

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

Minutes of the meeting held at 7.00 pm on 12 October 2016

Present:

Councillor Simon Fawthrop (Chairman)
Keith Onslow (Vice-Chairman)
Councillors Julian Benington, Nicholas Bennett J.P.,
Kim Botting FRSA, Ian Dunn, Judi Ellis, Ellie Harmer,
William Huntington-Thresher, David Livett, Russell Mellor,
Alexa Michael, Tony Owen, Stephen Wells and
Angela Wilkins

Also Present:

Councillor Graham Arthur, Councillor Peter Morgan and
Councillor Pauline Tunncliffe

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

Apologies were received from Cllr Sarah Phillips (replaced by Cllr Kim Botting), Cllr Michael Rutherford (replaced by Cllr Julian Benington), and Cllr Stephen Carr.

360 DECLARATIONS OF INTEREST

Cllr Simon Fawthrop declared an interest at item 10 of the agenda by virtue of his employment by British Telecom and left the room during discussion of the item.

Cllr Onslow also declared an interest in view of his part employment (two days per week) by the Royal Borough of Greenwich and by virtue of being a former employee of Zurich Municipal Insurance.

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

No questions had been received.

362 MINUTES OF THE MEETING HELD ON 7TH SEPTEMBER 2016

In agreeing the minutes Members enquired on the progress of various actions.

In the third paragraph of Minute 352 (Scrutiny of the Chief Executive) it was highlighted that new contracts guidance was to be issued to staff; in this

context, officers would arrange for the guidance to be copied to Committee Members for information.

From Minute 352 the Vice-Chairman also highlighted that he had requested a paper copy of the risk registers, suggesting that the Audit Sub-Committee look at the process of putting risk registers together. In highlighting the action, the Vice-Chairman enquired whether there had been any report back from the Audit Sub-Committee; to provide an update, Democratic Services would make enquires and circulate any information to Committee Members.

Concerning Minute 358 a Member expected to see further detail in Part 2 – this was noted and would be looked at for future minutes – and for Minute 354 Cllr Bennett reminded that a breakdown of fees paid to Colliers had not yet been provided. (*Democratic Services Note: information was subsequently provided to Cllr Bennett on 17th October 2016*).

RESOLVED that the minutes of the meeting held on 7th September 2016 be confirmed.

363 MATTERS ARISING FROM PREVIOUS MEETINGS
Report CSD16137

The Committee received an update on matters arising from previous meetings.

364 FORWARD PLAN OF KEY DECISIONS

Members considered the Forward Plan of Key decisions as first published on 19th September 2016.

A Member highlighted that the Forward Plan excluded reference to a proposed decision on a new Parking Services contract, the decision expected to be made at the Executive's meeting on 30th November 2016. It was confirmed that the tender process was at evaluation stage and a report on outcomes would be seen by the Environment PDS Committee prior to Executive Decision. It was intended to award a new contract to take effect from 1st April 2017. The next Environment PDS Committee meeting was scheduled for 8th November 2016; should it not be possible to provide a report for scrutiny at that point, an option might be to include the item for consideration at the Executive and Resources PDS meeting on 23rd November to which Members of the Environment PDS Committee could be invited. Alternatively, a special meeting of the Environment PDS Committee might be necessary. The Chairman of the Contracts Sub-Committee also referred to the matter going to his Committee to consider progress with the contract. The Chairman asked for the Forward Plan to be updated by the end of the week.

In view of the public interest, Members also took the opportunity of considering aspects of the report on the Priory disposal (item 13b) which could be considered under Part 1 proceedings. As such a "Part 1" update was

provided to Members, with reference being made to the level of business plan for the bid from Orpington Priory Community Hub (OPCH). Originally submitted in May 2016, the Business Plan did not provide clarity on financial planning and what was sought from the Council. A revised business case was re-submitted last month but similar to the original report submitted in May. V22 was the preferred bidder and they wished to engage with the public. They also shared many of the goals of OPCH and had met the Group. Further information was being sought from OPCH and clarification on issues being sought. Cllr Kim Botting (Orpington) referred to the importance of the Priory to Orpington and the surrounding area and thanked community groups for their hard work and business case. The desire was to see the Priory put to good use. Cllr William Huntington-Thresher (Orpington) also recognised the hard work of OPCH for their bid.

A Member enquired whether professional support had been provided to OPCH as suggested. It was confirmed that the Group had been advised of Practice Notes and Guidance but it was no longer possible for the Council to resource officer support. Officers do however signpost where it is possible to receive support and a Member highlighted that Community Links also provided support for charities.

It was also confirmed that where the Council disposes of land, legislation required that a local authority secures the best consideration reasonably obtainable.

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

No questions had been received.

366 RESOURCES PORTFOLIO - PRE-DECISION SCRUTINY

The Committee considered the following proposed decisions by the Resources Portfolio Holder.

a 87 NIGHTINGALE LANE, BROMLEY
 Report D6616/079

There was no further operational need for the property at 87 Nightingale Lane, Bromley, occupied, until recently, by the former caretaker of the Widmore Adult Education Centre. As such, disposal of the property on the open market was recommended.

As a prospective purchaser would wish to know whether an offer is accepted within a few days of submission, and bids were likely to exceed £500k, the Portfolio Holder was requested to delegate authority for agreeing a sale to the Executive Director of Environment and Community Services in consultation with the Portfolio Holder, subject to market value being achieved.

Members supported the recommendations.

RESOLVED that the Resources Portfolio Holder be recommended to:

(1) agree that 87 Nightingale Lane, Bromley, be declared surplus to Council requirements and offered for sale on the open market; and

(2) agree that authority to accept an offer for the property be delegated to the Executive Director of Environment and Community Services, in consultation with the Resources Portfolio Holder, to enable the sale to be progressed quickly.

**b BROMLEY YOUTH EMPLOYMENT SCHEME - PROJECT
EXTENSION**
Report ED17019

Following termination of the contract with Bromley College of Further and Higher Education in 2014 to deliver the Youth Employment Project for £500k, approval was given for the Bromley Education Business Partnership to commence delivery of the two year Bromley Youth Employment Scheme – YES (Phase 2).

With the deadline for residual claims for achievements against the Bromley College STAR project having passed (and all claims having been satisfied) it was proposed to utilise the remaining sum of £128,590 to secure an initial one year extension of the Bromley Youth Employment Project (Year 1 of Phase 3).

Details were provided of further key initiatives for inclusion in the Youth Employment Scheme (Phase 3), with a full draft proposal appended to Report ED17019. The programme would continue to have a management board (chaired by the Director of Education) which would agree final targets and key work for Phase 3.

Welcoming the report and referring to good outcomes from the project, the Chairman suggested a two year extension rather than an initial one year extension (Phase 3). This would provide some certainty for the project in view of the outstanding results. Other Members also commended the project, agreeing that it should be extended beyond one year.

Highlighting that small businesses had experienced difficulties with some apprentices, including attendance problems, a Member suggested raising the awareness of small businesses to the Bromley Education Business Partnership. Support could then be obtained to enable apprenticeships to finish. Members were advised that the Partnership offered support to young people Not in Education, Employment or Training (NEET) and encouraged businesses to inform officers where there were difficulties. The Partnership worked with a range of employers and was willing to work with businesses to resolve such difficulties.

A Member was concerned that the balance of funding allocation from the STAR project for the Bromley Youth Employment Scheme would in effect fund (from Council reserves) a duplication of work already undertaken. The Member felt the report provided little detail on matters such as costs. However, it was explained that during the Youth Employment Scheme, officers had reported back to the Committee and a significant amount of evidence was kept. Impact data from the Programme could also be provided. A target to help 100 young people into sustained employment had also been exceeded with 105 helped into sustained employment through the Programme.

For Phase 3, it was confirmed that work related learning opportunities would go to all children looked after. Officers would look at what this meant for numbers of young people and work this through with the Council's Leaving Care team. A Member suggested an award for the best apprenticeship. Concluding discussion, the Chairman highlighted the Committee's support for the scheme with a further recommendation that the scheme be extended for two years.

RESOLVED that the Resources Portfolio Holder be recommended to:

(1) approve allocation of the remaining £128,590 to fund Phase 3 of the Bromley Youth Employment Scheme (YES); and

(2) extend the scheme for two years rather than an initial one year extension (Phase 3).

c INSURANCE FUND - ANNUAL REPORT 2015/16
Report FSD16068

On conclusion of the 2015/16 Audit of Accounts, Report FSD16068 advised on the position of the Insurance Fund as at 31st March 2016, presenting statistics related to insurance claims for the last two years.

In 2015/16, the total Fund value increased slightly from £2.9m to £3.1m. From a mid-year review of the Fund it is estimated that its final value at 31st March 2017 is likely to increase to around £3.4m. In addition to the Fund balance, the Council carries a provision on its Balance Sheet for the estimated proportion of claims to be settled and at 31st March 2016 this stood at £1.6m. At this date there were 314 open claims and at 30th September 2016 there were 302 open claims.

Although the total value of outstanding claims is just over £2m, this is unlikely to be the actual cost to the Council; the Council would repudiate a claim unless it believes it liable or does not have a defence in law. Where the Council decides to repudiate there would continue to be some uncertainty as the decision might be challenged through the legal process.

Although the Fund balance is projected to increase in 2016/17, due to the unpredictability of insurance claims, officers were not recommending any

change to the level of revenue contribution to the Fund at this point. The position would be kept under review and any proposals to change the contribution would be reported to Members as part of the annual budget process.

RESOLVED that the Resources Portfolio Holder be recommended to note the contents of Report FSD16068.

367 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS
Report CSD16138

The Committee considered the following report on the Part 1 agenda for the Executive's meeting on 18th October 2016.

(10) Drawdown of Government Grant Funding to support the Local Authority in their continued role as a London Regional Lead of the Special Educational Needs and Disability (SEND) Reforms from April 2016 to March 17

Report ED17018

Approval was sought to release DfE grant funds of £27,521.93 from 2016/17 central contingency for the London Regional SEND programme. The sum comprised £16,666.67 base funding and a top-up sum of £10,855.26 based on the number of authorities in the London region.

With L B Bromley as Regional Lead, in partnership with L B Enfield, the funding would continue work to coordinate the SEND programme across London boroughs. It would further support the development of integrated services in line with the SEN Code of Practice, including key staff integrated services from Bromley, and a number of planned events for 2016/17; there would be a focus on health and care working with key delivery partners. Details of activities/events were outlined in Report ED17018.

Confirmation was provided on the need to draw-down further funding. As Regional Lead with L B Enfield, high quality SEN support training was being delivered benefiting L B Bromley staff and staff from other London Boroughs. The sum was fully funded by DFE providing capacity to deliver the reforms desired by Government. In view of L B Bromley being ahead on plans for SEN reform, a Member highlighted the extent to which the Council should be proud of its achievements through the project, delivering good service for children with special needs in the borough.

It was recommended that "*non-ring fenced*" at Recommendation 2.1 (ii) of the report is removed; although not technically ring-fenced, the grant funds had been specifically granted to L B Bromley to act as Regional Lead and the funds could only be used for SEND reforms.

Members supported the recommendations with the suggested removal of "*non-ring fenced*" at Recommendation 2.1 (ii).

RESOLVED that the recommendations be supported.

368 BT ICT CONTRACT MONITORING REPORT
Report CSD16105

The Chairman vacated the room prior to the start of this item and Cllr Keith Onslow, as Vice-Chairman, chaired the meeting during the Chairman's absence.

Report CSD16105 provided the first performance report on the BT ICT contract utilising the Pan London Framework. The report covered the period from the start of the contract on 1st April 2016 to 31st August 2016.

BT's Business Development Director for Local Government and Health and BT's Service Delivery Manager for the contract were in attendance.

There had been a successful transition by BT during the first quarter 2016.

For Lot 1, there was a KPI breach in June 2016 specifically related to a key resource from the onsite team of desktop engineers being asked to work on the referendum at short notice. Libraries were also affected by the deployment. In view of the referendum's importance and use of the Beckenham cricket ground for the election count, the Council provided BT with a let from the KPI. The matter reinforced a need to ensure that single points of failure are minimised by cross training other team members.

For Lot 3, there had also been a KPI breach in August 2016. This was due to a problem with a defined helpdesk process for the LBB telephony environment resulting in problems with the speed of routing calls between teams. As a result LBB worked with BT to ensure that call diagnosis is achieved quicker, allowing faults to be routed to the correct team first time. Gaps in scripts used had been identified and the problem was now resolved. No let had been or would be requested by BT for this breach.

From a Customer Satisfaction Survey of the new BT service desk (helpdesk) overall feedback was particularly positive, including first time fixes. Negative responses and problems from customers were being followed up.

The first quarter was a positive performance overall. For future reports, headline financial costings were suggested against specific service requests/projects and Contract Change Notifications (CCNs).

Reference was also made to the number of spam emails received although this level was broadly in line with industry. Members were encouraged to forward spam emails to the information security mailbox and a link and reminder on this would be circulated to all Members. Projects were also underway to help improve security and compliance, including the upgrade of many servers using Microsoft Windows 2003. A question was asked on whether greater priority is needed on upgrading but it was highlighted that some servers had already been upgraded; it was necessary to build a new

server and other more challenging servers would be upgraded shortly with completion expected by December 2016.

It was further highlighted that iPads issued to Members continued to be run on Apple's IOS7 operating system. However, it was possible for Members to call the helpdesk to arrange a date and time for their iPad to be upgraded to IOS10 and this would be highlighted in a communication to Members.

It was also confirmed that it would be possible for BT to report on the time taken to answer incoming calls.

The Vice-Chairman thanked the BT representatives for BT's work to date.

On conclusion of discussion for the item, the Chairman returned to the meeting room at 7.35pm and resumed Chairmanship of the meeting.

RESOLVED that the information contained in Report CSD16105 be noted.

369 WORK PROGRAMME
Report CSD16139

The Committee agreed its work programme for 2016/17 as presented in Report CSD16139.

RESOLVED that the Committee's continuing work programme for 2016/17 be agreed.

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

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

**The following summaries
refer to matters involving exempt information**

**371 PRE-DECISION SCRUTINY OF EXEMPT RESOURCES
PORTFOLIO HOLDER REPORTS**

The Committee scrutinised the following proposed decisions by the Resources Portfolio Holder.

a FORMER OVERFLOW CAR PARK, ANERLEY TOWN HALL
Report DRR16/068

Members considered offers for the former 'overflow' car park to Anerley Town Hall, making recommendations to the Portfolio Holder for decision making.

b THE PRIORY, ORPINGTON - DISPOSAL PROPOSAL
Report DRR16/074

Prior to Portfolio Holder decision, Members considered recommendations concerning offers related to the Priory building, Orpington.

c 87 NIGHTINGALE LANE, BROMLEY (PART 2 INFORMATION)
Report D6616/079

Further to the report under Part 1 of the agenda, the Part 2 report provided an estimated capital receipt from selling 87 Nightingale Lane, Bromley, before deducting normal selling costs.

372 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

No Pre-Decision Scrutiny was undertaken by the Committee on reports for the Part 2 agenda of the Executive meeting on 18th October 2016.

The Meeting ended at 9.22 pm

Chairman