

## **EXECUTIVE**

Minutes of the meeting held on 2 December 2015 starting at 7.00 pm

### **Present**

Councillor Stephen Carr (Chairman)  
Councillors Robert Evans, Kate Lymer, Peter Morgan and  
Colin Smith

### **Also Present**

Councillor Julian Benington, Councillor Nicholas Bennett  
J.P., Councillor Simon Fawthrop, Councillor William  
Huntington-Thresher and Councillor Michael Tickner

### **296 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Graham Arthur and Councillor Peter Fortune.

### **297 DECLARATIONS OF INTEREST**

Councillor Peter Morgan declared a personal interest by virtue of his daughter being a Director of Kier Property Services.

### **298 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 14TH OCTOBER 2015 AND 9TH NOVEMBER 2015**

The minutes of the meeting held on 14<sup>th</sup> October 2015 were agreed.

Minutes of the meeting held on 9<sup>th</sup> November 2015 were also agreed including the tabled amendments to the minutes.

Concerning the Matters Arising report, the Deputy Leader briefly highlighted progress made concerning Crystal Palace Park.

### **299 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

There were no questions.

### **300 BUDGET MONITORING 2015/16**

#### **Report FSD15071**

Members received a second budget monitoring report for 2015/16 based on general expenditure and activity levels to the end of August 2015.

In discussion a brief explanation was provided on the transfer of grant from the Department for Work and Pensions for those benefitting from the Independent Living Fund. Reference was also made to full year Youth Services savings not being achievable for 2015/16. An early warning was also highlighted of a potential £100k loss of income from TfL for advertising on bus shelters should the current contract be terminated in July 2016.

Concerning the Council's Growth Fund it was understood that a sum of £3.5m set aside to support growth in the Biggin Hill area had not yet been used. The Portfolio Holder for Renewal and Recreation indicated that a number of initiatives were being considered for Biggin Hill including renting of the West Camp buildings to businesses. The Leader suggested an item on this to the Executive which PDS could review. The Portfolio Holder also referred to investment earmarked for growth along the Cray Corridor and a desire for business outlets in the area.

Cllr Simon Fawthrop (Executive and Resources PDS Chairman) highlighted a projected overspend for the Education Department against their latest approved 2015/16 budget. Noting that the SEN transport budget comprised a significant sum (and was currently projected to overspend by £343k), Cllr Fawthrop felt that it was necessary to know what action will be taken to bring the expenditure back into line. The Leader agreed that a more detailed breakdown was needed.

Members agreed the recommendations alongside the comments above.

**RESOLVED that:**

- (1) the latest financial position be noted;**
- (2) a forecasted projected net underspend on services of £1,711k be noted;**
- (3) comments from the Education, Care and Health Services Department as detailed at section 3.2 of Report FSD15071 be noted;**
- (4) release of £112k from Central Contingency for the additional costs of Concessionary Fares as detailed at paragraph 3.3.2 of Report FSD15071 be agreed;**
- (5) a sum of £1.9m grant funding in Central Contingency be drawn-down for the additional costs of commissioning Health visiting (transferred to Public Health) as detailed at paragraph 3.3.3 of Report FSD15071;**
- (6) a sum of £97k grant funding in Central Contingency be drawn-down for Individual Electoral Registration as detailed at paragraph 3.3.4 of Report FSD15071;**

**(7) a sum of £526k grant funding in Central Contingency be drawn-down for the Independent Living Fund as detailed at paragraph 3.3.5 of Report FSD15071;**

**(8) a sum of £112k grant funding in Central Contingency be drawn-down for Smartphone Counter Fraud App as detailed at paragraph 3.3.6 of Report FSD15071;**

**(9) reports elsewhere on the agenda request the drawdown of a total of £1,972k from Central Contingency as detailed at paragraphs 3.3.7 – 3.3.11 of Report FSD15071;**

**(10) the supplementary estimate of £382k for Adult Education as detailed at paragraph 3.3.12 of Report FSD15071 be agreed, funded from underspends within Central Contingency;**

**(11) the Prior Year Adjustments totalling £1,109k as detailed at section 3.5 of Report FSD15071, be noted;**

**(12) a projected increase of £382k to the General Fund balance, as detailed at section 3.6 of Report FSD15071, be noted;**

**(13) the full year effect of £2.6m underspend as detailed at section 3.7 of Report FSD15071 be noted;**

**(14) Council be recommended to transfer £6.5m of the underspend on services and the Central Contingency to the Growth Fund as detailed at paragraph 3.10.3 of Report FSD15071; and**

**(15) transfer to the Investment Fund earmarked reserve of the additional £141k funding related to the New Homes Bonus, as detailed at paragraph 3.11.1 of Report FSD15071, be noted.**

**301 CAPITAL PROGRAMME MONITORING - 2ND QUARTER  
2015/16**

**Report FSD15067**

Following the second quarter 2015/16, Report FSD15067 outlined the current position on capital expenditure and receipts.

**RESOLVED that:**

**(1) the report be noted, including the re-phasing of £19,680k from 2015/16 into later years (see paragraph 3.3.11 of Report FSD15067) and a revised Capital Programme be agreed;**

**(2) the following amendments to the Capital Programme be approved:**

- (i) increase of £200k on the reinstatement of the Phoenix Centre scheme (see paragraph 3.3.1 of Report FSD15067);**
  - (ii) reduction of £3k on the Woodland Improvements Programme and reduction of £15k on the Bromley North Village to reflect revised funding received (see paragraph 3.3.2 of Report FSD15067);**
  - (iii) a reduction of £122k on the Property Investment Fund scheme due to a reduction in associated costs on completed acquisitions (see paragraph 3.3.3 of Report FSD15067);**
  - (iv) a net reduction of £91k over the four years 2015/16 to 2018/19 in respect of Schools Formula Devolved Capital grant support (see paragraph 3.3.4 of Report FSD15067);**
  - (v) inclusion of an additional £450k funding from GLA on Manorfields – temporary accommodation refurbishment works (see paragraph 3.3.5 of Report FSD15067);**
  - (vi) increase of £710k in 2015/16 to reflect revised grant support from Transport for London for Highways and Traffic schemes (see paragraph 3.3.6 of Report FSD15067);**
  - (vii) increase of £170k in 2015/16 on the Empty Homes Property scheme to reflect the total funding received from the GLA (see paragraph 3.3.7 of Report FSD15067);**
  - (viii) deletion of £23k residual balance on the Biggin Hill Leisure Centre scheme which has reached completion (see paragraph 3.3.8 of Report FSD15067);**
  - (ix) increase of £74k in 2015/16 on the London Private Sector Renewal scheme to reflect the total funding available (see paragraph 3.3.9 of Report FSD15067);**
  - (x) section 106 receipts from developers - net increase of £1,328k to reflect the funding available and the remaining unallocated balance (see paragraph 3.3.10 of Report FSD15067); and**
- (3) capital receipts from sale of Egerton Lodge be set aside for the Council's Investment Fund to generate alternative revenue income (see paragraph 3.6 of Report FSD15067).**

**302 COUNCIL TAX SUPPORT/REDUCTION 2016/17**

**Report FSD15066**

Report FSD15066 presented the outcome of public consultation on the level of liability of working-age claimants for Council Tax Support/Reduction (CTS/R) 2016/17. Members were asked to request that Full Council agree to such an entitlement being calculated on 75% of liability.

The report covered the impact of the Chancellor's Summer Statement and supplementary information provided an update following the Chancellor's Autumn Statement. Based on current caseload and a projected effect of known welfare reform changes, estimated annual expenditure was outlined for the liability options consulted upon i.e. 81%, 75% and 70%.

The supplementary information also included information on the number of Council Tax support cases in payment (i.e. number of households in receipt of Council Tax Support) from April 2013 to October 2015 (inclusive).

Members supported a minimum 25% Council Tax liability for 2016/17. Collection rates remained high and the hardship fund would continue. Public consultation would take place annually and it was intended to continually review the scheme. Officers would monitor its effect for 2016/17, the impact being reported for the next (2017/18) budget round.

**RESOLVED that:**

**(1) responses to the public consultation exercise be noted along with the outcome of work on the impact of Welfare reform; and**

**(2) for their meeting on 14<sup>th</sup> December 2015, Full Council be requested to adopt a scheme whereby entitlement for working-age claimants in financial year 2016/17 be calculated on 75% of a household's Council Tax liability, the maximum assistance provided to a working-age claimant thereby being 75% of his/her Council Tax liability.**

**303 LD SUPPORTED LIVING GATEWAY REVIEW**

**Report CS15942**

It was proposed to group together two Learning Disability (LD) supported living schemes for tendering (both schemes located in close proximity to each other) and approval was sought to commence procurement.

Contracts for both schemes co-terminate on 27th November 2016, the schemes collectively accommodating 11 people with significant learning and physical disabilities combined with complex health needs. Together the schemes incurred expenditure of £1,165,742 p.a. with a contract value post tender estimated at £5m - £6m. A contract period of five years was proposed - a three-year term with an option to extend to a maximum of two years.

Although prices obtained were competitive, it was unlikely to achieve the magnitude of cost reduction seen in previous tender exercises without significantly compromising the quality and sustainability of services. As such,

and given concerns for the future stability of the market, it was proposed to evaluate tenders using criteria of 60% quality and 40% price, the emphasis on quality safeguarding service standards to support particularly vulnerable clients.

In discussion, concern was expressed that a 60% quality/40% price criteria could lead to higher costs - quality could also be difficult to assess. However, the provider would be monitored against Key Performance Indicators and paragraph 10.3 of the report indicated areas that would most impact on a provider's quality. If not accommodated at the schemes, the Portfolio Holder for Care Services suggested it would be necessary to place the service users into totally supported living. This would be more expensive and without quality criteria the Council would be faced with more expense.

Benchmarked against other local authorities, L B Bromley would be in the lower quartile for hourly rates of care in such schemes. It was unlikely that cost could be reduced further in future – cost reduction(s) had already been negotiated with the current provider over the life of the services. It was necessary to achieve as much quality as possible for the reduced cost.

The Deputy Leader indicated that he was content to support the report's recommendations as written but was opposed to a 60% quality/40% price criteria. The Leader suggested that reasonable quality is needed at fair prices. A suggestion was put that officers come back to Members with information to demonstrate how many times a 60% quality criteria had previously been used across services. The Leader wanted a direction of travel and it was suggested that a decision on evaluation criteria be delegated to the Chief Executive in consultation with the Leader and Portfolio Holder for Care Services (and with their agreement). This was agreed. The Leader added that quality is important but it was also necessary for Members to be clear on the implications of agreeing to a 60% quality/40% price criteria. It was confirmed that where such a criteria had been used previously it was possible to demonstrate that the unit costing was not significantly different to the present case and that higher quality criteria does not necessarily mean a higher rate of cost.

**RESOLVED that:**

- (1) the schemes be grouped for tendering in order to drive the best possible quality/pricing;**
- (2) commencement of the procurement procedure be approved to enable award in accordance with the Council's financial and contractual requirements; and**
- (3) a decision on evaluation criteria be delegated to the Chief Executive in consultation with the Leader and Portfolio Holder for Care Services, officers having first provided further information to demonstrate how many times (and how cost effectively) a 60% quality criteria has previously been used across services.**

**304 DRAW-DOWN ON THE HOMELESS CONTINGENCY NEEDS GRANT**

**Report CS15938**

Members received an update on homelessness pressures, mitigating actions, and initiatives to reduce rising budget pressures. Report CS15938 also outlined the likely budget impact going forward.

To help offset temporary accommodation pressures, approval was sought for £649k to be released from the central contingency set aside for homelessness and welfare reform pressures.

**RESOLVED that:**

**(1) from the central contingency set aside for homelessness and welfare reform pressures a sum of £649k be released; and**

**(2) the current pressures being faced, mitigating actions underway and the likely budget impact going forward be noted.**

**305 UPDATE ON TACKLING TROUBLED FAMILIES PROJECT - UPDATE ON OUTCOMES AND GRANT DRAW-DOWN**

**Report CS15940**

Agreement was sought to draw-down additional grant funding from central contingency for delivering the Tackling Troubled Families (TTF) Programme in the borough.

Phase 2 of the Programme was officially launched on 1 April 2015, L B Bromley having started the Phase early in September 2014 as a chosen early adopter of the phase.

To operate the TTF service for 2015/6, a sum of £661k was requested from Central Contingency to supplement a carried forward balance from 2014/5 already held in the TTF cost centre to cover operational costs.

In discussion reference was made to the success of Phase 1 of the Programme. The Portfolio Holder for Care Services offered to request that officers provide a report on the effectiveness of the Phase.

Acknowledging progress made, the Leader highlighted that ideally no children/young people in the borough should offend, unsocial behaviour being unacceptable. From families attached to Phase 2 of the Programme it was highlighted that officers were aiming for the highest outcomes - zero offending. The Leader asked that partners in the Programme are aware of the Council's aspirations.

**RESOLVED that draw-down from contingency of £661k for Tackling Troubled families be approved.**

**306 EFFECT OF DE-REGULATION ACT ON CCTV PARKING AND BUS LANE ENFORCEMENT**

**Report ES15061**

Details were provided on the effect of the Deregulation Act 2015 for CCTV Parking Enforcement. Changes to operational practices were highlighted and recommended, and Members were also informed of staffing and financial implications linked to the changes.

As use of mobile CCTV vehicles is limited to school enforcement and bus stops under the Act, it would not be financially viable to continue the service and it was proposed to cease using the vehicles. It was also proposed to cease using the existing manned static CCTV system. Both the mobile and static units would be replaced by 15 automated cameras – the four CCTV vehicles being replaced with five automated cameras, to be rotated around school sites.

The Leader enquired whether the CCTV vehicles should be retained as a deterrent against offences even though no longer used for CCTV enforcement. It was thought they might be ineffective against fly-tipping but it was agreed to look at the suggestion further. Councillor William Huntington-Thresher (Chairman of the Environment PDS Committee) understood that funding for cameras around schools would be covered by TfL as they fulfil a safety related purpose. As such it might be possible to explore whether any additional TfL funding could be secured. Cllr Huntington-Thresher also referred to anything positive that might be achievable from the current position to assist with enforcement against fly-tipping, littering and dog fouling. The Deputy Leader highlighted that should any school want a permanent camera, the feasibility of this could be looked at as another option. To further investigate suggestions made and to consider a best way forward it was agreed to delegate the matters to the Deputy Leader and the Environment PDS Committee for further investigation.

**RESOLVED that:**

- (1) use of the manned static CCTV Parking and Bus Lane enforcement operation undertaken by five staff based at the Civic Centre be ceased;**
- (2) ten automated CCTV cameras be installed to undertake bus lane enforcement;**
- (3) use of the four Mobile Parking CCTV vehicles be ceased;**
- (4) the mobile CCTV vehicles be replaced with five automated CCTV cameras (for enforcement at schools) and four dedicated Civil**



**Enforcement Officers to undertake on-street enforcement through the current Parking contract; and**

**(5) a sum of £306k be released from the Central Contingency (set aside for Parking Enforcement) for the purchase and installation (through the Security and Safety Systems, Repairs, Maintenance, Supply and Installation Framework – 2015-2019 run by L B Waltham Forest\*) of five automated cameras for enforcement at schools and ten automated cameras to undertake Bus Lane enforcement.**

**\*Democratic Services Note: the wording at Resolution (5) above corrects an error at Recommendation 2.6 of Report ES15061 which incorrectly indicates that the cameras would be purchased and installed through the ESPO Security and surveillance equipment and services Framework.**

### **307 BROMLEY TOWN CENTRE PUBLIC REALM IMPROVEMENTS DETAILED DESIGN**

#### **Report DRR15/103**

Following completion of the Bromley North Village Improvement works the revised development strategy for Bromley Town Centre (as approved on 26th November 2014) proposed extending the improvement works south into the remainder of the pedestrianised High Street.

The Urban Design team responsible for the Bromley North Village scheme (Studio Egret West) were commissioned to take forward initial design ideas, preparing a series of concept design options forming the basis for public consultation events in June and July 2015. The Stage 1 report including a summary of public consultation comments was appended to the report as were outline designs based on a number of design principles developed in consultation with stakeholders.

A preliminary budget cost plan had been produced. The full cost of the scheme (capital and revenue costs) would be reported back to Members following completion of the detailed design. The overall cost was currently estimated at £3.8m.

Approval was sought for a £270k allocation to meet the cost of detailed design work and additional survey work estimated at £287k, with £17k being funded from the residual balance of the outline design allocation.

Supporting the recommendations, the Portfolio Holder for Renewal and Recreation referred to opportunities presented for Bromley Town Centre compared to neighbouring town centres such as Croydon. It was necessary to achieve more business rate income and the public realm improvements would ultimately help to present further income opportunities. Funding for the detailed design work would be met from the Growth Fund and not the Investment Fund as highlighted in Report DRR15/103.

The Executive and Resources PDS Committee had scrutinised the need for revenue funding for the scheme, the Portfolio Holder highlighting that the funding would be necessary for improved cleaning requirements. Less cleaning would also be required by having better quality paving. The BID company for the Town Centre would also have an important role to ensure high cleanliness of the town centre.

Looking at the effects of public realm improvements in other parts of London, the most important indicators comprised footfalls and void units, both of which the Mayor has sought to address. The economic upturn has helped and public realm improvement attracts increased footfall to benefit the local economy.

The Leader referred to making the High Street more attractive including measures to design out crime. The benefits of High Street improvements would also be recognised by potential investors for Site G. The Leader further highlighted increased business rate income and ensuring that the town centre was the cleanest and safest major town centre (regionally). It was important to make the high street particularly attractive.

Concern was expressed that the high street market might not be an attractive feature if looking to promote a cafe culture for the High Street. The Portfolio Holder agreed highlighting his concerns for its current operation. In the improved High Street it was proposed to move the market to a new location at Market Square. The Leader accepted that the market stalls were popular but felt the street market could be improved.

The Leader also highlighted the importance of further scrutiny when reporting back (on the detailed design and project plan). The report was to include proposals on maintaining cleanliness and further details related to the revenue funding needed. Members supported the recommendations.

**RESOLVED that:**

- (1) the Outline Designs for the next phase of the Bromley Town Centre Public Realm Improvement scheme be endorsed and £270k allocated from the Growth Fund to undertake the detailed design phase;**
- (2) the overall scheme cost was currently estimated at £3.8m and would require revenue funding (see paragraph 5.3 of Report DRR15/103); and**
- (3) on completion of the detailed design, a full project plan with costings be prepared and reported back to the Executive for consideration.**

**308 BECKENHAM PUBLIC REALM IMPROVEMENTS**

**Report DRR15/104**

The original improvement scheme, approved in 2013, had been reviewed at the request of TfL and stakeholders and its scope increased to cover the whole of the High Street area. Costs had correspondingly increased and TfL agreed in principle to increase their funding by £950k.

To match fund the additional TfL contribution, approval was sought to set aside an additional £240k from capital receipts (in the absence of confirmation of alternative funding sources), bringing the Council's total match funding to £1.152m representing 24.5% of the total scheme cost at £4.697m.

Report DRR15/104 also appended outcomes from a series of public consultation events carried out in spring 2015 as part of the design development process.

Cllr Michael Tickner (Copers Cope Ward and Chairman of the Renewal and Recreation PDS Committee Working Group on Beckenham Town Centre) briefly addressed the Executive. Although the public realm at Beckenham had been looking run-down, Cllr Tickner indicated that there was now optimism that work would be carried out. There was however a few matters needing attention: (i) there appeared to be no plans to ease traffic congestion and this needed to be looked at; (ii) reference was made to Network Rail's proposed improvement works to Beckenham Junction station (integrating the improvements could contribute to meeting costs of the proposed improvements to the station forecourt and pedestrian linkages to Beckenham High Street); and (iii) employment space at Beckenham Town Centre was being considered for residential purposes and this was a concern when funding from Glaxo Smith Kline's S106 agreement could be used for initiatives to promote employment opportunities.

The Leader thanked Cllr Tickner for his work at Beckenham and the Deputy Leader commended work of the Beckenham Town Centre Working Group. The Deputy Leader also suggested that work was needed to bring the top floor of the Sainsbury's Car Park into use so helping to reduce on-street parking (to ease congestion). Concerned that some of the proposals for buildings at Beckenham Town Centre covered residential/housing use, which would adversely affect the high street and create more demand for parking, the Deputy Leader suggested that some Article 4 Directions were needed. The Leader suggested that it was necessary to find ways of defending office accommodation and asked that the matter be taken forward for further work, perhaps for the Local Plan. The Deputy Leader felt it necessary for such an agenda to be driven forward as much as possible with explanations provided on why it is not possible to take forward some proposals.

The Portfolio Holder for Renewal and Recreation indicated that whilst acceptable for Bromley Town Centre, residential accommodation/housing was unsuitable for other town centres in the borough. It was confirmed that an Article 4 situation was in place at Bromley Town Centre with a mixed economy in the town. Article 4 Directions would be taken to the Local Development Framework Advisory Panel (LDFAP) for further consideration.

There would also be improved officer communication and transport modelling work would-be taken forward.

Concluding, the Leader referred to the issue of maintaining employment/office space and resisting residential/housing development; this going back to the Beckenham Town Centre Working Group and taken forward within the Development Control Committee and Local Plan.

Members agreed the recommendations in Report DRR15/104.

**RESOLVED that:**

**(1) the allocation of £240k from Capital Receipts for the enhanced Beckenham Town Centre Improvement Project be approved, the release of the Capital funding being subject to formal approval by Transport for London of additional funding of up to £950k to support the enhanced improvement programme;**

**(2) the capital estimate of the scheme be increased by £1.44m to £4.697m, subject to Full Council approval; and**

**(3) in the event that other funds including S106 monies become available, the contribution from capital receipts will be reduced.**

**309 CROYDON ROAD RECREATION GROUND BANDSTAND RESTORATION**

**Report ES15075**

Significant repair works were needed to the Croydon Road Recreation Ground bandstand at Beckenham to prevent further decline. Report ES15075 outlined funding proposals for the bandstand's restoration, comprising a two-stage Heritage Lottery Fund (HLF) grant and a small amount of match funding.

Decisions were required in advance of the Stage 1 grant outcome being notified in order that the Development Grant can be acknowledged and accepted within HLF timescales. A Stage 1 application was submitted to HLF's Heritage Programme on 14th September 2015 for a Development Grant of £27.3k. Notification of the Stage 1 outcome was expected later in December 2015 with Development Stage expenditure expected between December 2015 and June 2016.

Submission of a second-stage application was anticipated by June 2016. The outcome would be reported and approval sought to tender the works. Delivery phase costs of £308.8k would be split between capital and revenue over an 18 month period. Application for HLF grant was expected to comprise £274.8k, the £34k balance being funded by £16.1k donations secured by Croydon Road Recreation Ground Friends Group and £14.9k cash match funding from L B Bromley.

Completion of capital works was anticipated by summer 2017. To facilitate on-going use and maintenance of the bandstand, an earmarked reserve was proposed for income raised through fund raising, the reserve supporting future repairs and on-going community events and activities.

Report ES15075 also requested that the scheme be added to the capital programme with an estimated cost of £156k, subject to a successful stage two HLF bid.

Members supported the recommendations.

**RESOLVED that:**

- (1) the £27.3k Development Grant be accepted (subject to Heritage Lottery Fund approval) along with relevant terms and conditions from the Heritage Lottery Fund to assist with development of a Stage 2 application;**
- (2) the submission of a Heritage Lottery Fund Stage 2 application and acceptance of associated terms and conditions for restoration costs and related community events and activities programme be approved in principle, including the condition to maintain the structure over the next 20 years;**
- (3) in principle the scheme be added to the Capital Programme with an estimated cost of £156k, subject to a further report on the outcome of the Stage 2 application;**
- (4) an earmarked reserve be set up to hold monies raised by donations and fundraising; and**
- (5) the earmarked reserve be used to contribute towards the future maintenance of the bandstand and for delivery of an events and activities programme through small annual grants.**

**310 STREET ADVERTISING SITE CONTRACT GATE REPORT**

**Report ES15081**

With the contract for advertising at bus stops expiring in July 2016, Transport for London (TfL) had given notice that it would not involve the Council in future contractual arrangements, TfL referring to legal advice indicating that the Council's consent is not required as Highway Authority and they can exercise similar powers regarding bus shelters through their Transport Authority status. The Council was seeking legal advice on this as it could no longer receive income from the activity. In the meantime TfL had let an advertising contract, including advertising on bus shelters, to JC Decaux.

The contract with Clear Channel on free-standing poster sites would also expire in July 2016 and approval was sought to tender as a concession contract for this activity, the anticipated contract value being approximately £1.3m (if let for another 15 year term - an initial 10 year agreement with an option to extend for 5 years).

It was also proposed that officers separately tender a concession contract to identify and develop new advertising opportunities. This would comprise a five year agreement with an option to extend for five years to identify and implement new sites not covered by the free-standing contract. This could involve an individual, advertising agency, or company identifying new opportunities and bringing them to fruition.

In discussion, further background was provided on the contract for advertising at bus stops and the reason for the Council seeking legal advice. It was suggested that TfL should allow the Council to go through a consultation process and as Planning Authority it was understood that the Council could object to a bus shelter.

With reference to legal advice, the Deputy Leader suggested a cost sharing approach with other boroughs facing the same position. The Leader supported this and offered to raise the matter at London Councils. In his capacity the Deputy Leader also offered to do the same. Members were advised that some boroughs received no income from advertising at bus stops - the position at L B Bromley was possibly unique. The Leader asked to be informed of the position when known.

For the contract to develop new advertising opportunities, technological possibilities such as text messaging were suggested and policy might need to be developed in this area.

Members agreed the recommendations, the Leader looking to see that any possibility of cost sharing for legal advice is explored further, including the viability of such an approach.

**RESOLVED that:**

- (1) the proposed tender activity in respect of the existing (free-standing) advertising sites be agreed with the new arrangements commencing on expiry of the current contract;**
- (2) officers separately tender a contract to identify and develop additional new income generating advertising options / sites; and**
- (3) TfL's position regarding expiry of the bus shelter advertising contract be noted and officers be supported in seeking Counsel's opinion in challenging TfL's position.**

**311 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.

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

**313 EXEMPT MINUTES OF THE MEETING HELD ON 14TH OCTOBER 2015 AND 9TH NOVEMBER 2015**

The exempt minutes of the meeting held on 14<sup>th</sup> October 2015 were agreed.

The exempt minutes of the meeting held on 9<sup>th</sup> November 2015 were also agreed including the tabled amendment to the minutes.

**314 RESIDENTIAL PROPERTY ACQUISITIONS**

**Report DRR15/102**

Members were updated on progress of a significant proposal to acquire housing stock as temporary accommodation for homeless families.

**315 INVESTMENT PROPOSAL**

**Report FSD15070**

Members considered matters related to the potential gifting of a significant asset to the Council's Pension Fund.

**316 INVESTMENT PROPERTY REVIEW - ESTATE SHOPS**

This item was withdrawn for the agenda.

**317 UPDATE ON EDUCATION MARKET TESTING**

**Report ED15131**

On the basis of the tenders received, the Executive decided to discontinue the market testing of education services.

Members also noted a Part 1 addendum to the Part 2 report. The addendum set out the recommendation and summarised the process followed by officers for the tender.

*Executive*  
2 December 2015

**318        AWARD OF CONTRACT FOR CAPITAL WORKS AT  
EDGEBURY SCHOOL**

**Report ED15126**

A contract was awarded for capital works at Edgebury Primary School.

**319        BIGGIN HILL MEMORIAL MUSEUM**

**Report DRR15/101**

The Executive considered proposals to appoint conservation architects to undertake detailed design work for the proposed museum and to add the project to the capital programme.

**320        BROMLEY NORTH VILLAGE IMPROVEMENTS -  
CONTINGENCY OPTIONS**

**Report DRR15/105**

The underspend on the project was noted and enhancement projects were authorised to maximise the benefits of the scheme.

**321        CHISLEHURST LIBRARY, RED HILL, CHISLEHURST**

**Report DRR15/106**

The Executive received the offers from the second stage of tendering and selected a development partner to progress the agreement of heads of terms for a development agreement for the redevelopment of the library and the provision of a new library.

**322        HIGHWAY DRAINAGE CLEANSING CONTRACT EXTENSION  
2017-19**

**Report ES15078**

Members approved a recommendation to extend the highway drainage contract until March 2019.

**323        CAPITAL PROGRAMME MONITORING - APPENDIX D**

Related to the 2015/16 second quarter Capital Monitoring report (Minute 301), Members noted exempt details of the receipts forecast in the years 2015/16 to 2018/19 (inclusive). In so doing, the Deputy Leader asked whether the Small Halls, York Rise, Orpington had been disposed of in view of any possibility of using the car park at the premises as an overflow.



Chairman

The Meeting ended at 9.31 pm