

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

Minutes of the meeting held at 6.30 pm on 24 March 2021

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Christopher Marlow (Vice-Chairman)
Councillors Gareth Allatt, Julian Benington,
Nicholas Bennett MA J.P., David Cartwright QFSM,
Mary Cooke, Ian Dunn, Robert Evans, Will Harmer,
Russell Mellor, Michael Rutherford, Michael Tickner,
Stephen Wells and Angela Wilkins

Also Present:

Councillor Graham Arthur, Portfolio Holder for Resources,
Commissioning and Contracts Management
Councillor Kira Gabbert, Executive Assistant for
Resources Commissioning and Contracts Management
Councillor Colin Smith, Leader of the Council

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

Apologies for absence were received from Councillor Nicky Dykes. Councillor Nicholas Bennett attended as substitute member.

105 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

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

There were no questions.

**107 MINUTES OF THE EXECUTIVE, RESOURCES AND
CONTRACTS PDS COMMITTEE MEETING HELD ON 3
FEBRUARY 2021 (EXCLUDING EXEMPT ITEMS)**

The minutes of the Executive, Resources and Contracts PDS Committee meeting held on 3 February 2021, were agreed and signed as a correct record.

**108 MATTERS OUTSTANDING AND WORK PROGRAMME
Report CSD21025**

The report dealt with the Committee's business management including matters outstanding from previous meetings and the proposed work plan for the remainder of the year.

The Committee received an update from the Vice-Chairman regarding Section 106 funding for schools. The Director of Finance confirmed that all avenues were explored to ensure that any available Section 106 funding was fully utilised. Members also received reassurance surrounding the regular and detailed scrutiny (by both Officers and Members) of the timely distribution of Section 106 money.

In respect of the Work Programme for the next municipal year, it was recommended that consideration should be given to bringing forward Scrutiny of the Portfolio Holder for Resources, Commissioning and Contracts Management to the May or June meeting.

It was also agreed that the Post Completion Reports cited in the Capital Programme Monitoring Report should be reflected in the Work Programme.

RESOLVED: That the report be noted and the Work Programme updated as required.

109 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period March 2021 to June 2021.

In relation to the report concerning Microsoft License Agreements, the Committee noted that a report would be presented to a future meeting of the Executive.

**110 RESOURCES, COMMISSIONING AND CONTRACTS
MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY**

The Committee considered the following report where the Resources, Contracts and Commissioning Portfolio Holder was recommended to take a decision.

**a CAPITAL PROGRAMME MONITORING - 3RD QUARTER
2020/21 & CAPITAL STRATEGY 2021 TO 2025
Report FSD21018**

On 10th February 2021, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2020/21 and presenting for approval the new capital schemes in the annual

capital review process. The Executive agreed a revised Capital Programme for the five-year period 2020/21 to 2024/25. The report highlighted changes agreed by the Executive in respect of the Capital Programme for the Executive, Resources & Contracts Portfolio.

In response to a question concerning whether any plans were in place to utilise Oracle software for the HR/Payroll system, the Director of Finance confirmed all options were under consideration including the option to have a fully integrated system under Oracle.

RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the changes agreed by the Executive on 10th February 2021.

111 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 31 March 2021:

(5) BUDGET MONITORING 2020/21 Report FSD21021

The report provided the third budget monitoring position for 2020/21 based on expenditure and activity levels up to the end of December 2020, excluding the financial impact of Covid-19. The report also highlighted any significant variations which would impact on future years as well as any early warnings that could impact on the final year end position. In addition the report identified latest indications of the financial impact of the Covid-19 situation which needed to be treated with some caution at this stage because of the ongoing uncertainty arising from moving out of lockdown to transition and ultimately the 'new normal'.

The Council Tax report 2021/22 to Executive on 10th February 2021 identified a budget gap rising to £14.1m per annum by 2024/25. The report before the Committee proposed utilisation of any underspends/additional income identified in the report towards providing sustainable income for the future and/or providing transitional financial support in addressing the future years' budget gap as well as meet service cost pressures.

RESOLVED: That Executive be recommended to:

- 1. consider the latest financial position;**
- 2. note that a projected net underspend on services of £1,510k is forecast based on information as at December 2020.**
- 3. consider the comments from Chief Officers detailed in Appendix 2;**

24 March 2021

- 4. note the full year cost pressures of £9.4m as detailed in section 3.5 of the report;**
- 5. recommend to Council that a sum of £3.767m be set aside as a contribution to the provision for COVID related service pressures in future years (earmarked reserve) as detailed in para. 3.2.1 of the report;**
- 6. agree the release of £50k from the 2020/21 Central contingency relating to staff merit awards as detailed in para. 3.3.2 of the report;**
- 7. agree the release of £210k from the 2020/21 Central contingency relating to Adult Social Care as detailed in para. 3.3.3 of the report;**
- 8. agree the release of £424k grant from the 2020/21 Central contingency relating to Homeless Prevention Initiatives as detailed in para. 3.3.4 of the report;**
- 9. note the return to the Central Contingency of £775k as detailed in para. 3.3.5 of the report;**
- 10. agree to set aside a provision of £350k to deal with a legal matter (see Part II of the agenda) to be met from the 2020/21 Central Contingency Sum (see 3.3.6 of the report)**
- 11. agree to set aside a sum of £150k to meet the cost of the changes to the Council's website, funded from the 2020/21 Central Contingency Sum (see 3.3.10 of the report)**
- 12. recommend to Council that a sum of £9.895m is set aside in the Housing Investment Fund earmarked reserve from monies not utilised in the current year within the 2020/21 Central Contingency Sum (see 3.3.12 of the report)**
- 13. identify any issues that should be referred to individual Portfolio Holders for further action.**
- 14. consider the latest estimated financial impact of Covid-19 situation, detailed in Section 4, and note the ongoing financial uncertainty position relating to net costs;**
- 15. note that the estimated financial impact of the Covid-19 situation which needs to be treated with some caution at this stage because of the ongoing uncertainty arising from the impact moving out of 'lockdown' to transition and ultimately the 'new normal'.**

That Council be recommended to:

- 16. agree a sum of £3.767m as a provision for COVID related service pressures in future years (earmarked reserve) as detailed in para. 3.2.1 of the report;**
- 17. agree a sum of £9.895m is set aside as a Housing Investment Fund earmarked reserve (see 3.3.12 of the report).**

112 SCRUTINY OF THE LEADER

The Leader of the Council, Councillor Colin Smith, attended the meeting to respond to questions from the Committee. Councillor Smith gave a brief introduction highlighting the following issues:

- The Council had received more grants which would be dispersed.
- The country currently sat in a window of uncertainty between the end of the second wave of Covid-19 and concerns around what may still be to come in terms of a third wave, mindful of the very successful local vaccination programme.
- The budget had been set for the forthcoming year and this established a realistic funding structure which it was hoped would enable a return to inflation level Council Tax rises moving forward. However, much depended upon what happened in terms of the pandemic over the next few months. To some extent the plans of the local authority depended on the decisions taken at a national level, the speed of the recovery, the speed at which businesses and shops could reopen, and the extent to which schools could remain open.
- Broadly speaking the picture appeared quite bright and optimistic. As the country emerged from what could best be described as a year of misery, there would need to be a key focus on the mental health and loneliness agendas and Officers and Members are well sighted to that.

Councillor Smith then responded to questions, making the following comments:

- It appeared that the aviation college at Biggin Hill was now on the “back burner”.
- Work on the Council’s Digital Strategy was ongoing, and Officers would be presenting the Strategy to Members as soon as possible.
- In relation to the ongoing review of the most efficient ways to deliver the Council’s statutory obligations, it was important to remember that simply because a service related to a statutory duty did not mean that it could not be delivered more efficiently. Officers were continually looking for further efficiencies through the Council’s Transformation Programme. The Leader encouraged Members themselves to put forward ideas for efficiency savings to PDS Committees as these were the most appropriate forum to discuss such issues.

24 March 2021

- The Officer lead on the relaunch of Building a Better Bromley had been seconded to the Local Authority's Covid Response and was currently supporting the testing centres across the Borough. Consequently, there had been an understandable delay in presenting the updated document to the Committee.
- Officers at a managerial and supervisory level were encouraging all staff to take up the offer of a vaccine when it was made. In terms of addressing vaccine hesitation, this was possibly something the Government would be reviewing and as an employer the Council would comply with employment law. In the meantime, all staff were encouraged to have the vaccine when they were called. In terms of Covid testing for staff, the Council would follow any advice from government.
- In relation to managing growth pressures going forward, if there were demands around adults and children's – both demand-led services for which there were statutory obligations - the bottom line was that money to support the services would need to be found. There would be no growth in non-statutory services above and beyond anything approved by Members. There was an increasing need for the Council to live within its means and the future would be about working increasingly closer with residents and the voluntary sector. There was an ever greater need for spending to remain within the agreed budget and additional spending could not be considered until it was clear from where funding would come.

On behalf of the Committee, the Chairman thanked both the Leader and the Portfolio Holder for Resources, Commissioning and Contracts Management for the support they had provided the Committee during the year.

**113 ANNUAL PDS REPORT 2020/21
Report CSD21036**

The Committee noted the Annual Policy Development and Scrutiny Report for 2018/19. Any further comments and amendments would be incorporated by Democratic Services prior to Submission to Full Council on 8th April 2018.

RESOLVED: That the Annual Policy Development and Scrutiny Report be approved for submission to Full Council.

**114 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**

**115 EXEMPT MINUTES OF THE MEETING HELD ON 3 FEBRUARY
2021**

The Part 2 (exempt) minutes of the meeting held on 3 February 2021, were agreed, and signed as a correct record.

**116 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE
REPORTS**

The Committee considered the following reports on the Part 2 agenda for the meeting of the Executive on 31 March 2021:

**(18) BUDGET MONITORING
Report FSD21021**

The Part 2 appendix was noted.

**(20) Contract Renewal: Capita sCloud and Pay360 Software Licencing,
Development, Maintenance and Support Agreement
Report ES20085**

The Committee noted the report and supported the recommendations.

The Meeting ended at 7.34 pm

Chairman