

## **RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 3 September 2019

### **Present:**

Councillor Michael Rutherford (Chairman)  
Councillor Suraj Sharma (Vice-Chairman)  
Councillors Gareth Allatt, Yvonne Bear, Julian Benington,  
Kim Botting FRSA, Josh King, Alexa Michael and  
Gary Stevens

### **Also Present:**

Councillor Kathy Bance MBE, Councillor Peter Morgan  
and Councillor Angela Wilkins

### **25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

An apology for absence was received from Co-opted Member Tajana Reeves.

### **26 DECLARATIONS OF INTEREST**

Councillor Botting declared a standard interest as the owner of a property in London.

### **27 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

#### **27a QUESTIONS FOR THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER**

Two questions for oral reply were received from Pam Hicks in regard to Agenda Item 8 – Housing, Regeneration and Planning Portfolio Plan. Those questions, together with the Portfolio Holder's responses are set out below:-

#### Question 1

Appendix 1, Page 41, Point 9 – When will the formal consultation process be taking place in respect of the new housing strategy?

#### Response

The Council is currently consulting on the draft housing strategy. Full details of the consultation and how to take part can be found at <https://www.bromley.gov.uk/info/200052/housingadviceandoptions/1341/housingstrategyconsultation>

The link would be e-mailed to Ms Hicks.

Question 2

Can the Committee clarify why the contract award for the proposed development of temporary accommodation at Burnt Ash Lane car park is currently being prepared, when the planning application has not yet been submitted or approved? Is this not premature and a possible waste of public resources?

Response

The Contract is essentially comprised of 2 key stages. The scheme design and planning consideration and then the actual development subject to a successful planning application. As such the contract award must proceed at this stage to enable the first stage of detailed design and planning consideration to commence.

Supplementary Question

So the design will be considered with the planning application?

Response

Yes, and alterations made if necessary either prior to or at the time of consideration. The timeframe for this will be 4 to 5 weeks.

**27b QUESTIONS FOR THE CHAIRMAN OF RENEWAL, RECREATION AND HOUSING PDS COMMITTEE**

No questions were received.

**28 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 2 JULY 2019**

**RESOLVED** that the Minutes of the meeting held on 2 July 2019 be confirmed and signed as a correct record.

**29 MATTERS OUTSTANDING FROM PREVIOUS MINUTES**

**Report CSD19131**

Members considered matters outstanding from previous meetings.

**RESOLVED** to note that all outstanding actions from previous Minutes had been completed.

**30 PRE-DECISION SCRUTINY OF RENEWAL, RECREATION AND HOUSING PORTFOLIO REPORTS**

**30a CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2019/20**

**Report FSD19013**

On 10 July 2019, the Council's Executive received the 1<sup>st</sup> quarterly capital monitoring report for 2019/20 and agreed a revised Capital Programme for the four year period 2019/20 to 2022/23.

Members of the RR&H PDS Committee considered the changes agreed by the Executive in respect of the Capital Programme for the Renewal, Recreation and Housing Portfolio.

**RESOLVED that the Portfolio Holder be recommended to confirm the revised Capital Programme agreed by the Council's Executive on 10 July 2019.**

**POLICY DEVELOPMENT AND OTHER ITEMS**

**31 HOUSING, REGENERATION AND PLANNING PORTFOLIO PLAN**

**Report DRR19/048**

As a result of changes to the Council's departmental structure, a revised Portfolio Plan had been agreed with the Portfolio Holder for Renewal, Recreation and Housing.

Members of the PDS Committee were requested to consider the revised Portfolio Plan.

It was requested and agreed that numerical figures for planning determinations ie. people living in temporary housing and the number of people on particular schemes be included in future covering reports in addition to the updated Portfolio Plan.

The Director of Housing, Planning and Regeneration clarified that Appendix 1 - Housing, Regeneration and Planning Services (pages 41-45) related to services and day-to-day work. Appendix 1 – Housing, Regeneration and Planning Projects (pages 46-50), referred to projects (time limited work) which were currently being, or soon to be, developed.

It was agreed that the Penge BID would be included in the Culture and Regeneration Category on page 41.

The review of the Allocations Scheme would include monitoring and maximising transfer nominations to ensure that optimum use of housing stock was achieved.

**RESOLVED that:-**

- 1) the new Portfolio Plan be endorsed; and**
- 2) progress on the delivery of the plan be scrutinised three times per year.**

**32 COUNCIL MOTION - ABOLITION OF SECTION 21 OF THE HOUSING ACT 1988**

**Report CSD19124**

Members of the PDS Committee considered a motion which had been referred from a meeting of the full Council on 8 April 2019.

The motion (moved by Councillor Kathy Bance and seconded by Councillor Josh King) called on the Government to abolish Section 21 of the Housing Act 1988 which allowed landlords to evict tenants without having to establish any fault on the part of the tenant.

Visiting Member Councillor Bance confirmed there would be no cost to the Council in making its position clear to the Government but if the motion was rejected, the Council would fail in its duty to support vulnerable residents. Agreeing the Motion would fulfil Members' role as Councillors. If the Government decided to end the Section 21 Act and strengthen the Section 8 Act, residents would not be thrown into crisis and whilst landlords could still take back their properties, it would be within a slightly longer timeframe. Many landlords used the Section 21 Act as a means of selling properties from under tenants' feet. In so doing, the tenant's housing benefit would cease whilst Council Tax still had to be paid, leaving the tenant to undergo weeks of uncertainty waiting for bailiffs to knock at their door. Alternative accommodation was rarely offered until an eviction took place. Private landlords should be forced to use fixed-term agreements as should housing associations. This could be done by amending the Section 8 Agreement.

The Chairman moved that further work be carried out on this matter as there were no particular details within the report to assist Councillors in understanding the impact generally on Bromley residents.

Whilst fully understanding Councillor Bance's concern for residents, Councillor Stevens was cautious about forcing landlords to use fixed-term agreements as this could lead them to cease renting their properties.

Councillor King spoke in support of agreeing the motion. Section 21 had already been abolished in Scotland and a more balanced system existed in Germany. As there was little available social housing stock in Bromley, the Council relied heavily on the private rental sector. Agreeing the motion was a reasonable recommendation to follow.

The Portfolio Holder informed the Committee that he owned and let a number of small properties to some tenants who had occupied the properties for years without

any problem. He had never had an occasion to evict anyone. In the majority, landlords only wanted their properties back due to issues with bad tenants. Whilst he agreed that fixed term contracts were good, the resulting restrictions on landlords not being able to remove bad tenants could deter them from renting in future. On this basis, Councillor Morgan wished to see further research undertaken.

Councillor Sharma seconded the motion that further work be carried out.

**RESOLVED that further work be carried out on this matter.**

### **33 COUNCIL MOTION - LIBRARY SERVICES**

#### **Report CSD19125**

Members of the PDS Committee considered a motion which had been referred from a meeting of the full Council on 15 July 2019.

The motion (moved by Councillor Angela Wilkins and seconded by Councillor Vanessa Allen) requested that the RR&H PDS Committee undertake a 360 degree review of the services provided by Greenwich Leisure limited (GLL) under their contract to provide the borough's library services.

Visiting Member Councillor Wilkins questioned how profit could still be achieved with a 25% reduction in costs to the service as implied by the contract. The current strike action was primarily not brought about by the request for a 6% pay rise, but by concerns about staff terms and conditions. GLL were not delivering the proposed 13 training modules, employees were not receiving an 'acting up' salary, vacant positions were not filled but temporary and/or casual staff were being brought in.

In comparing the last two monitoring reports, Councillor Wilkins noted that two questions which regularly received complaints, had been omitted from the customer satisfaction survey; these related to the cleanliness of toilets and opening hours. Should customer satisfaction levels fall by more than 5% then the contractor would incur a relatively large fine. Therefore, by omitting these questions, it could be presumed that GLL were manipulating the survey. This would be covered by an internal audit to address key risk areas.

In response to Councillor Wilkins, GLL confirmed that whilst costs had reduced by 25%, the service had not. Councillor Wilkins referred to an APCOA parking contract report considered at a previous Environment and Community Services PDS meeting where it was reported that during the tendering process, the Council had told the contractors that the baseline for wages should be the National Minimum wage not the London Living wage. As a result APCOA were unable to employ people due to the lower salaries offered.

Events were not continuing. Penge Library used to support the Penge Festival but had been unable to for the past two years. Some children's events during the summer did not go ahead due to the strike action.

In summing up, Councillor Wilkins urged Members to agree the motion. Further detailed information was needed on what and where resources were spent, some of which should be used to provide libraries i.e. Penge Library with a selection of books for ethnic communities.

The Principal Client, Libraries reported that the 25% saving was based on the £6m figure for the year in which the transfer took place and included one-off capital payments to start the contract, additional refurbishment and IT equipment etc. and therefore did not reflect the normal revenue costs.

In regard to the omission of questions from the customer satisfaction survey, Members were informed that opening hours had not changed and respondents had been free to comment if they so wished; there was no attempt at concealment. The question relating to toilets was not reported simply because the majority of libraries did not have any facilities on site. However, both questions were now in the current survey.

Although some events were cancelled at the beginning of the industrial action, the majority of them had gone ahead as planned with additional activities brought in during the summer period. It was agreed that a list of events that had taken place would be circulated to Members.

The issue of providing an ethnically diverse selection of books for the local population was included as part of the stock plan and was monitored to ensure they were purchased.

A further review would take place in six months' time, the results of which would be submitted to a meeting of the PDS Committee.

The Managing Director, GLL confirmed that the Union had been requested to provide details in regard to alleged non-payment of 'acting-up' salaries. To date, no response had been received.

Referring to the comparison made between APCOA and GLL's contract, the Managing Director believed this to be disingenuous as the contract itself required GLL to pay the London Minimum wage. A total of 65 members of staff had been on strike which had impacted on those left to provide the day-to-day service; as a result, casual staff were hired to cover staff deficit. GLL were happy to discuss all issues with the Union should they be willing.

It was confirmed that a significant amount of the savings was achieved by the reduction in business rates due to GLL's charitable status. The Principal Client, Libraries agreed to circulate exact figures to Members.

Councillor Wilkins stated that GLL should be aware of all details and reasons why industrial action was taking place and that they should sit down and discuss these with the Union. Whilst the Principal Client, Libraries had stated that opening hours were unchanged, complaints had been received which referred to libraries not being open at the time they should have been.

The Chairman moved (seconded by Councillor Allatt), that the motion be rejected on the basis that the contract was reviewed every six months and the service monitored on a regular basis. Also, the internal audit would identify any existing breaches of contract.

**RESOLVED that the motion be rejected.**

### **34 PROVISION OF LIBRARY SERVICES - CONTRACT PERFORMANCE REPORT**

#### **Report DRR19/010**

Members considered an update on the Provision of Library Services contract with Greenwich Leisure Ltd (GLL) in regard to the last six months of operation.

Mr Mark Sesnan, Managing Director, GLL, attended the meeting.

The Chairman commented on what he considered to be a positive outcome of the performance review in regard to membership growth and the number of activities and events held. Feedback from user surveys for the first and second quarters was requested. The Principal Client, Libraries informed the Chairman that a more extensive on-line customer survey was currently underway, the results of which would be included in the next report to Committee.

It was agreed that the Principal Client, Libraries would circulate comparative figures for complaints received by other GLL operated libraries i.e. Greenwich and Wandsworth. It was usual practice for attempts to be made to resolve complaints on the day they were made. There had been no specific spike in complaints in Bromley. The majority of complaints related to:-

- the lack of information to hand;
- fines;
- faulty IT equipment;
- slow-running wi-fi;
- insufficient books on display; and
- a better selection of books required.

All complaints had been adequately dealt with.

In regard to paragraph 8.6 (page 69), it was agreed that future reports would include a summary of complaints in addition to the compliments received. A summary of complaints for this review would be circulated to Members.

In response to questions by Councillor King, Members were informed that the Stock Fund currently stood at £450k per annum. Spend was monitored to ensure that it was used specifically for purchasing stock. A breakdown of stock purchased by individual libraries would be formulated and circulated to Members.

A breakdown of refurbishment costs would also be provided.

More detail in regard to complaints received and resolved to the claimant's satisfaction would be included in future reports.

Information on the number of children's events which had not taken place due to the current industrial action, would be sent to Members.

In response to questions from visiting Member Councillor Wilkins, Members were informed that the gaps in the 2018 data as evidenced in paragraphs 5.5 and 5.6 (page 64), was due to the change and transfer of the Library Management system.

Spot checks were undertaken every 2-3 months at each library and the outcome of these would be included in future reports.

Appendix 2 contained the correct number of KPI incidents. It was explained that although one incident occurred at St Paul's Cray Library, it was regarded as five incidents due to the fact that the sole self-service kiosk was out of order for five days.

The Chairman cautioned GLL to be mindful of KPIs in the future.

The Managing Director, GLL reported that as a social enterprise, if there was no current Investment Plan, it was possible that funds may be shared with a leisure facility however, at no time would it count as profit and would always be reinvested to support and promote GLL's social purpose through the services it operates.

Councillor Benington welcomed the changes that had taken place since the transfer of service which had resulted in more choices for children and services.

**RESOLVED that the performance of the service provider in the last six months of the contract be noted.**

## **35 TOWN CENTRES DEVELOPMENT PROGRAMME UPDATE**

### **Report DRR19/049**

The report updated members on progress achieved in delivering the Town Centres Development Programme.

In regard to paragraph 3.6, it was reported that the two commercial units to be located on the pedestrianised High Street south of Bromley Central Library had now received planning permission. The tender returns were being reviewed.

It was anticipated that the Masterplan for Orpington Town Centre would be complete within two years. The Senior Regeneration Officer had met with the developer who would be responsible for bringing forward a whole scheme of improvements within the Masterplan. An update report would be submitted to a future meeting of the PDS Committee.

This was the final meeting to be attended by the Senior Regeneration Officer, Mr Virgil Rappa. Members joined the Portfolio Holder in expressing their gratitude to Mr Rappa for the excellent work he had undertaken on behalf of the Council.

**RESOLVED that progress on the delivery of the Town Centres Development Programme be noted.**

**36 RENEWAL, RECREATION AND HOUSING PDS COMMITTEE  
WORK PROGRAMME (NOVEMBER 2019-MARCH 2020)**

**Report CSD19132**

Members considered the renewal, Recreation and housing PDS Committee Work programme for the period November 2019-March 2020.

It was agreed that an update report in regard to the Chislehurst Library would be submitted to a future meeting of the PDS Committee.

An update report on homeless housing would be submitted to every future meeting of the PDS Committee.

**RESOLVED that, subject to the addition of the above reports, the Renewal, Recreation and Housing PDS Committee Work Programme for the period September 2019-March 2020 be noted.**

**37 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.

**38 EXEMPT MINUTES OF THE RENEWAL, RECREATION AND  
HOUSING PDS COMMITTEE HELD ON 2 JULY 2019**

**RESOLVED that the exempt Minutes of the renewal, Recreation and Housing PDS Committee held on 2 July 2019, be confirmed and signed as a correct record.**

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Any Other Business

Councillor Bear reported she had attended several meetings with officers from the Enforcement and Appeals section. A database tracking appeals data back to 2016 had been produced and included amongst others, information on call-ins, costs and

*Renewal, Recreation and Housing Policy Development and Scrutiny Committee*  
*3 September 2019*

deciding body. An outline report for Members to consult on the format and template for tracking appeals data would be submitted to the November meeting of the PDS Committee.

Councillor Bear expressed her thanks to Mr John Stephenson and his team for the excellent work carried out by them.

Councillor Benington was pleased to note the inclusion of the names of responsible officers in each section of Appendix 1 of the Housing, Regeneration and Planning Portfolio Plan.

The meeting ended at 8.15 pm

Chairman