

RENEWAL AND RECREATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 26 January 2016

Present:

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

Also Present:

Councillor Peter Morgan and Councillor Kevin Brooks

29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Julian Benington;
Councillor Melanie Stevens attended as substitute.

30 DECLARATIONS OF INTEREST

Councillor Payne declared a personal interest in Item 10 (Town Centres
Development Programme Update) as he was an Executive Member of the
Salvation Army located within site G of the Area Action Plan.

Councillor Morgan declared a personal interest in Item 10 (Town Centres
Development Programme Update) as he was a Trustee of Bromley and
Sheppard's Colleges.

Cllr Wilkins declared a personal interest as she had previously been trying to
source an industrial unit for herself.

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

31a QUESTIONS FOR THE RENEWAL AND RECREATION PORTFOLIO HOLDER

Written questions were received in relation to Item 7d – Future of Town
Centre Management and BIDS Development Strategy. Copies of these
questions, together with the Portfolio Holder's responses, are attached at
Appendix 1.

Oral questions were received in relation to item 10—Town Centres
Development Programme Update, specifically concerning public realm

developments in Orpington. Copies of these questions, together with the Portfolio Holder's responses, are attached at Appendix 2.

31b QUESTIONS FOR THE CHAIRMAN OF RENEWAL AND RECREATION PDS COMMITTEE

The Chairman delivered a brief statement relating to written questions received about governance arrangements for the Bromley BID Ltd for which responses had been drafted.

Bromley BID Ltd was an independent organisation and it was not the Council's place to dictate the internal governance of the BID. The Council would continue to advise and scrutinise as appropriate. The Chairman wished the new Bromley BID every success.

32 MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE MEETING HELD ON 27 OCTOBER 2015

Minute 22b, paragraph 5 - Budget Monitoring 2015/16

The following inaccurate statement was deleted - *"To date, a substantial amount of money had remained unspent and would be returned to the central fund"*.

Minute 22d, final paragraph - Town Centres Development Programme Update

The following inaccurate statement was deleted - *"Bromley Town Centre had declined due to high rent charges"*.

RESOLVED that, subject to the amendments referred to above, the Minutes of the meeting held on 27 October 2015 be confirmed and signed as a correct record.

33 MATTERS ARISING FROM PREVIOUS MINUTES AND UPDATES

Report CSD16/002

An update concerning the Improvement Works for Beckenham Junction Train Station was delivered at the meeting.

It was noted that a list of percentage figures of small business units in the Cray Corridor was currently being collated and would be circulated upon completion.

Members were provided with an update on cost proposals for Bromley Central Area.

RESOLVED that the Matters Arising report be noted.

**34 RENEWAL AND RECREATION PDS COMMITTEE WORK
PROGRAMME - APRIL 2016**

Report CSD 16001

Members reviewed the Work Programme for the final meeting of the Municipal Year (April 2016).

RESOLVED that:-

- (1) the Renewal and Recreation PDS Committee Work Programme for April 2016 be noted;**
- (2) a report on Crystal Palace Park be added to the Work Programme for April 2016;**
- (3) a report on the Growth Fund be added to the Work Programme.**

**35 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION
PORTFOLIO REPORTS**

35a CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16

Report FSD16015

On 2 December 2015, the Executive received the second 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 highlighted changes agreed by the Executive in respect of the Capital Programme for the Renewal and Recreation Portfolio and outlined progress achieved as at the end of the first half of 2015/16.

Reasons for the £15k reduction in the Bromley North Village Scheme (Section 3.3), were explained to Members.

RESOLVED that the Portfolio Holder be recommended to confirm the changes agreed by the Executive in December 2015.

35b COMMUNITY MANAGEMENT AT LIBRARIES: UPDATE

Report DRR16/016

As part of the Local Authority's new approach to the delivery of library services, the Committee had previously agreed to seek community management at six of the Borough's libraries. Members were now requested to consider proposals to award preferred bidder status to one tenderer, to enable them to work out the details needed to finalise their business plan for community management at all six community libraries which would be submitted for evaluation before officers made recommendations about whether or not to award a contract.

Specific details relating to this organisation were noted in the accompanying Part 2 report.

Councillor Wilkins produced a document which outlined visitor and borrowing figures for Libraries in LB Lewisham subsequent to being outsourced to community management. The statistics showed an increase in visits but a decrease in the percentage of books borrowed. The Assistant Director for Leisure, Libraries and Culture, advised against relating this data with the Council's proposals. An update report concerning the community management of libraries would be brought to a future meeting of the PDS Committee.

The Chairman clarified that the Council had a statutory obligation to provide a comprehensive and efficient Library Service. It was reported that community managed libraries would continue to purchase stock under the Council's stock purchasing arrangements. A rigorous assessment had taken place in respect of the new proposals. The Portfolio Holder stated it may be possible for the new community managed libraries to extend operating hours.

RESOLVED that subject to the comments outlined above, the Portfolio Holder be recommended to:-

- 1) note the progress made in the procurement process to identify suitable community management arrangements for the Borough's community libraries; and**
- 2) agree to award preferred bidder status to one tenderer (subject to the detail set out in the accompanying part 2 report).**

35c LIBRARY STOCK SUPPLY CONTRACT

Report DRR16/020

This report provided a review of the current Library Stock Contract with the Central Buying Consortium (CBC). The CBC Library Group was the largest UK consortium, into its fifth generation book supply and third generation audio visual materials framework arrangements, which were due to expire on 31 March 2016, having been extended for the maximum permitted period of two years. West Sussex County Council acted as lead and contracting authority on behalf of the CBC in setting up each contract.

There were currently 44 library authorities in membership of the CBC Library Group. Expenditure had increased through the growth of membership to enable further aggregation of spend resulting in improved discounts and reduced book servicing costs, which helped to mitigate the effects of reduced library book budgets. By working in partnership with CBC members, further efficiencies were achieved through group standardisation of processes and collective requirements.

In anticipation of the current contracts terminating at the end of March 2016, it was necessary to consider the options for the stock supply contract from 1 April 2016 which were for Bromley to:

- withdraw from consortia arrangements and proceed alone;
- apply to join one of the number of smaller alternative consortiums; or
- continue with the CBC Consortium.

Further detailed financial information was provided in an accompanying Part 2 report which also outlined the options and the recommended award of a contract in light of the completed tendering exercise. However, for the sake of transparency, as much detail as possible had been incorporated into the Part 1 report.

RESOLVED that the Portfolio Holder be recommended to agree the proposals contained in the Part 2 report regarding the award of the stock supply contract.

35d FUTURE OF TOWN CENTRE MANAGEMENT AND BIDS DEVELOPMENT STRATEGY

Report DRR16/011

Members considered an update on the Future of Town Centre Management and the BIDS Development Strategy.

As part of its clear commitment to developing and enhancing vibrant, thriving town centres (a Building a Better Bromley priority), the Council had already sponsored the successful establishment of Business Improvement Districts (BIDs) in the largest two town centres. Given that the BID model demonstrated clear benefits as a way of securing sustainable investment and giving businesses a central role in managing their town centres, the ambition was to roll this model of town centre management to other areas of the Borough where these were viable. The purpose of the report was to seek Member endorsement of a change in the approach to managing the remaining town centres to enable the limited staff resources involved in Town Centre Management (TCM) to be redirected towards establishing and nurturing BIDs across the Borough – thereby sponsoring a step change in the pace of BID development.

The Head of Town Centre Management and Business Support outlined the proposals. Based on budget proposals agreed at the Council's Executive in January 2015, Members had already agreed that, whether or not the Bromley BID proposal was successful, the remaining Town Centre Management Post would be deleted resulting in a saving to the Council of £46k. However, the latest proposal was for the remaining TCM post to be replaced by a single BID Officer post, on a fixed two year term contract. This post would be created

with the intention of fast tracking BID projects in the Borough. Members were advised not to regard this as a retrograde step as it was part of LBB's strategy to encourage BID companies throughout the Borough.

Whilst the Town Centre Management post was not a statutory one, TCM services had been provided in Bromley for longer than most neighbouring boroughs. It was, however, an outdated post and a new model was now required. The Chairman considered the old system to be unsustainable and believed it was time to move on. It was also the case that where BIDS were in place, there would be improved access to funding and grants from a variety of sources.

Oral representations were received from visiting Member Councillor Kevin Brooks, who stated that whilst he was not opposed to the BID concept, he would like the TCM post to continue until 2017 to provide support and assurance in the transition period and to assist with a seamless transfer.

Councillor Brooks requested support for a further year to assist local traders who were presently feeling under pressure. He believed the report had failed to consider and appreciate the economic and diversity aspects of Penge. A successful BID could be attained if the TCM position continued for a further year. Councillor Brooks asked what would happen to the TCM position if the BID failed and expressed the view that Penge and Beckenham were being given less support than Bromley and Orpington.

The Chairman confirmed that support would still be available to traders. He referred to a comment made at the meeting concerning a "timetable", which was also referred to in an email received from Mr John Getgood, (Chair of the Penge Forum and the Penge Town Centre Team). It was reported that the Council had never made reference to a "timetable" in relation to the transition to BID status.

Attention was directed to the "Summary of Budget Variations" outlined on page 69 of the report). The Town Centre Management efficiency saving of £46k listed at Item 7, referred to the TCM post which had been identified as a budget saving in the 2015/16 budget, to be fully implemented in the 2016/17 financial year.

Members were assured that no end date had been alluded to during any communication process.

The Chairman reasserted that local traders and businesses would continue to be supported. A report would be submitted to a future meeting of the Committee seeking approval to source appropriate funding for the appointment of a consultant and team to develop the BID. The Chairman confirmed that an unsuccessful BID would not automatically lead to the retention of the TCM post.

Councillor Brooks believed more time was required to set up Trader Associations. The Chairman iterated that adequate resources would be

provided to support businesses throughout the transition period. A clear message concerning the true nature of BIDS and outlining the support available, should be sent to all traders.

Councillor Wilkins believed the Council's intention to delete the TCM post had not been made clear to Members. Penge was a deprived area and traders were expecting to be treated the same as those in Orpington and Bromley. Councillor Wilkins requested further consultation and considered the removal of day to day support offered by a TCM to be deflating. She doubted that one BID offer for the whole of the Borough would provide sufficient support for Penge. The Chairman explained that Bromley and Orpington BID Companies had their own governance arrangements so the new BID Officer would not be working for Bromley or Orpington.

Councillor Auld referred to a "muddled" situation that had existed previously during the transition period for the Orpington BID. He stated that the situation only improved after the BID Company was established. He therefore supported keeping the TCM post until the transition to BID status was complete; Councillor Michael agreed with this.

Members were reminded it had already been agreed that the TCM post should be deleted. Councillor Wilkins disagreed and questioned why, if that was the case, this matter had been brought to the PDS Committee for debate. A number of Members supported the recommendation to delete the TCM post and employ one of the existing postholders as a BID Project Officer.

Councillor Wilkins proposed a motion that the Portfolio Holder be requested to retain the post of Town Centre Manager for another year. This was seconded by Councillor Auld. Following a vote of 3-3 and at the Chairman's request, the Portfolio Holder agreed to consider the debate and make a decision in due course. No recommendations/resolutions were made at the meeting.

Subsequent to the meeting, the Portfolio Holder made the following decisions:-

- (1) The success of the Bromley BID at ballot and progress made in establishing the new BID be noted.**
- (2) The continuation of a single Town Centre Manager post to support Beckenham, Penge and smaller town centres for 12 months, until the end of March 2017 be agreed.**
- (3) The continued emphasis of the Council on encouraging and developing BIDs in town centres and other locations across the Borough be endorsed and it be agreed that officers within the Town Centre Management & Business Support team seek additional resources (including external funding) for this purpose and work towards the establishment of BIDs, especially in Beckenham and Penge town centres.**

36 DRAFT 2016/17 BUDGET

Report FSD16010

This report outlined the Portfolio Holder's Draft 2016/17 Budget incorporating the future cost pressures and initial draft budget saving options which were reported to Executive on 13 January 2016. Members were requested to consider the proposed initial draft budget savings and identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.

Members noted there were still outstanding issues and areas of uncertainty. Any further updates would be included in the 2016/17 Council Tax report to the next meeting of the Executive.

RESOLVED that:-

- (1) the update on the financial forecast for 2017/18 to 2019/20 be noted;**
- (2) the initial draft savings options proposed by the Executive for 2016/17 be noted;**
- (3) the initial draft 2016/17 Budget be agreed as the basis for setting the 2016/17 Budget; and**
- (4) feedback on the initial draft 2016/17 Budget be provided to the Executive prior to the meeting of the Executive in February**

37 CONTRACTS REGISTER

Report DRR16/015

Members considered the report which provided a summary of the current status of all the contracts for the Renewal and Recreation Portfolio with a whole life value greater than £50,000.

At the Contracts Working Group on 13 October 2015, Members welcomed the introduction of Contract Monitoring Summaries endorsed by the Commissioning Board. The Summaries were designed to supplement the Contracts Register with additional information on each contract to aid scrutiny and to provide a record of variations.

RESOLVED that the contract summary for Renewal and Recreation be noted.

38 TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE

Report DRR16/022

Members were provided with an update on progress achieved in delivering the Town Centres Development Programme.

The GLA had provisionally accepted Bromley's Expression of Interest Bid for Housing Zone status which would require formal ratification from the new Mayor. Subject to formal confirmation, this would result in the Council benefitting from direct grant and soft developer loans to progress developments at Site G, West of the High Street and Site A, Bromley North Station. Further consultation would take place between the Council and the GLA to progress the delivery contract and Members would be updated in due course.

It was reported that Site G was being successfully marketed and plans were moving forward. There was no fixed date for completion of the work and residents would be kept informed of developments.

A revised planning policy for Site A (Bromley North Station) was being consulted upon by way of the Local Plan Review.

Work was under way to produce detailed designs for the redevelopment of the Old Town Hall and adjacent residential scheme which was granted planning permission in November 2015.

The Stage C Design report of the Bromley Central Area High Street Improvements Scheme was endorsed by the Executive on 2 December 2015. Detailed designs were now being developed and it was anticipated that further design and budget updates would be brought to Members at the next PDS Committee meeting.

An update was given on developments concerning the proposed Beckenham Town Centre Public Realm improvements. Detailed designs for the project were being progressed by the Term Contractor FM Conway Ltd and would be provided to TfL for approval. Samples of the proposed new paving would be laid in Beckenham High Street during the following week.

Referring to section 3.14 of the report, the Chairman asked if LBB was guaranteed to receive the £950K contribution from TfL for the Beckenham Town Centre Improvement Project. It was reported that this contribution was the upper limit for funding and allocation depended on the Council presenting a positive and detailed business case. As good relations existed between the Council and TfL, the Project Officer was optimistic that funding would be forthcoming. No issues or risks concerning this aspect of the project had been identified.

Discussions with Network Rail were ongoing so it was yet to be established what funding would be allocated to the project. The Chairman suggested that

more pressure be levied on Network Rail. Whilst the Project Officer was in regular contact with Network Rail, a decision was yet to be made. The Head of Renewal clarified that despite this apparent delay, it was his opinion that Network Rail regarded the Beckenham Project as a priority. An update on this matter would be given at the next meeting of the PDS Committee.

Members were updated on the Biggin Hill New Homes Bonus Project. The New Homes Bonus was a grant paid by central government to local councils to reflect and incentivise housing growth in their areas. The New Homes Bonus was currently paid each year for six years. It was based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There was also an extra payment for providing affordable homes.

Discussions had taken place between officers and the site holder to discuss what could be done on site. Consultations had taken place with Biggin Hill Airport Ltd, Bromley College, Historic England and the GLA. An assessment to identify demand for managed workspace was being undertaken. LBB officers had recently attended a meeting with other stakeholders where a presentation was given by the Aviation Skills Partnership (ASP), who were aiming to establish an aviation skills training centre at Norwich Airport in late 2016. Discussions had taken place recently concerning the possible development of a training centre at Biggin Hill which would focus on jet aircraft.

Project architects, Kinnear Landscape Architecture (KLA), had undertaken a consultation in relation to town centre development plans for Penge. The process had identified assets and various matters to be taken forward. Concept designs were being developed which focussed on Empire and Arpley Squares. The final designs would be available in Spring 2016.

Improvements to both Squares would be implemented alongside TfL funded carriageway and bus route improvements to the High Street. A scheme was also being developed to reinvigorate Maple Road, improve shop fronts and provide business support. The project was progressing to Design Stage 2 and the Chairman stated he was pleased with the developments.

Councillor Wilkins welcomed investment in Penge and asked for as much consultation to be carried out as possible. It was reported that London Buses were seeking funding from the Council of circa £45k per annum to cover increased diesel costs incurred as a result of diversions.

An update on the Town Centre Development Programme for Orpington was provided. A stakeholder workshop took place on 26 November 2015 where options for the Walnuts Shopping Area Public Realm Improvement Scheme were discussed. East Architects had produced a Stage 1 report from which eight briefs had been developed; these would be used to agree the Stage 2 Design. A further update would be reported at the next R&R PDS meeting. It was noted that NHB Funding should be utilised by the end of March 2017.

Members were updated on developments in the Cray Business Corridor. The area itself had been classed as a Strategic Industrial Location. The Council's primary objective for this location was to identify industrial areas where economic intensification could be promoted and supported. Meetings with representatives from key strategic sites had taken place and significant interest was shown in developing the sites whilst working closely with the Council to achieve the aims. Work was required to identify available industrial space and maximise usage. To this end, models were being developed and a demand study was ongoing.

Councillor Wilkins declared an interest in the Cray Business Corridor Development as she had previously sought to secure a unit on an industrial complex. Members were informed that whilst consultation was initially confined to the Cray Corridor, it had since expanded borough-wide and enquiries were also undertaken with the GLA. The Council was working with The Society of London Manufacturers (Soloman Executive) on the demand study.

Generic enquiries were being made to the market and a generic database was being compiled. The number of available sites for development would be clearly identified and discussions would take place with site owners. The Council would build a database for the supply side and were working with Soloman to build up a demand side database.

The Chairman requested sight of a report identifying the number of occupied business units as it was important to establish whether the Council's investment was proving to be successful. The Portfolio Holder considered this request to be incompatible with the direction of travel adopted by the Town Centre Development Team to date and suggested it was unlikely that further information would be available for the next meeting in April.

Some Members considered the lack of an update in April 2016 would imply that eight months had elapsed since the project work commenced in September 2015, with little progress being achieved

The Head of Renewal confirmed that Member comments would be considered. An activity log would be established and maintained and a possible shift in strategy would be discussed.

The Chairman expressed his thanks to the Head of Renewal and his team for the updates and looked forward to future submissions.

RESOLVED that:-

- (1) the Town Centres Development Update report be noted;**
- (2) an update on negotiations with Network Rail be provided to the next meeting of the R&R PDS Committee in April 2016; and**

- (3) an update on business units being taken up in the Cray Corridor be brought to Members in April 2016.**

39 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.

40 EXEMPT MINUTES OF THE RENEWAL AND RECREATION PDS COMMITTEE HELD ON 27 OCTOBER 2015

RESOLVED that the exempt Minutes of the meeting held on 27 October 2015 be confirmed and signed as a correct record.

41 PRE-DECISION SCRUTINY OF RENEWAL AND RECREATION PORTFOLIO PART 2 (EXEMPT) REPORTS

41a COMMUNITY MANAGEMENT AT LIBRARIES: UPDATE

Report DRR16/017

Members considered confidential information relating to the tender process carried out to date to identify suitable community management arrangements at the Borough's six community libraries. An accompanying Part 1 report (DRR16/016) was previously considered during the public section of this meeting.

Members noted the report and supported the recommendation.

41b LIBRARY STOCK SUPPLY CONTRACT

DRR16/021

This report provided a review of the current Library Stock Contract with the Central Buying Consortium (CBC) together with a review of the options available for the future contract.

Members noted the report and supported the recommendation.

42 BIGGIN HILL MEMORIAL MUSEUM

Report DRR15/101

Members considered an updating report on the Biggin Hill Memorial Museum.

RESOLVED that the report be noted.

The meeting ended at 9.40 pm

Chairman

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WRITTEN QUESTIONS RECEIVED FROM MR FABRICIO PEREIRA, FRAMES & ART, BROMLEY RELATING TO ITEM 7d: FUTURE OF TOWN CENTRE MANAGEMENT AND BIDS DEVELOPMENT STRATEGY

Question 1

The Bromley BID Business Plan states that 'An Operating Agreement, which includes the Council's baseline service commitments, has been agreed with Bromley borough Council' and indicates that this Agreement is available on the Bromley BID website. What are the baseline standards and where can this document be found?

Answer to Question 1

A draft Operating Agreement, in accordance with the BID Regulations, was made available for public inspection alongside the BID Business Plan during the Ballot period. However the Agreement is now awaiting ratification by the Council and the BID company, which must happen before the BID becomes operational (i.e. by 1 April 2016). Once the Operating Agreement has been ratified we will require the BID Company to publish it on their website for the 5 year term of the BID. The Agreement defines the relationship between the BID and the Council, especially about how the BID levy will be collected and accounted for. In addition it includes a baseline services agreement. This includes a summary of the Council services which would be relevant to the operating of Bromley Town Centre and the BID and which will continue in some form (albeit with some variations) during the BID term.

Question 2

Concerns were raised by the BID Working Group about conflicts of interest between the ex-BID Chair (Director of British BIDs) and CMS (Owner of British BIDs). What actions were taken by LBB to resolve these concerns?

Answer to Question 2

I am aware that there were allegations of a conflict of interest between the role of the former Chairman of the Bromley BID (Mr Marc Myers), and his role with British BIDs (which is run by Central Management Solutions Ltd). However these were never substantiated, and there is no evidence that Mr Myers is or has ever been a Director or Shareholder of British BIDs or Central Management Solutions Ltd. Therefore no action was felt necessary. I understand Mr Myers has now resigned as a Director of Bromley BID Ltd.

Question 3

The Working Group agreed that at least two other companies should be considered for this consultancy work however, no other company beyond CMS was ever considered. What was done by Bromley Council to ensure standard protocols for procurement of consultants was followed, especially given the conflicts of interest raised?

Answer to Question 3

With the agreement of Councillors, a Council grant was provided to Bromley BID Ltd on the understanding that they complete a number of work packages necessary to the establishment of the BID - to ballot stage. These were all completed satisfactorily, and the proposed BID was successful at ballot. There was no stipulation within the grant agreement as to what company Bromley BID Ltd should use to undertake this work on their behalf or how this work should be procured. It was entirely a matter for the BID Board and members of the then BID Working Group (a group of businesses representative of businesses across the town centre) to decide this matter. With regards to allegations of a conflict of interest, I refer to my previous answer.

I am very pleased that the Bromley BID has now received endorsement from the business community through the ballot. There is now a unique opportunity for the businesses in the town to pull together and make a real difference with this new level of investment through the BID. I look forward to the Council working in partnership with the BID Board for the benefit of Bromley town centre. I hope you and your business will also play a part in its success.

WRITTEN QUESTIONS RECEIVED FROM MR ATILLA RATIP, DINERS INN, BROMLEY RELATING TO ITEM 7d: FUTURE OF TOWN CENTRE MANAGEMENT AND BIDS DEVELOPMENT STRATEGY

Question 1

BID ballot turnout was 33% by hereditament which businesses believe represents poor value for money and a poor performance by CMS who were paid using public funds. If CMS has done such a poor job for Bromley pre-ballot, why were they then allowed further work post-ballot?

Answer to Question 1

Thank you for your written question dated 19th January. My responses are below:

Whilst I agree the turnout for the Bromley BID ballot was disappointingly low, it should be noted that CMS were not contracted by the Council to undertake the pre-ballot work but were engaged by Bromley BID Ltd - which was guided by the deliberations of the then BID Working Group (a group of businesses representative of business across the town centre). A Council grant was provided to Bromley BID Ltd on the understanding that they complete a number of work packages necessary to the establishment of the BID. These were all completed satisfactorily, and the proposed BID was successful at ballot. The grant agreement did not stipulate a minimum turnout for the ballot. With regards to the contract for establishing and managing the BID post ballot, this does not involve the expenditure of public money (the Council's grant was for expenses related to activity up to ballot stage only) and a decision as to what company is awarded this work is entirely within the remit of Bromley BID Ltd - a decision which I understand was endorsed by the BID Working Group.

Question 2

To ensure accountability, the BID Manager was to be employed by Bromley BID. Businesses voted for the BID on this understanding. Once the Working Group was dissolved, the Board decided the BID Manager would be employed by CMS. Should action be taken against Bromley BID to ensure agreements with businesses are honoured?

Answer to Question 2

As an independent organisation, the Bromley BID Ltd is at liberty to make decisions independent of the Council on how it organises its staffing. Whilst the Bromley BID Business Plan, which is the key document upon which Bromley business ratepayers were invited to vote, does have a section related to governance, there is no mention anywhere in the document about which organisation would be employing the BID Manager or any other BID staff. Therefore it cannot be construed that the voters or the BID Board were entering into any sort of 'agreement' on this matter - hence there is no action for the Council to take.

I am very pleased that the Bromley BID has now received endorsement from the business community through the ballot. There is now a unique opportunity for the businesses in the town to pull together and make a real difference with this new level of investment through the BID. I look forward to the Council working in partnership with the BID Board for the benefit of Bromley town centre. I hope you and your business will also play a part in its success.

WRITTEN QUESTIONS RECEIVED FROM MR BOB GREGORY, BROMLEY NORTH TRADERS ASSOCIATION RELATING TO ITEM 7d; FUTURE OF TOWN CENTRE MANAGEMENT AND BIDS DEVELOPMENT STRATEGY

Question 1

In a reversal from previous communications, the current BID Chair has now stated that no elections will be held for the currently held BID Board positions. Given that the Working Group has now been dissolved, businesses have therefore effectively been excluded from any say in the running of the BID. What is LBB going to do now to ensure that the BID remains accountable to businesses and delivers BID activities in line with the identified needs of Bromley's businesses and community?

Answer to Question 1

I am aware of recent communications from the BID Chairman which state, in line with the BID Business Plan, that an Advisory Group of BID levy payers, and other key stakeholders such as the Council, will be formed to guide the actions of the BID Board, which has primary responsibility for the running of the BID and the delivery of the programme set out in the BID Business Plan. I understand that subsequent to a call from the Chairman, a number of expressions of interest in taking part in the Advisory Group have been received, and a meeting of this Group will be convened shortly. Once this is operational, businesses representative of all types and

locations present in the town centre, will have a say in the running of the BID, which I should remind you, will not be operational until 1 April 2016.

With regards to the Council's role, it should first of all be stated that Bromley BID Ltd is an independent organisation and the Council is not proposing to fund this body during the BID term apart from under its normal obligations as a levy payer. There will be a formal partnership between the Council and the BID, and this will be defined by the Operating Agreement, a copy of which will be viewable on the Bromley BID website once it is ratified by both parties (which must happen before the BID becomes operational on 1 April) Primarily this Agreement is about how the BID levy will be collected and accounted for. There will be provisions within the Operating Agreement (as allowed within the BID Regulations) for the Council to take action to terminate a BID – but these are limited to situations where the BID is unable to meet its financial obligations or continue to deliver the programme set out in the BID Business Plan. However, there is certainly no suggestion at this early stage that this will be case. Note that due to its position as both a levy payer and levy Billing Authority the Council have been invited to take 2 places on the BID Advisory Group, so will be in a position to guide decision making alongside other levy payers and stakeholders, and of course challenge the Board, where necessary.

Question 2

The proposed format of three Directors plus one Chair is inadequate to represent the 542 businesses in the Bromley BID zone. Currently, none of the Directors run a retail or licensed establishment. No open discussion has ever been held with businesses about the most appropriate format for Board, Officers, Committees and Advisors. How is LBB ensuring that the governance format is appropriate to the number and mix of businesses within the BID zone?

Answer to Question 2

With regards to the governance structure of the BID, I re-iterate that Bromley BID Ltd is an independent organisation. Whilst it is to be hoped that the make-up of the Board and the Advisory Group will be as representative as possible of the town as a whole (and I understand that this is the current Board's intention) – it is not for the Council to interfere in the governance arrangements of an independent organisation. If you have an issue with regards to these arrangements (or proposed arrangements) it would be advisable for you to address your comments to the BID Chairman, if you have not done so already.

Question 3

A lot of the work for the setup of the BID was delegated by LBB to the third party supplier CMS. How is LBB holding this supplier accountable?

Answer to Question 3

With the agreement of Councillors, a Council grant was provided to Bromley BID Ltd on the understanding that they complete a number of work packages necessary to the establishment of the BID - to ballot stage. These were all completed satisfactorily, and the proposed BID was successful at ballot. There was no stipulation within the grant agreement as to what company Bromley BID Ltd should

use to undertake this work on their behalf or how this work should be procured. It was entirely a matter for the BID Board and members of the then BID Working Group (a group of businesses representative of business across the town centre) to decide this matter. As this work is now complete and the full grant paid over to the Bromley BID Ltd in accordance with the terms of the grant agreement, there is no longer any requirement for the Council to hold the BID to account as to its execution. Post ballot, any contracts awarded by Bromley BID Ltd are entirely within the remit of the BID Board (as advised by the Working Group or the Advisory Group) without reference to the Council.

I am very pleased that the Bromley BID has now received endorsement from the business community through the ballot. There is now a unique opportunity for the businesses in the town to pull together and make a real difference with this new level of investment through the BID. I look forward to the Council working in partnership with the BID Board for the benefit of Bromley town centre. I hope you and your business will also play a part in its success.

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ORAL QUESTIONS AND ANSWERS:

ORAL QUESTIONS FROM MR RICHARD GIBBONS TO THE RENEWAL AND RECREATION PDS COMMITTEE—26TH January 2016.

Question 1

I commend the Council for appointing East Architecture to propose public realm improvements for the Walnuts Centre precinct. Has the Council also taken the opportunity to draw on East Architecture's considerable experience to fully integrate sustainable travel into the scheme in view of Key Priorities identified in the JSNA and Health & Wellbeing Strategy?

Answer to Question 1

The Council and East Architecture have taken every opportunity to ensure that balances in lifestyle aspirations are met with the transformation of the space.

The plans for the Square indirectly address the key priorities on the JSNA/Health and Wellbeing Strategy by assisting in the promotion of healthier lifestyle choices by encouraging the use of outdoor space. This will be facilitated by scheduled activities potentially from the proposed Wellbeing Centre, the Library and Leisure Centre and promoted by the future active frontages around the Square. Provision is also being made for a revamped market area, which will offer in conjunction with Bromley College, healthy eating options prepared by the catering students.

Supplementary Question

Are Members aware of traffic congestion in Station Road, Orpington, and the levels of related pollution, and the adverse impacts on health?

Answer to Supplementary Question

The Council is aware of increased congestion in this area. This is unfortunately a generic problem with growing and expanding populations. This may be a question that would be better asked of the Portfolio Holder for the Environment.

Question 2

What measures are being taken to reduce congestion in and around Orpington High Street given the anticipated increase in traffic as a result of recent and ongoing housing, retail and leisure developments such as Berwick Quarter, Brunswick Square, Odeon Multiplex, Premier Inn, Pure Gym, shops restaurants, and a Health & Wellbeing Centre?

Answer to Question 2

The variety of new developments coming on line in and around the Walnuts have different travel characteristics. Residential developments generally tend to have their peak travel demand in the morning and evening peaks. The cinema and restaurants will generally peak in the evening and other uses spread throughout the day. The impacts of the developments are therefore unlikely to be concentrated at any one time but spread throughout the day.

Orpington High Street has good public transport connections and a proportion of trips are likely to be by methods other than by car. It is recognised that as part of the rejuvenation of the town centre there will be an increase in travel demand, including car trips. Major planning applications are normally supported by a Transport Assessment which will recommend specific improvements, including cycle parking. The High Street underwent major works a few years ago as part of improvements to the Town Centre and there are no proposals for further works, such as road or junction widening, at the present time.

Supplementary Question

Would Members consider a Pedestrian Plan and include improvements to walking and cycling routes and signage?

Answer to Supplementary Question

I (the Portfolio Holder) agree that we do so.