

EXECUTIVE

Minutes of the meeting held on 21 July 2010

Present:

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

Also Present:

Councillor Nicholas Bennett J.P., Councillor Robert Evans, Councillor Peter Fookes, Councillor Peter Fortune, Councillor David McBride and Councillor Sarah Phillips

41 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Colin Smith.

42 DECLARATIONS OF INTEREST

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

Mark Bowen, Director of Legal, Democratic and Customer Services, declared a prejudicial interest in item 19 (Part 2 – Award of Contracts for the PCT Campus Reprovision – Schemes 7 & 8) and left the meeting whilst the matter was discussed.

Councillor Neil Reddin declared an interest in item 14 (Award of SEN Transport Contract) and stated that he would not join in the discussion or vote on the item.

43 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 16th JUNE 2010

a) Minutes

RESOLVED that the minutes of the meeting held on 16th June 2010, excluding exempt information, be confirmed as a correct record.

b) Matters Arising Report LDCS10133

In respect of Minute 187 (30th March 2009) Area Action Plan for Bromley Town Centre – Draft Submission Document: Members were advised that the

outcome of the Inspection was expected to be received tomorrow. The Leader informed the Executive that he had written to Mr Pickles, Secretary of State for Communities and Local Government, seeking his support for the Plan.

44 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

There were two members of the public attending to ask questions details of which are set out in the attached appendix. Also included are two written questions received from members of the public.

45 BROMLEY MUSEUM AT THE PRIORY ORPINGTON

Report DRR 10/00063

Further to Minute 112 (9th December 2009 refers), consideration was given to a report of the Director of Renewal and Recreation setting out a number of options for the future of the current Library and Museum building at The Priory, Orpington following the relocation of the public library.

The Director outlined the three options set out in the report and explained that the proposals in Option 3 were being recommended. This scheme involved improving the use of the area for small business use and a local firm of structural engineers had already expressed an interest in the existing library building. There would be substantially enhanced museum space, with internal high quality visitor facilities that could include a café area. This could have the effect of creating an 'arts and heritage' zone at the southern end of the High Street. The anticipated cost of the scheme would be in the region of £2.5m for which it would be necessary to seek external funding. Discussions had already been held with English Heritage for their views on the proposal and they had been fairly positive particularly as it involved enhancing the museum facilities on the site.

A local ward member, Councillor William Huntington-Thresher, spoke in support of this option as it provided an attraction for visitors at the lower end of the High Street which he felt was important. A number of other members also expressed their views in agreement with the proposals including the Portfolio Holder for Renewal and Recreation. He referred to the historical background of this Grade 11* listed building which members had visited and seen for themselves the inadequate public facilities. Councillor Benington commented on the need to consider every opportunity and reported on recent discussions with Bexley who had a similar situation with Danson House where the Bexley Heritage Trust had been set up to manage the property. The Trust had been able to access funds not available to a local authority and had significantly improved the property. They were willing to look at joining in with Bromley to see if something similar could be done at The Priory. Councillor McBride spoke of his support for option 3 but asked whether other uses had been looked at such as the relocation of the Registry Office. Officers confirmed that this had been considered previously but the relocation of the

service was not viable. However, if the improvement scheme went ahead then it was likely the building would be suitable as a wedding venue as well as for other major events which would help generate income.

The Chairman added his support for the preferred option and emphasised the need for a more commercial approach. He also pointed out that it very much depended on securing sufficient outside funding for what was potentially a very exciting project. It was agreed that Option 1 be removed from the recommendation at this stage and to go ahead with Option 3 including formal consultations with interested parties.

RESOLVED that

- 1) further work be undertaken to explore funding for Option 3 and approval be given for a formal consultation process to be undertaken on this option; and**
- 2) a further report with a full evaluation of this option and the outcome of discussions to seek external funding be submitted back to the Executive in six months' time, or earlier if available.**

46 FINANCIAL MONITORING 2010/11

Report DR10065

The Executive received the first budget monitoring report for 2010/11 based on expenditure and activity levels up to May 2010. The 2010/11 projected outturn showed an overall net reduction in balances of £2,053,000. This consisted of a reduction in balances to reflect net overspends of £1,479,000, offset by additional income from interest on balances of £200,000 and a saving on the central contingency sum of £200,000. There had been a further reduction in balances to reflect the carry forwards (£974,000) funded from unspent budget provision in 2009/10. Any savings from the unspent budget provision in 2009/10 had resulted in a corresponding increase in revenue balances in 2009/10.

The Director of Resources introduced his report and advised that the main variations included net overspends of £0.5m relating to Adult and Community Services and £0.9m for Children and Young People Services, the reasons for which were set out in the report. A further risk of overspend related to cuts in Government grants of £1.67m which had had a significant impact on the Council's finances particularly affecting Children and Young People services. At this stage it had been assumed that offsetting savings would be found. Members were advised that the Council's financial position was much tighter at this stage than in past years but officers were working to balance service budgets and take steps to deal with the overspends.

Councillor Arthur spoke about the increasing pressures facing the services within the Adult and Community Portfolio with some grants being withdrawn and others coming through. Councillor Noad also highlighted the same

problems within the Children and Young People services with the complete withdrawal of some grants at short notice and the uncertainty over future funding.

A member queried in the current situation the need for the full allocation of budget for member initiatives such as highway works. The Chairman advised that this had been agreed as one off funding for investment in services and a cautionary approach would be taken with nothing being approved without the Portfolio Holder's agreement. The Director of Resources informed members that the government funding towards the cost of winter damage (£197,000) had been received in two payments.

Councillor Nicholas Bennett reported that the CYP Portfolio Holder had agreed to write to the Department of Education and offer back underused grant money for it to be offset against savings elsewhere. He suggested this principle might be used for other grants that were not needed to trade back for savings in other areas. It was agreed that the officers look at the possibilities.

The Chairman acknowledging the difficult financial situation spoke of the continued efforts to reduce costs with further efficiency savings and more cross borough working with both Bexley and possibilities with Croydon LB. He drew attention to paragraph 3.11 of the report which detailed a list of five grants being recommended for release into the CYP Budget and proposed that at this stage items d) and e) should be used towards the overspending.

RESOLVED

- 1) that the latest financial situation as detailed in the report be noted;**
- 2) that Chief Officers be required to bring back proposals to address their overspend and to balance their budgets;**
- 3) that the estimated financial impact of the recession to date as detailed in the report, be noted;**
- 4) that approval be given to include three new Specific Grants totalling £54,000 in the CYP departmental budget as set out in paragraph 3.11.1 of the report;**
- 5) to defer transfer at this stage of the two new Area Based Grants totalling £49,000 to the CYP department;**
- 6) that approval be given to the release of the monies required for the Learning Disabilities Campus Closure Programme as detailed in the report;**
- 7) that the reduction in revenue grant of £1.6m which directly impacts on the Council's revenue budget and the action detailed in the report to mitigate the impact of the grant losses be noted;**

8) that the loss/reduction of government grants detailed in section 3.13 of the report be noted;

9) that approval be given to the release of WRAP monies as detailed in Section 3.14 of the report;

10) to delegate to the Environment Portfolio Holder responsibility for allocating the sum of £1m set aside for general member priorities as detailed in section 3.15 of the report;

11) that approval be given to utilise the one off grant monies of £197,000 for repairs to roads as detailed in section 3.16 of the report;

12) that the earmarked sums of £660,000 for Learning Disabilities and £220,000 for Physical Disabilities included in the central contingency be released as detailed in section 3.17 of the report; and

13) that the carry forward requests of £428,000 supported by the Portfolio Holder be approved.

47 CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2010/11

Report DR10066

Consideration was given to a report summarising the current position on capital expenditure and receipts following the first quarter of 2010/11, and proposals for a revised Capital Programme. Detailed issues relating to the 2009/10 Capital Programme outturn which had been reported in summary form to the June meeting had also been included in the report.

The Director of Resources briefly highlighted the main changes including the reduction in grant from Transport for London that needed to be reflected in the Capital Programme. Two new capital grants had also been received which required to be added into the Programme. The Director of Resources indicated that future reports would include modelling of Capital options.

RESOLVED that the report be noted and approval be given to the following amendments to the Capital Programme which be revised accordingly:

- i) a reduction of £338,000 in 2010/11 to reflect revised grant allocations from Transport for London as detailed in the report; and**
- ii) the additions of £20,000 and £145,000 in 2010/11 in respect of new government capital grant allocations for Extra Care Housing and Transforming Social Care as detailed in the report.**

**48 UPDATE ON THE COUNCIL'S FINANCIAL POSITION 2011/12
TO 2014/15**

Report DR 09081

Members considered a report updating them on the Council's financial position and also outlining the issues that would shape the medium term financial strategy over the life of the Council. It also contained updates to reflect the continuation of the approach previously agreed by the Executive with broad budget forecasts to 2014/15. It was suggested that this and the following item on grant reductions be discussed together.

The Director of Resources advised that this was the first financial strategy for this Council and in projecting cost implications for the next few years represented the most intricate and tentative forecasts that the Council had had to produce for some considerable time. Whilst the position had been one of increasing dependency on government grant driving the Council's spending this was now changing with the present government moving away from that approach. He drew attention to the table set out in paragraph 6.3 of the report showing the economic changes plus the original planning assumptions that formula grant would be frozen in cash terms giving Bromley an estimated budget gap of £4m+ in 2011/12 before any of the likely substantial reductions in grant funding. Risk analysis had been undertaken but this was basically a 'scene setting' report as more detail would become available in October following the Comprehensive Spending Review. Very little information was coming out from government offices at the moment so it was difficult to predict with accuracy what might happen.

The Resources Portfolio Holder emphasised the role of the PDS Committees in examining in more detail the financial position within respective services in the light of grant reductions. The Chairman reiterated the need to continue the programme of efficiencies and savings whilst ensuring the Council was obtaining value for money. Members went on to discuss the situation including the detrimental impact on Council services of the drastic cut back in grants. A member commented that grants were also being reduced in the third sector which would have implications for the Council as to whether or not it should assist in providing certain services. Councillor Noad spoke of the need for the government to consider relaxing some of the statutory requirements on local authorities who could not continue providing a service without the requisite financial support. He felt there was more duplication of services centrally rather than at local level whilst accepting there was still room for some savings to be made.

The Director of Resources reported a technical error in the table at the bottom of page 10 – fourth line up 'Annual Council Tax Rise, column 2011/12 should read 5.6% not 1.3%.

RESOLVED that

- 1) the continuation of the updated approach to the budget, as summarised in Section 9 of the report be agreed; and
- 2) the report be referred to the PDS Committees for their consideration and comments to be reported back to the Executive in due course.

49 DEPENDENCY ON EXTERNAL GRANTS

Report DR 10067

The Director of Resources submitted a report which drew together the various grant reports to the PDS Committees and included the respective exit strategies identified so far. The report also provided an overview of the Council's dependency (currently 70%) on grant funding as well as an update on Government plans to reduce grants to reflect the current state of public finances. The report had been discussed in conjunction with the preceding item.

RESOLVED

- 1) that the increasing dependency on grant funding over the years which has been utilised to develop services be noted;
- 2) that the recently announced reduction in Government funding and its implications on the 2010/11 Budget be noted;
- 3) to note that individual PDS Committees have already been considering the Portfolio dependency on grant funding and identifying the implications of reductions in grant funding; and
- 4) that Chief Officers be requested to submit proposals for their individual Portfolio areas on exit strategies for the specific and Area Based Grants should they be reduced.

50 COMMISSIONING ARRANGEMENTS FOR SUPPORTING PEOPLE SERVICES FOR YOUNG PEOPLE

Report ACS10043

The Executive received a report of the Director of Adult and Community Services advising on the outcome of a review of young people's supporting people services and making recommendations for services to be commissioned on the expiry of the current contracts at the end of November 2010.

The Director of Adult and Community Services explained the background to the report which was about the needs of homeless young people and how the service might be improved with the approach being recommended. The Supporting People grant funded housing related support to people in need who required assistance to continue living independently and was held within the ACS Department. However, this contract concerned the provision of services to vulnerable young people mostly in the care of Children and Young People services. Whilst the review had supported a definite need for this service it had also identified deficiencies in the current arrangements mainly in respect of the lack of 24 hour cover. As a result the cost would increase which it was proposed to be funded by uncommitted funds in the Supporting People budget, together with a contribution from CYP services.

Members had some reservations as to the need for the additional funding and asked a number of questions about the service. The Portfolio Holder for Adult and Community Services referred to the need to for a possible reappraisal of the scheme and the way it was provided. There was also some concern from the Chairman of the CYP PDS Committee that the funding would be taken out of the budget set aside for the Foyer Scheme and the Director explained the reasoning behind the suggestion. However, he emphasised that the Foyer scheme was not being deferred which was also confirmed by the Portfolio Holder, Councillor Arthur. The Portfolio Holder for Children and Young People Services was also not aware of the background to what was being proposed. In the circumstances the Chairman suggested that a decision be deferred at this stage for more information. The Director of Adult and Community Services referred to the timing of the current contract which expired at the end of November and that if there were a long delay then it might be necessary to negotiate an extension. The Chairman suggested that if necessary a special meeting of the Executive be held before the next scheduled meeting to consider the matter, after consultation with the Portfolio Holder and the PDS Committee Chairman.

RESOLVED that consideration of this matter be deferred for a more informative report to be prepared and that if necessary a special meeting of the Executive be called to consider the proposals.

**51 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.

**52 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.

53 EXEMPT MINUTES OF THE MEETING HELD ON 16th JUNE 2010

The exempt minutes of the meeting held on 16th June 2010 were received.

54 AWARD OF SEN TRANSPORT CONTRACT

The Executive considered a report on the outcome of tenders for the Transport Services Contracts and the agreed the recommendations.

55 OPPORTUNITY SITE K - REDEVELOPMENT OF WESTMORELAND ROAD MULTI-STOREY CAR PARK

The Executive received a report on the terms and agreement for the lease of Opportunity Site K, together with updated information, and agreed the recommendations.

56 FORMER BROMLEY TOWN HALL AND SOUTH STREET CAR PARK, BROMLEY (OPPORTUNITY SITE C)

Members received a report on the above Opportunity Site C and agreed the recommendations.

57 FORMER CHEYNE HOSPITAL SITE, WOODLAND WAY, WEST WICKHAM

Report ACS10041

It was agreed by the Executive that this report included in the confidential part of the agenda be brought forward for consideration in public.

The Director of Adult and Community Services advised that this was the third in a series of reports on the PCT Campus Reprovision Programme and dealt with the accommodation and complex service needs of those adults with learning disabilities currently housed in properties on the former Cheyne Hospital site. It would also make available future provision in the Borough for people with such complex learning disabilities.

Three of the properties on the site had been identified for continued use as accommodation for this purpose but all required refurbishment to bring them up to meet current standards. The proposal was for the properties to be transferred to the Council by the PCT who would also provide grant to cover the market costs of the properties. The Council would in turn then transfer

ownership to a voluntary sector housing landlord specialising in the provision of housing for people with learning disabilities. Golden Lane Housing had been selected as the most appropriate provider and the transfer would be conditional on the continued use of the properties for this purpose. They would be responsible for carrying out the refurbishment works. The proceeds of the sale would then transfer back to the PCT and there would be no financial implications for the Council.

Reference was made to the other two properties on the site which were not required one of which was located on the boundary and it was proposed that it should eventually be demolished and the site landscaped. The Portfolio Holder for Adult and Community Services had been involved in the discussions concerning these proposals which he fully supported.

Councillor Nicholas Bennett, a local Ward Member, spoke about the difficulties local residents had had with the proximity to this site and advised members that he and his colleagues fully supported the proposals. He also suggested that consideration be given to the possibility of selling some of the land that would become available on the boundary to adjoining residents to increase their garden size.

RESOLVED that

- 1) approval be given to the transfer of the Primary Care Trust's land holding at the former Cheyne Hospital site to the Council;**
- 2) the subsequent transfer of 3 properties to Golden Lane Housing in line with the aims of the Campus Reprovision Programme be agreed;**
- 3) it be noted that the remaining 2 properties will continue their use in the short term and at some stage in the future will be used for alternative purposes or disposed of; and**
- 4) in respect of recommendation (3) above the Director of Adult and Community Services be requested to consider the possibility of the sale of some of the land on the boundary to local residents for garden purposes, if practicable, and subject to it not jeopardising proceeding with the terms of the above scheme.**

58 SHEILA STEAD HOUSE, BUSHELL WAY, CHISLEHURST

The Executive received a report on Sheila Stead House, together with updated information, and agreed to declare the site surplus to requirements but retained in the Council's ownership for the timebeing.

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**59 AWARD OF CONTRACTS FOR THE PCT CAMPUS
 REPROVISION - SCHEMES 7 & 8**

Consideration was given to a report on the outcome of the tender exercise for the provision of care support services for adults with learning disabilities who were moving into supported living services as part of the PCT reprovion programme. Approval was given to the award of the contracts as recommended.

60 CAPITAL RECEIPTS

The Executive received a schedule setting out expected capital receipts.

Chairman

The Meeting ended at 9.53 pm