

EXECUTIVE

Minutes of the meeting held on 12 January 2011
starting at 7.00 pm

Present:

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Julian Benington,
Peter Morgan, Ernest Noad, Neil Reddin and Colin Smith

Also Present:

Councillor Nicholas Bennett J.P., Councillor Peter Fookes,
Councillor John Getgood, Councillor Brian Humphrys and
Councillor Michael Turner

138 APOLOGIES FOR ABSENCE

All members were present.

139 DECLARATIONS OF INTEREST

Councillor Julian Benington declared an interest as his daughter worked for Affinity Sutton (Broomleigh Housing Association).

Councillor Neil Reddin declared an interest as he had a child starting at one of the Borough primary schools.

Councillor Stephen Carr declared an interest as he also had a daughter attending St Olave's Grammar School.

140 MINUTES OF THE MEETING HELD ON 8TH DECEMBER 2010

a) Minutes

RESOLVED that the Minutes of the meeting held on 8th December 2011, excluding exempt information, be confirmed as a correct record.

b) Matters Arising

RESOLVED that the report be noted.

141 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Three written questions had been received from Councillor Simon Fawthrop details of which, together with the answers, are set out in the Appendix to the minutes.

142 CARBON MANAGEMENT PROGRAMME - PROGRESS REPORT

Report ES10188

As requested by the Executive an Annual Progress Report on the Carbon Management Programme (Minute 116 – 09.12.09 refers) was submitted which updated members on the Council's actions so far in reducing its energy consumption and carbon footprint. It also detailed progress against the Council's overall target of 25% CO₂ reduction by March 2013. The report had recently been discussed by both the Executive and Resources and the Environment PDS Committees whose comments had been circulated.

The Director of Environmental Services briefly introduced the report and highlighted the good progress ahead of target that had been made in reducing the Council's carbon emissions during 2009/10. Reference was made to the fact that the Council's carbon footprint was based on energy used by the Council, schools and Bromley Mytime buildings, as well as energy used for street lighting and fleet/business travel, commuting and water use and waste production. The views of the Environment PDS Committee were noted and supported.

RESOLVED that

- 1) the work carried out by all departments in achieving a 12.9% (4,773t) reduction in carbon emissions in 2009/10 (compared with 2008/2009) and a 14.5% (5,466t) reduction in emissions against baseline (2006/07) be noted;**
- 2) the continued action for the reduction in carbon emissions and energy costs, with a view to achieving the Council's carbon reduction target of 25% by March 2013 be approved;**
- 3) a further annual progress report be received in a year's time, detailing progress in 2010/11 and carbon reduction plans for 2011/12;**
- 4) the establishment of a PDS Highways Asset Working Group by the Environment PDS Committee in the new municipal year to consider matters concerned with street lighting, street signage and energy efficiency be endorsed; and**
- 5) the establishment of Environmental Champions at all Council sites be endorsed.**

143 CARBON REDUCTION COMMITMENT

Report ES10189

The Executive considered a second annual report on carbon reduction (Minute 117 – 09.12.09 refers) in respect of the Carbon Reduction Commitment Scheme that placed statutory obligations on the Council which were regulated by the Environment Agency. This report had also been discussed by both the Executive and Resources and Environment PDS Committees whose views had been circulated.

Reference was made to the fact that the government no longer intended to redistribute allowance revenue among participants but would retain the revenue to support public finances, which in effect would become a carbon tax and significantly increase the Council's projected financial liabilities. Comment was also made on the Council's responsibilities for schools and that the scheme currently assigned the liability for academies to the Council. The Portfolio Holder for the Environment advised that the Environment PDS Committee had discussed the situation and considered it to be most unsatisfactory to lose the reward element and that the Council should be liable for academies particularly as it had no controls over the rate of their emissions. He urged that strong representations be made to both the Secretaries of State for Education and for Energy and Climate Change on this ludicrous situation and seeking a responsible solution. Councillor Smith also spoke in supported of the PDS Committee's request for the I & E Sub-Committee to look at further ways of reducing energy consumption etc. and expressed the view that overall responsible for energy efficiency should more appropriately come under Resources. The Chairman whilst supporting the views of the PDS Committees and the Portfolio Holder's further comments he felt that the issue of where the responsibility for carbon reduction/energy efficiency should lie would need to be looked into at a future date.

RESOLVED that

- (1) the statutory duty on LB Bromley to comply with the CRC scheme, the likely costs arising from this 'tax', and the potential for civil and criminal penalties be noted;**
- (2) the need for sustained action to reduce energy use and carbon emissions and improve data management to minimise the Council's financial liabilities under the scheme be endorsed;**
- (3) a further report setting out the Council's progress under the scheme and a forecast of its future financial liabilities be received in one year's time;**
- (4) representations be made both the Secretary of State for Education and the Secretary of State for Energy and Climate Change to advocate that academy schools be outside of the Council's responsibilities under the CRC Scheme; and**

(5) the Improvement and Efficiency Sub-Committee be requested to investigate further ways of reducing energy consumption and look at the benefits associated with renewable energy generation, feed in tariffs and other similar measures.

144 LONDON BOROUGH GRANTS SCHEME: 2011/12

Report LDS11006

Notification had been received that the London Councils Grants Committee was proposing a budget for 2011/12, part of which was met from contributions from London Boroughs, which was considerably lower than previous years. A review of the Grants Scheme had been undertaken by London Councils to establish the degree to which services would more appropriately be commissioned/delivered at local level. As a result a budget for 2011/12 had been set and Bromley's contribution had reduced from £1,045,626 in 2010/11 to £529,763 in 2011/12, a reduction of £515,863. The budget required approval from two thirds of the constituent Councils by 1st February 2011 which was before the next scheduled Council meeting.

The Chairman referred to the previous scheme which had been a very bureaucratic system that had little direct benefit to Bromley residents and spoke in support of the outcome of the review. He advised that discussions were under way with Bexley to look at gaps in funding to local organisations but he emphasised that this came with a 'health warning' in view of the stringent financial situation faced by local authorities next year.

RESOLVED that the proposed contribution of £515,863 in 2011/12 to the London Council's Grants Committee be approved.

145 THE LOCAL GOVERNMENT FINANCE SETTLEMENT 2011/2012 TO 2012/13 AND RELATED BUDGET ISSUES

Report DR10116

On 13th December 2010 the draft two year Local Government Finance Settlement 2011/12 and 2012/13 had been announced. For Bromley the headline formula grant figures had been confirmed as £67.320m in 2011/12 and £59.636m for 2012/13. As in previous years, a funding "floor" was applied to each authority to minimise year-on-year changes in its level of cash grant. In 2011-12 floors would be set at a negative level for the first time, guaranteeing each authority a minimum decrease in funding. The situation facing the Council was therefore extremely severe with Bromley having the highest level of grant reductions along with three other London Boroughs.

The report also identified a detailed Draft 2011/12 Budget based on the previous estimates reported to the last meeting (Minute 126 -08.12.10 refers).

However, since that report was issued further significant changes had occurred and revised details updating the previous appendices, together with explanatory information was circulated at the meeting. Members were advised that confirmation on the future of some of the grants was still awaited and there could be further changes to the estimation of grant losses as shown in the latest report. Various other updates were reported and reference was made to the concerns at the continuation of inflation at levels well above the Bank of England's target rate and that this was not expected to fall significantly over the next year.

The Director of Resources spoke of the complexity of the grants situation and that officers had been reviewing spending and identifying options to balance the budget for initially the next two years and various savings were proposed as identified in Appendix B, circulated at the meeting. These options would help to reduce the 'budget gap' to £6,343k in 2011/12. Work was continuing to identify further savings and review the phasing as well as any other updates that might effect the final proposals. In the interim it was suggested that PDS Committees be asked to consider these proposals and report back to the Executive prior to final recommendations being made to Council. The Chairman outlined the time scale for this to be achieved and as the final decision by the GLA on their budget would not be until later in February it had been agreed that the Council Tax meeting would now take place on Monday, 28th February 2011. A special meeting of the Executive would be held prior to that on the former Council meeting date of 14th February 2011 to make the final decisions for recommendation to Council. The next scheduled meeting of the Executive on 2nd February 2011 would go ahead with any further updates reported to members as available. The Chairman emphasised that all the options were now open for discussion at this stage and any changes would have to be backed up by appropriate alternative savings.

Councillor Getgood spoke of his initial concerns at the proposals that he felt would severely affect front line services. The Chairman responded that no one wanted to be in this position but local authorities had no alternative but to address the problems and try and balance their budgets. Work had already been going on in respect of restructuring to gain efficiencies of service and at the same time protect the very vulnerable. Several members commented on the difficult decisions that needed to be made because of the financial state of the nation. Significant grants had been cut by the government in all areas and there was no funding to take its place therefore hard decisions had to be taken with every effort being made to minimise the effects on front line services. In response to questions from Councillor Fookes the Chairman responded that use of balances was not practical or sustainable although they would be used to buffer the effects of redundancy costs. The Director confirmed that increases in charges across the board had been looked at and would be utilised where appropriate. The Portfolio Holder for the Environment confirmed that at this stage no increase in parking charges was being considered because of the implications for the local economy. However, this would not pre-empt the situation being reviewed in the light of future economic growth.

The Chairman had issued a statement which had been circulated and he referred to it briefly emphasising that the potential savings were not about gimmicks but about creating certainty and sustainability. Consultations would now take place with staff and through the PDS Committees to inform the Executive's final recommendations to Council.

RESOLVED that

- 1) the revised budget proposals circulated be agreed as an initial basis for the final 2011/12 budget;**
- 2) where consultation has not already commenced, approval be given for Officers to begin the process of consulting on the savings proposals prior to finalising the implementation of any savings (set out in Appendix B circulated at the meeting);**
- 2) PDS Committees be invited to consider the proposals arising from this report and their comments be considered by the Executive at its next two meetings in February; and**
- 3) the Leader's decision to revise Delegation (4) of the Resources Portfolio by adding the following words be endorsed:**

Chief Executive (4) (ii)	Authorise reorganisations and restructurings involving redundancies and /or early retirement to be made by the Chief Executive after consultation with the Leader, relevant Director(s) and Portfolio Holder(s) on the service and financial implications where there is funding available to meet the associated costs.	Leader
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146 SAFEGUARDING AND SOCIAL CARE: RELEASE OF SOCIAL WORK IMPROVEMENT FUND GRANT

Report DCYP1101

Consideration was given to a report of the Director of Children and Young People Services seeking approval to the release of £169,000 of grant funds allocated to Bromley by the Children's Workforce Development Council to be added to the 2010/11 Children and Young People, Children's Social Care budget.

Members were informed that two grants had been made available to the Council, The Social Work Improvement Grant (£130,000) and the a grant for Newly Qualified Social Workers (£39,000). In view of the overspend in Children's Social Care budget it was proposed that the Social Work

Improvement grant money be used to offset expenditure already being utilised to improve front line practices. The report detailed the arrangements being made to increase the number of permanent social workers in the front line protection teams and the recruitment and retention package already agreed which these grants would further enhance and support. The Director advised that a detailed report reviewing the Children's Social Care Recruitment and Retention Package would be going to the CYP PDS Committee meeting on 24th January 2011.

RESOLVED that

1) the release of £130,000 of money allocated to Bromley by the Children's Workforce Development Council (Social Work Improvement Fund) from contingency to support the measures that have been put in place to improve the recruitment and retention of frontline children's social workers be approved; and

2) the sum of £39,000 Children's Workforce Development Council (Newly Qualified Social Work Fund) be released to support the measures to improve the recruitment and retention of frontline children's social workers.

147 CAPITAL PROGRAMME REVIEW 2010

Report DR10112

The Executive considered a report presenting new capital bids supported by Chief Officers in this year's Capital Review process. The main focus was on the continuation of existing essential programmes and on externally funded schemes, with only a limited new spending programme being put forward. Three lists of schemes had been prepared with List A showing those schemes being recommended at this stage with new capital investment totalling £29.2m which was significantly less than in previous years. An Invest to Save Scheme in List B and brief details of those schemes that were not being recommended at this stage set out in List C which included a scheme to increase the capacity in primary schools due to the increase in the numbers of primary school children.

Members in discussing the primary schools situation were advised by the Director of Children and Young People Services on the process for assessing the future need for additional school places and the implications arising from schools taking on academy status. It was emphasised that the Council had a statutory responsibility to find sufficient places for Bromley children regardless of the school status. Some new funding had recently been received which would be of help. However, there were concerns of an increase in the number of families being housed by inner London Boroughs in outer Boroughs such as Bromley because of changes to Housing Benefit as already reported to the Executive (Minute 128 – 08.12.10 refers) meeting in December last year. The

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Chairman commented that the need for additional school places would need to be kept under review.

RESOLVED that approval be given to the new Schemes and the existing spending programmes as set out in Appendix 2 (Lists A and B) as a basis for consultation for final decision at the Executive meeting in February.

148 CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

There were no additional issues to be reported from the Executive and Resources PDS Committee.

149 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**

150 EXEMPT MINUTES OF THE MEETING HELD ON 8TH DECEMBER 2010

The exempt minutes of the meeting held on 8th December 2010 were confirmed.

151 DARRICK WOOD SECONDARY SCHOOL: COMMERCIAL TRANSFER AGREEMENT FOR ACADEMY STATUS

Darrick Wood Secondary School had formally converted to an Academy on 1st December 2010 when the Council had ceased to maintain the school on that date. As part of the conversion process the Local Authority was required to agree a Commercial Transfer Agreement with the School and its Governing Body. This Agreement was the means by which staff pensions, contract liabilities and assets were transferred to the Academy; and the respective

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obligations and duties of the Academy and the Local Authority towards each other were set out in a legal document.

The Executive discussed a report on the terms of the Transfer Agreement and gave formal approval to its finalisation.

Chairman

The Meeting ended at 8.15 pm

WRITTEN QUESTIONS FROM COUNCILLORS

From Councillor Simon Fawthrop – 3 written Question

1) How many asylum seekers (Non UK residents seeking political asylum and leave to remain in the UK) are currently resident in the Borough?

Reply:

The Council no longer holds information on the resident asylum seeker population within the Borough. This is because from 2005 the Borders & Immigration Agency have been responsible for receiving and maintaining asylum seekers and local authorities ceased to be responsible - except in the case of unaccompanied minors.

2) What is the cost to the public purse of asylum Seekers in the Borough (If the answer to question 1 is zero, the question should be what would be the average cost to the public purse of any one claiming asylum in the Borough)?

Reply:

Whilst there may be costs to the public purse incurred by the Borders & Immigration Agency Service, there are only limited costs incurred by the Council. These consist of:-

7 young people supported by CYP with the status of 'Unaccompanied Asylum Seeking Child'. The projected spend in 2010-11 is £135.5k and the expected grant reimbursement from the Government is £130.5k - i.e. a net cost to LBB of £5k.

3) What measures are in place to deal with any asylum seekers that may present themselves in Bromley?

Reply:

The third question is not applicable as presentations are managed by the Borders & Immigration Agency (B&IA) service except for any unaccompanied minors. As mentioned above these young people are dealt with by the Children's Social Workers through the normal Children in Need and other existing procedures for support and accommodating - after checking their age, status, etc., with the B&IA.

All cases are kept under constant review to ensure Council support is necessary and to determine the earliest point at which it can be ended.