

RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 27 October 2015

Present:

Councillor Ian F. Payne (Chairman)
Councillor Michael Rutherford (Vice-Chairman)
Councillors Douglas Auld, Julian Benington, Peter Dean,
Alexa Michael, Neil Reddin FCCA, Michael Tickner and
Angela Wilkins

Also Present:

Councillor Graham Arthur, Councillor Peter Morgan,
Councillor Charles Rideout CVO, QPM and Councillor Tim
Stevens J.P.

16 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

17 DECLARATIONS OF INTEREST

Councillor Rutherford declared a personal interest in Item 9 (Expenditure on Consultants 2014/15 and 2015/16) as he was an employee of one of the listed companies.

Councillor Morgan declared a personal interest in Item 7d (Town Centres Development Programme Update) as he was a Trustee of Bromley and Sheppard's Colleges.

Councillor Michael declared a personal interest in Item 7a (MyTime Active Annual Report 2014/15) as she was a Member of MyTime Active.

Councillor Payne declared a personal interest in Item 7d (Town Centres Development Programme Update) as he was an Executive Member of the Salvation Army (within Site G of the Area Action Plan).

18 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

18a QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER

No questions were received.

18b QUESTIONS FOR THE CHAIRMAN OF RENEWAL AND RECREATION PDS COMMITTEE

No questions were received.

19 MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 24 JUNE 2015

Councillor Benington attended the previous meeting and was added to the list of attendees.

RESOLVED that the Minutes of the meeting held on 18 March 2015 be confirmed and signed as a correct record.

20 MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES

There were no matters arising from the previous meeting.

21 RENEWAL AND RECREATION PDS COMMITTEE WORK PROGRAMME (JANUARY-APRIL 2016)

RESOLVED that the work programme for the period September 2015-April 2016 be agreed.

22 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO REPORTS

22a MYTIME ACTIVE ANNUAL REPORT 2014/15

Report DRR15/094

In accordance with contractual arrangements between the Council and Mytime at the point of transfer of the services and the updated agreement dated 1 November 2011, Mytime submitted its Annual Report for 2014/15 for Member consideration.

The report outlined Mytime's achievements for the year and previewed its future spending proposals from the Investment Fund, along with their 2016 pricing review. In particular, Members were requested to consider the release of £1.51m from the current Investment Fund to upgrade facilities as set out in Appendix 3 of the report.

The Chairman extended a warm welcome to, Marg Mayne, Matthew Roberts, Alan Yardley and Keith Sykes, representatives from Mytime Active. The Chairman commended MyTime for producing an excellent and informative report, but was disappointed to note the lack of detailed financial information on investment figures for Bromley.

Ms Mayne outlined the progress achieved and work undertaken during the year. The importance of physical activity to reduce obesity and enhance health was recognised and various events and activities to promote this were held throughout the year. The current aim was for MyTime Active to integrate further within the Borough to give residents wider access to health and fitness facilities. In this very competitive and challenging environment, it was essential for a vast range of physical activities and programmes to be provided in order to engage and retain inactive people.

Councillor Michael was pleased to note that, apart from an increase in fees for casual paying services, a number of prices had been frozen. Members were informed that MyTime continued to offer bargains and deals in order to attract and retain interest. It was anticipated that the revised pricing schedule would help to compete in the current competitive market.

Fierce competition from other organisations continued to challenge MyTime to provide services to a much wider audience to enable them to stay ahead of their competitors. If a competitor was to concentrate on providing just one individual service, MyTime would need to assess the commercial viability of providing the same service before it continued to compete.

In relation to MyTime's request for Investment Fund monies, Members were informed that as funding had not been fully released for three years, this had impacted negatively on MyTime's ability to maintain the services it could offer. There were currently several facilities which were in urgent need of upgrading and refurbishment. The Assistant Director, Culture Libraries and Leisure, outlined the required elements for the release of funds and confirmed that all works set out in MyTime's Investment Fund Programme were compliant. Although any proposals put forward for refurbishment and improvement of facilities would add to MyTime's profitability, there were other concerns and further issues arising from the adventure golf proposals.

Childcare provision for parents who required out of hours supervision for their children was provided in a variety of venues including the Council's Great Hall. After school clubs and breakfast clubs were also provided in a number of Bromley schools. MyTime aimed to explore and develop these clubs with one option being to consider the introduction of a child weight management programme. It was hoped that MyTime would become Harris Academy's preferred partner as it expanded.

With regard to the MyTime Challenge which encouraged people to get or stay active through a points based challenge, Members were informed that participants set their own target and whilst only 12% completed their goals, others still participated but failed to achieve their individual targets. This year, to promote the challenge further, social media was used to reach a wider audience.

Ms Mayne confirmed to Members that the income generated by the release of Investment Fund monies was reinvested in providing on-going activities and services. There were no shareholders or dividends to be paid. MyTime would

send Committee Members via e-mail, a table of figures identifying the percentage of surplus money that was reinvested in Bromley. Draft financial statements had not yet been approved. MyTime had achieved a £1.4m surplus from a turnover of £32m; this was equal to a 4% return. Over time, MyTime had expanded its work in health and golf. Investment in Ruxley and Orpington Golf Clubs had enabled the introduction of the award winning 'MyFuture' project which empowered young people from diverse backgrounds facing challenging circumstances to take ownership of their personal and social development.

In summing up, Ms Mayne reported that MyTime Active was a stronger company now than it was five years ago, having gained vast expertise in health and capital projects whilst maintaining a good level of financial resilience. The Council had approached MyTime to renegotiate future arrangements and this was something Ms Mayne would be happy to discuss at a later date. Part of MyTime's direction was recognising more effective ways to run its programmes on a much wider scale. In this regard, it may be possible to look at implementing new services i.e. at Crystal Palace Park or establishing children's centres.

As stated in Appendix 3 of their Annual Report, MyTime were seeking to spend £2.2m from the Investment Fund. In this regard, Members agreed that £1.51m of the funding should be released now and Year 13 funds discussed at a future meeting of the PDS Committee.

RESOLVED that:-

- 1. the report be noted: and**
- 2. the Portfolio Holder be recommended to agree the release of £1.51m from the current balance of the Investment Fund to upgrade facilities as detailed in Appendix 3 of the report.**

22b BUDGET MONITORING 2015/16

Report FSD15063

Members considered the latest budget monitoring position for 2015/16 for the Renewal and Recreation Portfolio based on expenditure and activity levels up to 31 August 2015. The total portfolio budget showed a projected underspend of £135k.

The level of expenditure and progress with the implementation of the selected projects within the Member Priority Initiatives was also reported.

The Portfolio Holder queried the reason for the £75k increase in the 2015/16 budget for Town Centre Management and Business Support (page 75). The Assistant Director, Culture, Libraries and Leisure has subsequently confirmed that the £75k increase in the Town Centre Management budget was due to

the transfer of the New Homes Bonus funding from the Town Centre Development budgets.

Members were informed that temporary planning officers were employed as the best way of dealing with 'peaks and troughs' in the number of planning applications received. A total of 23% of planning applications had been received which was higher than the previous year. Whilst this resulted in an increase of income, it did not cover costs. Planning caseloads had increased dramatically and it was difficult to find replacement officers of good quality calibre. It was suggested that the operation and productivity of the Planning Section should be reviewed.

The final tranche of the Investment in Small Shopping Parades Initiative would expire in April 2016. To date, a substantial amount of money had remained unspent and would be returned to the central fund. A report on the possibility of further funding for this Initiative would be considered at the next meeting of the PDS Committee. Members agreed that if approved, officers should approach Ward Members for their views before approaching outside organisations. It was suggested that future reports on bids for initiative funding include information on footfall figures for individual shopping parades together with a list of parades that had received funding and for what purpose the money was used.

RESOLVED that:-

- 1. the Portfolio Holder be recommended to endorse the latest 2015/16 budget projection for the Renewal and Recreation Portfolio; and**
- 2. the progress of the implementation of the Renewal and Recreation projects within the Member Priority Initiatives be noted.**

22c CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2015/16

Report FSD15051

On 15 July 2015, the Executive received the 1st quarterly capital monitoring report for 2015/16 and agreed a revised Capital Programme for the four year period 2015/16 to 2018/19. The report also covered any detailed issues relating to the 2014/15 Capital Programme outturn which were reported in summary form to the June meeting of the Executive.

Members also considered changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio.

RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive on 15 July 2015.

22d TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE

Report DRR15/098

Members considered the progress achieved in delivering the Town Centres Development Programme, and particular attention was given to the Stage C Concept Design report for the Bromley Town Centre Central High Street Public Realm Scheme.

Portfolio Holder approval was sought to reallocate £48k of Section 106 (Tesco) funding (including accrued interest), to contribute towards market infrastructure and associated works. The S106 Agreement required all monies to be spent by 23 February 2016.

Agenda Correction

Recommendation 2.2 (page 3) was amended to read:-

‘2.2 Agrees the reallocation of S106 (Tesco) funding of £48k as set out in paragraph **3.18** to ensure the funding is defrayed before the deadline.’

It was reported that Bromley Town Ward Councillors were very pleased with the proposals outlined in the Concept Design report.

Officers were acutely aware of the condition of the streets at Bromley North. A cleaning regime would be put in place as soon as the scheme was complete which was anticipated to be in approximately six weeks’ time.

In regard to paragraph 3.16 (page 8), although there were various reasons for the increase in costs, this was partly due to the design review. TfL had agreed to review their funding support as part of the detailed design stage. Officers were currently in discussions with Network Rail concerning the integration of their proposed improvement works to Beckenham Junction Station, so those improvements could contribute to meeting the costs of the proposed improvements to the station forecourt and pedestrian linkages to the High Street.

Councillor Tickner reported that the Beckenham Town Centre Working Party met on 15 October 2015 and was due to meet again on 10 December 2015. At the October meeting, concerns were raised about the funding shortfall. Councillor Tickner queried whether there was an opportunity to secure programme renewal money to improve the main highway. He was assured that road surfacing would be factored into the overall improvement scheme as part of the co-ordinated package.

A further report on the outcome of discussions with Network Rail and the proposals for road resurfacing would be submitted to a future meeting of the PDS Committee.

Whilst discussing the Cray Business Corridor (page 10), Members highlighted a clear problem with the loss of industrial business because of a change of use from industrial to retail and wondered if this could be due to a difference in rent charges between the two.

The Authority aimed to develop larger trade counter units as opposed to smaller enterprise units. The policy of the Local Plan was to strike a balance re. employment use. There was a lack of smaller spaces in the Borough to trade from and this was a matter which should be considered further. Officers were currently looking at the case history of units in the Cray Business Corridor many of which had been in continued retail use for a number of years. It would, therefore, be necessary to adopt a more flexible policy. It was agreed that a list of percentage figures (either by size or area) of small business units in the Cray Corridor would be made available to Members.

Members requested the presence of the new Project Officer, Stephen Oliver, at the next PDS meeting to give an update on the design options for improvements to the public realm of Penge High Street and Orpington Walnut Square under the New Homes Bonus Top Slice Fund and High Street Fund programme.

In relation to the Rectory Road/South Road Junction works, it was reported that negotiations were ongoing with Virgin Media to resolve issues arising from the installation of new cables in the footway. It is unlikely the planned works would begin before January 2016.

Bromley Town Centre had declined over the last 20 years due to high rent charges. Bromley's biggest rival was Croydon, so money spent over the next 4-5 years on improving the central area before Croydon opened its new Westfield Shopping Centre would be well-spent. It was important to maintain the quality of the High Street and for Bromley to remain unique. An update on cost proposals for Bromley Central Area would be included in the next PDS report.

RESOLVED that:-

- 1. the progress achieved on the delivery of the Town Centres Development Programme be noted;**
- 2. the Portfolio Holder be recommended to:-**
 - 2.1 endorse the Concept Design report for the Bromley Town Centre Central High Street Public Realm Scheme; and**
 - 2.2 agree the reallocation of S106 (Tesco) funding of £48k to ensure the funding is defrayed before the deadline.**

23 GATEWAY REPORT: PROPOSALS FOR A COMMISSIONED LIBRARY SERVICE - PART 1

Report DRR15/089

In progressing work to implement a new approach to the delivery of library services, officers had worked in conjunction with the London Borough of Bexley to develop a joint procurement strategy, undertake soft market testing and complete further consultation with library staff, library users and residents.

Members were requested to consider:-

- an overview of the outcome of the soft market testing exercise (due to its commercially sensitive nature, the detailed outcome was considered during the Part 2 section of the meeting);
- the outcome of the public consultation and staff engagement activities;
- alternative options for the future of the library service;
- the proposed joint procurement strategy with the London Borough of Bexley to market test the library service; and
- how commercially sensitive issues identified would affect the procurement strategy and contracting arrangements (also considered during the Part 2 section of the meeting).

The report also outlined the separate procurement process being delivered to identify suitable community management options for the Council's six community libraries together with a proposed alternative option that could be considered should no such arrangements be agreed.

The Chairman began by issuing the following statement:-

"Members of this Committee are asked to pre-scrutinise a report that sets out proposals to commission the library service and to provide our comments on these proposals to the Executive at their special meeting on 9 November.

This report establishes the business case on which the recommendation is made, including the outcome of soft market testing and consultation with the public and staff. I would like to thank those staff who have written to me personally with their comments on these proposals.

There is no doubt that our library service is valued by those who live, work and study in the borough.

However, like all local authorities, we face challenging financial circumstances. As an authority, we are committed to reviewing who is best placed to deliver our services under tough economic conditions.

Unlike some other local authorities, Bromley is not proposing to close libraries. Rather we are trying to find ways of making reductions to our budget whilst protecting front-line services.

This report recommends that the Council begins a formal procurement process jointly with the London Borough of Bexley, with whom we already have a shared service for back office and management functions, to test the market. We are being asked to comment on this recommendation and on the proposed procurement strategy.

This report also provides us with an update on a separate tender process to identify community management arrangements at our six smallest libraries. There is not one type of community management and at this stage it is too early to say what is proposed for our community libraries however, it is pleasing that there has been interest. We know that community management has kept libraries open across the country, including in our neighbouring boroughs of Bexley and Lewisham.

While we are talking about libraries, I also wanted to note that at a previous meeting, I committed to looking at the opening hours at Mottingham Library. Officers have completed work to analyse usage patterns and other data and determined that the opening hours do meet the current needs of those who live, work or study in the borough and specifically in the catchment area for Mottingham Library."

The Chairman commended Tim Woolgar and his team on the success of securing a grant for establishing wi-fi in eight of Bromley's libraries.

It was reported that the results of the joint procurement exercise would be provided to the Committee in autumn 2016 at which point the Authority would be looking to award the contract.

It was too early in the process to provide details of the next steps to take in the event that proposals for community-run libraries were to proceed yet fail. The results on the market testing exercise for community-run libraries would not be available until January 2016. If the libraries were to become community-run, two full-time members of staff would be employed to work with the organisations and business returns would be analysed to ensure that proposals for community management were sustainable. These libraries could, however, be included in the wider outsourcing proposals if no suitable community management arrangements could be identified.

The framework outlined on page 104 of the report, would consist of a pre-existing arrangement which would enable other authorities to contract with a service provider from a list of a limited number of economic operators for a defined period of time. This would reduce both time and costs during the procurement process for other authorities and could make a tender more attractive to the market. However, the report identified that this approach carried significant risk. The joint commissioning between Bromley and Bexley would result in economy of scales.

With regard to the Book Fund, it was possible that funds would continue to be provided either from the Council's Core Fund or by the service provider.

The back-office venture with Bexley had been very successful and the same principle would be adopted in regard to the current proposals. Joint project team meetings take place which feed through to Chief Executive levels at both Bexley and Bromley. All stages of the process would be carried out in tandem with Bexley but each authority would retain its own key staff and identity.

It was noted that 60% of people borrowed books which was three times more than those who visited to make use of computers. It was necessary, therefore, to ensure that the books on offer were plentiful and of good quality. The tender specification would stipulate provision of service on an 'as is' basis.

Officers would continue to look at ways of generating income from libraries such as hiring out halls or selling merchandise; one Member suggested the installation of facilities such as Amazon Lockers.

Councillor Wilkins had serious reservations about the proposals as she considered the strategic overview process had been insufficiently carried out in relation to assessment of needs and required provision etc. Libraries were originally set up to provide books for people who could not afford to buy them - that has now changed. 25% of residents did not have access to computers as was reflected in areas like Crystal Palace. Councillor Wilkins was also concerned about how contractors would profit from the venture.

Members were informed that an equality impact assessment and needs assessment had been carried out. The libraries project was a long and complicated issue which was not being dealt with piecemeal. With regard to the community management proposals, a number of interested responses from organisations had been received and would be analysed. All stages of the process would be undertaken properly.

As part of the soft market testing, interested parties would be required to provide the same service as that currently being offered; they would also be asked for suggestions on ways to improve provision. All options and issues would be looked at and terms and conditions would be included in contracts. For budget monitoring purposes, providers would be required to submit an Annual Library Plan and would need to attend PDS meetings twice per year to discuss progress achieved and projected targets.

RESOLVED that the report be noted and Member comments be made available to the Executive Committee for consideration.

Councillor Wilkins' voted against proceeding with the proposals.

24 EXPENDITURE ON CONSULTANTS 2014/15 AND 2015/16

Report CSD15106E

On 3 September 2015, the Executive and Resources PDS Committee received a report setting out details of expenditure across the Local Authority on consultants for the financial years 2014/15 and 2015/16 to date, covering both revenue and capital budgets and requested that this information be referred to all other PDS Committees for Members' consideration.

In considering the expenditure on consultants within the Renewal and Recreation Portfolio for the financial years 2014/15 and 2015/16 to date, the Chairman noted that the majority of consultants were externally funded to undertake work.

The Assistant Director, Culture, Libraries and Leisure outlined the procurement process. Officers would liaise with the Council's procurement services who would utilise an existing list of consultants or draw up a list of suitable companies for specialist areas of work such as conservation-based projects which required specialist consultants. A specific framework was used to establish a shortlist of candidates. It became necessary to hire consultants when it was clear that Council officers did not possess the required specialist expertise or there was a lack of officer capacity.

RESOLVED that the report be noted.

**25 TOWN CENTRE MANAGEMENT UPDATE REPORT -
OCTOBER 2015**

Report DRR15/095

Consideration was given to an update on Town Centre Management and business support activities occurring July to October 2015. The report also summarised priorities for the period up to the end of January 2016.

It was reported that Bromley was faring better than other boroughs in regard to the number of vacant units in town centres. Vacancy rates had decreased and the public realm improvements had made a great difference in that visitors were now travelling into Bromley from Croydon.

The Bromley BID was currently two-thirds of the way through the ballot process. To date there had been a 35% response rate. The ballot would conclude on 5 November and the results would be conveyed to Members on 6 November 2015.

RESOLVED that the key developments and activities within the Town Centre Management and Business Support Team be noted.

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

The Chairman moved that the Press and public be excluded during consideration of the items of business listed below as it was 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.

27 EXEMPT MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE HELD ON 24 JUNE 2015

RESOLVED that the exempt Minutes of the meeting held on 24 June 2015 be confirmed and signed as a correct record.

28 GATEWAY REPORT: PROPOSALS FOR A COMMISSIONED LIBRARY SERVICE - PART 2

Report DRR15/090

Members considered confidential legal information relating to Item 8 - DRR15/08 – Proposals for a Commissioned Library Service) which recommended that the Council market test the Library Service and commence a formal procurement process jointly with the London Borough of Bexley.

RESOLVED that the report be noted and Member comments made available to the Executive Committee for consideration.

The meeting ended at 9.30 pm

Chairman