

EXECUTIVE

Minutes of the meeting held on 7 February 2018 starting at 7.00 pm

Present:

Councillor Colin Smith (Chairman)
Councillors Graham Arthur, Peter Fortune, Kate Lymer
and Peter Morgan

Also Present:

Councillor Simon Fawthrop and Councillor Angela Wilkins
Councillor Nicholas Bennett J.P also attended briefly on
the item relating to Scadbury Park Moated Manor

396 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors William Huntington-Thresher and Diane Smith.

397 DECLARATIONS OF INTEREST

Councillor Peter Morgan declared that his daughter was a director of Kier, who had a contract with the Council.

398 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Twenty-one questions had been received for oral reply and five questions for written reply. Copies of the questions and replies are attached as Appendix A and Appendix B to these minutes.

399 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 10TH JANUARY 2018

Report CSD18016

RESOLVED that the minutes of the meeting held on 10th January 2018 be confirmed.

400 PROGRESS IN IMPLEMENTING CHILDREN'S SERVICES IMPROVEMENTS

The Executive Director of Education, Care and Health Services updated the Executive on progress with implementing improvements to Children's Services. The Executive Director reported on the Caseload Promise (which was being met in all but one team, where the caseload was 17, rather than 12-15 as in the others) and recruitment, and reminded Members that the next Ofsted Monitoring visit was due in March. The statistical returns to Ofsted and

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the Department for Education due at the end of March were positive, and other performance monitoring arrangements were in place for frontline staff and managers.

Responding to questions, the Executive Director reported that 360 children were subject to Child Protection Plans and that there were 293 children in care, of whom about 75% were with foster parents, the remainder being in specialist placements, in children's homes or with families and friends. The Council no longer owned any children's homes - there was a pan-London agreement whereby all authorities used the same pool of homes, all of which were subject to Ofsted inspection. However, the aim was for children to be in a family environment wherever possible. There were specialist foster carers available where children needed specialist support. In the current financial year, 19 foster carers had been recruited, and it was expected that this figure would reach 24. A Member suggested more targeted advertising for foster carers.

The Portfolio Holder for Education, Children and Families offered his public congratulations to the Fostering and Adoption Team for the remarkable improvements implemented in their service. He also reminded Members that they were welcome to attend the Celebration of Achievement on 15th February.

401 2018/19 COUNCIL TAX
Report FSD18016

The Executive considered a report identifying the final issues affecting the 2018/19 revenue budget and made recommendations to Council on the level of the Bromley element of the 2018/19 Council Tax and Adult Social Care precept. Confirmation of the final GLA precept would be reported to the Council meeting on 26th February. The report also sought approval of the schools budget. The approach reflected in the report was for the Council to not only achieve a legal and financially balanced budget in 2018/19 but to have measures in place to deal with the medium term financial position (2019/20 to 2021/22.)

The Director of Finance drew the Executive's attention to the comments of all PDS Committees on the draft budget, which had been circulated, and to a supplementary paper setting out revised recommendations based on the final Local Government settlement announced the day before, including the required technical recommendations.

RESOLVED that

(1) Council be recommended to

- (a) Approve the schools budget of £76.771 million which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment (an increase of £75k);**

- (b) Approves the draft revenue budgets (as in Appendix 2 to the report) for 2018/19 to include the following updated change:
- (i) as part of the final settlement, additional one-off funding of £744k was announced through a new Adult Social Care Support Grant. This sum will be held in the Central Contingency pending the receipt of awaited grant conditions. The utilisation of this funding will be subject to a further report to Executive.
- (c) Agree that Chief Officers identify alternative savings within their departmental budgets where it is not possible to realise any savings reported to the previous meeting of the Executive held on 10th January 2018;
- (d) Approve the following provisions for levies for inclusion in the budget for 2018/19:

	£'000
London Pensions Fund Authority *	484
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.)	245
Lee Valley Regional Park *	355
Total	1,332

**provisional estimate - awaiting final allocations*

- (e) Approve a revised Central Contingency sum of £14,899k to reflect the changes in (b) and (d);
- (f) Note that the 2018/19 Central Contingency sum includes significant costs not yet allocated and there will therefore be further changes to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget;
- (g) Approve the revised draft 2018/19 revenue budgets to reflect the changes detailed above;
- (h) Set a 3.99% increase in Bromley's council tax for 2018/19 compared with 2017/18 (1.99% general increase plus 2% Adult Social Care Precept) and notes that, based upon their consultation exercise, the GLA are currently assuming a 5.1% increase in the GLA precept;
- (i) Note the latest position on the GLA precept, as above, which will be finalised in the overall Council Tax figure to be reported to full Council (see section 11 of the report);
- (j) Approve the approach to reserves outlined by the Director of Finance (see Appendix 4 to the report);

(k) Executive agrees that the Director of Finance be authorised to report any further changes directly to Council on 26th February 2018.

(2) Council Tax 2018/19 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 1 (a) to (k) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2017/18 £	2018/19 £	Increase £	Increase % (note #)
Bromley (general)	1,072.00	1,094.18	22.18	1.99
Bromley (ASC precept)	42.02	64.30	22.28	2.00
Bromley (total)	1,114.02	1,158.48	44.46	3.99
GLA *	280.02	294.23	14.21	5.07
Total	1,394.04	1,452.71	58.67	4.21

* The GLA Precept may need to be amended once the actual GLA budget is set.

(#) in line with the 2018/19 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,114.02 for Bromley) – see paragraph 6 below. Any further changes arising from these Principles will be reported directly to Council on 26th February 2018.

(3) Council be recommended to formally resolve as follows:

1. It be noted that the Council Tax Base for 2018/19 is 130,004 'Band D' equivalent properties.
2. Calculate that the Council Tax requirement for the Council's own purposes for 2018/19 is £150,607k.
3. That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):
 - (a) £529,211k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £378,604k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.

- (c) £150,607k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.
- (d) £1,158.48 being the amount at 3(c) above, divided by (1) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
4. To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below (NB. the GLA precept figure may need to be amended once the actual GLA budget is set).
5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings.

Valuation Bands	London Borough of Bromley £	Greater London Authority £	Aggregate of Council Tax Requirements £
A	772.32	196.15	968.47
B	901.04	228.85	1,129.89
C	1,029.76	261.54	1,291.30
D	1,158.48	294.23	1,452.71
E	1,415.92	359.61	1,775.53
F	1,673.36	425.00	2,098.36
G	1,930.80	490.38	2,421.18
H	2,316.96	588.46	2,905.42

6. That the Council hereby determines that its relevant basic amount of council tax for the financial year 2018/19, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2018/19 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2018/19. Any further changes arising from these Principles will be reported directly to Council on 26th February 2018. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

402 CAPITAL PROGRAMME MONITORING Q3 2017/18 & CAPITAL STRATEGY 2018 TO 2022
Report FSD18014

The Executive received a summary of the current position on capital expenditure and receipts following the third quarter of 2017/18. The main focus of the annual bidding process had been on the continuation of existing essential programmes and on externally funded schemes. The Executive was asked to approve a revised capital programme. The Leader acknowledged the cross-party concern at the reduction in funding from TfL for road safety.

The report had been scrutinised by the Executive and Resources PDS Committee on 1st February 2018 and the Committee had supported the proposals.

RESOLVED that

(1) The report be noted, including a total re-phasing of £22.8m from 2017/18 into future years, and a revised Capital Programme be agreed.

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

(i) Reduction of £5,424k to Transport for London (TfL) funded Traffic and Highways schemes as detailed in paragraph 3.3.1 of the report;

(ii) Deletion of the £45k residual balance on the Depot – standby generators scheme which has reached completion as detailed in paragraph 3.3.2;

(iii) The increase of £4.1m to the Property investment Fund scheme to reflect the funding from a recent disposal of property detailed in paragraph 3.3.3;

(iv) A total reduction of £222k to reflect the revised grant funding for the Formula Devolved Capital Grant relating to the Council's remaining maintained schools as detailed in paragraph 3.3.4;

(v) A total reduction of £87k to reflect the lower associated cost on completed property purchases as detailed in paragraph 3.3.5;

(vi) Section 106 receipts from developers – increase of £15k in 2018/19 to reflect the funding received as detailed in paragraph 3.3.6;

(vii) It is noted that the Market Reorganisation report elsewhere on the agenda will result in a decrease of £116k as detailed in paragraph 3.3.7

(viii) It is noted that the Scadbury Park report elsewhere on the agenda requests the addition of £155k to the Capital Programme as detailed in paragraph 3.3.8; and

(ix) It is noted that potential capital bids totalling around £9.8m may be separately submitted during 2018/19 as detailed in paragraph 3.5.7.

(3) Council be recommended to:

(i) Approve the inclusion of the new scheme proposals listed in Appendix C in the Capital Programme (see section 3.5 in the report); and

(ii) Approve the increase of £4.1m to the Property Investment Fund scheme to reflect the funding from a recent disposal of property as detailed in paragraph 3.3.3.

**403 LOCALLY ADMINISTERED BUSINESS RATES RELIEF
 SCHEME
 Report FSD18015**

The report advised of the potential government grant not yet utilised and requested that an enhancement be made to the scheme. It was proposed that the Director of Finance be provided with delegated authority to authorise further changes to ensure that the government funding was fully utilised to support local businesses.

The report had been scrutinised by the Executive and Resources PDS Committee on 1st February 2018; the Committee had supported the proposals and suggested that delegation to the Director of finance be extended to future years.

RESOLVED that

(1) The previously adopted scheme for 2017/18 be enhanced to provide eligible businesses with 50% of their net business rates increase.

(2) The scheme in respect of future years to be enhanced to ensure full utilisation of Government funding. Decision on the level of support to be made once accurate levels of projected expenditure can be determined.

(3) Further to (1) and (2), that the Director of Finance be granted delegated authority in consultation with the Director of Corporate Services and Resources Portfolio holder, to vary the scheme further in order to maximise the use of Government funding for the current and future years on the basis of “mirroring” the criteria used by the DHCLG when allocating the overall funding.

404 BROMLEY MARKET REORGANISATION UPDATE
Report DRR18006

On 22 March 2017 the Executive had approved the designs and costings for the next phase of the Bromley Town Centre improvement and plans to re-organise, rebrand and relocate the existing market as part of those improvement works. On 7 November 2017 the Executive had agreed funding for capital costs in regard to the original kiosk and pop-up stall design.

The Renewal & Recreation PDS Committee on 1 November 2017 agreed that the Bromley Market Consultative Panel should be further engaged to feed into the market re-design. The report provided an update on progress following feedback from the markets traders, considered alternative costed options and made a recommendation on the revised number of stalls and semi-permanent kiosks.

The Portfolio Holder for Renewal and Recreation confirmed that the plans would improve the look, location and content of the market, and that care would be taken to avoid hot food stalls being near to the entrances to clothes retailers. He confirmed that the gazebos would be purpose designed for market stalls and long-lasting with anchor points.

The report had been scrutinised by the Renewal and Recreation PDS Committee on 24th January 2018 and the Committee had supported the proposals, including in particular Option C.

RESOLVED that

- (1) The consultation input from the Market Traders and Bromley Market Consultative Panel be noted.**
- (2) The recommendation for the Option Model C design as outlined in paragraph 3.33 of the report be agreed.**
- (3) The £116k reduction in the allocation from the Growth Fund to meet the lower capital cost for Option C be agreed.**
- (4) It is noted that there will be an overall decrease of £116k for the Bromley High Street Improvement Scheme within the Capital Programme, resulting in a total scheme cost of £3.46m.**

405 SCADBURY PARK MOATED MANOR
Report ES18008

The Executive's approval was sought for the use of cash match-funding in order to secure a Heritage at Risk Grant from Historic England to help secure some of the most urgent repairs and stabilisation of brickwork at the medieval Moated Manor within Scadbury Park Local Nature Reserve.

Councillor Nicholas Bennett attended the meeting as the Council's Heritage and Design Champion to support the proposals.

The report had been scrutinised by the Environment PDS Committee on 30th January 2018 and the Committee had supported the proposals.

RESOLVED that

(1) The submission of a Heritage at Risk Grant application for £95k to Historic England for the project management and delivery of urgent works be approved.

(2) The acceptance and delivery of this grant, if successful, with its associated terms and conditions, subject to the costs identified within the maintenance plan being funded within existing budgets and or any additional external funding secured, be approved.

(3) The tendering of capital works identified by the Condition Survey as 1A Urgent works estimated to be £120k be approved.

(4) The appointment of a Conservation Accredited Professional to develop, and project manage the scheme, at an estimated cost of £35k be approved.

(5) The scheme be added to the Capital Programme, at a total cost of £155k, funded from a £60k contribution from revenue and an Historic England grant of £95k, if successful.

**406 MAYORAL COMMUNITY INFRASTRUCTURE LEVY (MCIL2)
DRAFT CHARGING SCHEDULE CONSULTATION**
Report DRR18/006

The Mayoral Community Infrastructure Levy (MCIL2) Draft Charging Schedule (DSC) public consultation towards Crossrail ran from 18th December 2017 to 4th February 2018. The report alerted Members to the publication of the document whilst containing background detail, with points and concerns from the Bromley perspective enabling a formal response suggested at Appendix 1.

It was suggested that the Council objected to the proposed Charging Schedule due to:

- The adverse impact on provision of local infrastructure such as education and health;
- The limited benefit to Bromley residents of Crossrail 2,
- The impact on other transport projects.

The report had been considered by Development Control Committee on 25th January 2018 and the Committee had supported the proposed response.

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Members strongly supported the objections to the Draft Charging Schedule, noting that, unlike boroughs such as Sutton and Bexley, Bromley would not be benefitting directly from Crossrail or Crossrail 2. It was confirmed that the Council would have no power to vary the flat rate for the Mayoral CIL imposed on the borough. Councillor Simon Fawthrop urged the Executive to make reference to Bromley's successful challenge to the GLC's "Fares Fair" policy in 1981.

Councillor Peter Morgan referred to the comment in the draft response about the banding of LB Greenwich being partly based on evidence of lower house prices and commented that as prices had not fallen there this sentence should be amended.

RESOLVED that the proposed response at Appendix A to the report be used as the basis of the Council's response, with the final wording to be drawn up by the Chief Planner with the agreement with the Portfolio Holder for Renewal and Recreation and in consultation with the Chairman of the Development Control Committee.

407 BROMLEY'S RESPONSE TO THE DRAFT LONDON PLAN CONSULTATION
Report DRR18/002

The Mayor of London had published the New Draft London Plan for public consultation at the beginning of December 2017. When adopted, the new Plan would replace the current London Plan (2016) and, as part of Bromley's Development Plan, would be used in decision making on planning applications along with the UDP/ Local Plan and Bromley Town Centre Area Action Plan. Appendix 1 to this report summarised key aspects of the Consultation Draft and included officers' comments - additional amendments to this and an amended recommendation were circulated before the meeting.

The report had been considered by Development Control Committee on 25th January 2018; the Committee had supported the proposed response and made additional comments to be taken into account in the final version.

Key aspects of the Plan that were not acceptable were the increase in housing targets, based on the principle of intensification, from 641 to 1,424 units per annum (one of the highest percentage increases in London), the removal of the presumption against development on garden land, less flexibility on parking standards and affordable housing thresholds rising to 50% in some cases. Members at Development Control Committee had also objected to statements in Policy SD7 about the scope for further residential development in West Wickham and Petts Wood. The extension of the Docklands Light Railway to Bromley North was not mentioned in the Draft Plan, and the question of extending the Bakerloo Line beyond Lewisham was left open.

Members commented that a number of the policies in the Plan appeared to be very detrimental to Bromley in particular and the Leader commented that it might be necessary to set aside funds for a legal challenge.

RESOLVED that the Chief Planner, in consultation with the Leader, be authorised to prepare and submit the Council's response to the London Plan consultation to the Mayor of London by 2nd March 2018.

**408 CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM
THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT
AND SCRUTINY COMMITTEE**

There were no additional items to report from Executive and Resources PDS Committee.

**409 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**

410 UPDATE ON COMMUNITY CONTRACT AWARD

The Executive received an update on the CCG's Community Contract and agreed actions to protect staff and services.

**411 CAPITAL PROGRAMME MONITORING Q3 2017/18 AND
ANNUAL CAPITAL STRATEGY 2018 TO 2022 - APPENDIX F:
CAPITAL RECEIPTS**

The Executive noted Appendix F to the Capital Programme report on Capital Receipts.

The Meeting ended at 8.16 pm

Chairman