based on expenditure and activity levels up to the end of May 2015.

A Member noted that there was a projected shortfall in rental income for properties financed by the Investment Fund of £649k. Officers

responded that several additional properties were being looked at and they expected to meet the target.

Due to recent legislative changes regarding parking enforcement by CCTV, there was a projected deficit of £856k. Officers were reviewing the service and would come forward with options for Members to consider, but it was noted that raising revenue was not the aim of parking enforcement.

A Member commented that some of the forecasts appeared to represent a pessimistic, worst-case approach when more accurate, prudent projections were called for. He added that this approach appeared to have contributed to the change in the outturn figures for 2014/15.

RESOLVED that the report be noted and the recommendations be supported, and the Executive be urged to take action to address the forecast net overspend of £614k.

(8) Capital Programme Monitoring – 1st Quarter 2015/16
Report FSD15046

The Committee received the first monitoring report on capital expenditure and receipts following the first quarter of 2015/16. The report also sought approval from the Executive for a revised capital programme.

A Member sought further information on what the Autism Capital Grant was used for – officers undertook to circulate information on this.

Members discussed section 106 receipts and the time limits for spending the money received by the Council. This depended on the precise drafting of each agreement, but generally after five years the applicant could request that an agreement be modified, leading to a risk of unspent money having to be returned, although this had not happened in Bromley. The Chairman pointed out that there had been extensive discussions at the last meeting on section 106.

Members discussed the revenue contribution to the Bromley Mytime Investment Fund. This matter was being considered by officers and had been scrutinised recently by Renewal and Recreation PDS Committee.

In relation to the Housing Zone Bid for Site G, officers confirmed that discussions were taking place with the GLA about housing zone status. If GLA funding could be obtained this could assist in making housing schemes more viable.

RESOLVED that the recommendations be supported.

(During the course of this item Councillor Nicholas Bennett declared an interest as a Council appointed trustee of Bromley Mytime and pointed out that as such he would not participate in any Committee discussions about Bromley Mytime.)

(9) Council Tax Support/Reduction Scheme – 2016/17
Report FSD15037

The report provided information on the financial effect on the Authority of increasing the minimum contribution that working age claimants were required to pay towards their Council tax liability, as requested by the Executive on 14th November 2014. The Committee discussed the merits of phasing the increase over two years and the effect on collection rates and staff time of demanding a higher proportion.

Officers stated that it was not possible for the Council to quantify the effect of benefits changes on individual claimants. The report had been written before the recent Budget and the impact of this would need to be assessed.

Consultation would need to take place on the proposals once they were agreed by the Executive.

RESOLVED that the recommendations be noted.

180 BROMLEY YOUTH EMPLOYMENT PROJECT - PROGRESS UPDATE
Report ED15088

The Bromley Youth Employment Project had been established by the Resources Portfolio Holder on 14th July 2014. Since then, the Committee had received regular updates on progress with delivering the project. The majority of performance indicators had been met and in most cases exceeded. The number of vacancies generated continued to exceed the target and although the number of young people placed into contracted employment was still slightly below target the position had improved considerably since the last report – 41 placements against a target of 45. These were full time posts on a range of salaries from the basic apprenticeship wage through to graduate level posts.

Two young people who had been assisted by the Project attended the meeting to give short presentations on their experiences –

- Bebert Longi – Bebert had benefitted from work experience placements and he hoped to obtain a further placement with Law firm to assist with his ambition to be a lawyer. He praised the effectiveness of the scheme and wanted to encourage the scheme to help more looked after children.

- Lauren Graham – After working as a waitress for three years after leaving school, Lauren had seen information about the Project on the Council website and sought assistance to develop her career. The Project had helped her with updating her CV, interview skills and finding new employment.

It was confirmed that the Project was scheduled to deliver its objectives within the £260k allocated over two years.

RESOLVED progress in delivering the Bromley Youth Employment Project be noted.

181 CUSTOMER SERVICE MONITORING REPORT
Report CSD15081

The Committee received information on the performance of the Customer Service Contract provided by Liberata for the period December 2014 to May 2015. Senior managers from Liberata attended the meeting to answer questions from Members.

The following issues were raised –

- It was confirmed that on average customers viewed four pages during each visit to the Council website – this could mean taking four clicks to find the right page, but it could also be general browsing.
- The target for responding to telephone calls to the Contact Centre had been reduced from 80% answered within 30 seconds to 50% within one minute from April 2015 onwards as part of a baseline review of the service. This accounted for savings of £25k making up part of the £60K savings on the contract, but waiting times were longer. Some members were concerned that not only was this a poor quality of service but that call volumes would rise as customers rang back, leading to more call failures.
- A member commented that it was unsatisfactory that the Customer Satisfaction Survey had not been carried out in April and May due to capacity issues with high call volumes. These high volumes were due to a combination of calls relating to the new financial year and to the general election. High call volumes were being experienced again due to a waste services leaflet which had been distributed the previous week.

RESOLVED that the information provided by Liberata be noted, and the Portfolio Holder be requested to note the Committee's concerns about the downgrading of the service, and the possibility that the savings that had been implemented might be undermined by call volumes increasing through repeat calls.

182 BENEFITS SERVICE MONITORING REPORT
Report FSD15036

The Committee received a report and a letter from Liberata's Contract Director providing information on the performance of the Benefits Service by Liberata. Senior managers from Liberata attended the meeting to answer questions from Members. The contract, which had commenced in 2011, was for seven years with a possible extension of a further two years. Officers commented that although 2014/15 had been a difficult year the Service was now in a much stronger position in the early part of the new financial year. It was noted that the overall caseload had reduced – anecdotally, this was largely due to the improved economic situation.

The Committee examined claim processing times (which combined time taken to assess new claims and changes of circumstances.) Performance appeared to be considerably better in the final two months of the financial year, and members questioned whether this masked poor performance for the rest of the year. It was explained that at the end of the year all cases had to be reviewed, so a high volume of straightforward cases could be expected. This was taken into account when the target for the whole year was set. Members queried whether sanctions had been applied when performance had been poor; this had not happened, but following discussions Liberata had agreed to increase staffing. Officers offered to carry out more detailed profiling for the next report. It was confirmed that once a claim was assessed payment was made immediately.

RESOLVED that the information provided in the report and the letter from Liberata be noted.

183 EXCHEQUER SERVICE MONITORING REPORT
Report FSD15045

The Committee received a report on the Exchequer Service provided by Liberata including a letter from Liberata providing information on their performance. Senior managers from Liberata attended the meeting to answer questions from Members.

Members noted the recovery position outlined in the report as at 31st March 2015, but requested details of the real numbers of individuals and companies involved, asking whether there were “repeat offenders.” Members noted that £295k was recommended for write off as all means of recovery had been exhausted. £971k was in dispute – in these cases service departments were dealing with debtors. Utility debt was the largest contributor to this total, with just over £200k outstanding from Thames Water due to costs relating to highway reinstatements. A payment of £100k was expected shortly, and it was anticipated that all their outstanding Thames Water debts would be collected by the end of the month. Members asked whether the heads of utility companies could be asked to attend PDS meetings – while they could be invited, there was no power to compel them.

A member noted that levels of complaints did not appear to be declining. It was confirmed that complaint levels were not included in service level agreements under the contract, but Liberata confirmed that they always sought to learn from any mistakes made.

Members also asked whether the Council could sell some of the outstanding debts to other agencies – this had not been explored, but could be investigated.

RESOLVED that the information provided in the report and the letter from Liberata be noted.

184 REVENUES SERVICE MONITORING REPORT
Report FSD15035

The Committee received a report on the performance of the Revenues Service administered by Liberata in the second half of 2014/15 and a letter from Liberata's Contract Director with further statistical data. Senior managers from Liberata attended the meeting to answer questions from Members.

Members noted that there were two collections per annum for the Orpington First BID; this was unusual, but was a requirement from the BID when it had been established.

The table of Council Tax arrears stretched back as far as 1993. Some of these very old debts would be payments by small instalments, or attachment of benefits.

A member raised the issue of an allegation of an assault by a bailiff. Liberata confirmed that they were aware of the case, did monitor their bailiff's activities and were satisfied that the bailiff company had followed proper recruitment procedures.

RESOLVED that the information contained in the report and the letter from Liberata be noted.

185 WORK PROGRAMME 2015/16
Report CSD15090

The Committee noted its work programme for 2015/16.

**186 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**

**187 EXEMPT MINUTES OF THE MEETING HELD ON 3RD JUNE
2015**

The Committee confirmed the exempt minutes of the meeting held on 3rd June 2015.

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

The Committee scrutinised a report on the part 2 agenda for the Executive's meeting on 15th July 2015 concerning the acquisition of investment property.

The Meeting ended at 9.52 pm

Chairman