

EXECUTIVE

Minutes of the meeting held on 22 June 2011 starting at 7.00 pm

Present:

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Peter Morgan,
Colin Smith (Vice-Chairman) and Tim Stevens

Also Present:

Councillor Douglas Auld, Councillor Nicholas Bennett J.P.,
Councillor Will Harmer, Councillor Brian Humphrys,
Councillor John Ince, Councillor Alexa Michael, Councillor
Tony Owen, Councillor Richard Scoates and Councillor
Stephen Wells

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Noad.

16 DECLARATIONS OF INTEREST

Councillors Arthur and Nicholas Bennett JP subsequently declared interests School Governors of one of the schools referred to in item 15 – Commercial Transfer Agreements for Schools seeking Academy status.

17 MINUTES OF THE MEETING HELD ON 25TH MAY 2011

a) Minutes

Since the draft minutes were published Councillor Nicholas Bennett JP requested that his comment in respect of amendments to the Core Strategy Issues Document (Minute 8) be clarified. The Chairman agreed the request and the Minutes circulated had been amended.

RESOLVED that the amended Minutes of the meeting held on 25th May 2011, excluding exempt information, be confirmed as a correct record.

b) Matter Arising

Since the last meeting the Leader of the Council reported that he had agreed to some additional membership changes as follows (Minute 5 refers):

Councillor Stephen Carr (alternate Councillor Colin Smith) appointed as a member of the Improvement & Efficiency Sub-Committee;

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Councillor John Getgood appointed as a member of the SEN Working Party;
Councillor Ian Payne appointed as a member of the Town Centre Working Party.

RESOLVED that the above membership appointments be noted.

18 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

One written and one oral question had been received from members of the public which, together with the answers, are set out in the Appendix to the minutes.

19 BIGGIN HILL AIRPORT OLYMPIC PROPOSALS

Report RES 11045

The Executive considered a report setting out details of a second application received from Biggin Hill Airport Limited (BHAL) for a more limited extension of flying hours over the Olympic period mainly affecting the 'shoulder hours' in the morning and evening times. This application did not include any request for a temporary alteration to the user clause. Attached to the report was an extract from the letter submitted by the Managing Director, BHAL explaining the basis of their reduced proposal.

Reference was made to the previous proposal (Minute 186 – 21.03.11 refers) when an extensive consultation exercise was carried out which had resulted in 2193 responses, with the vast majority in opposition. The Executive's views were being sought on the action to be taken on the latest application.

Councillor Owen attended to speak to this item and voiced his opposition to the proposal. Two other members also expressed their doubts.

The Chairman pointed out that the application was very different from the previous request as BHAL were no longer applying for changes to allow for fare paying passengers and the time extensions were shorter. He felt that in the interests of openness consultation should take place on this second application to give all those who had responded previously and other interested parties the chance to review the new proposals. To report back to the Executive's next meeting in July was too short a time period, although an update could be given to members at that time, and he therefore proposed the consultation should run until the end of July. A special meeting of the Executive could then be convened during the beginning of August to consider the application, together with the results of the consultation exercise.

Councillor Colin Smith agreed with this approach and commented on two issues on which he had concerns, firstly the claim that permitting the change would be setting a precedent, which he felt had on occasion been taken out of

context; and secondly there was no information on what benefits there would be to borough residents in supporting the latest request.

The Executive having discussed the matter agreed to go out to consultation on the request and members felt that it should commence as soon as possible following this meeting and therefore agreed that the five day call-in period be waived on this occasion.

RESOLVED that consideration of the latest application by BHAL be deferred to enable consultations to start as quickly as possible and conclude at the end of July, with a special meeting to be convened early in August to deal with the matter.

20 RELOCATION OF STREET CLEANSING FACILITIES TO FORMER CHARTWELL BUSINESS CENTRE, CENTRAL DEPOT

Report DRR 11055

The Executive decided to defer consideration of this report to the next meeting to enable additional information on the business case for the proposal to be provided by the Officers.

RESOLVED that the report be deferred for consideration at the July meeting.

21 PROVISIONAL FINAL ACCOUNTS 2010/11

Report RES 11030

Consideration was given to a report on the provisional outturn at Portfolio level and Council wide for the financial year 2010/11 including the potential implications for the Council's financial position in 2011/12. Also included were details of carry forward requests and a request to set aside a sum in the Government Grant Reserve to deal with technical accounting changes.

It was noted that the 2010/11 provisional outturn showed an overall net improvement in balances of £2.9m (before carry forwards) which represented a variation of 1.4% compared with the final approved budget of £213.4m. This sum consists of £1.2m on services and central items, carry forward of £0.9m and prior year adjustments of £0.8m. The Finance Director introduced the report and advised that service departments have taken positive action to address in-year overspend, even after allowing for in-year significant reductions in government grant funding. Some of the underspend identified had been built into the 2011/12 budget. He also referred to the prior year adjustment and the list of carry forward requests detailed in the report which includes carry forward requests in respect of grants.

The Resources Portfolio Holder commented on the significant level of underspends (£2.9m) and that respective PDS Committees and Portfolio Holders should look at these in more detail. He considered that a proportion of the underspend might be used to contribute towards funding the severance fund. In respect of the large number of carry forward requests, this gave reason for some concern and should be examined in more detail. Following discussion about options in reporting back to the next meeting of Executive to consider the carry forward request in more depth, the Finance director advised that PDS Committees would be receiving information on these issues as part of the July monitoring report and that Chief Officers in liaison with Portfolio Holders could consider the requests in more depth prior to reporting back to the Executive. He also referred to the number of carry forward requests in respect of government grants and that a number of these had to be repaid if not used for the purpose specified. The Chairman also raised issues on the grant carry forwards and commented that those that did not need to be repaid should be looked at closely as the monies could possibly be utilised for other purposes.

The Executive in discussing the overall situation generally felt there should be tighter monitoring and that the carry forwards shown in Appendix 7, excluding the Town Centre items, should be referred back to PDS Committee for an in depth review and come back to the Executive for further consideration.

RESOLVED that

- 1) the provisional revenue and capital outturns for the 2010/11 financial year, and the earmarked balances on the General Fund as at 31st March 2011, be noted;**
- 2) a more detailed analysis of the 2010/11 final outturn will be reported to the individual Portfolio Holder meetings and their respective PDS Committees;**
- 3) the variations in 2010/11 impacting on the Council's 2011/12 financial position be noted;**
- 4) the carry forward of £748,000 relating to repairs and maintenance, approved under delegated powers as set out in Appendix 7 of the report be noted;**
- 5) the previously approved carry forward requests of £153,000 (mainly related to Town Centre matters) be noted;**
- 6) the further carry forward requests totalling £50,000 (net) detailed in Appendix 7 be referred back to the Portfolio Holders for more in depth examination and reported back to the Executive; and**
- 7) a sum of £884,000 be set aside in the Government Grant Reserve to deal with technical accounting changes relating to non-ring fenced government grants.**

22 CAPITAL PROGRAMME - OUTTURN 2010/11

Report RES11031

Details were submitted of the final outturn on capital expenditure and receipts for 2010/11. The report also contained information on the final outturn in respect of block provisions within the 2010/11 Capital Programme and to three carry forward requests from 2010/11 into 2011/12 totalling £542,000.

It was noted that the final capital outturn (actual expenditure plus sundry creditors) for the year was £47.8m compared to the revised total estimate of £71.4m approved by the Executive in February. The Finance Director advised that the large amount of slippage on schemes at this stage was significantly higher than previous years. As a result the capital monitoring procedure was being reviewed to tighten things up and build more rigour into the process. The Resources Portfolio Holder reiterated his concerns and whilst accepting the situation in respect of the Langley School for Boys Building Schools for the Future scheme, considered more explanation was needed as to the reasons for such high slippage on other schemes. The Finance Director in response to a question from Councillor Morgan agreed to provide him with a list of those schemes included as part of the general heading 'other contributions'.

The Executive in agreeing the recommendations proposed that Portfolio Holders/PDS Committees examine the reasons for the slippage in more detail as part of their scrutiny work programme.

RESOLVED that the report be noted and approval be given to the carry forward of unspent capital budgets on the following block provisions (as referred to in paragraphs 3.8 to 3.10 of the report):

- i) CYP Planned Maintenance/Modernisation – £243,000;
- ii) Works to prepare sites for disposal - £30,000;
- iii) Disabled Facilities Grants - £269,000.

23 REPORT OF THE NEW TECHNOLOGY WORKING GROUP

RES11040

The Executive welcomed Councillor William Harmer to the meeting to introduce the report of the Working Group he chaired on how developments in new technology could be applied to Council services. Councillor Nicholas Bennett had also been involved with the Working Group and was attending for both this item and the following review item. The Chairman thanked both members for the work, time and effort they put into the review.

The Executive and Resources PDS Committee had commissioned this review and had referred the report with its nine recommendations to the Executive for further consideration and implementation. Councillor Harmer explained the

approach taken by the Working Group who had looked at the use of technology in all departments. In general he felt the Council was proactive in following up opportunities to use new technology to enhance its service delivery as well as achieve savings. One of the key areas was encouraging a different approach to using technology when dealing with the public which was far cheaper than face to face contact. In response to questions from members Councillor Harmer advised that there were no major cost implications arising from the proposals as it was largely about building on existing arrangements such as for example on line school admissions. The Working Group had looked at examples in other local authorities and could show cost savings particularly in the area of public communication.

The Chairman spoke in support of the general thrust of the review but asked more about the first recommendation encouraging the Council to widen its use of social media. Councillor Harmer advised that the example of Barnet Council had been looked at where that authority had encouraged people to communicate electronically rather than by letter or personal visits and it had proved less costly. Councillor Nicholas Bennett also spoke in support of this proposal and how it might be used to advantage by Bromley.

Members discussed the various initiatives and asked questions on the background to some of the proposals. A member asked in relation to recommendation 5 whether paper versions of documents, for example agendas would still be available. Councillor Harmer spoke of the strong business case for reducing the amount of paper generated and that several members already accessed their meeting documents electronically even at meetings as had happened at a recent Audit Sub-Committee meeting. There had been considerable improvements and the new technology now available made it far more user friendly. Councillor Bennett suggested that those members who voluntarily wished to try the new process could be invited to trial the use of hand held/tablet devices as opposed to hard copy versions of documents as part of the next stage.

RESOLVED that the recommendations of the New Technology Working Party be endorsed and the Chief Executive, together with Councillor Harmer work through the proposals and a progress report be submitted to the PDS Committee in September.

24 COUNCIL COMMUNICATIONS UPDATE

Report CE 117

Consideration was given to a report summarising progress against recommendations made by the Executive and Resources Scrutiny Working Group on Communications. Councillor Nicholas Bennett JP had chaired the Working Group which had reported to the PDS Committee back in February 2010 and was in attendance to speak to the report. He noted that quite a number of the recommendations had been progressed during the past year.

The Executive and Resources PDS Committee at its meeting the previous week had noted the progress being made and had drawn attention to a number of items to be given priority. Councillor Bennett referred to these and specifically asked what had happened in respect of recommendation 15 concerning use of the Design Studio for all Council printing work. The Chief Executive advised that responsibility for the Design Studio had very recently transferred to Resources and the situation was currently being reviewed including the issue Councillor Bennett raised. Work on all the areas raised in the report was or had been addressed and this was against a background of reduced staffing resources. The emphasis was on a more corporate approach to getting the Council's message across to residents. The Chairman commented that recommendation 8 about the attendance of Communications staff at all PDS Committee meetings should be on a case by case basis. The Chief Executive confirmed this was the approach being taken and explained that staff were involved at an earlier stage in the process and were picking up issues in readiness before the meetings.

RESOLVED that

- 1) the strategic and operational direction adopted to develop effective Council wide communications be noted;**
- 2) the progress to date on meeting the recommendations of the Working Group be noted; and**
- 3) the suggested way forward to further meet the recommendations of the Working Group, the objectives of the Communications Strategy and to continue to ensure Council communications activity is led politically and managerially be endorsed.**

25 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 Community.

26 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**

27 EXEMPT MINUTES OF THE MEETING HELD ON 25TH MAY 2011

The exempt minutes of the meeting held on 25th May 2011 were confirmed.

28 CHISLEHURST ROAD BRIDGE REPLACEMENT - CONTRACT AWARD

The Executive considered a report on the outcome of a tender exercise for the replacement of Chislehurst Road Bridge and agreed to award the contract to the successful company. It was also agreed to recommend Council to include the scheme in the approved Capital Programme.

29 COMMERCIAL TRANSFER AGREEMENTS FOR SCHOOLS SEEKING ACADEMY STATUS - WARREN ROAD AND HAYES PRIMARY SCHOOL

The Executive received a report on the finalising and execution of Commercial Transfer Agreements for a number of schools currently in the process of converting to academy status.

Approval was given to the terms of the Transfer Agreements and for delegated authority to be given to the Director of Resources, to approve and execute any such future Commercial Transfer Agreements, ancillary agreements and Leases as required.

30 FORMER LEESONS CENTRE, CHIPPERFIELD ROAD, ST PAUL'S CRAY

A report was submitted recommending the marketing of the above site on a dual basis for housing redevelopment and or extra care housing for older people.

Chairman

The Meeting ended at 8.55 pm