

## EXECUTIVE

Minutes of the meeting held on 21 May 2019 starting at 7.00 pm

### Present:

Councillor Colin Smith (Chairman)  
Councillors Graham Arthur, William Huntington-Thresher,  
Kate Lymer and Peter Morgan

### Also Present:

Councillor Simon Fawthrop and Councillor Angela Wilkins

## 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Peter Fortune and Councillor Diane Smith.

## 2 DECLARATIONS OF INTEREST

In respect of Minute 9, the Interim Chief Executive declared an interest as a Trustee on the Coram Board. In the interests of transparency, the Interim Chief Executive confirmed that he had no involvement in any decisions relating to Bromley adoption issues, these functions were carried out by the Director of Children's Social Care.

## 3 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

The following question for oral response had been received from Mr John Cooper to the Environment and Community Services Portfolio Holder:

**What progress has the Council made on plans to introduce traffic calming measures and a pedestrian crossing near the point Homesdale Road meets Liddon Road?**

*Reply:*

*A design for a zebra crossing at the northern end of Homesdale Road was put forward for an independent safety audit at the end of 2018. Due to some concerns raised, a slight redesign has been made. The scheme includes measures to help slow vehicles approaching the proposed crossing.*

*Now that this preliminary design has been signed off in terms of safety, the scheme is being taken to the detailed design stage and will shortly be ready for consultation.*

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**Supplementary Question:**

**Do you have any idea of the rough timescale for installing the crossing?**

Reply:

*The Portfolio Holder explained that there would need to be a resident consultation on the proposals and this would be conducted during the summer. It was not possible to give an indicative timescale in terms of implementation but once the resident consultation had been completed and the proposals agreed with the subsequent statutory consultation (e.g. emergency services) the Portfolio Holder hoped that the scheme could proceed fairly quickly.*

The Leader of the Council further confirmed that Ward Members were in favour of the proposals.

**4 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 27TH MARCH AND 30TH APRIL 2019**

**RESOLVED that the minutes of the meetings held on 27<sup>th</sup> March 2019 and 30<sup>th</sup> April 2019 (excluding any exempt information) be confirmed.**

**5 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS  
Report CSD19076**

The Executive considered a report updating Members on matters outstanding from previous meetings.

The Portfolio Holder for Renewal, Recreation and Housing reported that a modular home had been set up in the Council's St Blaise Car Park. The unit in the car park was not yet complete and in due course stilts would be fitted to facilitate car parking under the unit. The unit would be open for viewing during the day. The Leader commented that LB Bromley was the first London Borough to exhibit this form of home, which served to further illustrate the innovative lengths the Administration were going to, to get to grips with the Homelessness situation within the Borough.

Councillor Angela Wilkins requested an update on Crystal Palace Park. The Leader reported that discussions had recently taken place and the Interim Chief Executive would provide a written update to Cllr Wilkins following the meeting.

**RESOLVED that the report be noted.**

**6 EXECUTIVE APPOINTMENTS  
Report CSD19077**

The Leader confirmed the following appointments for 2018/19 –

**(1) The Executive**

Cllr Peter Fortune – Children, Education & Families and Deputy Leader  
Cllr Graham Arthur – Resources, Commissioning & Contract Management  
Cllr William Huntington-Thresher – Environment & Community Services  
Cllr Kate Lymer - Public Protection and Enforcement  
Cllr Peter Morgan – Renewal, Recreation & Housing  
Cllr Diane Smith – Adult Care & Health

**(2) Executive Assistants**

Cllr Aisha Cuthbert – Assistant to the Leader  
Cllr Angela Page – Adult Care & Health  
Cllr Will Rowlands – Environment & Community Services  
Cllr Hannah Gray – Renewal, Recreation & Housing  
Cllr Kira Gabbert – Resources, Commissioning & Contract Management

**(3) Boards, Panels, Working Groups**

**Health and Wellbeing Board**

Cllr David Jefferys (Chairman)  
Cllr Robert Evans (Vice-Chairman)  
Cllr Marina Ahmad  
Cllr Gareth Allatt  
Cllr Yvonne Bear  
Cllr Mike Botting  
Cllr Mary Cooke  
Cllr Judi Ellis  
Cllr Keith Onslow  
Cllr Diane Smith

**Bromley Fostering & Adoption Panel**

Cllr Judi Ellis  
Cllr Hannah Gray  
Cllr Stephen Wells

**Constitution Improvement Working Group**

Cllr Mary Cooke (Chairman)	Cllr Simon Jeal
Cllr Simon Fawthrop (Vice-Chairman)	Cllr Kate Lymer
Cllr Graham Arthur	Cllr Russell Mellor
Cllr Yvonne Bear	Cllr Keith Onslow
Cllr Julian Benington	Cllr Angela Page
Cllr Mike Botting	Cllr Colin Smith
Cllr Nicky Dykes	Cllr Pauline Tunncliffe
Cllr Robert Evans	Cllr Michael Turner
Cllr William Huntington-Thresher	Cllr Stephen Wells
	Cllr Angela Wilkins

**RESOLVED:**

- (1) That the appointment of Councillors to serve on the Executive for the 2019/20 Municipal Year and responsibility for Portfolios, as allocated by the Leader of the Council, be noted.**
- (2) That the appointment of Councillors as Executive Assistants by the Leader of the Council for the 2019/20 Municipal Year be noted.**
- (3) The appointment by the Leader of the Council of Executive Members to serve on Working Groups and Boards for the 2019/20 Municipal Year be noted.**
- (4) Elected Member representation on the Bromley Fostering and Adoption Panel be noted for 2019/20.**

## **7 PROVISIONAL FINAL ACCOUNTS 2018/19 Report FSD19061**

The Executive considered the 2018/19 provisional outturn at portfolio level and Council-wide as well as the potential implications for the Council's financial position in 2019/20. The 2018/19 provisional outturn provided for no variation in general fund balances, subject to the recommendations in the report being agreed.

The Leader commented that it had not been an easy year and the current financial position of the Council was a testament to the hard work of Officers and Members.

The Portfolio Holder for Resources, Commissioning and Contracts Management confirmed that the outcome had been better than expected. It had been possible to secure £15.4m interest during the year.

The Executive expressed their thanks and appreciation to staff within Finance who had worked tirelessly to meet much tighter deadlines for 2018/19 reporting.

The Chairman of the Executive, Resources and Contracts PDS Committee also thanked the Director of Finance and his staff for their work. The Chairman of the Executive, Resources and Contracts PDS Committee asked that following the meeting he be provided with an written update outlining any elements that did not reflect the full year effect.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 14th May 2019, and the Committee supported the recommendations.

**RESOLVED that:**

- (a) the provisional revenue and capital outturns for the 2018/19 financial year and the earmarked balances on the General Fund as at 31<sup>st</sup> March 2019 be noted;**
- (b) that a more detailed analysis of the 2018/19 final outturn be reported for each Portfolio to the Relevant PDS committees;**
- (c) the variations in 2018/19 impacting on the Council's 2019/20 financial position be noted;**
- (d) the comments from Chief Officers as detailed in Appendix 2 be noted;**
- (e) the requests for carry forwards totalling £906k (net) as detailed in Appendix 6 be approved, subject to the funding being allocated to the Central Contingency in 2019/20 to be drawn down on the approval of the relevant Portfolio Holder;**
- (f) the release of £291k from the 2018/19 Central Contingency as detailed in para. 3.6.2 of the report be agreed;**
- (g) the return to contingency of £138k of additional grant to the 2018/19 Central Contingency as detailed in para 3.6.4 of the report be noted;**
- (h) the release of £500k from the 2018/19 Central Contingency be agreed as detailed in para. 3.6.5 of the report;**
- (i) the release of (£2,900k) from the 2018/19 Central Contingency be agreed as detailed in para. 3.6.6 of the report;**
- (j) the return to contingency of £567k of additional grant to the 2018/19 Central Contingency as detailed in para 3.6.7 of the report be noted;**
- (k) the release of £873k from the 2018/19 Central Contingency be agreed as detailed in para. 3.6.8 of the report;**
- (k) the release of £89k from the 2018/19 Central Contingency be agreed as detailed in para. 3.6.9 of the report;**
- (l) recommend to Council that a sum of £3,409k be set aside as a contribution to the Housing Invest to Save Fund earmarked reserve as detailed in para. 3.7.2 of the report;**
- (m) it be agreed to set aside a sum of £130k as a contribution to the YES Project Reserve as detailed in para. 3.7.3 of the report;**

- (n) it be agreed to set aside a sum of £76k as a contribution to the Day Centre Rent Relief Reserve as detailed in para. 3.7.4 of the report;**
- (o) a contribution of £900k be agreed subject to (q) below being agreed by Council as detailed in para. 3.7.2 of the report;**
- (p) that any variations in the Business Rate Pool distribution be allocated to the Business Rate Risk Reserve as detailed in para. 3.10 of the report;**

**8 CAPITAL PROGRAMME OUTTURN 2018/19  
Report FSD19046**

The Executive considered a report setting out the final outturn on capital expenditure and receipts for 2018/19. Capital expenditure in the year was £30.9m, compared to the final approved budget of £37.8m, resulting in a total net variation of Cr £6.9m. For funding purposes, £5.0m slippage was assumed in the Quarter 3 capital programme monitoring report, so there was an overall variation of Cr £1.9m in the use of capital receipts and external and relevant contributions.

In response to a query that had been raised at the Executive, Resources and Contracts PDS Committee in respect of the Housing IT scheme, the Director of Finance reported that the funding related to additional burdens arising from government changes. The final costs had been higher than the grant the Council received and it was therefore recommended that the funding be used to offset those costs.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 14th May 2019, and the Committee supported the recommendations.

**RESOLVED: That:**

- (a) the report be noted;**
- (b) the following amendments to the Capital Programme for 2019/20 be approved:**
  - (i) Increase of £20k to the Housing IT scheme funded from the H-CLIC new burdens grant as detailed in the report;**
  - (ii) Increase of £671k to the MyTime Investment Fund scheme to reflect the final contribution in 2018/19 as detailed in the report;**
  - (iii) Addition of £250k to the Capital Programme for Property Disposals/Feasibility Works as detailed in the report;**

- (iv) Increase of £81k to the Orpington Town Centre Scheme as detailed in the report;**
  - (v) Reduction of £6k to the Transport for London (TfL) funded Traffic and Highways schemes as detailed in the report; and**
  - (vi) Deletion of the £32k residual balance on the CCTV Control Room scheme as detailed in the report.**
- (c) Council be recommended to approve the increase of £2,153k to the Disabled Facilities Grant scheme to reflect the 2019/20 allocation as detailed in the report;**
- (d) Council be recommended to approve the increase of £1,321k to the Housing Unallocated PIL scheme as detailed in the report; and**
- (e) it be noted that a report elsewhere on the Executive agenda requests the addition of £8.4m to the Capital Programme for the provision of housing at Bushell Way and Anerley Town Hall Overflow Car Park.**

## **9 REGIONALISATION OF ADOPTION SERVICES**

The Committee considered a report which sought approval from Executive to formally enter into the 'Ambitious for Adoption, CORAM Capital' Regional Adoption Agency (RAA) arrangement via a joint contract between the participating local authorities and CORAM for a six year contract with two extension options of two years (6+2+2). The annual value of the contract for Bromley was £386k with a whole life value of £3.86m.

In response to a question, the Head of Adoption and Fostering confirmed that as a result of the regionalisation of adoption services the Bromley Fostering and Adoption panel would no longer exist. There was no specific role for Members on the new Regional Adoption Panel; current Members had been given the opportunity to apply as Independent Members of the regional panel and no applications were submitted. Members would continue to have involvement in the Bromley Fostering Panel.

In response to a question concerning scrutiny of the proposals, the Director of Children's Social Care confirmed that the Education, Children and Families Select Committee had been kept updated. Legislation required changes to adoption services to be implemented and since the initial report to the Executive in 2017 work had been continuously ongoing. The Head of Fostering and Adoption reported that if the Executive were minded to take the decision Bromley would be the first London Borough to go live.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 14th May 2019, and the Committee supported the recommendations.

**RESOLVED: that**

- a) **Bromley Council enter into the ‘Ambitious for Adoption, CORAM Capital’ RAA arrangements via a joint contract with participating local authorities for a period of six years with two extension options of two years each, commencing 1 June 2019 at an annual value of £386k and a whole life value of £3.86M;**
- b) **Authority be delegated to the Director of Children’s Social Care, in consultation with the Portfolio Holder, the Director of Corporate Services, the Director of Finance and the Assistant Director Governance & Contracts, to finalise suitable contractual arrangements (including any relevant TUPE requirements) between the participating boroughs and the service provider to form the RAA; and to approve the available extension options at the due time.**

**10 WEST WICKHAM LEISURE AND LIBRARY REDEVELOPMENT  
Report DRR19/027**

Members considered the progress of the West Wickham Leisure and Library Development and the feasibility study.

Approval was sought for the recommended design concept, as set out in the report together with approval to undertake soft market engagement with developers and housing providers to fully determine the extent of interest in the scheme.

The Portfolio Holder confirmed that the proposals were supported by Ward Members. It was anticipated that the net cost would be offset by income from the leisure centre. The aim was to provide a good supply of housing for homeless families however, it remained unclear as to exactly how many units of housing could be provided. The Executive would be updated as necessary.

In response to a question from the Chairman of the Executive, Resources and Contracts PDS Committee, the Portfolio Holder explained that for management purposes private blocks of flats had to be leasehold. However, it was possible for leaseholders to come together to jointly purchase a share of the freehold and this was the option envisaged by the Portfolio Holder.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 7th May 2019, and the Committee supported the recommendations on condition that at least 35% affordable housing was included.

**RESOLVED that**

- (a) The recommended design concept as set out in paragraph 5 of the report be approved;**
- (b) Market engagement with Developers and Housing providers in relation to the tenure of the housing provision be approved.**
- (c) That a Detailed Design with cost estimated be presented to the Executive in July, prior to applying for Planning Consent.**

**11 HOUSING TRANSFORMATION BOARD: INCREASING AFFORDABLE HOUSING SUPPLY**

This report provided an update on progress achieved by the Housing Transformation Board in regard to the key work stream areas which focused on options to increase supply and speed up the rate of delivery for cost effective temporary accommodation and affordable housing supply as a direct alternative to the current reliance on the use of nightly rate temporary accommodation.

The Leader noted that increasing the affordable housing supply was the biggest issue facing the current administration (up to May 2022) however, it was important to acknowledge that the Council had a good record around the innovative use of schemes and finance.

In response to a question, the Director of Housing reported that overall demand had reduced very slightly. However, pressures around welfare reform remained so it was therefore possible that the Council could see another peak in demand. The Department was currently working to clear the backlog.

The Portfolio Holder for Resources, Contracts and Commissioning expressed surprise that it would take 18 months to sign off the new contract for the second More Homes Bromley scheme. The Director of Housing explained that the contract would have to go out to tender. The timescales had been challenged and Members were being provided with the most cautious timescales however proposals would be brought forward at speed where possible.

The Director of Housing confirmed that all forms of housing would be reviewed and considered as part of the More Homes scheme including supported living properties.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 7th May 2019, and the Committee supported the recommendations.

**RESOLVED that**

- (a) the report be noted
- (b) Officers appoint specialist advisors to help complete the business case for a local housing company.
- (c) that the estimated cost of £100k be agreed for the necessary specialist advice and business case production to enable full consideration of setting up a local housing company is funded from the Growth Fund
- (d) authorisation be given to proceed to formal tender for a partner for a second phase of property acquisition.

**12 MORE HOMES BROMLEY - APPOINTMENT OF DIRECTOR  
Report CSD19062**

The Executive considered a report requesting that the Executive appoint a Director to the More Homes Bromley Board.

The Portfolio Holder for Renewal, Recreation and Housing noted that this was a major operation of the Council and suggested that, notwithstanding the calibre of the two proposed Officer appointments, it would be prudent to have an elected Member on the Board. The Director of Corporate Services reported that there were Member scrutiny arrangements in place for the More Homes Bromley Board; however it was suggested that the membership and operation of the Board could be reviewed in 6 to 12 months.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 14th May 2019, and the Committee supported the recommendations.

**RESOLVED: that**

- 1) The appointment of Sara Bowrey, Director of Housing, to the More Homes Bromley Board be reaffirmed, and James Mullender, Head of Finance, Adults, Health and Housing be appointed to the vacancy for the Council's other member of the Board.**
- 2) The membership and operation of the More Homes Bromley Board be reviewed in 6 to 12 months to allow changes (if any) to be implemented at the Annual Meeting in May 2020.**

**13 GATEWAY REPORT: PROVISION OF HOUSING SUPPLY IN  
ANERLEY AND CHISLEHURST (PART 1)  
Report DRR19/025**

Members considered recommendations for the approval of a Capital Scheme for the design and construction of up to 60 temporary homes across two sites

known as, Banbury House, Bushell Way and Anerley Town Hall overflow car park. In order to achieve this, approval was sought for a further £8.4m to be added to the Capital Programme.

The report also sought approval to proceed to procurement for the provision of a design and build contract for the two sites and that the land at both sites be appropriated for housing purposes.

The Leader thanked the Chairman of the Renewal, Recreation and Housing PDS Committee for his helpful suggestion that were a Special Executive meeting to be held the Members of the PDS Committee be invited to the Executive meeting to fulfil the scrutiny role.

The Portfolio Holder for Renewal, Recreation and Housing reported that lessons had been learnt from previous procurement and were reflected in the report before Members. The Council would receive a net yield of approximately 5.5% for every flat. In addition to this the Council would own an asset and make further savings in respect of the costs of nightly paid accommodation. There was also the possibility of the Council receiving a grant from the GLA.

The Leader noted that there was potential for the unit costs to be reduced and requested that this be further reviewed.

Members of the Executive requested that if a special meeting of the Executive was required the date should be tentatively confirmed as soon as possible.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 7th May 2019, and the Committee supported the recommendations on condition that Members of the PDS Committee be invited to the meeting or may write to the Chairman with their views.

**RESOLVED that**

- (a) Council be recommended to approve the addition of £8.4m to the Capital Programme for the provision of up to 60 residential units for the provision of housing for the purposes of temporary accommodation on sites known a Bushell Way and Anerley Town Hall Overflow Car Park; with £7.5m funded from the Housing Investment Fund earmarked reserve, and £0.9m identified in the 2018/19 Provisional Final Outturn report being submitted to the Executive on 21<sup>st</sup> may 2019;**
- 2 A mini competition tender using the LHC, NH1 Framework be agreed for a design and build of housing at the identified sites, as set out in paragraph 4.5 of the report and the approval process for contract award as set out in paragraph 4.9.3; and**

- 3 The appropriation of land at sites known as Bushell Way and Anerley Town Hall overflow carpark from their current purpose to the purpose of housing land held under the general fund in accordance with section 122 of the Local Government Act 1972 be approved.**

**14 ELECTORAL REVIEW  
Report CSD19078**

The Committee considered a report setting out the Council's submission to the Local Government Boundary Commission for England on Council size.

Members noted that it had been 20 years since the last Electoral Review and the structure that had been put in place had largely stood the test of time.

The Electoral Review involved a two stage review process focusing firstly on structure then on warding.

The Executive noted the supplementary information that had been circulated following questions raised that the General Purposes and Licensing Committee on 16<sup>th</sup> May 2019.

In response to a question, the Director of Corporate Services confirmed that the Parliamentary Constituency Boundary Review was subject to parliamentary approval.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 14<sup>th</sup> May 2019, and the Committee supported the recommendations.

**RESOLVED: the draft Electoral Review Council Size Submission be approved for consideration by Full Council.**

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

No issues had been referred.

**16 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**

**17 EXEMPT MINUTES OF THE MEETINGS HELD ON 27TH  
MARCH AND 30TH APRIL 2019**

The exempt minutes of the meetings held on 27<sup>th</sup> March 2019, and 20<sup>th</sup> April 2019, were confirmed.

**18 GATEWAY REPORT: PROVISION OF HOUSING SUPPLY IN  
ANERLEY AND CHISLEHURST (PART 2)**

Members noted the Part 2 appendix relating to Minute 13 – Gateway Report: Provision of Housing Supply in Anerley and Chislehurst.

**RESOLVED that the confidential information be noted.**

The Meeting ended at 7.48 pm

Chairman