

LONDON BOROUGH OF BROMLEY

MINUTES

of the proceedings of the Meeting of the
Council of the Borough
held at 7.00 pm on 4 July 2016

Present:

**The Worshipful the Mayor
Councillor Ian F. Payne**

**The Deputy Mayor
Councillor Hannah Gray**

Councillors

Vanessa Allen	Peter Fookes	Chris Pierce
Graham Arthur	Peter Fortune	Neil Reddin FCCA
Douglas Auld	Ellie Harmer	Catherine Rideout
Kathy Bance MBE	Will Harmer	Charles Rideout QPM CVO
Julian Benington	William Huntington-	Michael Rutherford
Nicholas Bennett J.P.	Thresher	Richard Scoates
Ruth Bennett	David Jefferys	Colin Smith
Eric Bosshard	Charles Joel	Diane Smith
Kim Botting	David Livett	Melanie Stevens
Katy Boughey	Kate Lymer	Teresa Te
Kevin Brooks	Russell Mellor	Michael Tickner
David Cartwright QFSM	Alexa Michael	Pauline Tunnicliffe
Mary Cooke	Peter Morgan	Michael Turner
Ian Dunn	Terence Nathan	Stephen Wells
Nicky Dykes	Keith Onslow	Angela Wilkins
Judi Ellis	Tony Owen	Richard Williams
Robert Evans	Sarah Phillips	
Simon Fawthrop	Tom Philpott	

The meeting was opened with prayers

In the Chair
The Mayor
Councillor Ian F. Payne

14 Apologies for absence

Apologies for absence were received from Councillors Lydia Buttinger, Stephen Carr, Peter Dean, Samaris Huntington-Thresher, Angela Page and Tim Stevens. Apologies were also received after the meeting from Councillor Alan Collins. Apologies for lateness were received from Councillor Julian Benington.

15 Declarations of Interest

The following declarations of interest were made –

- Councillor Nicholas Bennett as a governor of Bromley College in relation to agenda item 16 (Bromley College Pension Arrangements.)
- Councillor Ian Payne, as his daughter worked in child protection for the Council.
- Councillor Pauline Tunnicliffe, as a foster carer for the borough.

16 To confirm the Minutes of the meetings of the Council held on 11th May 2016

RESOLVED that the minutes of the meetings held on 11th May 2016 be confirmed.

17 Petitions

There were no petitions to consider.

18 Questions from members of the public where notice has been given

Twelve questions had been received from members of the public. These are set out in Appendix A to these minutes.

19 Questions for oral reply from Members of the Council where notice has been given

Fifteen questions for oral reply had been received from members of the Council. These are set out in Appendix B to these minutes.

20 Questions for written reply from Members of the Council where notice has been given

Thirteen questions had been received from members of the Council for written reply. These are set out in Appendix C to these minutes.

21 To consider any statements that may be made by the Leader of the Council, Portfolio Holders or Chairmen of Committees.

The Portfolio Holder for Care Services, Councillor Robert Evans, made a statement on the recent Ofsted Inspection of the Borough's Children's Services which had been published the previous Monday. The inspection had taken place in April 2016, and was based on the new, stricter, Ofsted regime. On all five graded judgements, the inspectors had given the Council the lowest of the four possible rankings – "Inadequate." Although there were some minor points that could have been challenged, the best course of action was to accept the findings and determine to take action to rectify the noted

failings of the service. Councillor Evans emphasised that everyone involved was utterly determined to act urgently on the recommendations and restore services to a level of which the borough could be proud.

The main themes in the report were failings in process and procedures, application of thresholds, case load drift, pace of working, governance structures and oversight and leadership. Although no children had come to harm, there was implicit in the inspectors' report the view that there was a potential risk to some children. There were eighteen recommendations which the Council was addressing – Ofsted would be checking progress on the recovery plan at regular intervals. In addition, the report had triggered action by the Department for Education who had appointed a Commissioner, Ms Franke Sulke CBE, latterly Director of Children's Services at LB Lewisham, to support the Council. She would be required, by 1st October, to make a recommendation to the Minister as to whether she judged Bromley to have the capacity to bring standards up to the required level, or whether services should be taken over by an external trust.

The Portfolio Holder emphasised that even as the inspection was still going on officers had been carrying out reviews and actions and starting work on an initial improvement plan. The Chief Executive had set up an Officer Service Improvement Team and to drive the whole project the Leader had set up, and was chairing, a Service Improvement Governance Board containing senior Members and Officers and representatives from Health and the Police.

Resources would be required to appoint a Director of Children's Services and additional social workers to bring down caseload numbers to the level required by Ofsted. These resources would be made available and would be agreed by the Executive at its meeting later in the month. However, money was not the only answer and effort was needed at every level to re-energise the Council's approach and consistently apply a more urgent approach. With that attitude there was nothing in the report that could not be put right. Over the next three months, aided by the Commissioner, the Council would be producing a line by line response to the Ofsted recommendations and a long-lasting change of emphasis to bring the needs of children closer to the centre of the work of the whole Council.

The Portfolio Holder responded to questions from other Members.

22 Civic Centre Development Strategy Stage 2 Report: Business Case
Report CSD16100

A motion to agree the recommendation of the Executive to approve the inclusion of the sum of £14.1m in the Capital programme (Option 2 in the report), which would be funded from capital receipts, was moved by Councillor Graham Arthur, seconded by Councillor Peter Morgan and **CARRIED**.

23 Pooling Options
Report CSD16082

A motion to approve the following resolution was moved by Councillor Diane Smith, seconded by Councillor Teresa Te Carr and **CARRIED –**

That Council:

- (1) Join the London Councils' Pensions CIV Sectoral Joint Committee, established under Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 (pursuant to the existing London Councils Governing Agreement dated 13 December 2001 (as amended)) to act as a representative body for those local authorities that resolve to participate in these arrangements (or in the alternative, should all 33 London authorities resolve to participate, that London Councils' Leaders' Committee exercise these functions and the Governing Agreement be varied accordingly;**
- (2) Delegate to the Joint Committee those functions necessary for the proper functioning of the Company, including the effective oversight of the ACS Operator;**
- (3) Appoint the Chairman of Pensions Investment Sub-Committee to the Joint Committee who will also have power to act for the Council in exercising its rights as a shareholder at any General Meetings of the Company.**
- (4) Subscribe to one, £1 ordinary A share in the capital of the Company, having the rights set out in the Articles of Association and Shareholders Agreement; (both documents are available in the Members Room);**
- (5) Contribute to the Company's Regulatory Capital requirements by way of a subscription to £150,000 £1 non-voting B shares in the capital of the Company, having the rights set out in the Articles of Association and Shareholders agreement; and**
- (6) Contribute £100,000 consisting of the start-up, early operating costs (£75,000) and annual membership cost commencing in 2016/17 of £25,000;**
- (7) Note that there will be future savings generated through lower Investment Manager fees which the London CIV indicate will more than cover the costs of entry and the annual running costs and thus deliver ongoing cost reductions to the Pension Fund.**

24 Provisional Final Accounts 2015/16 - Transfer to the Growth Fund
Report CSD16101

A motion to approve the transfer of £7,024k to the Growth Fund as detailed in section 4.2 of the report and as recommended by the Executive, was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED.**

25 First Report of the Education Select Committee 2016/17 - The Education Landscape in Bromley
Report CSD16104

A motion to note the first report of the Education Select Committee and invite the Leader and appropriate Portfolio Holders to respond to the relevant recommendations in the report was moved by Councillor Nicholas Bennett, seconded by Councillor Neil Reddin and **CARRIED.**

26 To consider Motions of which notice has been given.

The following motion was moved by Councillor Angela Wilkins and seconded by Councillor Kevin Brooks -

"This Council deeply regrets the extremely poor levels of service provided to the Borough's young people, most notably evidenced by last week's damning OFSTED report on Bromley's Children's Services, and also by last year's highly critical report on the Borough's Youth Offending Team.

There is also considerable evidence of the Council's organisation being "stretched to breaking point" in a number of areas; sustained delivery of services in a number of areas is at risk as a consequence.

In the light of recent failings, this Council therefore agrees the following:

- 1) To apologise to the young people, families and staff whom it has failed
- 2) To urge the Executive to ensure that the necessary remedial actions identified in the OFSTED report on children's services are delivered as quickly and effectively as possible
- 3) To instruct the Chief Executive to carry out an urgent review of the Council to identify any further structural and managerial weaknesses and to report back with findings and recommendations that will ensure that the council functions effectively across all of its services in the future.
- 4) To request the Leader and Executive to review their policies and budgets in order to prioritise provision of competent frontline services and to report their conclusions to the next full Council."

The following amendment was moved by Councillor Robert Evans and seconded by Councillor Colin Smith –

To delete the introductory sentences and points (1), (3) and (4) and to amend (2) as indicated below –

Amended motion -

“This Council agrees: To recognise the work already done in response to the Ofsted Report on Children Services – and further to urge the Executive both to ensure that the necessary remedial actions identified in the report are delivered as quickly and effectively as possible and to make any further recommendations that they deem necessary.”

This amendment was **CARRIED**. The substantive motion as amended was then considered and **CARRIED**.

27 The Mayor's announcements and communications.

The Mayor announced that the London Youth Games that had taken place at Crystal Palace over the weekend had been won by Team Bromley. He had sent his congratulations to the Team and would be hosting a thank you event - details would be circulated.

The Mayor and Councillors offered their congratulations to Councillor Tom Philpott, who had recently married.

The Mayor thanked Members who attended his first charity dinner at the Villagio restaurant at the end of May, the Civic Service on Sunday 5th June, the street parties (the Mayor and Deputy Mayor had between them attended 55 of the 57 street parties), the Armed Forces Day and the Whistle for the Somme ceremonies. He recorded his particular thanks to Councillor Nicholas Bennett for arranging the Whistle for the Somme.

The Mayor highlighted the following forthcoming events –

- the Volunteers Reception on Thursday 21st July.
- the Deputy Mayor, Cllr Hannah Gray, was planning a 15,000 ft Skydive with sponsorship proceeds going to the Mayor's charity fund, hopefully at the end of August. This would take place at Old Sarum Park, Wiltshire.
- a fun “Bowling” evening taking place on Thursday 22nd September at the Pavilion.
- a Christmas Masquerade Ball at the Beaverwood Club on Saturday 10th December.

The Mayor thanked Members for their support over the last few weeks and invited them to contact his office should they want him to attend any events in their wards.

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

It was moved by Councillor Ian Payne, seconded by Councillor Colin Smith and -

RESOLVED that the press and public be excluded during consideration of the item of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

The following summaries
refer to matters
involving exempt information

29 Bromley College Pension Arrangements
Report CSD16083

A motion to approve the recommendations in the report was moved by Councillor Diane Smith, seconded by Councillor Teresa Te and **CARRIED**.

30 "Gifting" of Mears Scheme to Pension Fund
Report CSD16102

A motion to approve the recommendations set out in the report was moved by Councillor Graham Arthur, seconded by Councillor Colin Smith and **CARRIED**.

31 Investment Opportunity

Report withdrawn.

The Meeting ended at 9.26 pm

Mayor