

## **EXECUTIVE**

Minutes of the meeting held on 15 July 2021 starting at 9.00 am

### **Present:**

Councillor Colin Smith (Chairman)  
Councillors Graham Arthur, William Huntington-Thresher,  
Kate Lymer (Vice-Chairman), Angela Page and  
Diane Smith

### **Also Present:**

Councillor Michael Rutherford

### **271 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Peter Morgan. Councillor Morgan joined the meeting by phone, along with Councillors Simon Jeal, Christopher Marlow and Melanie Stevens.

### **272 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **273 QUESTIONS**

No questions had been received.

### **274 BUDGET MONITORING 2021/22** Report FSD21044

The Executive received a report providing the first budget monitoring position for 2021/22 based on expenditure and activity levels up to the end of May 2021. The report also highlighted significant variations which would impact on future years as well as early warnings that could impact on the final year end position. Future monitoring reports would provide an update on the COVID grant position.

The Leader commented that central Government had provided funding to support the ongoing impact of Covid-19, but the level of debt built up meant that funding would need to be reduced at some point. The Director of Finance confirmed that there was no certainty that Covid funding would continue and officers were lobbying the Ministry of Housing, Communities and Local Government (MHCLG) on this issue. Councillor Graham Arthur, Portfolio Holder for Resources, Commissioning and Contract Management suggested that officers should circulate the four page presentation document to all members.

The Director of Finance reported that there was evidence of cost pressures building up. A contingency for inflation of 2% per annum was already built into the financial forecast for the next four years, and there was provision in the budget for risk and uncertainty which took account of the possibility of a spike in inflation this year.

**RESOLVED that**

- (1) The latest financial position be noted.**
- (2) The projected net overspend on services of £2,027k, forecast based on information as at May 2021, be noted.**
- (3) The comments from Chief Officers detailed in Appendix 2 to the report be noted.**
- (4) The carry forwards being requested for drawdown be noted and the approach for drawdown as set out in paragraph 3.3 be approved.**
- (5) The projected reduction to the General Fund balance of £2,843k as detailed in section 3.4 of the report be noted.**
- (6) The full year cost pressures of £4.961m as detailed in section 3.5 of the report be noted.**
- (7) The release of £315k from the 2021/22 Central Contingency relating to rough sleepers initiative grant as detailed in paragraph 3.2.2 of the report be agreed.**
- (8) The release of £324k from the 2021/22 Central Contingency relating to Tackling Troubled Families (Supporting Families) grant as detailed in paragraph 3.2.3 of the report be agreed.**
- (9) The release of £35k from the 2021/22 Central Contingency relating to Domestic Abuse Grant as detailed in paragraph 3.2.4 of the report be agreed.**
- (10) The release of £113k from the 2021/22 Central Contingency relating to Accommodation for Ex-Offenders Grant as detailed in paragraph 3.2.5 of the report be agreed.**
- (11) The release of £100k from the 2021/22 Central Contingency relating to Virtual School additional duties as detailed in paragraph 3.2.6 of the report be agreed.**
- (12) The release of £22k from the 2021/22 Central Contingency relating to Reducing Parental Conflict Grant as detailed in paragraph 3.2.7 of the report be agreed.**
- (13) The additional contribution to the Business Rates Adjustment earmarked reserve relating to the timing differences of grant income**

received and the costs charged to the Council's General Funds detailed in paragraph 3.10 of the report be noted.

**275 CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2021/22**  
Report FSD21041

The Executive received a report summarising the current position on capital expenditure and receipts following the 1<sup>st</sup> quarter of 2021/22 and seeking approval to a revised Capital Programme.

**RESOLVED that**

**(1) The report be noted, including a total re-phasing of £17,525k from 2021/22 into future years, and a revised Capital Programme be agreed.**

**(2) The following amendment to the Capital Programme be approved – Increase of £2,451k to the Basic Needs capital scheme (see paragraph 3.3.1 of the report.)**

**276 DISPOSAL OF LAND AT EDGEBURY - DECISION TO DISPOSE OF OPEN SPACE**

The Leader had agreed in April 2020 to enter into a land swap with Marjorie McClure School (Foundation) whereby the Council provided the site adjacent to Edgebury Primary School on a freehold basis and in return received the freehold to the school's existing site.

As the site adjacent to Edgebury Primary School comprised open space land, the Council had a duty under Section 123 (2A) of the Local Government Act 1972 to advertise its intention to dispose of the land. A suitable public notice was placed in the local newspaper for a period commencing 9 June 2020 inviting objections or written representations to the intended disposal to be received by no later than 23 June 2020. Two objections had been received in respect of the advertisement and the report considered these with appropriate responses.

It was confirmed that the decision was urgent and could not await the Executive's next scheduled meeting in September, as the funding was at risk, and it was important for the DfE contractor to start ground works on site during the good weather over the summer.

**RESOLVED that**

**(1) It is noted that the Council has advertised its intention to dispose to the open space adjacent to Edgebury Primary School in accordance with S123 (2A) of the Local Government Act 1972.**

**(2) The objections made together with responses to these contained within the report have been considered and the disposal of the Open Space Land be formally agreed.**

**(3) The objections made together with the responses to these contained with the report have been considered and the disposal of the land to Marjorie McClure School be formally agreed, representing a transfer from one public body to another and with the land remaining in educational ownership.**

**(4) Authority be delegated to the Director of Education to take all of the necessary steps to contact in writing those objectors to the Open Space Notice and to give the Council's considered responses to the objections received.**

**277 HOUSES IN MULTIPLE OCCUPATION**  
Report HPR2021/025

The Executive considered a report setting out information relating to Houses in Multiple Occupation (HMOs) and the nature and scale of HMOs in Bromley. The report set out the options available for controlling HMOs in the Borough and whether such options were justified given the available evidence. The issue had been considered by Development Control Committee, Renewal, Recreation and Housing PDS Committee and the Executive at its last meeting.

The Portfolio Holder for Environment and Community Services commented that HMOs often did not have facilities for segregated waste collection, and that they might lead to an increase in cars particularly in areas less well served by public transport. Officers commented that there was no specific evidence relating to HMOs and cars, but that it might be possible to include requirements about providing space for waste collection in the Local Plan.

**RESOLVED that**

**(1) The impacts of HMOs identified in the report and the accompanying evidence base document at Appendix 1 be noted.**

**(2) Evidence relating to HMOs in the Borough, including seeking more information on smaller HMOs borough-wide and within existing and developing clusters, continues to be monitored and kept up to date with further reports to be submitted to future meetings of Development Control Committee.**

**(3) A non-immediate Article 4 Direction be introduced across the entire Borough and that Licensing officers be asked to review arrangements for all sizes of HMOs including those with three or more occupants.**

**(4) An immediate Article 4 Direction be introduced for Biggin Hill and Darwin wards.**

**278 ARBORICULTURE: PROGRAMME OF TREE ESTABLISHMENT**  
Report CSD21085

The Executive considered a report seeking authorisation to draw down funds from the Healthy Bromley Earmarked Reserve to plant 5,000 additional street trees to improve the health of residents through the provision of an improved environment. The report provided detail on the recognised health benefits of trees and the relevance to existing policy, and defined an outline of how the project would be delivered in partnership with residents.

It was important that the project proceeded quickly – there was demand for trees and stocks needed to be reserves in time for the planting season. Engagement with residents and Residents Associations was vital, as was the selection of sites and appropriate trees.

It was confirmed that the scheme was in addition to existing programmes, and was for highway street trees only.

**RESOLVED that**

**(1) The allocation of funding of £1,350,000 from the Healthy Bromley Earmarked Reserve to support a four-year programme of planting new street trees and providing tree aftercare be approved.**

**(2) Proceeding to procurement be approved for tree planting for a four year contract (with the option to extend for up to two years) at an estimated whole life value of £600k.**

**(3) Authority be delegated to the Director of Environment and Public Protection to approve, subject to agreement with the Assistant Director of Governance & Contracts, the Director of Corporate Services, the Director of Finance and the Portfolio Holder for Environment, the detailed procurement procedure and subsequent award of contract.**

**(4) The Director of Environment and Public Protection reports to the Environment and Community Services PDS Committee on 17<sup>th</sup> November 2021 on the proposed 2021-25 programme of tree planting.**

**279 STREET LIGHTING LED CONVERSION PROGRAMME**  
Report ES20110

The Executive considered a report outlining proposals for a capital programme to allow the remaining streetlights in Bromley to be converted to LED to provide potential revenue budget savings as part of the transformation programme. Conversion to LED lights offered considerable energy and financial savings.

A Member raised concerns about the possible removal of ornate street lighting lanterns from some conservation areas – it was confirmed that there were no plans to do so.

**RESOLVED that**

**(1) The establishment of a capital programme for a further phase of street lighting improvements at an estimated cost of £3.2m be approved.**

**(2) £3.2m be drawn down from the Invest to Save Fund to meet the replacement scheme cost, to be subsequently repaid from savings within the Street Lighting revenue budget.**

**(3) Final details of the scheme be reported to the Environment & Community Services PDS Committee later this year, including ensuring the criteria are met for an appropriate invest to save project, and any amendments requiring approval are subsequently referred back to the Executive.**

**(4) The revenue budget future requirement for street lighting is reviewed and any identified ongoing saving is included in the Council's financial forecasts and future budget considerations.**

**280 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**

**281 CHURCHILL GARDENS - DEED OF VARIATION TO DEVELOPMENT AGREEMENT (PART 2)**

The Executive agreed a deed of variation for the Churchill Gardens scheme.

**282 MYTIME SUPPORT UPDATE**

The Executive received an update on Mytime.

**283 CAPITAL PROGRAMME MONITORING - APPENDIX E**

The Executive noted Appendix E to the Capital Programme report concerning capital receipts.

**284 MARK BOWEN - DIRECTOR OF CORPORATE SERVICES**

The Leader, on behalf of all Members, thanked Mark Bowen, Director of Corporate Services, for his fifteen years' service to the Council and his expert advice to Members.

The Meeting ended at 10.05 am

Chairman