

EXECUTIVE

Minutes of the virtual meeting held on 13 January 2021 starting at 6.30 pm

Present:

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

Also Present:

Councillor Robert Evans, Councillor Simon Fawthrop and
Councillor Angela Wilkins

156 APOLOGIES FOR ABSENCE

There were no apologies for absence.

157 DECLARATIONS OF INTEREST

There were no declarations of interest.

158 QUESTIONS

No questions had been received.

159 MINUTES OF THE MEETINGS HELD ON 12TH FEBRUARY AND 19TH MARCH 2020

RESOLVED that the minutes of the meetings held on 12th February 2020
and 19th March 2020 be confirmed as a correct record.

160 DRAFT 2021/22 BUDGET AND UPDATE ON THE COUNCIL'S FINANCIAL STRATEGY 2021/22 TO 2024/25 Report FSD21001

The Executive received a report on the initial draft 2021/22 Budget including the full year effect of changes agreed as part of the 2020/21 Council Tax report and savings approved during the year with the resultant impact on the Council's medium term "budget gap."

A key part of the financial strategy was to highlight the budget issues that would need to be addressed by the Council over the coming financial years, by forecasting the level of available resources from all sources and budget pressures relating to revenue spending. Details of the capital programme would be reported separately to the next meeting of the Executive.

Executive
13 January 2021

The views of PDS Committees views would also be sought and reported back to the next meeting of the Executive, prior to the Executive making recommendations to the full Council meeting on 1st March on the 2021/22 Council Tax and Adult Social Care precept levels.

The report provided details of the Provisional Local Government Finance Settlement 2021/22 which was published on 17th December 2020 and represented a one year settlement only. The Director of Finance reported that the Mayor of London had announced a provisional 9.5% increase in his precept for 2021/22 – a final decision would be announced on 25th February.

The longer-term Spending Review had been postponed until 2021. The outcome of the Fair Funding Review and Devolution of Business Rates, which could have a significant impact on future funding, had been delayed by one year until at least 2022/23, meaning that there was considerable uncertainty about the longer term outlook.

Members noted that, due to the risks of the ongoing impact of the pandemic on London Businesses, arrangements for a London Business Rate Pool would cease in 2021/22.

There were still outstanding issues and areas of uncertainty remaining. Any further updates would be included in the 2021/22 Council Tax report to the next meeting of the Executive.

The Portfolio Holder for Resources, Commissioning and Contract Management, Cllr Graham Arthur, commented that the one year settlement made longer term planning difficult, and there were numerous different grants that needed to be understood. The short-term priority remained to be prudent and control growth pressures, while in the longer term investment in better provision for housing would be key to the Council's financial stability.

In response to a question from the Portfolio Holder for Public Protection and Enforcement, Cllr Kate Lymer, the Director of Finance updated Members on the Redmond Review. The Government had accepted many of the Review's recommendations which would result in changes to the external audit regime, especially around deadlines for closing of accounts and on the fee structure. A report on the Redmond Review had been considered by the Audit Sub-committee and General Purposes and Licensing Committee in November.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 6th January 2021 and the Committee supported the recommendations.

RESOLVED that

(1) The initial draft 2021/22 Budget detailed in Appendix 7 to the report, including continuation of the iBCF hospital discharge funding reserve and setting aside New Homes Bonus funding for housing investment, be agreed.

(2) The initial draft 2021/22 Budget for each portfolio be referred to the relevant PDS Committees for consideration.

(3) The financial projections for 2022/23 to 2024/25 be noted.

(4) It is noted that there are still areas of financial uncertainty which will impact on the final 2021/22 Budget.

(5) The setting of the schools' budget, mainly met through Dedicated Schools Grant, be delegated to the Children, Education and Families Portfolio Holder, allowing for consultation with the Schools Forum (see section 11 of the report).

(6) It is noted that the outcome of consultation with PDS Committees will be reported to the next meeting of the Executive.

(7) The proposed contribution of £247,274 in 2021/22 to the London Boroughs Grant Committee be agreed (see section 10 of the report.)

(8) The outcome of the Provisional Local Government Financial Settlement 2021/22 be noted as detailed in the report.

(9) The budget gap remaining of an estimated £14.1m per annum by 2024/25 and that any decisions made for the 2021/22 Budget will have an impact on the future year projections be noted.

(10) It is noted that any final decision by Executive on recommended Council Tax and Adult Social Care Precept levels to Council will normally be undertaken at the next meeting of Executive.

(11) It is noted that, due to the risks of the ongoing impact of the pandemic on London Businesses, arrangements for the London Business Rate Pool will cease in 2021/22.

161 EMPTY HOMES PREMIUM
Report FSD21003

The Executive considered proposals to increase the Empty Homes Premium from April 2021 to the maximum premium permitted under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. A public consultation exercise had been carried out, the results of which were set out in the report. Although Members considered that there was a strong case for increasing the premium it was considered that, given the impact of the pandemic, now was not the right time to do so.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 6th January 2021 and the Committee supported the recommendations.

RESOLVED that

(1) The responses to the public consultation exercise at Appendix 1 to the report be noted.

(2) The Equality Impact Assessment at Appendix 2 to the report be noted.

(3) The proposed increase to the Empty Homes Premium to 100% for properties empty longer than 2 years, increasing to 200% where the property has been empty for five years and 300% when the property has been empty over ten years, be noted.

(4) In view of the uncertainty on owners' ability to sell or bring the empty property back into occupation due to the impact of the pandemic, the decision to make any changes to the current levels of premium be deferred for one year.

**162 OPERATIONAL BUILDING MAINTENANCE BUDGETS AND
 PLANNED PROGRAMME 2020/21 AND 2021/22**

The Executive considered the proposed maintenance budgets and planned programme for 2021/22. The report also detailed a request for additional budgetary provision of £2m for essential works in each of the years 2021/22 and 2022/23, to be drawn down as required.

The Portfolio Holder for Resources, Commissioning and Contract Management commented that the additional funding was justified to tackle the maintenance backlog, and there was an accommodation strategy that would be presented to Members in the next few months with further detail. The Portfolio Holder for Renewal, Recreation and Housing agreed that there were likely to be additional maintenance needs identified in the coming months.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 6th January 2021 and the Committee supported the recommendations, subject to suggesting that requests to draw down the additional funding should be submitted to Members.

RESOLVED that

(1) Subject to the Council agreeing the budget, overall expenditure of £2.188m for the Building Maintenance budget in 2021/2022 be approved.

(2) Authority be delegated to the Director of Housing, Planning, Property and Regeneration to vary the programmes to accommodate any change in the approved budget or where such action is considered necessary to either protect the Council's assets or make the most effective use of resources.

(3) Additional provision of £1m in each of the next two financial years 2021/22 and 2022/23 be approved to be set aside in the Infrastructure Investment earmarked reserve to fund essential and statutory works.

(4) Where urgent works are needed in the current financial year, funding should be drawdown from Central Contingency in 2020/21 and the additional provision of £1m in 2021/22 will be reduced by an equal amount.

(5) Any requests for drawdown of the additional funding should be subject to scrutiny by the Executive, Resources and Contracts PDS Committee.

163 CONSIDERATION FOR AGREEMENT TO EXEMPT FROM TENDERING: SERVICE FOR CO-OCCURRING MENTAL HEALTH, ALCOHOL AND DRUGS CONDITIONS
Report ACH20-088

Services for co-occurring mental health, and alcohol and/or drug use conditions (COMHAD) were delivered locally by Oxleas Foundation Trust as part of the local NHS Mental Health contract held by Bromley Clinical Commissioning Group (BCCG). The COMHAD part of the contract was funded and paid for directly by the Council and formed part of the Section 75 arrangement between the Council and the BCCG.

BCCG had now become part of the wider South East London Clinical Commissioning Group. Local provision was crucial to the client group being served, and it has been agreed that the COMHAD element would be disaggregated from the BCCG contract. The report set out the case for a direct award of a contract, via an exemption from tendering, to be granted to Oxleas.

The report had been scrutinised via email circulation to all members of the Adult Care and Health PDS Committee and by the Executive, Resources and Contracts PDS Committee at its meeting on 6th January 2021 and the Committees supported the recommendations.

RESOLVED that the direct new award of contract be approved, via an exemption to competitive tendering, to Oxleas NHS Foundation Trust for a period of 3 years from 1st April 2021 (with the option to extend for up to a further two years) at an annual value of £87,000 (average) and a whole life value of £432,000.

164 UPDATE ON THE TRANSFER OF CRYSTAL PALACE PARK
Report HPR2020/046

In order to meet the requirements of the Council's Regeneration Plan for Crystal Palace Park, the Crystal Palace Park Trust (the Trust) had made strides to establish itself since its incorporation in May 2018.

Officers were preparing for a phased handover of responsibility for the park, working closely with the Environment and Public Protection Department and idverde. It was anticipated that this would begin with a transfer of management, maintenance and events from April 2022 (for which a separate report would be brought forward in Summer 2021). In order to develop the detail of this transfer and present the recommended option(s) to the Executive, specialist legal resources were required.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16th December 2020 and the Committee supported the recommendations.

RESOLVED that the draw-down of £40,000 from the Central Contingency for specialist legal resources to establish the trust governance model for Crystal Palace Park be approved.

165 AUTHORITY TO CREATE GRANT MECHANISM IN EVENT PERMITS FOR CRYSTAL PALACE PARK
Report HPR/2020/047

Members considered a report providing an update on the development of the Crystal Palace Park Trust, setting out how the Trust would obtain seed funding through events in Crystal Palace Park. It also requests Members to consider waiving the hire fee for the use of the park for events by the allocation of a grant.

The allocation of a grant would form part of the Council's event permit to the Trust. The Trust could not sign its contract with the two event promoters until the permit was agreed. Signing the contract had been delayed while details within the permit had been decided. Therefore it was now urgent that the permits and contracts were signed to secure the events and seed funding for the Trust – the need for urgency was accepted by members at the meeting.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16th December 2020 and the Committee supported the recommendations.

RESOLVED that

(1) A grant mechanism be authorised within the Festival Republic event permit that allows the hire fee of £50,000 to be paid to the Trust per annum for up to six years in accordance with the grant terms set out in paragraph 4.4 of the report.

(2) A grant mechanism be authorised within the Winterstow Ltd. event permit that allows the hire fee of £20,000 to be paid to the Trust per annum for five years in accordance with the grant terms set out in paragraph 4.4 of the report.

(3) Authority be delegated to the Chief Officer (Director of Housing, Planning and Regeneration) in consultation with the Director of Environment and Public Protection, and the Portfolio Holder for Renewal, Recreation and Housing, to make decisions on the inclusion of grant mechanisms in further event permits between the Council and the Crystal Palace Park Trust or associated bodies, including its trading subsidiary, Crystal Palace Park Events Limited (CPPEL.)

**166 FUTURE OF CRYSTAL PALACE PARK CONCERT PLATFORM
(PART 1)
Report HPR2020/048**

The Executive received a report on the tendering process for proposals for the future use of the Concert Platform in Crystal Palace Park, which had been largely redundant for over 10 years and had fallen into disrepair. The marketing created an opportunity to invite competitive proposals that provided a sustainable future for the Platform, providing benefits for the park, the local community and enhanced public recreation.

The report recommended granting a lease in principle to one of the bids received - further details were set out in the part 2 report and minutes.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16th December 2020 and the Committee supported the recommendations.

RESOLVED that a lease in principle be granted as set out in the part 2 minutes.

**167 LAND APPROPRIATION - BUSHELL WAY, CHISLEHURST
AND ANERLEY TOWN HALL (PART 1)
HPR2020/051**

The Executive considered a report concerning the appropriation of land at Anerley Town Hall Overflow Car Park and Bushell Way, Chislehurst, following the planning permissions granted for housing schemes at the sites in December 2020.

These projects were now moving from the planning phase into the delivery phase including dealing with overriding of easements and rights. Further details were set out in a part 2 report.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 16th December 2020 and the Committee supported the recommendations.

RESOLVED that:

(1) The Council exercises its powers of appropriation pursuant to section 226 of the Town & Country Planning Act 1990.

(2) It is the intention of the Council to appropriate the relevant land for planning purposes in order to engage section 203 of the Housing and Planning Act 2016 to override any easements and other rights to enable the Council to carry out the developments at Anerley Town Hall Overflow Car Park and Bushell Way.

(3) Delegated authority be given to the Director of Housing, Planning and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing and the Director of Corporate Services, to approach any affected parties to agree statutory compensation and ensure that all appropriate legal documents are completed.

(4) It is noted that the valuations of the sites for appropriation to the Housing Revenue Account are £470k for Anerley Town Hall Car Park and £1,350k for Bushell Way.

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

There were no additional items referred from the Executive, Resources and Contracts PDS Committee.

169 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**

170 EXEMPT MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2020

The exempt minutes of the meeting held on 12th February 2020 were confirmed as a correct record.

**171 FUTURE OF CRYSTAL PALACE PARK CONCERT PLATFORM
(PART 2)**

The Executive noted exempt details relating to the Crystal Palace Park Concert Platform, and awarded a lease in principle.

**172 LAND APPROPRIATION - BUSHELL WAY, CHISLEHURST
AND ANERLEY TOWN HALL (PART 2)**

The Executive noted confidential details relating to the schemes at Anerley Town Hall overflow car park and Bushell Way, Chislehurst, and agreed the exercise of the Council's powers of appropriation.

The Meeting ended at 7.10 pm

Chairman

1