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DATE: 6 May 2015

To: Members of the
EXECUTIVE

ALL MEMBERS OF THE COUNCIL

Subject to the Executive being reconstituted and Members of the Executive being appointed, there will be a meeting of the Executive at Bromley Civic Centre on **WEDNESDAY 20 MAY 2015 AT 7.00 PM**

MARK BOWEN
Director of Corporate Services

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

A G E N D A

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTEREST**
- 3 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 24TH MARCH 2015, 25TH MARCH 2015, AND 24TH APRIL 2015 (Pages 3 - 34)**
- 4 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**
In accordance with the Council's Constitution, questions must be received in writing four working days before the date of the meeting. Therefore please ensure that questions are received by the Democratic Services Team by 5pm on Thursday 14th May 2015.
- 5 UPDATE ON PORTFOLIO HOLDERS, APPOINTMENT OF EXECUTIVE ASSISTANTS AND MEMBER WORKING GROUPS AND APPOINTMENT OF MEMBERS TO THE BROMLEY ADOPTION PANEL (Pages 35 - 40)**
- 6 PROCUREMENT STRATEGY FOR BASIC NEED PROJECTS (Pages 41 - 70)**
- 7 ANNUAL REPORT FROM EXECUTIVE WORKING PARTY ON CHILD SAFEGUARDING AND CORPORATE PARENTING (Pages 71 - 76)**
- 8 ADOPTION UPDATE AND GRANT DRAW-DOWN (Pages 77 - 84)**

- 9 **RELEASE OF GOVERNMENT FUNDING AND PROCUREMENT STRATEGY TO SUPPORT THE STEP UP TO SOCIAL WORK PROGRAMME** (Pages 85 - 92)
- 10 **GATEWAY REVIEW OF SUBSTANCE MISUSE SERVICES** (Pages 93 - 104)
- 11 **LONG TERM CARE FOR OLDER PEOPLE - EXTRA CARE HOUSING SUPPLY AND DEMAND - FURTHER REPORT** (To Follow)
- 12 **LOCAL DEVELOPMENT SCHEME 2015-16** (Pages 105 - 128)
- 13 **CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
- 14 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000**

The Chairman to move that the Press and public be excluded during consideration of the items of business listed 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.

Items of Business

Schedule 12A Description

- | | | |
|----|--|---|
| 15 | EXEMPT MINUTES OF THE MEETING HELD ON 24TH MARCH 2015 (Pages 129 - 134) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| 16 | CHURCHILL THEATRE MANAGEMENT CONTRACT (Pages 135 - 142) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |

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EXECUTIVE

Minutes of the meeting held on 24 March 2015 starting at 7.00 pm

Present:

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Colin Smith,
Tim Stevens and Stephen Wells

Also Present:

Councillor Nicholas Bennett J.P., Councillor William
Huntington-Thresher and Councillor Angela Wilkins

158 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Peter Morgan – Members sent their best wishes for a speedy recovery from his recent operation. Apologies were also received from Councillor Eric Bosshard.

159 DECLARATIONS OF INTEREST

There were no declarations of interest.

160 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11TH FEBRUARY 2015 Report CSD15042

The Committee received an update on matters arising from previous meetings.

RESOLVED that the minutes of the meeting held on 11th February 2015 (excluding exempt items) be confirmed.

161 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Three questions for written response had been received – these are set out in [appendix 1](#).

162 BUDGET MONITORING 2014/15 Report FSD15024

The Executive received the fifth budget monitoring report for 2014/15 based on expenditure and activity levels up to the end of January 2015. The report set out cost pressures, significant variations and early warnings - a net underspend of £478k was forecast. The release of £120k grant funding from Central Contingency for Helping People Home and the creation of earmarked reserves for surplus rental income generated from properties used for

temporary accommodation purchased from payment in lieu funds and for the Welfare Fund were proposed and the report also recommended that Council establish a Financial Planning/Risk Reserve.

The Portfolio Holder for Education emphasised that schools would see more money in their budgets for the coming year than ever before, and that discussions were on-going to move the Adult Education service to a more secure funding position.

The installation of the RFID system into the remaining nine libraries was questioned, but this was linked to reducing staffing costs. The concern would be brought to the attention of the Portfolio Holder and service manager.

The Leader concluded that the direction of travel was good, but every effort should continue to be made to come in on budget.

RESOLVED that

(1) The projected net underspend on services of £478k forecast based on information as at January 2015 is noted.

(2) The comments from the Executive Director of Education, Care and Health Services, the Director of Transformation and Regeneration and the Executive Director of Environment and Community Services as detailed in sections 3.2, 3.3 and 3.4 of the report be noted.

(3) The release £120k grant funding from Central Contingency for Helping People Home be agreed as detailed in paragraph 3.5.2 of the report.

(4) The projected decrease to the General Fund balance of £1.1m to £18.9m as detailed in paragraph 3.6.1 of the report be noted.

(5) The Prior Year Adjustments totalling £1,220k as detailed in section 3.7 of the report be noted.

(6) The Early Warnings as detailed in section 3.8 of the report be noted.

(7) The full year cost pressures of £5.1m as detailed in section 3.9 of the report be noted.

(8) The creation of an earmarked reserve for surplus rental income generated from properties used for temporary accommodation purchased with Payment In Lieu funds as detailed in section 4.3 be agreed.

(9) Council be recommended to create a Financial Planning/Risk Reserve as detailed in section 4.4 of the report.

(10) The creation of an earmarked reserve for the Welfare Fund as detailed in section 4.5 of the report be agreed.

163 PHASE 2 - DRAW-DOWN OF GOVERNMENT (NEW BURDENS) GRANT FUNDING HELD IN CONTINGENCY TO SUPPORT THE LOCAL AUTHORITY IN IMPLEMENTING THE SPECIAL EDUCATIONAL NEEDS REFORMS

Report ED15082

The Government had provided New Burdens Grants in 2014/15 and 2015/16 to assist local authorities in meeting their statutory duties to deliver reforms in Special Educational Needs, in particular to move existing statements to education health and care plans. It was proposed to carry forward an underspend in 2014/15 to 2015/16, and to approve drawdown of part of the 2015/16 grant.

Bromley was a pathfinder authority so was well ahead of most councils in implementing the changes. The staff employed to manage the transition were on temporary contracts and there was a small contingency available, so the Council's liabilities were minimised, but the Director of Finance confirmed that discussions were continuing with the Government over new burden funding beyond this.

It was noted that the figure of £190k given in the report for the underspend from the original drawdown should be updated to £200k.

RESOLVED that

(1) The carry forward of the under spend in 2014/15 of £200,000 and the drawdown of the remainder £107,357 funding from the Council's central contingency for the 2014/15 SEND Implementation Grant (Total £307,357) be approved.

(2) The drawdown of part of the SEN New Burdens Grant 2015/16 of £148,343, with the remaining £28,476 to stay in contingency ring-fenced for drawdown at a later date if required, be approved.

164 APPROVAL OF PROCUREMENT STRATEGY FOR BASIC NEED PROJECTS

Report withdrawn.

165 GATEWAY REVIEW 0,1 & 2 APPROVAL OF 2015/2016 EDUCATION BUILDING MAINTENANCE BUDGETS, EDUCATION PLANNED MAINTENANCE PROGRAMME AND PREFERRED PROCUREMENT OPTIONS

Report DRR15/018

The report set out the proposed 2015/16 maintenance budget for education buildings and the preferred procurement option for the programme. The

budget included a £100k contingency for unforeseen problems in-year. It was confirmed that Bromley had met all requirements for provision of universal infant free school meals by the start of the autumn term; the programme contained separate funding to support health and safety work related to linking kitchen shutters to fire alarm systems.

RESOLVED that

(1) Overall expenditure of £1,452,294 for the maintenance budget for education buildings in 2015/2016 be approved.

(2) The criteria used to assemble the planned maintenance programme be approved (Gateway Review 0 & 1.)

(3) The proposed education planned maintenance programme (Appendix A to the report) be approved.

(4) Authority be delegated to the Director of Corporate Services to vary the planned programme where such action is considered necessary to either protect the Council's assets or make the most effective use of resources.

(5) The preferred procurement option and method to be used be approved as set out in the report (Gateway Review 2.)

(6) Authority be delegated to the Director of Corporate Services to select the most economically advantageous tender for any individual item of expenditure under the approved programme referred to at (1) – (5) above.

(7) The Director of Regeneration and Transformation be authorised to submit planning applications where appropriate in respect of schemes identified in the education planned maintenance programme

(8) As part of the £1,452,294 budget, the £700,000 allocation to Suitability/Health and Safety, Security, Seed Challenge and Kitchen Refurbishment programmes be approved responsibility for management be delegated to the Executive Director of Education Care and Health Services.

(9) The Executive Director of Education Care and Health Services be authorised to submit planning applications in respect of schemes in the Suitability/Health and Safety, Security, Seed Challenge and Kitchen Refurbishment programmes.

166 ALLOCATIONS SCHEME REVIEW
Report CS14125

The Executive was asked to approve revisions to the allocations scheme to be implemented with effect from July 2015, subject to delivery from the IT systems provider of the required system changes. The proposals had been

supported by Care Services PDS Committee on 4th March 2015. The Care Services Portfolio Holder explained that the proposals rationalised the housing register and focussed on long term residents of the borough. The Deputy Leader offered congratulations to the Housing team for their work on the Scheme.

RESOLVED that the proposed revisions to the Allocations Scheme to be implemented with effect from July 2015 be approved, subject to delivery from the IT systems provider of the required system changes to enable full implementation.

167 NEW HOMES BONUS AND HIGH STREET FUND ALLOCATIONS
Report DRR15/022

The Council had been successful in submitting project proposals under the New Homes Bonus top-slice and the GLA's High Street Fund programmes, and approval was sought to add the projects to the Capital Programme and to formally release the top-slice funding. The Leader commented that this reflected the Council's priority to assist some of the smaller shopping centres across the borough, as well as Bromley town centre.

RESOLVED that

(1) The successful outcome of the Council's submitted project proposals under the New Homes Bonus (NHB) Top-slice and High Street programme be noted.

(2) The Orpington and Penge projects, totalling £1,271k, be added to the capital programme, being fully funded by monies from the NHB Top Slice (£1,146k) and High Street Fund (£125k).

(3) The release of the £600k for revenue spend from NHB top-slice funding for the two year period to meet the cost of two development planners, development consultancy and to provide business support for these projects be agreed.

168 PASSENGER TRANSPORT CONTRACT
Report CS14139

The current Passenger Transport Framework Agreement, used for the delivery of transport by the Special Educational Needs Transport (SENT) team, was due to expire in August 2015. The vehicle hire agreement for the delivery of the Adults Transport Service had been extended to end in November 2015. The delivery of these two services had been market tested to ascertain if significant cost savings could be realised by contracting either element or holistically delivering these services through alternative means. It was proposed to award the contract for Adults Transport Services to a single provider for a period of three years and nine months from 1st December 2015 with an option to extend for a further period of up to two years. It was

emphasised that this report dealt with contracting arrangements for the service, not policy issues.

RESOLVED that

(1) The contract for Adults Transport Services be awarded to a single provider for a period of 3 years and 9 months from 1 December 2015, with an option to extend for a further period up to, but not exceeding 2 years.

(2) It is noted that a management reorganisation of the Passenger Transport Service will be undertaken during 2015/16 as detailed in paragraph 3.34 of the report.

169 JOINT PARKING SERVICES CONTRACT GATEWAY REVIEW
Report ES15020

The current parking operations and enforcement contract with Vinci Park Services was due to expire in September 2016, coinciding with the planned end date for LB Bexley's parking contract with NSL. It was proposed to procure parking services through partnership with LB Bexley using the British Parking Association Parking Management and Associated Services Contract.

The proposals had been supported by the Environment PDS Committee on 17th March 2015.

RESOLVED that

(1) Parking services be procured in partnership with the LB Bexley.

(2) Parking and associated services be procured as set out in Appendix 1 to the report, using the British Parking Association 'Parking Management and Associated Services Contract.'

(3) The length of the contract be for a 5 year period with an option to extend for a further 5 years, commencing October 2016, plus an option for a discounted 10 year contract.

(4) The timetable required to achieve October 2016 contract start date be agreed as set out in Appendix 2 to the report.

(5) Delegated authority be given to Executive Director of Environment and Community Services in discussion with the Portfolio Holder to approve final service specifications and associated KPIs.

(6) It is noted that a review of the parking shared service structure will be undertaken by the end of March 2017 as set out in paragraph 3.10 of the report.

**170 VARIATION TO THE GROUNDS MAINTENANCE CONTRACT
TO PROVIDE A WHOLLY MANAGED SERVICE**
Report ES15021

As part of the 2015/16 Budget process all areas of expenditure had been scrutinised with a view to delivering services in a more efficient and effective way, particularly given the significant funding gap identified in the four year forecast. This has included looking at the option of outsourcing services through the Commissioning approach where appropriate. It was proposed to vary the current Grounds Maintenance Contract with The Landscape Group to include the provision of Parks Management functions currently delivered 'in house', and extend the Contract until 31st March 2019.

The proposals had been scrutinised by the Environment PDS Committee on 17th March 2015; the Committee had supported the recommendations but had wanted to see strong scrutiny of the new arrangements by the Council, the proposed Partnership Board and Friends Groups.

The Leader of the Labour Group raised concerns about the proposals, questioning how savings would be achieved with redundancy costs, whether it was necessary to make savings from this contract, and suggesting that many volunteers might be reluctant to continue their work to support a private company rather than the Council. Officers confirmed that the savings to be achieved were set out in the report and, whilst noting the concern about volunteers, emphasised that it would still be very clear that volunteers would be working for their communities, not the contractor. She also asked about the impact on Crystal Palace Park, and it was confirmed that this was a separate item in the contract which could be varied as necessary to accommodate any changes.

The Leader emphasised the Council's commitment to this highly valued service and stated that quality and high standards should be maintained.

RESOLVED that

(1) The Variation to the current Grounds Maintenance Contract with the Landscape group to include the functions outlined in the Report, and extend the Contract to 31st March 2019 to allow the packaging and tendering of all Streetscene & Greenspace Contracts at that date, be approved.

(2) The transfer of Parks and Greenspace Services and the associated staff, as outlined in Appendix A to the report, to The Landscape Group, be approved as outlined in the report.

(3) Authority be delegated to the Executive Director of Environment and Community Services, in consultation with the Director of Resources, to transfer the unplanned maintenance functions associated with parks and greenspaces to The Landscape Group if deemed appropriate.

171 CRYSTAL PALACE PARK
Report DRR15/020

Following the end of the exclusivity agreement with ZhongRong International Group (ZRG) it was proposed to proceed with work towards a new form of governance for Crystal Palace Park and to proceed with six capital projects for improvements in the park in line with the Masterplan, funded by £160k in capital receipts and £2m from the GLA.

RESOLVED that

- (1) The expiry of the Exclusivity Agreement with ZRG be noted.**
- (2) The exploration and development of a sustainable business plan for the establishment of an alternative management option for Crystal Palace Park be approved as set out in section 3; the progress made on this business planning work will be reported back to Members in autumn 2015, with an expected request to Members to proceed with the formation of a Trust or other not-for-profit management option.**
- (3) Up to £495k in capital receipts be contributed and added to the capital programme for the development of an alternative management option and a capital scheme for the improvement of the park in line with the Masterplan, as set out in section 3 of the report.**
- (4) It is approved in principle that capital receipts generated through the implementation of the Masterplan will be reinvested in the park, contributing to the development of a sustainable business plan for the park.**
- (5) The delivery of the six Crystal Palace Park Improvement Scheme projects at a total cost of £2.16m be approved subject to any necessary statutory consents, as set out in section 4 of the report.**
- (6) Confirmation of the £1.84m from the GLA is noted.**
- (7) The £1.84m balance of funding from the GLA will not directly lead to a reduction in revenue funding for the park, and that additional income from the café will be ring fenced for the park, as set out in section 4 of the report.**
- (8) The marketing of a new café lease be approved - the lease for the new premises will be tendered on the open market.**

172 LAND KNOWN AS BECKENHAM GREEN LOCATED BETWEEN HIGH STREET AND ST GEORGE'S ROAD FOR REGISTRATION AS A TOWN OR VILLAGE GREEN
Report CSD15041

At its meeting on 25th November 2014 the Development Control Committee had declined to register Beckenham Green as a Town or Village Green, but had referred the report to the Executive for the Council to consider voluntarily registering the land. Members agreed that this was a very valued and much appreciated amenity for Beckenham, but did not agree that there were any additional benefits to be obtained through a voluntary registration.

RESOLVED that the land known as Beckenham Green should not be voluntarily registered as a town or village green.

173 COUNCIL MOTION - PETTS WOOD AREA OF SPECIAL RESIDENTIAL CHARACTER
Report DCS15039

At the full Council meeting on 23rd February 2015 a motion had been moved by Councillor Simon Fawthrop and seconded by Councillor Douglas Auld proposing an amended statement in the Unitary Development Plan to provide additional protection for the Petts Wood Area of Special Residential Character (ASRC.) The motion had been referred to the Executive for decision.

Development Control Committee had also supported the motion at its meeting on 24th March 2015.

RESOLVED that, in accordance with the motion moved by Councillor Simon Fawthrop and seconded by Councillor Douglas Auld, the existing statement in the Unitary Development Plan (UDP) in relation to the Petts Wood Area of Special Character (ASRC) should be supplemented with the updated statement set out in the report which should also form the basis of any descriptions within the Local Development Framework (LDF) including any future reports to Development Control Committee. This supplement should take place with immediate effect, subject to any statutory or technical considerations, which should be expedited.

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

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

175 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**

**176 EXEMPT MINUTES OF THE MEETING HELD ON 11TH
FEBRUARY 2015**

The exempt minutes of the meeting held on 11th February 2015 were confirmed.

177 SITE G: REVISED DEVELOPMENT OPTIONS

The Executive received a report summarising a revised development approach for Opportunity Site G in Bromley Town Centre.

178 CIVIC CENTRE FOR THE FUTURE

The report set out an approach for considering the future of the Civic Centre site.

179 HOUSING ZONE BID

The Executive considered a report on the Council's Housing Zone bid for Bromley town centre.

180 UPDATE ON EDUCATION SERVICES MARKET TESTING

Members were updated on progress with the market testing of education services.

**181 AUTHORISATION FOR AWARD OF CONTRACT FOR
ALTERNATIVE PROVISION**

The Executive awarded a contract for the delivery of Alternative Provision.

**182 SPECIAL EDUCATIONAL NEED AND CHILDREN'S
TRANSPORT CONTRACT AWARD**

The Executive approved the procurement of SEN transport services through a Framework Agreement, with contracts running for four years from August 2015 with an option to extend this for a further period of up to two years.

183 PASSENGER TRANSPORT CONTRACT

The Executive awarded the contract for Adults Transport Services for a period of 3 years and 9 months from the 1 December 2015, with an option to extend for a further period up to, but not exceeding 2 years.

184 GATEWAY REVIEW - PROCUREMENT STRATEGY FOR SUPPORTED LIVING LEARNING DISABILITY SCHEMES

The Executive approved a procurement strategy for seven supported living services for thirty eight adults with a learning disability.

185 LEASE CAR PROCUREMENT

The Executive agreed that the existing arrangement to supply lease cars through the Crown Commercial Services Framework be renewed when the current agreement expired on 15th May 2015

186 ACQUISITION OF INVESTMENT PROPERTY

The Executive decided to proceed with a proposal to purchase the freehold interest in a property. This report was considered as a matter of urgency in view of the need to make a decision by 25th March 2015.

The Meeting ended at 9.27 pm

Chairman

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EXECUTIVE

24TH MARCH 2015

QUESTIONS FROM MEMBERS OF THE PUBLIC

(1) From Christopher Stevens, Governor, La Fontaine Academy, to the Portfolio Holder for Education

1. What is the shortfall in reception places projected each year over the next 5 years (2015-2020) in central Bromley, including Bromley Town Ward (planning area 4)?

Reply:

A table that illustrates the shortfall in reception places in Planning Area 4 (that includes Bromley Town Ward) between 2015/16 and 2020/21 will be sent to you (see below). The shortfalls are as shown in the table – this excludes La Fontaine school but includes a 5% uplift on the GLA figures.

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
GLA forecast	559	551	553	559	562	565
School Places (excluding La Fontaine)	510	510	510	510	510	510
Surplus/deficit in places	-49	-41	-43	-49	-52	-55
GLA Forecast 105% (plus 5% for local variations in need and parental preferences)	587	578	581	587	590	593
Surplus/deficit in places	-77	-68	-71	-77	-80	-83

2. When does the Bromley Council expect to make a decision on current proposals for the upgrade of Havelock Road and the sharing of part of the grounds with La Fontaine Academy?

Reply:

By the end of the month.

Supplementary question:

Do we have your assurance that the Executive will decide before the “purdah” period starts?

Reply:

Yes.

3. What factors have been identified from the recent traffic surveys and does the data indicate any material impact on local traffic flow and parking that would arise from the proposal to use the Havelock site as a permanent location for La Fontaine Academy?

Reply:

The survey indicates that the presence of La Fontaine would have a moderate effect on some roads, and a more severe effect on other roads. There would be quite an impact at the "Dripping Tap" junction.

(2) From John Ince, Committee Member, Friends Forum, to the Portfolio Holder for Environment

As the proposal represents a departure for both the Council and the contractor, will there be a comprehensive evaluation with the proposed board and stakeholders of how the contract is working in respect of its impact on our parks and green spaces, as well as on Friends Groups and volunteers?

Reply:

Yes, there has to be a continued partnership arrangement if the proposals are approved today. The proposed Board will include Councillors, the friends Forum and representatives of individual Friends Groups, possibly on a rota basis. It must prioritise what the service provides and act as a critical friend. There will be testing times ahead and everyone involved in our parks has a part to play.

Supplementary Question:

Will the contractor be aware that the contract will be reviewed between the Friends Groups and the Council ? There are issues that the Friends Groups are not happy about – will the contractor be aware of this?

Reply:

This will be important reputation management for the contractor, and they will be aware of the issues. They will be expected to attend Board meetings, and it will be clear that they will be managed not just by Council officers but also by the Friends Groups.

(3) From David Wood, President of the Beckenham Society to the Portfolio Holder for Resources (questions asked in his absence by Mrs Pam Nottcutt, co-Chairman of the Beckenham Society)

1. Beckenham Green is a great asset in the St George's Conservation Area of the town and I seek to make this permanent. Whilst the Council owns the land self registering it will not alter that status and does not add any costs to the Council's budget so why has registration been declined?

Reply:

The Council's Development Control Committee considered your application for registration on the grounds that Beckenham Green had become an area of land

meeting the legal requirements for registration. For the reasons given in the report and by that Committee it was concluded that the legal tests for registration were not met but that the Council's Executive, on behalf of the Council as land owner, should consider whether to make a voluntary registration. I note from the original report to the Development Control Committee that the Council at its meeting on 27th July 1970 appropriated the land as public open space. Since this time the public have had a legal right to use the land. Members tonight will have to consider whether voluntary registration would really add anything to the public's current rights to enjoy the land.

Supplementary Question:

Does the Portfolio Holder realise that part of the land could be regarded as "brown" land that could be developed?

Reply:

This is clearly green open space.

2. It would seem that the public has right of access to the Green or has access by right. It has been argued that there is a subtle difference in the interpretation of these rights as the result of a legal case in Yorkshire. Is this the stumbling block in Beckenham's case as quite clearly the Green has been enjoyed by residents and visitors for 45 years?

Reply:

It would seem that the public has right of access to the Green or has access by right. It has been argued that there is a subtle difference in the interpretation of these rights as the result of a legal case in Yorkshire. Is this the stumbling block in Beckenham's case as quite clearly the Green has been enjoyed by residents and visitors for 45 years?

Supplementary Question:

Case law post-dates the application by Mr Wood. The case law is considered vexatious and a poor judgement.

Reply:

The Director of Resources explained that there were varying views about the North Yorkshire CC case.

3. The churchyard of St George's Parish Church adjoins the Green and the Rector and church council is supporting my case for registration as a Town Green. This surely raises the profile for the Council to take this simple step does it not?

Reply:

I think I have already answered this question. I am sure Members tonight will note the support for registration but they will also have to consider what it would add to the protection given to the land by virtue of its current ownership by the Council for use as public open space.

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EXECUTIVE

Minutes of the meeting held on 25 March 2015 starting at 9.35 pm

Present

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Colin Smith,
Tim Stevens and Stephen Wells

Also Present

Councillor Douglas Auld, Councillor Teresa Ball, Councillor Julian Benington, Councillor Nicholas Bennett J.P., Councillor Mary Cooke, Councillor Simon Fawthrop, Councillor Hannah Gray, Councillor Ellie Harmer, Councillor William Huntington-Thresher, Councillor Charles Joel, Councillor Kate Lymer, Councillor Russell Mellor, Councillor Alexa Michael, Councillor Tony Owen, Councillor Angela Page, Councillor Chris Pierce, Councillor Richard Scoates, Councillor Diane Smith, Councillor Melanie Stevens, Councillor Pauline Tunnicliffe and Councillor Michael Turner

187 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Peter Morgan, the Leader on behalf of the Executive, passing on best wishes to Councillor Morgan for a speedy recovery from a recent operation.

188 DECLARATIONS OF INTEREST

There were no declarations.

189 BIGGIN HILL AIRPORT PROPOSAL TO VARY THE OPERATING HOURS

Report DRR15/035

Lawyers acting on behalf of Bigggin Hill Airport Limited (BHAL) wrote to the Council on 5th November 2014 proposing that the airport's operating hours be varied pursuant to the terms of the Lease. Report DRR15/035 sought a decision on whether the proposals should be supported or rejected.

A document entitled "Biggin Hill Future" was appended to Report DRR15/035, summarising the proposal and reporting the outcome of BHAL's Public Consultation. BHAL also engaged a polling and market research company to conduct a telephone survey of Bromley residents, the outcome being included in Report DRR15/035. The report also outlined the operating criteria in the

lease and current approved hours. It further outlined the proposed BHAL Operating Hours/restrictions.

The lease to BHAL permitted 125,000 movements per year and the Airport did not expect to increase above 50,000 movements in the foreseeable future. The Airport accommodated 65 businesses, providing over 1,000 jobs. It was identified as a Strategic Growth Area by the GLA and BHAL plans indicated that the Airport could create up to 2,300 jobs over the next 20 years. The Airport proposed to extend business activity within current Airport boundaries, believing it needed more flexible operating hours to achieve its growth potential and to be competitive as a business and general aviation airport. The Airport believed it would attract more business aircraft owners to Biggin Hill, providing trade to new and existing Biggin Hill businesses and leading to a significant increase in employment. The current operating hours were set 20 years previously.

Alongside any extension of operating hours, the Airport proposed to introduce a Noise Action Plan *“to reduce the Airport’s noise footprint with the aim to ensure that the Airport operates as quietly as possible, has minimum effect on neighbours, and has a process of regular reviews and improvements in place”*. The Plan, appended to Report DRR15/035, sought to follow best industry practice. BHAL proposed that the Noise Action Plan would be reviewed in a further five years and thereafter revised at five-yearly intervals or in the event that the annual number of movements at any time approached 50,000 per year.

On 10th November 2014, BHAL’s lawyers wrote to the Council explaining how the proposed operating hours would increase funding the Council received from BHAL. Originally intended as a private and confidential document, BHAL subsequently agreed that the information could be included with Report DRR15/035 in the interests of openness and transparency (published as an appendix to the report). The information set out BHAL’s proposals for three potential streams of new funding to the Council: (i) additional rent payable by the Airport to the Council; (ii) supplementary Community Payments for flights between 22.00 hours to 23.00 hours (BHAL also wrote on 26th February 2015 indicating they would be willing to levy this charge in the period 06.30 hours to 07.00 hours, estimating 50% more in revenues per annum); and (iii) new rates generated by attracting more companies to the Airport under the Government’s six-year incentive scheme.

The Council also conducted its own formal consultation starting on 16th January 2015 and closing on 13th March 2015. To ensure that all residents could comment, the survey and an accompanying letter were distributed to all residential properties in the borough. The same survey was also published online along with extensive documentation supplied by BHAL, including the results of BHAL’s own consultation. A small number of responses had also been received earlier by the Council following issue of a news release confirming receipt of the Airport’s proposal. Neighbouring Boroughs, District Councils, Parishes and County Councils had also been contacted along with local MPs. Information on measures taken to ensure the

reliability of data from the consultation was appended to Report DRR15/035. The appendix also referred to correspondence received in addition to survey responses.

In total, from 41,711 responses received, 31,500 (76%) indicated support for BHAL's proposals, with 10,211 (24%) indicating opposition. The majority of responses, 39,202 (94%), were received from residents across the Borough, with 2509 or 6% received from individuals not resident in the Borough or with unverifiable postcodes. Report DRR15/035 summarised reasons given by residents to support or oppose the proposal with analysis on the consultation outcome appended to the report.

Since closure of the consultation, the Council had received a further 116 items of correspondence to 24th March 2015. Commentary on the correspondence was tabled for the earlier Council meeting (see below) as a further Appendix to Report DRR15/035.

Acoustic Consultants, Cole Jarman, with expertise in the field of aviation, had been commissioned to advise on the adequacy of BHAL's proposals. Cole Jarman's report, *London Biggin Hill Airport, Noise Action Plan Review*, was also appended to Report DRR15/035. In return for any changes to the lease, Cole Jarman's report recommended a series of conditions, controls and obligations on the Airport to satisfactorily control noise emissions; summary recommendations from the consultants were outlined in Report DRR15/035.

A special meeting of the Council had met earlier to consider BHAL's proposals; Council's recommendation and Member views would inform the Executive's consideration. Executive Members attended the Council meeting (Councillor Morgan had previously given apologies) and the Leader thanked all who contributed to the meeting, commending the quality of debate. The recommendation from the Council meeting read:

"That subject to agreement from the airport to all concessions conditions and obligations which can reasonably be required in consideration for agreeing a variation to the operating criteria in the third schedule to the lease and subject to the Executive being satisfied with the concessions conditions and obligations negotiated, the Executive should then agree in principle to the extension of hours and consult again with council before the final decision is made".

At the outset, Executive Members were reminded of the legal considerations that needed to be taken into account. These were also covered within Report DRR15/035.

The Leader called upon Mr Vernon Cole of Acoustic Consultants, Cole Jarman, to advise on implications from BHAL's proposals, particularly in regard to noise limitations and flight path.

Mr Cole suggested it would be necessary to increase the level of controls on the airport by more tightly regulating noise limits and movements in the lease.

At present the lease accommodated up to 125,000 movements per year although the airport did not expect to increase movements above 50,000 in the foreseeable future. Noise level limits in the lease could also accommodate large aircraft by today's standards. Although BHAL would seek larger aircraft with increased noise levels, the airport would generate far less noise than the lease permitted. The noise increase would not be particularly substantial although there would be more activity during unsocial hours. Mr Cole provided commentary on recommendations in the Noise Action Plan (NAP) Review related to noise levels. Mr Cole also referred to a recommendation related to BHAL implementing a scheme to improve the accuracy with which aircraft can be tracked and routed into and out of the Airport.

The Director of Renewal and Regeneration provided clarification on some areas considered during earlier discussion at the Council meeting:

- Concerning a recommendation in the NAP that L B Bromley seek an increase in the amount payable by BHAL to reflect increased business activity at the Airport, including an element for increased noise generated during unsocial hours and the cost to the public purse, it was explained that further discussions were necessary with BHAL (full details of the forecast out of hours operations were not yet available);
- In relation to BHAL discussions with the Civil Aviation Authority (CAA), the Director was advised that BHAL had submitted an application and there would be a formal framework briefing with the CAA on 22nd April 2015. The airport's air space consultants anticipated approval in 2016; and
- There was a direct link in varying the operating hours of the airport and providing an investment of up to 2,300 jobs over the next 20 years - without a variation to the hours, industry could be expected to find the position at the airport unacceptable and investment to create the additional jobs would probably not be attracted.

In response to Member questions it was also indicated that for BHAL to meet proposed noise envelopes, the noise limits therein would provide an overall limit and constrain the number and/or type of aircraft able to operate from the airport. Additionally, if BHAL were granted an amendment to the third schedule of the 1991 Lease, it was better to negotiate a settlement within the lease to reduce the number of flights (the airport not expecting an increase above 50,000 flights in the foreseeable future).

The Leader proposed that if the Council recommendation was supported by the Executive, negotiations with BHAL on concessions, conditions and obligations should include a variation to operating hours for Saturdays, Sundays and Bank Holidays based on 8am to 10pm rather than the operating hours proposed by BHAL namely 6.30am to 11pm on Saturdays and 8am to 11pm on Sundays.

The Portfolio Holder for Public Protection and Safety was unable to support the Council's recommendation or the Leader's suggested amendment to weekend and Bank Holiday operating hours. The Portfolio Holder felt there would continue to be flypath noise. The Portfolio Holder for Care Services advised against submitting particular times when starting negotiations.

Although having reservations on BHAL's proposals, the Deputy Leader supported the Council's recommendation and felt that a reduction to weekend operating hours was a good starting point. As a measure heading in the right direction, he expressed support for the Leader's proposed amendment to operating hours. The Deputy Leader was also mindful of Clause 2(11) of the Lease which provided that the landlord could not unreasonably withhold consent to requests for variation or amendment to the operating criteria; the Deputy Leader wished to avoid any potential for the Council to be considered unreasonable by an arbitrator.

The Portfolio Holder for Resources commended both the officer report to Members and the earlier debate at Council. He highlighted an earlier comment at Council that the lease had been drawn up to support and serve residents. The lease provided for limitations on noise and aircraft. The Portfolio Holder expressed his satisfaction on the benefits of the proposal for job creation opportunities and young people, particularly in regard to the potential for a new College at Biggin Hill. The financial aspects were also of benefit to the Council and he was satisfied that recommended measures would reduce noise levels. The Portfolio Holder expressed his support for the Council's recommendation and the Leader's proposed amendment to operating hours.

In supporting the Council's recommendation and amendment to operating hours, the Portfolio Holder for Education was hopeful on the employment opportunities that would be created by the proposal and was pleased at the potential possibility for a new college at Biggin Hill. He was also encouraged by the proposed system of noise contours and noise envelope to control noise levels and the associated monitoring process. Sanctions could also be applied for non-compliance.

It was confirmed that noise levels associated with the flight path for runway 21 at the airport could be included in negotiations.

It was also confirmed that early and late operating hours for helicopter flights would be included in negotiations. It was further confirmed that flyover noise limits would be lower. The proposed 57dB noise contours would be treated as noise envelopes which were not to be exceeded within the total areas they encompassed. On aggregate, aircraft would have to be quieter compared to noise level limits currently recorded in the lease. The NAP Review recommended operating hours and noise envelopes for those hours categorised as Daytime, Night time and Evening period. Although the noise limits were recommendations in the NAP Review it was possible to have the limits adjusted in negotiations.

The Portfolio Holder for Care Services clarified that, unless there was a major change in the flight path, he was unable to support the Council recommendation and amendment to operating hours. He was, however, supportive of BHAL being successful and felt that this could be achieved without a major effect on residents.

In offering his view to Members, the Leader outlined “pros” and “cons” of the airport’s proposal in conjunction with the Council’s recommendation. On the negative side, the Leader accepted there could be more flights, particularly early morning and late evening. There would also be increased aircraft; however, they would be modern and less polluting. On the positive side, the Leader outlined a number of potential benefits to residents and Biggin Hill Airport:

- tracking data available in live time allowing responsive and objective analysis to concerns;
- no increase in flights over 2010 levels, which is substantially down on the lease;
- noise monitoring – with data available to all for scrutiny;
- noise monitoring mobile station available to be sited anywhere, including Farnborough Hospital;
- new potential approach procedures – with BHAL working with CAA;
- potential to further reduce noise footprint over time, as a result of new technology;
- improvements at BHAL cost;
- income for the Council to help protect front line services, not just £900k but also business rates and less costs of welfare benefits with more in work;
- aviation training college;
- removing circuit training after 5pm at the weekends and on Bank Holidays;
- employment opportunities, potentially 2300 jobs by 2030 with additional local economy benefits;
- fines and removal of permissions to the airport for miscreants who fall foul of any agreement.

The Leader confirmed his support for Council’s recommendation, to be taken with the change to operating hours proposed to colleagues earlier. It was necessary to consider all residents in the borough and the Leader considered the proposal a positive way forward. In negotiations he would be tenacious in achieving the best outcome for the borough.

Members voted on the recommendation from Council and the proposal that negotiations with BHAL on concessions, conditions and obligations include a variation to operating hours for Saturdays, Sundays and Bank Holidays based on 8am to 10pm. A majority of Executive Members voted in support, with Councillor Robert Evans, Portfolio Holder for Care Services and Councillor Tim Stevens, Portfolio Holder for Public Protection and Safety voting against.

The Leader thanked all Members for the manner in which the matter had been concluded.

In consideration of proposals from Biggin Hill Airport Limited to vary the operating hours at Biggin Hill Airport it is RESOLVED to:

(1) agree the following recommendation from Council –

“That subject to agreement from the airport to all concessions, conditions, and obligations which can reasonably be required in consideration for agreeing a variation to the operating criteria in the third schedule to the lease, and subject to the Executive being satisfied with the concessions, conditions and obligations negotiated, the Executive should then agree in principle to the extension of hours and consult again with council before the final decision is made” ; and

(2) the recommendation above is to be taken forward subject to negotiations with Biggin Hill Airport Limited on concessions, conditions and obligations, including a variation to operating hours for Saturdays, Sundays and Bank Holidays based on 8am to 10pm rather than the operating hours proposed by BHAL, namely 6.30am to 11pm on Saturdays and 8am to 11pm on Sundays.

Chairman

The Meeting ended at 10.29 pm

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EXECUTIVE

Minutes of the meeting held on 24 April 2015 starting at 8.30 am

Present

Councillor Stephen Carr (Chairman)
Councillors Graham Arthur, Robert Evans, Peter Morgan,
Tim Stevens and Stephen Wells

Also Present

Councillor Eric Bosshard

190 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Colin Smith.

191 DECLARATIONS OF INTEREST

There were no declarations.

192 TENANCY SUSTAINMENT SERVICES FOR YOUNG PEOPLE

Report CS14141

The current contract with One Support expires on 30th August 2015. In considering tenancy sustainment services for young people at its meeting on 11th February 2015, the Executive agreed that:

(1) further consideration be given to tenancy sustainment services for young people; and

(2) authority be delegated to the Chief Officer in consultation with the Portfolio Holder to award a short extension to the existing contract for up to six months.

The report considered by the Executive on 11th February was previously scrutinised by the Care Services PDS Committee on 21st January 2015 and the Executive and Resources PDS Committee on 4th February 2015 with both committees supporting the report's recommendations. The report was re-presented to the Executive as an appendix to Report CS14141.

Further clarification had been provided by officers on the current and proposed service and authorisation was now sought for a full procurement exercise to let a new three year contract in accordance with the original report.

Executive
24 April 2015

To allow sufficient time for a full procurement exercise, authorisation was sought to enter into a contract with One Support for a further year.

In discussion, clarification was provided on the impact of not supporting the recommendations. Other services would be needed if the service was withdrawn and there could be considerable extra cost with a continued financial commitment to service users. The young people concerned would lose access to accommodation and there would be a statutory duty to accommodate the young people in care.

A one year contract to One Support from 31st August 2015 would enable officers to establish whether bidders would be prepared to provide different accommodation. Officers would also look to assess the extent of increased floating support.

Should there not be a tenancy sustainment service the Portfolio Holder for Care Services suggested that the Council would be unable to meet its responsibilities to young people under the House of Lords Southwark Judgement.

Having further considered the implications of not taking forward tenancy sustainment services for young people, it was agreed to support the recommendations outlined in Report CS14141.

RESOLVED that:

(1) officers undertake a tendering exercise to procure a tenancy sustainment service for young people, including young people with higher support needs, with the tender requiring the provider to make arrangements for the provision of accommodation appropriate for the contract;

(2) the contract period be for three years with the option to extend for a further two periods of one year each; and

(3) a one year contract be awarded from 31st August 2015 to One Support, the current provider, to continue delivering the tenancy sustainment service whilst the tendering exercise takes place.

Chairman

The Meeting ended at 8.38 am

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **MATTERS ARISING FROM PREVIOUS MEETINGS**

Contact Officer: Keith Pringle, Democratic Services Officer
Tel. 020 8313 4508 E-mail: keith.pringle@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: N/A

1. Reason for report

1.1 **Appendix A** updates Members on matters arising from previous meetings.

2. **RECOMMENDATION**

2.1 **The Executive is invited to consider progress on matters arising from previous meetings.**

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Executive Minutes

Corporate Policy

1. Policy Status: Existing Policy The Executive receives an update on matters arising from previous meetings at each meeting.
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £326,980
 5. Source of funding: 2015/16 Revenue Budget
-

Staff

1. Number of staff (current and additional): 10 posts (8.75fte)
 2. If from existing staff resources, number of staff hours: Monitoring the Executive's matters arising takes at most a few hours per meeting.
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of Executive Members
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

<u>Minute Number/Title</u>	<u>Executive Decision/Request</u>	<u>Update</u>	<u>Action by</u>	<u>Completion Date</u>
26th November 2014				
100. Council Tax Support/Reduction – 2015/16	The Leader requested a further report on the implications of increasing the percentage of council tax that claimants had to pay themselves from 2016/17 onwards.	It is anticipated that the further report will be provided to the Executive meeting on 15th July 2015.	Director of Finance	Report expected to be provided to the Executive meeting on 15th July 2015.
11th February 2015				
138. Community Services Integration	It was agreed that options towards an integrated community health and care service would be explored with the borough's existing community health services provider, Bromley Health Care (BHC), and their commissioners, Bromley Clinical Commissioning Group (BCCG). Recommendations could then be provided to Members in June 2015.	It is intended to publish a report with the agenda for the Executive meeting on 15 th July 2015.	Executive Director of Education and Care Services	Report to be provided two weeks prior to the Executive meeting.
139. Deprivation of Liberty Safeguards Update	To meet requirements of the Supreme Court Judgement, additional funding of £163,345 was approved for 2014/15. It was also recommended that £628,040 be included in the budget for 2015/16. For 2015/16, due to the uncertainty of potential costs, half of the funding should remain in contingency and be subject to a further report in the new financial year.	A further report could be expected in September 2015 related to the remaining funding in contingency.	Executive Director of Education and Care Services	September 2015

146. The Future of Anerley Town Hall	Before a final decision is made, officers to report back with additional details including firm costs for subsidence repairs and IT.	A further report is intended for the Executive's meeting on 10 June 2015.	Director of Regeneration and Transformation	As per update opposite.
153/1 Direct Care Update	Recommendations from a review of the Reablement Service to be reported back to Executive	It is anticipated that stage 1 & 2 of the project will take about three months to complete. It is expected that a fully costed business case with recommendations will go to the Executive meeting on 15 th July 2015.	Executive Director of Education and Care Services	Please see opposite.
24th March 2015				
171 Crystal Palace Park	Progress made on business planning for the establishment of an alternative management option for Crystal Palace Park to be reported back to Members in autumn 2015, with an expected request to Members to proceed with the formation of a Trust or other not-for-profit management option.	The two staff members are currently being recruited and the consultant's brief is being drafted. It is anticipated that this will go out to tender through a framework this summer.	Executive Director of Environment and Community Services	Progress report expected for the Executive meeting on 2 nd December 2015.
177/1 Site G: Revised Development Options	Quarterly updating reports should be submitted to the Executive.	Timing of the next updating report to be advised at the meeting.	Director of Regeneration and Transformation	Please see opposite
186/1 Acquisition of Investment Property	Members requested a report back on the overall impact of the investment policy	The report to Executive on 24 th March 2015 gave background on the policy related to the acquisition of investment properties with acquisitions to date providing income of £2.4m per annum with further acquisitions, using	Director of Finance	Please see opposite

		the remaining investment fund of £32.4m, increasing the income to a total of £4m per annum by 2016/17.		
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Report No.
CSD4091

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Non-Key

Title: **UPDATE ON PORTFOLIO HOLDERS, APPOINTMENT OF EXECUTIVE ASSISTANTS AND MEMBER WORKING GROUPS AND APPOINTMENT OF MEMBERS TO THE BROMLEY ADOPTION PANEL**

Contact Officer: Keith Pringle, Democratic Services Officer
Tel: 020 8313 4508 E-mail: keith.pringle@bromley.gov.uk

Chief Officer: Director of Corporate Services

Ward: N/A

1. Reason for report

This report allows the Executive to note appointments made by the Leader of the Council to help with the administration of Executive business during 2015/16. It also enables confirmation of elected member representation on the Bromley Adoption Panel for 2015/16.

2. **RECOMMENDATIONS**

- (1) that the appointment of Councillors to serve on the Executive for the 2015/16 Municipal Year, as made by the Leader of the Council, be noted;
- (2) that the responsibility for Portfolios, as determined by the Leader of the Council for the 2015/16 Municipal Year, be noted;
- (3) that the appointment of Councillors as Executive Support Assistants by the Leader of the Council for the 2015/16 Municipal Year be noted;
- (4) the appointment by the Leader of the Council of Executive Members to serve on the following Working Parties/Working Group and Advisory Panel for the 2015/16 Municipal Year be noted, along with other Councillors invited to serve on them –
 - SEN Working Party
 - Town Centre Working Party;

- **Child Safeguarding and Corporate Parenting Working Party;**
- **Local Development Framework Advisory Panel; and**
- **Constitution Improvement Working Group; and**

(5) elected member representation on the Bromley Adoption Panel be confirmed for 2015/16.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Representation – Members Allowances
 4. Total current budget for this head £1,033,260
 5. Source of funding: Revenue Budget
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement: Part II Local Government Act 2000 – Executive arrangements.
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 The Constitution of the London Borough of Bromley specifies that the Executive should consist of the Executive Leader plus at least two but no more than nine other Members. At the Annual Meeting of the Council held on 4th June 2014, the Leader of the Council was appointed for a four year term of office. In accordance with the constitutional arrangements, the Leader appoints a Deputy Leader and up to five other Members to serve on the Executive for the 2015/16 Municipal Year. It is for the Leader to determine which Portfolios are held by Members of the majority party on the Executive and their period of office. The Council's Portfolios are currently:

- i) Care Services (including Public Health)
- ii) Education
- iii) Environment
- iv) Public Protection and Safety
- v) Renewal and Recreation; and
- vi) Resources

The appointments by the Leader of the Council of Councillors to serve on the Executive will be reported to this meeting (Recommendation 1).

3.2 The Constitution also makes provision for non-Executive Councillors to be appointed by the Leader to assist Executive Portfolio Holders carry out their duties. Their role is to assist and advise the Portfolio Holder but they do not have any decision-making powers. However, under the Constitution, they can represent/deputise for the Portfolio Holder in most other circumstances. Last year two assistants were appointed. Executive Assistants may not serve on the PDS Committee which mirrors the Executive Portfolio they support. The position on Councillors appointed to serve as Executive Assistants will be reported at the meeting (Recommendation 3).

3.3 In November 2002 the Executive appointed a *Special Educational Needs (SEN) Working Party* to look at implementation of the SEN Best Value Review. The Working Party has been re-appointed each year since and has been carrying out work on the reconfiguration of SEN provision and Invest to Save initiatives. Membership of the Working Party also includes non-Councillors representing health and education interests. Any recommendation from the Working Party requiring executive action is reported to either the Executive or relevant Portfolio Holder. Action may also be taken by the appropriate Chief Officer. The Leader of the Council appoints Executive Members to serve on the Working Party and invites other Councillors to serve on it. Details will be reported at the meeting (Recommendation 4).

3.4 At its meeting in May 2009, the Executive also appointed a *Town Centre Working Party* to guide and advise on work to improve town centres in the Borough. This is an ongoing project and 2015/16 Membership of the Working Party will be reported at the meeting (Recommendation 4). Ward Members are also to be invited to meetings when ward issues are to be discussed.

3.5 Other groups and their memberships for appointment by the Leader of the Council are: (i) *the Executive Working Party on Child Safeguarding and Corporate Parenting*, (ii) *the Local Development Framework Advisory Panel* and (iii) *the Constitution Improvement Working Group*, with details of the groups being reported at the meeting (Recommendation 4).

3.6 The Executive is also asked to confirm 2015/16 elected member representation on Bromley's *Adoption Panel* (Recommendation 5), the Panel being regulated by statutory regulations and managed by the Head of the Adoption Agency i.e. the Executive Director of Education, Care and Health Services. The Head of the Adoption Agency appoints members to the Adoption Panel which currently has three elected members. Other members of the Panel include a medical adviser, two social workers and independent members.

4. POLICY IMPLICATIONS

4.1 The allocation of Portfolios to Executive Members by the Leader is specified in the Council's Constitution, along with the ability of individual Portfolio Holders to take decisions. The Constitution also provides for the Leader of the Council to appoint Executive Assistants to support Portfolio Holders and to appoint membership of the Executive Working Parties/Panels.

Non-Applicable Sections:	Financial/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the LBB

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Report No.
ED15501

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Key

Title: BASIC NEED PROGRAMME

Contact Officer: Robert Bollen, Head of Strategic Pupil Place Planning
Tel: 020 8313 4697 E-mail: Robert.Bollen@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This report updates the capital schemes included within the Council's Basic Need Programme with a project value over £1million and associated procurement strategy.

2. **RECOMMENDATIONS**

- 2.1 That the Executive note Appendix 4 – Bromley Basic Need Programme, with particular reference to the schemes in delivery and development.
- 2.2 That approval be given to the fully costed appraisal for the new schemes at Beacon House, Blenheim Primary School, Farnborough Primary School, Green Street Green Primary School, James Dixon Primary School, Leasons Primary School, Marian Vian Primary School, Poverest Primary School, St George's CE Primary School, St Mary Cray Primary School and The Pioneer Academy (Stewart Fleming) in addition to the projects outlined in the previous report agreed by the Executive on 2 April 2014.
- 2.3 That Members agree changes to the procurement strategy to address present volatility in market conditions at paragraph 3.9.
- 2.4 That the Director of Education, Care and Health Services be authorised to submit planning applications in association with these works.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
-

Financial

1. Cost of proposal: Estimated Cost
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Education Capital Programme
 4. Total current budget for this head: £82,283,031
 5. Source of funding: DfE Basic Need Capital, S106 Funding, DSG
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1.1 This report sets out the procurement strategy for the capital schemes within the Council's Basic Need Capital Programme with an estimated value in excess of £1 million.

3.1.2 The Council undertook further feasibilities at a number of schools during 2014 and 2015 as part of the delivery of its primary school development plan. Following a review of the feasibility studies and projections of the growth in pupil numbers, the Council has added additional projects to the education capital programme and ranked the projects in order of priority within the programme:

- Priority 1 – those schemes in delivery or urgently required in order to ensure sufficiency of places
- Priority 2 – those schemes that may be required to satisfy future demand, or where further developmental work is required

In both instances further work is required to progress schemes to a position where they can be brought to tender stage quickly should demand for places increase.

3.2 Funding

3.2.1 The Council is awarded Basic Need Capital Grant to assist it in providing sufficient school places. The DfE have just announced that Bromley has received a further capital allocation of £8,837,573 for the year 2017-18 to support the provision of school places. The table below sets out allocations received to date and additional allocations from planned maintenance and Section 106 funding to the programme.

2011-12 allocation	£4,496,771
Autumn 2011 exception in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2012 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
2017-18 allocation	£8,837,573
Contribution from DfE Capital Maintenance	£1,200,000
S106 allocations to projects in programme to date	£705,653
Total allocation to date:	£72,783,031

3.2.2 Some of this funding has already been committed and used for schemes and therefore is not all available for the schemes set out in paragraph 3.2.5. In addition, the Council has agreed alternative funding to support the expansion secondary ASD provision at the Glebe and the

refurbishment of Beacon House to improve the KS4 & KS5 academic and vocational opportunities available to Burwood School.

Glebe – ASD expansion	£4,800,000
Beacon House – Burwood KS4 and KS5 provision (DSG)	£4,700,000
Total funding allocation of Basic need and other funding streams	£82,283,031

3.2.3 Together this provides a total budget available of £82,283,031. This is insufficient to fund all projects within the Basic Need Capital Programme. The attached Basic Need Programme (Appendix 2) agreed by the Education Portfolio Holder following the Education PDS Committee on 27 January 2015 sets out those projects that have been brought forward into the list of funded projects in delivery and the projects in development pipeline that will only be brought forward into the programme once funding is available. This broadly correlates with the Priority 1 and Priority 2 projects.

3.2.4 The additional £8,837,573 Basic Need Capital Grant announced by the Government in February 2015 to cover the period 2017-18 will allow a number of other schemes to be brought forward for development based on demonstrable need and affordability.

Estimated Value – (Project/Activity) Proposed Contract Period (including extension options)

3.2.5 It should be noted that in many instances the schemes within the Basic Need Programme are multi-phased due to the annual requirements to meet the demand for school places and in many instances works will be carried out at schools to enable them to accept ‘bulge classes’ before the works to deliver permanent expansion are undertaken. The total cost of all of these projects is £96.150m.

School	Contract Status	Project Stage	Estimated Value	Estimated Contract Period	Customer Profile
Clare House Primary School	Contract Awarded	Construction	£6,422,000	56 Weeks	Additional 210 permanent school places
Glebe School	Contract Awarded	Pre-Construction	£4,887,000	40 Weeks	Additional 104 permanent specialist school places
Harris Crystal Palace	Contract Awarded	Construction	£1,009,000	Phased delivery	Additional 210 permanent school places
Parish CE Primary School	Contract Awarded	Pre-Construction	£3,579,000	35.1 Weeks	Additional 210 permanent school places
St Paul’s Cray Primary School	Contract Awarded	Construction	£2,589,000	32 Weeks	Additional 210 permanent school places

Worsley Bridge Primary School	Contract Awarded	Construction	£4,616,000	34 Weeks	Additional 210 permanent school places
Beacon House (Burwood School)	Priority 1	Detailed design	£4,961,000	To be determined	KS4 pupils and extension of the school provision to KS5
Edgebury Primary School	Priority 1	Pre-tender	£3,785,000	To be determined	Additional 210 permanent school places
Farnborough Primary School	Priority 1	Feasibility	£5,084,000	To be determined	Additional 210 permanent school places
James Dixon Primary School	Priority 1	Feasibility	£3,102,000	To be determined	Additional 210 permanent school places
Leesons Primary School	Priority 1	Feasibility	£3,347,000	To be determined	Additional 210 permanent school places
Midfield Primary School	Priority 1	Planning	£1,294,000	To be determined	Additional 210 permanent school places
Poverest Primary School	Priority 1	Feasibility	£3,297,000	To be determined	Additional 210 permanent school places
Princes Plain Primary School	Priority 1	Feasibility	£4,864,000	To be determined	Additional 420 permanent school places
St Georges Primary CE Primary School	Priority 1	Post Feasibility	£1,586,000	To be determined	Additional 105 permanent school places
Scotts Park Primary School	Priority 1	Planning	£2,970,000	18 months	Additional 210 permanent school places
The Pioneer Academy (Stewart Fleming Primary School)	Priority 1	Feasibility	£7,160,000	To be determined	Additional 210 permanent school places
Blenheim Primary School	Priority 2	Feasibility	£2,972,000	To be determined	Additional 210 permanent school places

Chislehurst St Nicholas CE Primary School	Priority 2	Post feasibility	£7,220,000	To be determined	Additional 210 permanent school places
Green Street Green Primary School	Priority 2	Feasibility	£2,972,000	To be determined	Additional 210 permanent school places
Marian Vian Primary School	Priority 2	Feasibility	£2,972,000	To be determined	Additional 210 permanent school places
Oaklands Primary School	Priority 2	Project options being reassessed due to costs	£8,290,000	To be determined	To ensure sufficient accommodation for the school's published admission number (PAN) of 630 pupils
St Mark's CE Primary School	Priority 2	On-hold	£4,200,000	To be determined	Additional 210 permanent school places. Scheme currently on hold.
St Mary Cray Primary School	Priority 2	Feasibility	£2,972,000	To be determined	Additional 210 permanent school places
Total costs			£96,150,000		

3.3 Background

- 3.3.1 Bromley is currently experiencing a significant increase in the demand for reception places in primary schools. In 2014 for instance 585 places were added at reception age through bulge classes, permanent expansion and by new Free Schools opening.
- 3.3.2 In order to manage this increase the Council receives Basic Need Capital Grant to undertake projects that increase the capacity of local publicly funded schools. The total Basic Need Capital Grant received from the DfE for the period 2011-18 is £70,877,378. Other funding streams supplement the programme including Section 106 contributions, Seed Challenge funds and Dedicated Schools Grant (DSG).
- 3.3.3 Schemes at the Glebe and Beacon House are supported by contributions from the Dedicated Schools Grant (DSG).
- 3.3.4 In line with the procurement strategy agreed by the Executive in October 2012 the Council has appointed professional consultants from the Lewisham and Haringey (LCP) consultancy frameworks to support it in developing projects to meet this need.

- 3.3.5 Projects are developed in line with the DfE's guidelines on funding and design, which currently equates to Building Bulletin BB103.
- 3.3.6 Capital projects within the Basic Need Programme are procured through either the Lewisham Modular Buildings Frameworks, Constructionline or by devolution of capital grant to schools.
- 3.3.7 This report updates Members on progress in delivering the school expansion programme and adds a further 11 projects to the Council's Basic Need programme.

3.4 Reasons for this Procurement

- 3.4.1 A summary of the works to be carried out at 24 schemes within the school expansion programme is detailed at Appendix 3.
- 3.4.2 It should be noted that not all the schemes within the programme can be afforded on the basis of fund received and/or available. It is the intention to concentrate in the first instance on the delivery of those schemes already committed or listed as Priority 1. It is proposed to continue the development of all schemes to the planning stage, but that other schemes from Priority 2 will only be added to the list of schemes in delivery demand for places and availability of funding can be confirmed.

3.5 Timetable

- 3.5.1 The timetable for these projects is driven by the need to have accommodation in place in time to satisfy demand at the schools listed in this report. Following the completion of feasibility studies a detailed programme is being developed for each individual project that includes development of requirements and specification, consultation, achievement of planning consent and delivery of the main construction contract.

3.6 Stakeholder Consultation

- 3.6.1 For all schemes consultation has been undertaken with head teachers, governors and academy trusts (and where relevant diocesan representatives) including full input to the development of the feasibilities for each. Following statutory guidance published by the DfE in January 2014 all schools must carry out a public consultation before permanently expanding and in certain prescribed situations the local authority may be required to carry out a statutory consultation.
- 3.6.2 Guidance on the new regulations makes clear that the decision-maker should consider the views of those affected by a proposal or who have an interest in it, including cross-local authority border interests. The decision-maker should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school.

3.7 Key Issues / Risks

- 3.7.1 The key risks to the projects detailed within this reports are:
- failure to obtain support from school governors to expansion
 - failure to obtain planning permission

- capacity in the marketplace due to the demand amount of school expansion works
- failure to obtain an acceptable tender
- failure to meet the service delivery and grant requirement deadline.

3.8 **Market Considerations**

3.8.1 Over the past year significant demand in the market has made it difficult for the local authority to attract contractors to tender for works. The updated procurement methodology set out below takes account of the strong competition for building works that currently exists in the construction industry.

3.9 **Outline Contracting Proposals and Procurement Strategy**

3.9.1 The Council has singularly or batch procured professional consultants to undertake the development of the schemes outlined in the report through either the Lewisham Consultant Framework and the Haringey (LCP) Consultants Framework. For future procurement of consultants consideration will be given to the use of any outsourced facilities management service provider. How these arrangements would operate is currently under discussion with the Commissioning Board and Head of Procurement. 3.9.2 Once employers requirements (Design and Build) or a full specification and detailed drawings (Fully Design Project) have been prepared by the Authority's consultants capital schemes will be tendered in line with the options set out below.

3.9.3 For new build/re-build projects the intention will be is to invite tenders using the Lewisham Modular Buildings Framework. For any larger new build schemes that are not procured through the Lewisham Modular Framework, due to suitability of that route, consideration will be given to the use of other public sector frameworks or direct procurement, acting in accordance with EU Procurement Regulations.

3.9.4 For larger schemes procured through the Lewisham Modular Building Framework it has been agreed with ECHS procurement that a two stage tender process can be implemented to encourage greater engagement from contractors. At the first tender stage contractors will be required to submit site specific information in the form of a qualitative submission along with preliminary costs, overheads and profit margins. In line with the evaluation process of the Lewisham Framework tenders at this stage will be evaluated on a 60% quality/ 40% price basis as agreed with ECHS procurement. Stage two of the process involves dialogue with the successful contractor to complete the detailed design process with final tender submitted and validated in line with the Council's procurement regulations.

3.9.4 Refurbishment works contracts will be procured via Constructionline. Evaluation will be undertaken in line with the Contract Procedural Rules using standard templates and documents. All associated tender evaluations will be based on a 60:40 cost/quality split. Efforts will be made to identify how works might be bundled together to deliver efficiencies and value for money.

3.9.5 Sustainability issues will be considered in letting contracts including the use of SMEs and the involvement of local businesses within main contractors supply chains and apprenticeships.

3.9.6 In tendering EU requirements will be fully considered and aggregated totals across contracts will be taken in to account.

3.9.7 The Harris Federation will project manage and procure the work to expand Harris Crystal Palace Primary Academy

3.9.8 Tenders will be arithmetically checked by the Council's consultant for accuracy and will be evaluated by a panel consisting of both the consultant and Bromley officers.

4. POLICY IMPLICATIONS

4.1 Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places, the quality of those places and their efficient organisation is a priority within the Council's strategy 'Building a Better Bromley' and contributes to the strategy to achieve the status of An Excellent Council. This policy also contributes to key targets within the Education Portfolio Plan.

5. FINANCIAL IMPLICATIONS

5.1 The Council has been allocated £70,877,378 in 100% capital grant for the financial years 2011-18 to meet the basic need provision in schools. It was agreed at Executive on the 20th November 2013 to transfer £1.2 million from the underspend on the Education Planned Maintenance Programme to support the delivery of the Council's Basic Need Programme. To date £705,653 of Section 106 funding has been allocated to schemes within the school expansion programme. Funding from the Suitability budget will be made available to support the re-organisation of Bromley Road and Worsley Bridge Schools, subject to the final costs of works at Burwood Schools.

5.2 In addition, £4.7 million DSG has been allocated to support the purchase and refurbishment of Beacon House and £4.8 million DSG (invest to save) to enable the expansion of the Glebe School.

5.3 The estimates within this report and in Appendix 1 are based on the latest information available and make no assumptions on tender prices at this stage. For reference Appendix 2 sets out the Basic Need School expansion programme as agreed at the Education PDS Committee on the 27 January 2015. This does not include the recently announced funding of £8.8m for 2017/18.

5.4 However from the figures in Appendix 2 it can be seen that there are more schemes than there is funding. Individual projects will not progress unless there is funding available. Projects are being scoped up now in order to meet any potential demand and react quickly should the need arise

6. LEGAL IMPLICATIONS

6.1 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education. Under Section 14 Education Act 1996 the Council has a statutory duty to ensure that there are enough primary and secondary school places are available to meet the needs of pupils in its area.

6.2 Section 106 monies must be spent in accordance with the Education contribution clauses within respective agreements.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Approval Of Procurement Strategy For Basic Need Projects And The Glebe School Expansion And Allocation of Section 106 Funding to Education Scheme – Executive 2 April 2014 Basic Need Update Report 9 – Education PDS 27 January 2015

LONDON BOROUGH OF BROMLEY

Financial Appraisal Report

1. Purpose of Projects

The projects detailed in this report are required in order that the Council meets its statutory obligations to provide sufficient school places in the borough.

2. Estimated Capital Cost and Phasing

The table below details the estimated capital cost and phasing of the Council's Basic Need school expansion programme. Phasing has been detailed where it is known.

Beacon House (Burwood School)

	2014/15	2015/16	2016/17	2017/18	Total
	£'000	£'000	£'000	£'000	£'000
Land Acquisition	1,700				1,700
Contract Payments		1,935	352	58	2,345
Fees	100	120	70	12	302
Furniture and Equipment			387		387
Contingency		193	35	5	233
Total	1800	2,248	844	75	4,967

Blenheim Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				2,310
Consultant Fees				231
Universal Infant Free School Meals Contribution				100
Furniture and Equipment				100
Contingency				231
Total				2,972

Chislehurst St Nicholas Church of England Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				5,700
Consultant Fees				570
Universal Infant Free School Meals Contribution				100
Furniture and Equipment				100
Abnormals (Allotment relocation)				180
Contingency				570
Total				7,220

Clare House Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition	0	0	0	0
Contract Payments	1,325	4,000	137	5,462
Summer Works (2014)	136	0	0	136
Consultant Fees	190	30	7	227
Furniture and Equipment	10	40	0	50
Contingency	133	400	14	547
Total	1,794	4,470	158	6,422

Edgebury Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000

Land Acquisition				
Contract Payments		2,000	1,050	3,050
Consultant Fees	10	200	40	250
Universal Infant Free School Meals Contribution			100	100
Furniture and Equipment			8	80
Contingency		200	105	305
Total				3,785

Farnborough Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				4,070
Consultant Fees				407
Universal Infant Free School Meals Contribution				100
Furniture and Equipment				100
Contingency				407
Total				5,084

Glebe School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Contract Payments	0	3,658	94	3,752
Enabling works (Demolition of existing buildings)	209	5	0	214
Fees	178	208	10	396
Furniture & Equipment	0	150	0	150
Contingency (10%)	0	366	9	375
Total	387	4,387	113	4,887

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Green Street Green Primary School

	2014/15 £'000	2015/16 £'000	2016/17 £'000	Total £'000
Land Acquisition				
Contract Payments				2,310
Consultant Fees				231
Universal Infant Free School Meals Contribution				100
Furniture and Equipment				100
Contingency				231
Total				2,972

Harris Primary Academy Crystal Palace

	2014/15 £'000	2015/16 £'000	2016/17 £'000	Total £'000
Land Acquisition				
Contract Payments	590	105	20	715
Fees	30	42		72
Allowance for Universal Infant Free School Meals Delivery		100		100
Furniture and Equipment		50		50
Contingency (10%)	59	13		72
Total	679	310	20	1,009

James Dixon Primary School

	2014/15 £'000	2015/16 £'000	2016/17 £'000	Total £'000
Land Acquisition				

Contract Payments				2,410
Fees	36			241
Allowance for Universal Infant Free School Meals Delivery				100
Furniture and Equipment				110
Contingency (10%)				241
Total	36			3,102

Leesons Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				2,623
Fees				262
Allowance for Universal Infant Free School Meals Delivery				100
Furniture and Equipment				100
Contingency (10%)				262
Total				3,347

Marian Vian Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				2,310
Fees	40			231
Allowance for Universal Infant Free School Meals Delivery				100
Furniture and Equipment				100
Contingency (10%)				231

Total	40			2,972
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Midfield Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments	50*	400	512	962
Fees	20	40	36	96
Allowance for Universal Infant Free School Meals Delivery			100	100
Furniture and Equipment	10	10	20	40
Contingency (10%)	5	40	51	96
Total	85	490	715	1,294

*Summer 2014 works

Oaklands Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				6,850
Fees	28			685
Allowance for Universal Infant Free School Meals Delivery				
Furniture and Equipment				70
Contingency (10%)				685
Total	28			8,290

Parish Church of England Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
New Build Contract Payments	800	1,566	73	2,439

Summer Works 2014 (Additional Reception Class)	235	0	0	235
Secondary Path	145	5	0	150
Kitchen Upgrade	27	73	0	100
Fees	240	63	8	311
Furniture & Equipment	10	90	0	100
Contingency (10%)	80	157	7	244
Total	1,537	1,954	88	3,579

Poverest Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				2,581
Fees				258
Allowance for Universal Infant Free School Meals Delivery				100
Furniture and Equipment				100
Contingency (10%)				258
Total				3,297

Princes Plain Primary School

	2014/15	2015/16	2016/17	2017/18	Total
	£'000	£'000	£'000	£'000	£'000
Land Acquisition					
Contract Payments		100	500	3,270	3,870
Fees	52	100	135	100	387
Allowance for Universal Infant Free School Meals Delivery				100	100

Furniture and Equipment		10	10	100	120
Contingency (10%)		10	50	327	387
Total	52	220	695	3,897	4,864

St Georges CE Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments		1,000	156	1,156
Fees	25	80	10	115
Allowance for Universal Infant Free School Meals Delivery			100	100
Furniture and Equipment		10	90	100
Contingency (10%)		100	15	115
Total				1,586

St Marks CE Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				3,350
Fees				335
Allowance for Universal Infant Free School Meals Delivery				100
Furniture and Equipment				80
Contingency (10%)				335
Total				4,200

St Mary Cray Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments				2,310
Consultant Fees	31	100	100	231
Universal Infant Free School Meals Contribution				100
Furniture and Equipment				100
Contingency				231
Total				2,972

St Paul's Cray Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Contract Payments	412	1,500	60	1,972
Enabling works (UK Power Networks)	6	0	0	6
Summer Works (Asbestos)	155	0	0	155
Enabling Works (Play Area)	17	0	0	17
Fees	127	15	10	152
Furniture & Equipment	10	80	0	90
Contingency (10%)	41	150	6	197
Total	768	1,745	76	2,589

Scotts Park Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments		2,000	350	2,350
Fees	11	200	24	235

Allowance for Universal Infant Free School Meals Delivery			100	100
Furniture and Equipment		10	40	50
Contingency (10%)		200	35	235
Total	11	2,410	549	2,970

The Pioneer Academy (Stewart Fleming Primary School)

	2014/15	2015/16	2016/17	2017/18	Total
	£'000	£'000	£'000	£'000	£'000
Land Acquisition					
Contract Payments		2,000	3,650	150	5,800
Fees	35	250	250	45	580
Allowance for Universal Infant Free School Meals Delivery				100	100
Furniture and Equipment		10	10	80	100
Contingency (10%)		200	365	15	580
Total	35	2,460	4,275	390	7,160

Worsley Bridge Primary School

	2014/15	2015/16	2016/17	Total
	£'000	£'000	£'000	£'000
Land Acquisition				
Contract Payments	1,521	2,000	87	3,608
Summer Works (2014)	354	9	0	363
Consultant Fees	179	20	5	204
Furniture and Equipment	10	70	0	80
Contingency	152	200	9	361
Total	2,216	2,299	101	4,616

3. Capital Financing

Details of the capital financing arrangements needed to fund all of the projects is contained at Appendix 2

4. Revenue Implications

There are no direct revenue implications to the Council resulting from three schemes. At a number of these schemes Dedicated Schools Grant has been allocated to schools to support with staffing and other costs associated with school expansion. This is part of their overall schools budget share allocation.

5. Possible Capital Receipts

There may be some opportunities for capital receipts as part of the delivery of the Basic Need Programme for instance through disposal of caretakers houses when not needed or through the disposal of surplus land. The Council is negotiation with the Diocese of Rochester with regards the use of the capital receipt resulting from the potential relocation and expansion of Chislehurst St Nicholas CE Primary School.

6. Proposed Timetable

The detailed timetable for the delivery of the projects within this report is being finalised and is subject to changes based on demand for school places.

7. Outstanding Uncertainties

Tendering results are volatile in the current market and certainty at this point cannot be guaranteed. Delivery of all projects in this programme requires agreement from school/academy governing bodies and the award of planning consent.

8. VAT Implications

None as a result of the schemes in this report.

9. Lead Officer

The Lead Officer for these projects is Robert Bollen.

APPENDIX 2 – CAPITAL FINANCING

	Contract Awarded	Total Cost £000s	Basic Need Capital Grant £000s	DSG £000s	S106 £000s	Other £000s
Beacon House		4,961	261	4,700		
Blenheim		2,972	2,972			
Chislehurst		7,220	6,220			1,000
Clare House Primary School	Yes	6,422	6,422			
Edgebury Primary School		3,785	3,785			
Farnborough Primary School		5,084	5,084			
Glebe School	Yes	4,887	7	4,800		80
Green Street Green Primary School		2,972	2,972			
Harris Crystal Palace	Yes	1,009	1,009			
James Dixon Primary School		3,102	2,867			235
Leesons Primary School		3,347	2,972			375
Marian Vian Primary School		2,972	2,972			
Midfield Primary School		1,294	1,294			
Oaklands Primary School		8,290	8,290			
Parish CE	Yes	3,579	3,579			

Primary School						
Poverest Primary School		3,297	3,072			225
Princes Plain Primary School		4,864	4,614		250	
St Georges CE Primary School		1,586	1,586			
St Marks CE Primary School		4,200	4,200			
St Mary Cray Primary School		2,972	2,972			
St Paul's Cray Primary School		2,589	2,589			
Scotts Park Primary School		2,970	2,970			
The Pioneer Academy (Stewart Fleming)		7,160	7,160			
Worsley Bridge Primary School	Yes	4,616	4,616			
		96,150	84,485	9,500	250	1,915

APPENDIX 3 – BASIC NEED PROJECT DESCRIPTION

Clare House Primary School	Contract Awarded	The school took bulge years in 2012, 2013 and 2014. The project involves the demolition of the existing 1 FE school and providing a new 2FE school for 420 pupils on the site. Planning permission was achieved in September 2014 and works are now underway at the school following consultation on expansions.
Glebe School	Contract Awarded	In 2012 the Executive agreed to the expansion of Glebe School to reduce the cost to the Council of the number of pupils of secondary age with ASD in costly out-of-borough placements. A statutory consultation was undertaken during 2013 that agreed to permanent expand the school by 104 pupils. The works about to start will provide the additional accommodation required for expansion and will replace an existing dilapidated block with new purpose build accommodation.
Harris Crystal Palace Primary Academy	Contract Awarded	The school took bulge classed in 2011, 2012 and 2013 and agreed to permanent expansion following consultation in 2014. The additional accommodation is required to permanently expand the school from 1FE to 2FE. The works underway involve internal modifications and refurbishment to create the required accommodation. Following a feasibility study by the Council's consultant that identified the agreed design, estimated cost and programme the Harris Federation have been overseeing the delivery of required works due to be completed in 2014/15. The Council has been providing funding to the Harris Federation via stage payments backed by consultant and contractor invoices.
Parish Church of England Primary School	Contract Awarded	The school has taken a 'bulge class' in 2011, 2012, 2013 and 2014. The additional accommodation is required to permanently expand the school from 2FE to 3FE subject to consultation. The works remaining that are required to expand the school involve the construction of a new teaching block that will replace existing dilapidated accommodation and provide a new modular teaching block.
St Paul's Cray Church of England Primary School	Contract Awarded	St Paul's Cray CE Primary School took a bulge class and has now agreed following consultation on expanding from 1 to 2 FE. Planning permission and contract award have been achieved for a project that will expand the school through internal modifications and new accommodation.
Worsley Bridge Primary School	Contract Awarded	Following conversion from junior to primary school, Worsley Primary School took two additional reception classes in 2013 and following consultation has recently expanded from a 2 to 3 FE primary school.
Beacon House (Burwood School)	Priority 1	The project at Beacon House involves the creation of a new facility for KS3 and KS4 replacing the existing provision for that cohort at Burwood School with a refurbished facility that expands both academic and vocational opportunities.
Edgebury Primary School	Priority 1	Following a feasibility study undertaken during summer 2013, planning permission Edgebury School planning permission was achieved. The project would expand the school from 1FE to 2FE and is subject to consultation. The

		masterplan developed by consultants is based on a combination of internal refurbishment and the provision of new teaching accommodation.
James Dixon Primary School	Priority 1	James Dixon School took a bulge class in 2014. A feasibility has been undertaken that involves expanding the school both through expansion and possible relocation of the contact centre currently on site. Progression of this project is reliant on agreement of the governing body.
Midfield Primary School	Priority 1	The school admitted bulge classes in 2012, 2013 and 2014. The additional accommodation is required to permanently expand the school from 1FE to 2FE subject to consultation (currently underway). The works required to expand the school involve a combination of internal modifications and a new 2 classroom teaching block.
Princes Plain Primary School	Priority 1	The school admitted bulge classes in 2013 and 2014. The additional accommodation is required to permanently expand the school from 2FE to 4FE subject to consultation. The works required to expand the school involve minor internal modifications to the EDC during summer 2014 to provide 2 additional classrooms and a main building contract that will refurbish the former EDC block and parts of the existing school, create a new 4 classroom teaching block and create a new entrance linking the school accommodation and EDC which will provide administrative accommodation.
St George's Church of England Primary School	Priority 1	St Georges CE Primary School took a bulge class in 2014. A feasibility on expansion of the school was undertaken during 2014. The proposed work, a mix of refurbishment and new build will allow the school to expand from 1.5 to 2 Forms of Entry.
Scotts Park Primary School	Priority 1	The school took bulge classes in 2012, 2013 and 2014. The additional accommodation is required to permanently expand the school from 2FE to 3FE subject to consultation. The works required to expand the school permanently to 3FE involve internal modifications to the existing school and the creation of a second storey of teaching accommodation.
The Pioneer Academy (Stewart Fleming)	Priority 1	Stewart Fleming Primary School took a bulge class in 2014. A feasibility has been conducted into options for expanding the school from 2 to 3 FE through a combination of new build and internal modification. The proposal envisage an innovative use of space in a constrained urban the site including roof top play areas.
Blenheim Primary School	Priority 2	Blenheim took a bulge class in 2014. A feasibility is currently being undertaken to investigate the opportunities to expand the school from 1 to 2 FE. The decision on whether the school takes a further bulge class and permanently expands will depend on demand for places this year. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources. Following the closure of the school nursery in July 2014 there is sufficient facilities on site to accommodate a further bulge class in September 2015 should it be required.
Chislehurst St	Priority 2	There has been a longstanding proposal to relocate the school to a more suitable site in the Chislehurst area. The

Nicholas Church of England Primary School		<p>Council would also like to expand this popular school from 1FE to 2 FE as part of any relocation. A feasibility study was undertaken during autumn 2013 and proposals are being further developed.</p> <p>The project would be funded through a combination of Basic Need funding and a contribution from the CE Diocese of Rochester arising from the sale of the existing school site, subject to final agreement with the diocese and consultation on expansion.</p>
Farnborough Primary School	Priority 2	A feasibility is currently being conducted into options for expanding Farnborough Primary School from 1 to 2 FE through a combination of new build and internal modification. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on pupil demand and availability of resources.
Green Street Green Primary School	Priority 2	A feasibility is being conducted into options for expanding Green Street Green Primary School. At present this is a Priority 2 project and a decision to develop this scheme beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources.
Leesons Primary School	Priority 2	Leesons took a bulge class in 2014. A feasibility is currently being undertaken to investigate the opportunities to expand the school from 1 to 2 FE. The decision on whether the school takes a further bulge class and permanently expands will depend on demand for places this year. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources.
Marian Vian Primary School	Priority 2	A feasibility is currently being undertaken to investigate the opportunities to expand the school from 3 to 4 FE. The decision on whether the school permanently expands will depend on demand for places. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources.
Oaklands Primary School	Priority 2	<p>The Council undertook a feasibility study during autumn 2013. The feasibility study has identified significant deficiencies with the current accommodation and without further development the school will not be able to admit up to its published admission number (PAN) of 630. The nature of the site and layout of accommodation also prohibits the school to operate effectively as a primary school as the future operation of the school was not adequately addressed when the former infant and junior school sites merged.</p> <p>It is proposed to continue development of the project whilst identifying ways of reducing the current cost including through attracting other funding sources. Interim arrangement will need to be identified to cope with the demand for places.</p>
Poverest Primary School	Priority 2	Poverest took a bulge class in 2014. A feasibility is being conducted into options for expanding the school from 1 to 2 FE through a combination of new build and internal modification. The scheme would include the creation of a new nursery and remodelled early years foundation stage environment. The decision on whether the school takes a further bulge

		class and permanently expands will depend on demand for places this year. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources.
St Marks Church of England Primary School	Priority 2	The scheme at St Mark's CE Primary School is currently on hold.
St Mary Cray Primary School	Priority 2	A feasibility investigating the opportunities to expand the school from 1 to 2 FE is currently underway. The decision on whether the school permanently expands will depend on demand for places. At present this is a Priority 2 project and a decision to develop this project beyond the submission of a planning application will be based on achieving support from the school, pupil demand and availability of resources.

APPENDIX 4 BASIC NEED PROGRAMME 2011-18

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources		Notes
						Basic Need	Other	
Completed Projects								
Balgowan Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Complete	10	10		
Bickley Primary School	Kitchen and servery works to complete expansion to full 2FE	Permanent Expansion	2011	Complete	103	103		
Bromley Road	First phase of works to support re-organisation - asbestos strip out	Change of age range	2014	Awaiting final invoices	113	113		
Burnt Ash Primary School	Internal SEN unit modifications to address OFSTED recommendations	School rebuild	2012	Complete	50	50		
Churchfields Primary School	Modifications to existing building to support 4 years of expansion	Permanent Expansion	2011-2014	Complete	357	357		
Clare House Primary School	Internal modifications and 3 X temporary accommodation	Temporary 'Bulge'	2012-14	Complete	578	449	129	DSG
Crofton Primary School	New build class and facilities for additional 'Busy Bees' class	SEN	2014	Awaiting Final invoices	475	450	25	Access Initiative
Darrick Wood School	AccessWorks - acoustic partitions and associated ICT/M&E works	SEN	2012	Complete	45	45		
Darrick Wood Infant School	Review of space at school	Site sufficiency	2014	Space planning	4	4		
Darrick Wood Junior School	Review of space at school	Site sufficiency	2014	Space planning	4	4		
Harris Primary Academy Crystal Palace	Minor refurbishment and temporary toilet unit to facilitate an extra form of entry in 2011 & 2012.	Permanent Expansion	2011-14	Complete	125	104	21	DSG
Harris Primary Academy Kent House	Modular accommodation to provide an additional form of entry in 2011.	Temporary 'Bulge'	2011	Complete	263	263		
Hawes Down Infants School	Conversion of existing space to for single bulge class	Temporary 'Bulge'	2012	Complete	115	115		
Hillside Primary School	Contribution from Basic Need to delivery of SEN facilities at school	SEN	2011	Complete	100	57	43	
James Dixon Primary School	Temporary reception block with potential for additional class in 2015	Temporary 'Bulge'	2014	Awaiting Final invoices	193	117	76	DSG
Leesons Primary School	Conversion of existing space to for single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	20	20		
Midfield Primary School	Refurbishment of existing accommodation and new nursery block	Temporary 'Bulge'	2012-14	Complete	503	503		
Mottingham	Works to allow admission of 3rd KS2 class	Temporary 'Bulge'	2014	Awaiting Final invoices	50	50		
Parish CE Primary School	3 New reception classrooms	Temporary 'Bulge'	2011-14	Awaiting Final invoices	608	608		
Poverest Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	80	80		
Princes Plain Primary School	Refurbishment of classes in ED C accommodation	Temporary 'Bulge'	2012-14	Complete	467	327	140	
Red Hill Primary School	Improvement of toilet facilities to support increase in pupil numbers	Temporary 'Bulge'	2012	Complete	57	57		
Riverside School	New school hall and ASD specific entrance	SEN	2013-14	Awaiting Final invoices	1,350	829	521	S106 and other capital
Scotts Park Primary School	Refurbishment of early years area temporary accommodation block	Temporary 'Bulge'	2012-14	Complete	498	463	35	S106

St George's CE Primary School	Conversion of existing space to form single bulge class	Temporary 'Bulge'	2014	Awaiting Final invoices	10	10		
St Mark's CE Primary School	Refurbishment of reception classrooms	Temporary 'Bulge'	2013	Complete	135	135		
St Mary's Cray Primary School	Minor works to support admission of additional pupils	Temporary 'Bulge'	2012	Complete	11	11		
Stewart Fleming (Pioneer Academy)	Conversion of existing space to form single bulge class, including creation of external storage area	Temporary 'Bulge'	2014	Awaiting Final invoices	53	53		
Unicorn Primary School	Temporary classroom block to decant breakfast and after school club, fencing and temporary 'grasscrete' parking	Temporary 'Bulge'	2014	Awaiting Final invoices	411	383	28	
Valley Primary School	Modular accommodation to facilitate an extra form of entry in 2011 & 2012.	Temporary 'Bulge'	2011 & 2012	Complete	353	353		
Worsley Bridge Primary School	Temporary modular classrooms to additional 2 classes in 2013	Temporary 'Bulge'	2013 & 2014	Complete	545	451	94	DSG
The Highway Primary School	Contingency to cover over-spend on project	School rebuild	2011	Complete	650	650		
Cost of completed schemes					8336	7224	1112	

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources		Notes
						Basic Need	Other	
Projects in Delivery								
Beacon House (Burwood School)	Refurbishment of site to provide vocational offer and extend services to KS2 and girls.	Expansion of age range	2015-16	Detailed Design	3267	267	3000	DSG
Bishop Justus	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	September 2015	FF&E and enabling works	50	50		
Bromley Road Infants	Internal remodelling/ refurbishment to provide accommodation for the re-organised school	Change of age range/ option for 'bulge' class	2015	Detailed Design	861	561	300	Suitability funding
Clare House Primary School	New 2FE school replacing existing 1FE accommodation and temporary classrooms	Permanent Expansion	2015	Tender stage	6,385	6385		
Churchfields Primary School	New nursery block, small extension and internal modifications	Permanent Expansion	2015	Tender stage	1,010	1010		
Edgebury	New build to support expansion from 1 FE to 2 FE	Permanent Expansion	2016	Post planning approval	3,785	3785		
Farnborough Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	September 2015	Design	50	50		
Farnborough Primary School	Feasibility on options to expand the school	Potential Expansion	2014	Feasibility	5,084	5084		
Glebe School	New classroom block to support 2FE ASD secondary expansion	SEN	2015	Enabling works	4,800	0	4,800	DSG
Harris Primary Academy Crystal Palace	Internal refurbishment and external works to support permanent expansion of school	Permanent Expansion	2014-2015	Under Construction	1,009	1009		
Hawes Down Junior School	Additional class to admit 'bulge' class currently in junior school plus potential additional unit class	Bulge' class	2015	Detailed Design	850	850		
James Dixon	Secondon Bulge Class and nursey	Permanent Expansion	2016	Tender	520	520		
Keston CE Primary School	Internal and external works to provide permanent facilities for 2012 class.	Bulge' class	2014	Construction	960	960		
Langley Park School for Boys	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class	Summer 2015	Detailed Design	50	50		
Leesons Primary School	Refurbishment of area separated from former day care centre and feasibility on options to expand the school	Potential Expansion	Summer 2015	Feasibility	3,347	3,022	325	Achieving 2 Year Olds Capital Funding, Access initiative and Seed Challenge
Marian Vian Primary School	Internal works and FF&E For Bulge class in advance of new facilities being brought forward.	Bulge' class		Detailed Design	50	50		
Midfield	Internal refurbishment and expansion to support permanent expansion	Permanent Expansion	2015-16	Detailed Design	1,295	1295		
Mottingham Ravensbourne Secondary	Works associated with admniting an addition KS2 class and kitchen upgrade	Bulge' class	2015	Detailed Design	500	500		
Parish CE Primary School	Move Gym to provide new classroom	Temporary 'Bulge'		Tender	710	710		
Parish CE Primary School	New teaching block and secondary path	Permanent Expansion	2015	Awaiting Planning Permission	3,334	3334		
Poverest Primary School	Summer 2015 bulge works and permanent expansion	Potential Expansion	2014	Feasibility	3,347	3,122	225	Achieving 2 Year Olds Capital Funding
Princes Plain Primary School	Mixed refurbishment and new build to allow expansion from 2 to 4FE	Permanent Expansion	2014-17	Phased delivery	4,864	4614	250	S106
Secondary Review	Funding to support feasibilities and development of proposals for first Phase of Secondary Expansion	Potential Expansion	2014 -	Feasibility	150	150		
Scotts Park School	Expansion above existing school to complete expansion	Permanent Expansion	2016	Detailed design	2,970	2970		
St Georges CE Primary School	Refurbishment and expansion 1.5 FE to 2 FE	Permanent Expansion	2015-17	Detailed Design	1,586	1586		
St Paul's Cray CE Primary	Mixed refurbishment and new build to allow expansion from 1 to 2 FE	Permanent Expansion	2015	Construction	2,589	2589		
The Pioneer Academy (Stewart Fleming)	Summer 2015 bulge works and permanent expansion	Permanent Expansion	Summer 2015	Detailed Design	7,170	7170		
Unicorn Primary School	New build expansion to ensure sufficient hall space, new classroom accomodation for 'bulge' class and hygiene facilities	Temporary 'Bulge' and suitability	2014-15	Detailed Design	924	0	924	Seed Challenge & Access Initiative, S106
Worsley Bridge Primary School	Mixed refurbishment and new build to allow expansion from 2 to 3FE	Permanent Expansion	2015	Tender Stage	4,243	4243		
Unplanned Demand Contingency					0	0		
Cost of schemes in delivery					65,760	55,936	9,824	
Programme Contingency (5%)					3,288	3,288		
Services and Abnormals Contingency (5%)					3,288	3,288		
In Delivery Schemes Total					72,336	62,512	9,824	
Completed Projects Plus Schemes in Delivery					80,672	69,736	10,936	
Basic Need Budget Received to Date						72,077		
Remaining						2,341		

School	Description of Works	Type	Year (s)	Status	Project cost (£000s)	Funding sources		Notes
						Basic Need	Other	
Projects in development								
Bleheim Primary School	Feasibility on options to expand the school	Potential Expansion	2014	Feasibility	2,972	2,972		
Burwood KS2 Options		School re-organisation		Feasibility				
Chislehurst St Nicholas CE Primary School	Relocation and expansion of school to 2FE primary	Potential Relocation and Expansion	Ongong	P	7,220	6,220	1,000	Estimated Capital receipt
Green Street Greem	Feasibility on options to expand the school from 2FE to 3FE	Potential Expansion	2014	Feasibility	2,972	2,972		
James Dixon	New teaching block and replacement of temporary modular classrooms	Permanent Expansion	2016	Detailed	3,102	2,877	225	Achieving 2 Year Olds Capital Funding
Marian Vian Primary School	Feasibility on options to expand the school	Potential Expansion	2014	Feasibility	2,972	2,972		
Oaklands	Ensuring accommodation is sufficient to admit 3FE and address issue remaining from amalgamation of infant and junior school	Site sufficiency	2014 -	Design Development	8,290	8,290		
St Mary' Cray Primary School	Feasibility on options to expand the school	Potential Expansion	2014	Feasibility	2,970	2,970		
KS2 Expansion Planning Area 6	Development of proposal to address deficit of KS2 places in Planning Area 6	Potential Expansion and re-organisation	2014-16		3,500	3,500		
Widmore Centre	Review of accommodation	Options appraisal	2014	Space planning	7	7		
Secondary Places	Phase 1 of Secondary Expansion		2015	No decision until 2015	10,000	10,000		
Cost of schemes in development					44,005	42,780	1,225	
Total Programme Cost					124,677	112,516	12,161	
Total Basic Need Allocation						72,077		
Contribution to Basic Need Programme From Other Resources							12,161	
Potential Funding Gap						40,439		

Report No.
CS14141

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Non-Key

Title: ANNUAL REPORT FROM EXECUTIVE WORKING PARTY ON CHILD SAFEGUARDING AND CORPORATE PARENTING

Contact Officer: Kay Weiss, Assistant Director Safeguarding and Social Care
E-mail: kay.weiss@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

1.1 The purpose of the report is to provide the Executive with an annual update of the “Executive Working Party on Child Safeguarding and Corporate Parenting Arrangements in Bromley” work plan.

1.2 The Executive Working Party takes a lead role in

- promoting the safeguarding and prevention of neglect and abuse in Bromley, and;
- ensuring that children looked after by Bromley have their
 - interests protected;
 - opportunities maximised;
 - educational achievement enhanced;
 - voices heard and care services are shaped to meet their needs.

2. **RECOMMENDATION**

2.1 **The Executive is asked to note and comment on the contents of this report.**

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre:
 4. Total current budget for this head: £
 5. Source of funding:
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Executive Working Party on Child Safeguarding and Corporate Parenting focus is to assist the Lead Member to carry out his responsibilities and to maintain an effective focus on services to safeguard children and promote life chances for Looked After Children (LAC) through detailed review and challenge.
- 3.2 The Executive Working Party is required to meet three times a year. Current membership comprises Councillors Robert Evans (Chairman), Nicholas Bennett, Diane Smith, Tim Stevens, Stephen Wells, Judi Ellis, Hannah Gray, and Pauline Tunnicliffe. The Working Party met on 14th January, 29th April, and 16th September 2014 and 15th January 2015. A further meeting is planned for 19th May 2015.
- 3.3 The group is supported by the Assistant Director for Children’s Social Care and Safeguarding and various officers depending on the agenda item, however the Head of Service for Care and Resources and the Head of Quality Assurance for Safeguarding attend on a regular basis. The group is also supported by two Bromley Looked After Children in the form of the Chair and Vice Chair of the Living in Care Council.
- 3.4 A summary of the work covered during 2014/15 is summarised in Appendix 1.

Non-Applicable Sections:	POLICY FINANCIAL LEGAL PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	

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CS14141 Appendix 1

Annual Briefing Report on the Work of the Executive Working Party on Child Safeguarding and Corporate Parenting 2014 -2015

Introduction

The Executive Working Party on Child Safeguarding and Corporate Parenting is required to meet three times a year. Current membership comprises Councillors Robert Evans (Chairman), Nicholas Bennett, Diane Smith, Tim Stevens, Stephen Wells, Judi Ellis, Hannah Gray, and Pauline Tunnicliffe. The Working Party met on 14th January, 29th April, and 16th September 2014 and 15th January 2015. A further meeting is planned for 19th May 2015. The focus for this group is to assist the Lead Member to carry out his responsibilities and to maintain an effective focus on services to safeguard children and promote life chances for Looked After Children (LAC) through detailed review and challenge.

The group is supported by the Assistant Director for Children's Social Care and Safeguarding and various officers depending on the agenda item however the Head of Service for Care and Resources and the Head of Quality Assurance for Safeguarding attend on a regular basis . The group is also supported by two Bromley Looked After Children in the form of the Chair and Vice Chair of the Living in Care Council.

Work covered by the Working Group in 2014 -2015

The work programme reflects priorities identified within the Corporate Parenting Strategy as well as urgent concerns identified by elected Members, for e.g. child exploitation arising out of developments in Rotherham. The following reports were considered for comment during 2014 -2015;

- Briefings and updates from Bromley Looked After Children (LAC) on the work of the Living in Care Council (LinCC)
- Report on the work of the Virtual School, consideration of the school Action Plan and Bromley LAC attainment.
- Report on early intervention, performance and activity, to support safeguarding.
- Development of the Bromley Sufficiency Strategy for Looked After Children.
- Report on the work being undertaken to improve education, employment and training (EET) for Bromley LAC.
- Report on the policy changes required and resulting financial pressures for the Council caused as a result of the Tower Hamlets judgement in respect of Connected Persons.

- Development of the Corporate Parenting Strategy, 2014 – 16.
- Report on policy changes required and resulting financial pressures for the Council due to the legislative requirements introduced enabling young people to remain in foster care post 18 years, (Staying Put Policy).
- Consideration of how the council is protecting children missing, children at risk of child sexual exploitation and Bromley LAC children placed out of borough in the wake of the Jay Report findings and reports on child abuse in Rotherham.
- Review of the Pledge with the LinCC.
- Scrutiny of Adoption Performance.
- Consideration of the Annual Independent Reviewing Officer report.
- Social Worker Recruitment and Retention package.
- Report on the increased use of Special Guardianship Orders by Family Courts to achieve permanency for children with resulting cost pressures for the Council.

Key Issues

Despite the substantial financial pressures being placed on Local Authorities nationally, there appears to be no decrease in expectations from central Government in relation to Safeguarding and Corporate parenting policy and practice standards as demonstrated by the Staying Put policy. In addition, the Courts have made a number of case law rulings which are also creating pressures in the form of increased Special Guardianships Orders, increased payments to connected persons and the Home Office failure to quickly process No Recourse to Public Fund applications for asylum.

Impact

The Executive Working Party on Child Safeguarding and Corporate Parenting continues to provide an effective means to influence and challenge how officers develop policy and resources for safeguarding and corporate parenting

**Cllr Robert Evans, Care Services Portfolio Holder,
Chairman of the Executive Working Party on Child Safeguarding and
Corporate Parenting**

Report No.
CS14127

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Non-Key

Title: **ADOPTION UPDATE AND GRANT DRAW DOWN**

Contact Officer: Kay Weiss, Assistant Director Safeguarding and Social Care
E-mail: kay.weiss@bromley.gov.uk

Ian Leadbetter, Head of Social Care, Care and Resources
E-mail: ian.leadbetter@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

- 1.1 On the 15 October 2014, the Executive considered a report seeking approval for drawn down of the non –ring fenced adoption reform grant of £345,700 in 2014/15 and £272,400 in 2015/16 to improve adoption performance.
 - 1.2 Members resolved that the £345,700 draw-down for 2014/15 be approved but that draw-down of £272,400 for 2015/16 be deferred pending consideration of a progress report by the Executive, closer to the 2015/16 financial year.
 - 1.3 This report details adoption and permanence activity since April 2014 and seeks approval for the draw-down of the adjusted deferred amount of £280,400 in 2015/16.
-

2. **RECOMMENDATION(S)**

- 2.1 **The Executive is asked to note the content of this progress report and approve the draw-down of the non-ring fenced adoption reform grant of £280,400 for 2015/16.**

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: £272,400 (from adoption reform grant)
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Adoption/833110
 4. Total current budget for this head: £1,048,670 (excluding adoption reform grant)
 5. Source of funding: RSG
-

Staff

1. Number of staff (current and additional): 15
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 Context

3.2 Members will be aware that securing permanence, and in particular permanence through adoption for looked after children, has been a key policy of the Government. Changes to legislation, policy and guidance to remove barriers and speed up adoption have been implemented together with significant resources being made available to local authorities to support them with improvements in adoption performance.

3.3 Since 2012/13 Bromley has been awarded a sum of £1,019,746 from the Department of Education towards adoption reform. £149,840 of this amount was ring fenced to specifically to recruitment and to be spent in the 2013/14 financial year and was subject DfE scrutiny. The remaining amount (£869,906) was non-ring fenced.

3.4 As at the end of March 2015, £412,723 of the non-ring fenced grant remains in central contingency.

3.5 Nationally, despite year on year increases, leading to a record number of children being made subject to an adoption Order in 2013/14, three significant Court of Appeal Judgments during the summer of 2013 has led to a dramatic decrease in the number of Placement Orders being granted by Family Courts which in turn reduces the number of possible adoptions. Recently published national data shows that there has been a decrease of almost 50% of placements orders being made from April 2014 to September 2014 compared to the same period in the previous year.

3.6 Although a record number of Adoption Orders were granted in 2013/14 it is important to remember that adoption performance is recorded and measured backwards from when an Adoption Order is made. There is always a gap of at least six months and more commonly nine to twelve months from the date of the making of the Placement Order to the date of the final adoption Order and as such many of the court decisions that adoption was the appropriate care plan for the child would have been made prior to the Court of Appeal Judgments, which would have accounted for the high number of adoption Orders being made in 2013/14.

3.7 In addition to the decrease in the number of Placement Orders being made in the first two quarters of 2014/15, the number of Adoption Decision Maker (ADM) decisions has fallen by 47% since the summer of 2013 (to September 2014), again with the greatest decrease during the first two quarters of 2014/15. Nationally, this would suggest that some local authorities have responded to the changed family court practices by shying away from adoption.

3.8 The three Court of Appeal Judgments namely Re G¹, Re B² and Re B-S³ were concerned about ensuring that there was a 'proper balancing exercise' in the permanent removal of children from their parents and specifically in Re B-S, the Judgment stated that the removal and adoption of a child, must be on the basis that all options have been carefully analysed and evaluated and that the option for 'long term separation' from the family must be 'that nothing else will do'.

3.9 In response to local authority and Court interpretation of these Appeal Judgments the National Adoption Leadership Board published guidance in November 2014 entitled 'Impact of Court Judgments on Adoption – what the judgments do and do not say'. This guidance includes a 'principle message' that: *The judgments do not alter the legal test for adoption.* However, in reality this is not our experience.

¹ G (A Child) [2013] EWCA Civ 965

² In the matter of B (A Child) [2013] UKSC 33

³ B-S (Children) [2013] EWCA Civ 1146

3.10 In December 2014 a further Court of Appeal Judgment was published – Re R⁴. This Judgment, it is argued, goes some way in clarifying the legal position in relation to adoption. The National Adoption Leadership Board issued an addendum to their November 2014 guidance:

In *Re R*, the President of the Family Division affirms that, as stated in the November guidance, the law has not changed. He states that

“There appears to be an impression in some quarters that an adoption application now has to surmount ‘a much higher hurdle’, or even that ‘adoption is over’, that ‘adoption is a thing of the past.’ There is a feeling that ‘adoption is a last resort’ and ‘nothing else will do’ have become slogans too often taken to extremes, so that there is now “a shying away from permanency if at all possible” and a ‘bending over backwards’ to keep the child in the family if at all possible....There is concern that *Re B-S* is being used as an opportunity to criticise local authorities and social workers inappropriately – there is a feeling that “arguments have become somewhat pedantic over ‘B-S compliance’” – and as an argument in favour of ordering additional and unnecessary evidence and assessments. ... It is said that when social worker assessment of possible family carers are negative, further assessments are increasingly being directed ...There is a sense that the threshold for consideration of family and friends as possible carers has been downgraded and is now “worryingly low”...

“(Such concerns) plainly need to be addressed, for they are all founded on myths and misconceptions which need to be run to ground and laid to rest.” [emphasis added]

The latest Court of Appeal judgments confirm the messages set out in the November guidance. This addendum highlights the key points from these important judgments and, like the initial guidance, is designed to point local authorities, children’s guardians and other professionals involved in the family justice system to the relevant statute and case law. Judges look to statute and case law in making decisions: this is why both the original guidance and the addendum refer to key Court of Appeal and Supreme Court judgments throughout.

- 3.11 Despite this recent flurry of activity, nationally the number of children being considered for adoption following the Appeal Court Judgments has reduced whereas the number of children being made subject to alternative Orders, and in particular Special Guardianship has risen sharply. Bromley has not been immune to this development and has seen a substantial increase in Special Guardianship Orders being made.
- 3.12 It is unclear as to whether the recent guidance and case law will have an impact on the number of Placement Orders being granted in the short term as many commentators believe that a return to previous performance levels may take a significant amount of time.
- 3.13 Due to the decline in the number of children who require a ‘match’ to an adoptive family, the number of approved adopters waiting for a match now exceeds the number of children available to be ‘matched’. Previously there were insufficient adopters.
- 3.14 Nationally, there has also been a decrease in the number of registrations to become adopters. The reason for this decline is not fully understood but it is believed to be, in part, due to adoption agencies being more selective about whom they accept for assessment given that demand for placements currently is low. No adoption agency wants to have a large number of approved adopters on their books if they do not have the children to match to or are unable to offer to other agencies as part of the interagency arrangements.

⁴ Re R (A Child) [2014] EWCA Civ 1625

3.15 London Borough of Bromley Adoption performance:

Number of adoptions:

2011-12	10
2012-13	17
2013-14	14
2014-15	15
2014-15	20

Actual 31 January 2015

Projected 31 March 2015

Number of adopters:

2011-12	6
2012-13	9
2013-14	17
2014-15	13
2014-15	17

Actual 31 January 2015

Projected 31 March 2015

3.16 Overall, Bromley's ranking in adoption performance has improved from 143 in 2008/09 to 85 out of 143 for the period 2012/13 – 2013/14. We are one of only 19 authorities who have demonstrated year on year improvement for the average time between a child entering care and moving in with its adoptive family. However, our numbers of children being adopted is not as high as planned due to family court decisions which have not always agreed to our plan for adoption or agreed to the making of placement orders. This is reflected in the significant increase in the making of Special Guardianship Orders in 2013/14 and 2014/15.

3.17 Special Guardianship Orders

3.18 As described in the Report considered by the Executive on the 15 October 2014, prior to 2011/12 take up of Special Guardianship Orders, either by foster carers seeking to provide permanency and security for children and young people placed with them long term and as a suitable disposal for children in care proceedings, was relatively low with the number being supported at approximately 11 children

3.19 By January 2015, the number of children and young people being supported in Special Guardianship placements had increased to 77 (38 granted during 2013/14 alone)

Number of new Special Guardianship Orders:

2011-12	10
2012-13	15
2013-14	38
2014-15	20
2014-15	27

Actual 31 January 2015

Projected 31 March 2015

3.20 It is anticipated that a further seven children will be made subject to an Special Guardianship Order during the remainder of 2014/15: the number of children subject to an SGO as 77 3.21 Since 1 April 2014 68 assessments of connected persons have commenced, with 43 having been completed leading to 20 children being made subject to Special Guardianship Orders and 17 children placed with connected persons who have been approved as foster carers. The remaining 25 assessments continue.

3.21 It would appear that the dramatic increase in Special Guardianship Orders are a direct result to changes in the Care Proceedings framework whereby Care Proceedings must be concluded within 26 weeks which has resulted in extended family members being viewed more favourably by the Courts as suitable carers and as a result of three Appeal Court Judgments Re G, Re B and Re B-S which has significantly reduced the number of children who are made subject to an Placement Order and subsequently adopted

3.22 Whilst children and young people who are made subject to Special Guardianship Orders cease to be 'looked after' by the local authority, Special Guardians are entitled to ongoing support. Previously, the level of support provided was minimal but more recently the level of ongoing support to these children and their special guardians has also increased with many considered children in need and requiring ongoing social work intervention, albeit at a lower level. We have experienced a number of situations where the special guardians have been assessed within a very short timescale to meet Court deadlines and only once the Order has been made have fully reflected on what this means in terms of the wider ongoing family relationships. In a small number of situations social work support has been required to provide basic parenting advice.

3.24 As a result, out of the total of 77 children and young people still subject to an Special Guardianship Order receiving financial support the number of allocated for case work support (in addition to financial support) now stands at 68.

3.25 Proposed spend (with 2014/15 comparisons)

Purpose	2014-2015	2015-2016
2 x SW posts to undertake connected person assessments	82,000	82,000
Adoption Reform Lead	62,000	62,000
DGM – Connected Person (new post)	48,000	48,000
Additional hours for current adoption staff – equivalent to one fte	39,000	17,000
Adoption medicals	30,000	30,000
Additional FGC capacity (over spend was £26k in 2013/14)	30,000	30,000
PT admin worker – to progress adoption/SGO/RO payments and reviews	11,400	11,400
Adoption project worker to continue for a further year to completely embed new assessment process	43,300	0
Total	345,700	280,400
Amount remaining	412,723	132,323

3.26 The level of work, both through securing adoptive placements for our children and the assessment of prospective adopters and special guardianship/connected person carers, has continued at a pace, and without the resources from the adoption reform grant would place significant pressure on the service in meeting current demand.

4. POLICY IMPLICATIONS

Improving permanence for looked after children contributes to *Building a Better Bromley*

5. FINANCIAL IMPLICATIONS

Currently the grant is being used to support a significant increase in Special Guardianship assessments in addition to adoption activity. If the grant were not to be released, we would not have capacity to allocate any Special Guardianship assessments in-house and would need to commission them from external providers at greater cost.

6. PERSONNEL IMPLICATIONS

All posts created as part of the grant funding allocation are offered on fixed term contracts not exceeding the funding period.

Non-Applicable Sections:	Legal implications
Background Documents: (Access via Contact Officer)	Report to the Executive – 15 October 2014

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Report No.
CS14142

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Key

Title: **RELEASE OF GOVERNMENT FUNDING AND PROCUREMENT STRATEGY TO SUPPORT THE STEP UP TO SOCIAL WORK PROGRAMME**

Contact Officer: Antoinette Thorne, Learning and Development Manager Tel: 020 8313 4380, Email: Antoinette.Thorne@bromley.gov.uk
Kay Weiss, Assistant Director Safeguarding and Social Care Tel: 020 8313 4644, E-mail: kay.weiss@bromley.gov.uk

Chief Officer: Director of Human Resources,
Executive Director of Education, Care & Health Services

Ward: All

1. Reason for report

- 1.1 On 1 December 2014 the Department for Education wrote to all Directors of Children's Services to notify them that cohort 4 of the Step Up To Social Work Programme has been agreed and invited consortium of Local Authorities to bid to participate in the programme.
- 1.2 The Council has taken part in cohorts 2 and 3 of the Department for Education's Step Up To Social Work programme and have signed up to take part in cohort 4.
- 1.3 This report is seeking approval for the release of the 'ring-fenced' funding for cohort 4. The funding is released in instalments over two financial years: 2015/16 and 2016/17.
- 1.4 As part of the delivery of cohort 4, LB Bromley is required to commission a higher education institute (HEI)/university. This report sets out the procurement strategy for commissioning the HEI and the Executive are asked to approve the strategy.

2. **RECOMMENDATION(S)**

2.1 **The Executive is asked to:**

- (i) **Consider the content of the report**

(ii) Approve the release of the 'ring-fenced' funding for 2015/16 and 2016/17 for cohort 4 of the Step Up To Social Work Programme and agree the procurement strategy to deliver cohort 4.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: Estimated Cost: £1,211,750
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Safeguarding and Social Care
 4. Total current budget for this head: £Nil
 5. Source of funding: Department for Education – Step Up To Social Work Programme Grant
-

Staff

1. Number of staff (current and additional): 1 FTE
 2. If from existing staff resources, number of staff hours: 1 FTE
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

Background

- 3.1 Step Up To Social Work ('Step Up') is a Department for Education (DfE) funded initiative that started initially as a pilot in 2010 as a new accelerated work based entry route into children's social work. The programme was developed in response to recognised recruitment issues, plus concerns that qualifying programmes were not consistently preparing graduates for the realities of practice upon qualification, particularly in front line child care services. Step Up is designed to attract high calibre, professionals into children's social work and enables employers to work closely with their chosen higher education provider to ensure that the programme produces skilled, confident and capable social workers for front line child care teams. Due to the programme being a resounding success the DfE agreed to fund further cohorts of the programme and it now has national coverage.
- 3.2 The programme is only accessible to Local Authorities who come together to form a Regional Partnership (RP). Within the RP, there must be one authority who takes the lead. The lead Authority's primary role is to receive the entire grant funding for the programme on behalf of all the Authorities in the partnership. It is also the lead authority's responsibility to manage the project and contract with the higher education institute.
- 3.3 The Council first took part in the Step Up programme at cohort 2 (2011). LB Bromley took the lead Authority role in a partnership of three local authorities known as the South East London RP. Cohort 3 of the Step Up programme began in 2013 and the Council once again took the lead in an expanded partnership of six local authorities (the Surrey and South East London RP).
- 3.4 13 students successfully completed cohort 2. Bromley Council recruited 6 of these students and 4 are still in employment. Across the whole partnership, 12 students were recruited and 10 remain as social workers within the partnership. 1 student was offered a social work post within the partnership, but declined the offer and took up employment elsewhere. So far, 27 students have successfully completed cohort 3 and Bromley has recruited 3 of these, with another one in the pipeline. The recruitment and selection process is still ongoing in the partnership.
- 3.5 For clarification LB Bromley and the South East London/Surrey and South East London RPs were not part of national cohort 1.
- 3.6 Due to the continuing success of the Step Up To Social Work Programme, the DfE gained ministerial support in order to fund a fourth national cohort. An announcement was made by the DfE of its intentions to support a fourth cohort on 1 December 2014. Any partnerships that were interested in participating had to respond by 13 February 2015.
- 3.7 The Council has agreed to participate in cohort 4, taking the lead authority role once again. The partnership is known as the Surrey and South East London RP and now includes the London Boroughs of Bromley, Bexley, Lewisham, Lambeth and Southwark, the Royal Borough of Greenwich and Surrey County Council. LB Lambeth are a new partner authority for cohort 4. The partnership is looking to recruit 35 trainees across the seven Authorities. Bromley are looking to take on 6 students; LB Lewisham – 4; LB Bexley – 4; LB Lambeth – 3; LB Southwark – 4; RB Greenwich – 6; Surrey CC – 8. The partnership have confidence in Bromley Council to lead the next programme having successfully managed the last two programmes on behalf of the partnership.
- 3.8 The timetable for initiating cohort 4 has been set by the DfE in order that trainees can commence studies in January 2016 (see Table 2)

Funding for cohort 4

- 3.9 As the lead authority, the Council is responsible for accessing and administering the funding on behalf of the partnership to deliver cohort 4 of Step Up. It is estimated that the Council will receive total funding of £1,211,750 over a period of two financial years: 2015/16 and 2016/17 (based on taking 35 trainees onto the programme).
- 3.10 As with cohort 2 and 3, funding is released in stages as certain milestones are met. Table 1 below sets out the timescales for the release of funding. The partnership continues to operate under a Memorandum of Understanding which states that all decisions regarding the detailed use of the funding to meet the objectives must be agreed by all partner Authorities. The project is managed by a Steering Board who oversees and monitors the operational implementation and actively participates in the strategic development of the project to make sure that it is delivered to the highest standards and to timescales. A new Steering Board involving all cohort 4 partners has been established which is chaired by a LB Bromley representative (Head of Workforce Development). They will ensure that financial monitoring and procurement follow Bromley's procedures and regulations.
- 3.11 The DfE grant funding sits within the ECHS department budget.
- 3.12 The Executive are therefore asked to agree the release of this funding for financial years 2015/16 and 2016/17 to be used for the delivery of the Step Up programme cohort 4.

Procurement strategy for a higher education institute

- 3.13 One of the continuing key benefits of the programme is that partnerships are able to work closely with their chosen higher education institute (HEI) to create a bespoke course that better reflects the world of work within the partner organisations.
- 3.14 As the lead Authority in the cohort 4 partnership, LB Bromley is responsible for the Tender process to commission a HEI to work with the partnership to develop, deliver and evaluate the training element of the programme. Due to the funding arrangements discussed it is necessary for LB Bromley as the lead Authority to make a single contract with the HEI who is awarded the contract. LB Bromley have overall responsibility of managing the contract and subsequently making the necessary payments under the agreed payment schedule. This was also the case in both cohorts 2 and 3.
- 3.15 The estimated whole life contract value for procuring the HEI service for the cohort 4 contract is £408,345. (see Table 1 for calculation of this figure).
- 3.16 It is proposed that this contract should begin on 29 June 2015 and end on 30 April 2017 (22 months). This includes the recruitment & selection of the students, designing the course, delivering the course and closing-down and evaluating the course.
- 3.17 An initial specification has been developed and agreed by partners to procure the HEI. Any changes required to the specification during the contract period will be discussed and agreed by the Steering Board. The contractor will not be given access to any Council facilities or equipment.
- 3.18 3 representatives from across the partnership will be involved in the process of evaluating the submissions, in order to come to the decision on who to award the contract to.

Table 1 – Breakdown of cohort 4 funding timetable

Objective	Funding for cohort 4	Total funding for the Surrey and South East London Regional Partnership (based on 35 students)	When the funding will be received (based on 35 students)
Administration and Management of the Programme	£48,000	£48,000	£48,000 – approx. June 2015. (Once DfE have seen evidence of Memorandum of Understanding and contract with HEI)
Bursary	£19,833 per student	£694,155	£46,277 per month (15 instalments from Jan 2016 – March 2017)
Training Costs (University Fees)	£11,667 per student	£408,345	£27,223 per month (15 instalments from Jan 2016 – March 2017)
Placement Supervision	£1,750 per student	£61,250	£4,083.45 per month (15 instalments from Jan 2016 – March 2017)
Total		£1,211,750	

Table 2 – Timetable for the delivery of cohort 4

Step Up to Social Work candidate application form goes live	16 March 2015
Application window closes	1 May
Short-listing of application forms	11 May – 5 June
Invite candidates to assessment centre	From 5 June
Joint assessment centre with Local Authorities and HEI	29 June - 3 July
Successful applicants invited to confirm place on course	From July
References and checks completed	July-December
Partnerships and their chosen HEI develop the course	July-December
Step Up to Social Work programme starts	January 2016

4. POLICY IMPLICATIONS

The Step Up to Social Work Programme will assist the Council in delivering its commitment to prioritise the safeguarding and protection of our most vulnerable children and young people, as stated in Building a Better Bromley. The scheme also forms a key part of our recruitment strategy.

5. FINANCIAL IMPLICATIONS

Confirmation of the level of funding has been received by the DfE, and will be £1,211,750 spread over two financial years (2015/16 and 2016/17). Funding is broken down in Table 1 and assumes that 35 students will be recruited and take part in the programme.

Expenditure will take place over two financial years covering the course and its evaluation. All costs associated with this programme will be picked up through the grant and there will not be a call on core funding to run the programme. Should the level of applicants reduce then funding per trainee will be affected accordingly. Any funding that has not been used by 31st March 2017 to support the programme must be returned to DfE under the terms of the grant.

The report accurately reflects the procurement strategy arrived at following discussions between the various interested parties at officer level and reflects the requirements of the EU legislation as it applies to section 3 Public Contracts Regulations 2015. The late notification of available funding coupled with a need to have the necessary arrangements in place by the end of the summer, necessitates the Council runs a number of authorisation processes in parallel, if the arrangements are to be secured within the necessary timeframe. While normally tender action would not commence until grant funding has been formally accepted in to the Council's budgets, the risks of issuing tender documents prior to this acceptance has been managed by the inclusion of caveats in the Invitation to Tender document to cover the cancellation of the tender process should the required authorisations not be obtained.

6. LEGAL IMPLICATIONS

Council policy and EU regulations on a fair and transparent procurement procedure will be followed as will adherence to Council Financial Regulations. Although there is a Partnership between other Councils who will be involved and contribute to the decision making of the procurement exercise, Bromley is taking the lead role and the procurement will be subject to Bromley Financial Regulations.

7. PERSONNEL IMPLICATIONS

Whilst the Council's recruitment and retention strategy for children's social workers has successfully helped to reduce the vacancy levels within this area of work, it is important that we take advantage of any opportunities to increase the supply of high calibre social workers available to work within Bromley.

<http://cds.bromley.gov.uk/documents/s50026482/Childrens%20Social%20Care%20Recruitment%20Retention%20StrategyPART%201%20REPORT%20TEMPLATE.pdf>

The DfE provides RPs with funding to manage the project and they expect RPs to use this funding to employ a Step Up To Social Work Co-ordinator. The partnership established this post in 2011 on a full-time fixed term basis. The post sits within the HR division in the Workforce Development team at Bromley. The post is managed by Bromley's Workforce Development Manager. The Surrey and South East London partnership has agreed to extend the term of the current Step Up Co-ordinator post to continue to provide support for cohort 4. The Step Up Co-ordinator will continue to have day to day management of the project and management of the contract with the HEI, with overall responsibility held by the Workforce Development Manager.

Non-Applicable Sections:	N/A
Background Documents: (Access via Contact Officer)	RES13106 - Release of Government Funding and Procurement Strategy to Support the Step Up To Social Work Programme CS14078 - Children's Social Care Recruitment & Retention Strategy

Report No.
CS14134

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Executive

Date: 20th May 2015

Decision Type: Non-Urgent Executive Key

Title: GATEWAY REVIEW OF SUBSTANCE MISUSE SERVICES

Contact Officer: Dr Nada Lemic, Director of Public Health
Tel: 020 8313 4220 E-mail: nada.lemic@bromley.gov.uk

Chief Officer: Dr Nada Lemic, Director of Public Health

Ward: Borough Wide

1. Reason for report

- 1.1 Further information and policy review was requested by the Executive to enable them to consider the future funding and commissioning of these services.
 - 1.2 This report is seeking approval to tender for substance misuse services as detailed in this report.
-

2. **RECOMMENDATIONS**

- 2.1 That the Executive agrees to tender for the following substance misuse services in line with the Council's Contract Procedure Rules (CPR):
 - Stabilisation and Assessment Service
 - Recovery Service
 - Intensive Prescribing
 - Children and Young People Substance Misuse Service
- 2.2 That the Executive agrees to grant a waiver to extend the Shared care contract for 3 months (Oct-Dec 2015) to align it and incorporate within the above contracts.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence. Safer Bromley
-

Financial

1. Cost of proposal: Estimated cost £1,854,786
 2. Ongoing costs: Recurring cost. £1,835,286
 3. Budget head/performance centre: Public Health
 4. Total current budget for this head: £12,600,800
 5. Source of funding: Public Health Grant
-

Staff

1. Number of staff (current and additional): n/a
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 1100
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: None

3. COMMENTARY

3.1 BACKGROUND

3.1.1 This Committee has received two reports in the last year on substance misuse services identifying the local needs, the performance of the services and recommendations for extensions of contracts (please see links at the end of this report). Following the meeting on 15 October 2014, the Committee requested that a policy review be undertaken, including information on the effectiveness of substance misuse treatments, in preparation for procurement of a new contract effective from January 2016.

The work conducted to address the above request includes the following:

1. Clarification of the legal basis for provision of substance misuse services
2. Assessment of the local population need for substance misuse services, including review of the effectiveness of treatments
3. Commissioning options in relation to 1&2.

3.2 LEGAL BASIS FOR PROVISION OF SUBSTANCE MISUSE SERVICES

3.2.1 Statutory responsibilities

3.2.1.1. Prior to 2012, Substance Misuse was the responsibility of the Primary Care Trust. When the PCTs were abolished, that statutory responsibility was transferred to Local Authorities (together with the associated budget). An estimated minimum cost has been calculated and, in broad terms, it would cost £2.1m against a budget for 2015/16 of £2.12m.

3.2.1.2 Health and Social Care Act 2012

It was the Health and Social Care Act that effected the transfer of responsibility from the NHS to Local Authorities

In terms of minimum statutory delivery for treatment services, the provision of substance misuse services falls into “*such other services or facilities as are required for the diagnosis and treatment of illness*”. Under the International Statistical Classification of Disease and Related Health Problems 10th revision (ICD-10, World Health Organisation 2015) both drug and alcohol dependencies are defined as diseases.

This Act also specifies that services are prescribed by the Secretary of State which is generally done through subsequent statutory guidance and strategies (these are detailed below).

The Act is also the basis for the ring-fenced Public Health Grant to Local Authorities to meet the responsibilities under this Act. The grant is formulated to spend one third on substance misuse services. If this was applied to Bromley, it would equate to just over £4m pa. The current substance misuse budget is in total £2.26m pa. In line with this statutory guidance, the minimum service to be provided is what is already in place and equates to approximately £2.1m pa.

Recently published Local Authority Circular on Public Health Grant conditions, LAC(DH)(2014)2, stipulates that “*a Local Authority must in using the grant, have regard to the need to improve the take up of, and outcomes from, its drug and alcohol misuse services.*”

3.2.1.3 **NHS and Community Care Act 1990**

The Local Authority has a statutory duty to carry out assessments of requirements for community care, including domiciliary and other services Section 47 (1), “where it appears to a local authority that any person for whom they may provide or arrange for the provision of community care services may be in need of any such services, the LA must carry out an assessment”. The Authority: “may provide” services because of 29 (1) in the National Assistance Act 1948, which states the provision of services to “*other persons (aged eighteen or over) who are substantially and permanently handicapped by illness, injury, or congenital deformity or such other disabilities as may be prescribed by the Minister*”. The “prescribed by the Minister” is as with other legislation through subsequent statutory guidance and strategies (these are detailed below).

Local Authority Circular LAC(93)2 underlines the duty to ensure the assessment process takes account of drug and alcohol misuse. This duty is discharged currently through the provision of 1.5 care manager posts and also through the assessment process in treatment services.

Purchasing Effective Treatment and Care for Drug Misusers (EL (95)114) outlines specific services which ought to be available for drug misusers, including detox, rehabilitation, methadone reduction counselling and harm minimisation. This duty is discharged through the currently commissioned treatment services.

3.2.1.4 **Criminal Justice Act 1991**

There is a duty upon Local Authorities to provide community treatment to offenders. This was delivered under what was the Drug Intervention Programme which has partly been taken into the Public Health Grant. Currently this is discharged through the provision of treatment services and services to the Courts and Police in response to positive drug tests. It is likely that this will increase with the changes to the law relating to driving under the influence of drugs.

3.2.1.5 **National Assistance Act 1948**

There is a specific duty to provide a range of services to “other persons (aged eighteen or over) who are substantially and permanently handicapped by illness, injury, or congenital deformity or such other disabilities as may be prescribed by the Minister”. The “prescribed by the Minister” is as with other legislation through subsequent statutory guidance and strategies (these are detailed below). LAC(93) 10 specifically mentions services for persons who are alcohol or drug dependant

3.2.1.6 **Care Act 2014**

There is a statutory requirement that an assessment is undertaken wherever “it appears to a local authority that an adult may have needs for care and support”. Following assessment, a determination of eligibility is made. The Regulation states “An adult’s needs meet the eligibility criteria if – the adult’s needs are caused by a physical or mental impairment or illness”. Sections 18-20 in the Care Act state that where eligible unmet needs are identified by a care assessment, the Local Authority must arrange provision such that the risks from these needs of well-being are sufficiently mitigated.

3.2.1.7 **Children's Act 1989**

The Local Authority has the responsibility to “safeguard and promote the welfare of children within their area who are in need and so far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs”. Young People's Substance misuse service is part of a range of services for young people. Adult substance misuse services contribute to this responsibility through working with parents.

3.2.1.8 **Statutory Guidance**

Following “*Models of care: for treatment of adult drug misusers, July 2006*” (Department of Health and Home office), the national drug strategy “*Reducing Demand, Restricting Supply, Building Recovery: supporting people to live a drug free life*’ 2010, outlines provision of services which should be commissioned to meet the local population need.

The national Alcohol Strategy ‘Safe Sensible and Social’ 2007 outlines measures to reduce alcohol related crime, alcohol related ill health and death through a number of measures including supporting individuals to change, based on the Models of Care for Alcohol Misusers”. In law the strategy has the same legal standing as a National Health Service Framework and places statutory responsibilities on Local Authority and others.

3.3 **ASSESSMENT OF LOCAL POPULATION NEED FOR SUBSTANCE MISUSE SERVICES**

A full needs assessment for both alcohol and drugs has been conducted. Please see links for the full documents on the front agenda sheet for this meeting. Additionally, copies of the documents can be found in the Members' room. Key points are presented below.

3.3.1. **Alcohol**

Epidemiology of alcohol use in Bromley

- Estimates suggest that approximately 80% of adult population in Bromley drink alcohol. The majority (73.6%) are in a lower risk category and drink within recommended levels.
- Information recorded by GPs show that in Bromley just over 10,000 men and 5,600 women drink at hazardous levels (increased risk of damage), whilst around 1,000 men and 400 women drink at harmful levels (causing physical and/or mental damage). This is likely to be an underestimate as only 38% of adults on GP registers disclose a record of alcohol consumption.

Impact of alcohol use in Bromley

- Alcohol-related hospital admissions have been rising in recent years. In 2012-13 there were around 1,400 admission for men and around 750 for women.
- Alcohol-related mortality has risen for women whilst remaining stable for men. There were 68 alcohol-related deaths (2.79% of all deaths) in Bromley in 2013.
- There were 2703 alcohol-related recorded crimes of which 1,269 were alcohol-related violent crimes and 31 alcohol-related sexual offences in Bromley in 2012-13.

Evidence of the effectiveness of treatment for alcohol misuse

1. *Psychosocial interventions*: cognitive behavioural therapies, behavioural therapies or social network and environment-based therapies.
2. *Pharmacological interventions*: prescription drugs which may be used in conjunction with psychosocial interventions or on their own. They are also used when there has not been a response to psychosocial interventions.

1. Psychosocial interventions

Good evidence of effectiveness from an extensive review (2006) based on large national and international studies and two large treatment trials.

A large trial reported that 58% of patients were improved at 12 months follow-up, out of which 30 % were abstinent, 16% had no problems, 23% were much improved and 30% were somewhat improved.

2. Pharmacological treatment

Detoxification is achieved by prescribing medicine to minimise withdrawal symptomology (tremulousness, seizures, and delirium).

Chlordiazepoxide is the recognised best treatment for uncomplicated withdrawal.

Chlordiazepoxide is in a class of drugs known as benzodiazepines.

A Cochrane review of 64 studies of benzodiazepines in 4309 participants undergoing alcohol withdrawal found that for reduction in seizures, benzodiazepines were significantly more effective than placebo.

3. Nutritional supplements

People who misuse alcohol, particularly regular heavy drinkers, often have a poor diet. It is usual to consider vitamin supplements at detoxification. Severe vitamin deficiencies may lead to a variety of severe and potentially life threatening conditions.

4. Relapse prevention

Sensitising agents – these medications produce an unpleasant reaction when taken with alcohol.

A number of studies have demonstrated increased rates of abstinence with the use of Disulfiram compared to alternative treatments. Abstinence was achieved in 42% of subjects receiving a therapeutic dose of Disulfiram.

Anti-craving agents - these medications decrease voluntary intake of alcohol.

One meta-analysis which included 33 trials compared Acamprosate and Naltrexone to placebo treatment. Over a 3 to 24 month period, Acamprosate was associated with significant levels of abstinence. A number of multi-centre trials have also demonstrated the efficacy of Acamprosate.

Drugs**Epidemiology of drug use in Bromley**

- Approximately 15,000 residents took illicit drugs in Bromley in 2012-13
- It is estimated that approximately 1,117 people used opiates and/or crack in 2012
- All drug use is more common in males, single adults and people of the white ethnic background

Impact of drug misuse in Bromley

- 80 drug-related deaths occurred in Bromley between 2006-2013. The average age of death was 48 years
- There were 518 drug-related hospital admissions in Bromley in 2013-14 and they have been steadily increasing

Evidence of effectiveness of treatment for drug misuse

1. Needle and syringe programmes – provision of clean injecting equipment, blood testing, education and brief psychological interventions

Good evidence of effectiveness from several systematic reviews and number of studies (NICE 2014).

2. Opioid substitution therapy (OST)

Good evidence of effectiveness (NICE TA 114) – 40-65% of patients maintain complete abstinence, 70-95% able to reduce their use substantially; other benefits include better mental health, reduction in blood-borne virus transmission, social benefits.

3. Opioid detoxification- using substitute drug alone or in combination with reduction in the dose over time

Good evidence of effectiveness of combination of detoxification and psychosocial interventions.

4. Psychosocial interventions

Good evidence for brief interventions (one or two 45 min sessions) (NICE 2007).

Strong evidence for contingency management and in combination with OST (NICE 2007)

No evidence for cognitive behaviour therapy alone, but only for patients with co-morbid mental health problems.

5. Residential programmes

Good evidence for patients with significant physical, mental and social problems

3.3.3. **Current treatment services for substance misuse in Bromley**

From 2011 there has been an integrated drug and alcohol service in Bromley. The service provides a single point of contact, assessment and care co-ordination for people requiring specialist drug and alcohol services. The specialist services include the above identified effective treatments and interventions.

There are three areas of benefit realised when an individual has treatment for an alcohol or drug dependence.

- *Engagement in treatment*
When engaged in treatment, regardless of the eventual outcome people use less illegal drugs, or alcohol, commit less crime, improve their health, and manage their lives better. Preventing early drop out and keeping people in treatment long enough to benefit contributes to these improved outcomes.
- *Completion of treatment*
Completing treatment successfully is defined as leaving treatment free from the substance of choice and not representing to services within six months. This is a Public Health Outcome Framework (PHOF) indicator against which the Local Authority is measured.
- *Reduction in the use of alcohol, drugs or injecting.*

Data, as previously reported, indicates that services have become more effective, both in engaging the clients who present to treatment, and treating them successfully. While the proportion in effective treatment in Bromley is a little lower than for England, successful completion rates are higher, suggesting that Bromley services are working effectively and meeting all statutory requirements.

3.4 COMMISSIONING OPTIONS

3.4.1. Current commissioning arrangements

Substance Misuse funding and contracts were identified as being part of the Public Health portfolio which were transferred in April 2013 to the Local Authority . The current contractual arrangements are detailed in the table 1. below:

Table 1. Current commissioning arrangements 2014-15

Contract	Annual Value	Contract period
Stabilisation and Assessment (CRI)	£589,045	December 2015 no further option to extend.
Recovery Service(CRI)	£346,143	December 2015 no further option to extend
Intensive Prescribing(CRI)	£345,803	December 2015 no further option to extend
Shared Care (KCA)	£186,175	October 2015 no further option to extend. It is proposed that a waiver is granted to extend the contract for three months to align with the other contracts
Service agreement with GPs for shared care	£26,000	One year service agreement from April 2015 (with a three months notice period)
Oxleas dual diagnosis workers	£64,000	Ongoing agreement now part of the S75 agreement with Oxleas
Needle Exchange /Supervised Consumption	£47,000	One year service agreement with option to extend for a further year.
Residential/detox placements	£209,140	Spot placements Reduction of £80,000 funding for 2015/16
Bypass (KCA)	£127,980	January 2015 with option of one year extension
Total	£1,941,286	

3.4.2 Options

Two options are presented in relation to commissioning drug and alcohol services:

- **Option One** is not to commission any services for people who misuse drugs or alcohol. The risks to this option are detailed below:
 - De-commissioning these services may lead to the deterioration in individuals' health and circumstances and for some may result in death.
 - Most aspects of the service provision are statutory and some have a similar remit in law as national service frameworks.
 - The services are funded through the Public Health Grant. There are a number of points in the grant conditions which require continued investment in drug and alcohol services
 - If aspects of prevention and early intervention services were withdrawn there could be an increase in health and social care costs and an increase in crime.
 - A large number of people (latest figures suggest 1106 people over 18 years) benefit from either being in treatment or completing the

treatment. The impact of having people in treatment and successfully completing treatment on crime, homelessness, cost to health and care services is equally significant.

- Reduction or cessation of these services would affect the performance against substance misuse PHOF indicator and consequential loss of health premium money.
- **Option Two** is to continue funding substance misuse services to provide a full range of treatments as outlined in guidance and to tender for these services. It is proposed that this would be as laid out in the table 2 below. This is expected to achieve greater efficiencies and will also provide an opportunity to revise service specifications.

It is recommended that Option Two is taken as outlined in the report.

3.4.3. Proposed commissioning arrangements

We are proposing to make current commissioning arrangements more efficient as described in Table 2:

1. To amalgamate three services (stabilisation and assessment, recovery service and prescribing) and tender as one with the efficiency savings of £50,000
2. To cease the shared care and GP shared care service and instead to add the substitute prescribing element of it to the overall prescribing service. This will achieve £26,000 saving (GP shared care).
3. To reduce funding for residential detox placements by £80,000
4. To invest the £50,000 efficiency saving into Children and Young People Substance Misuse Service. This service has experienced increased activity and it is unlikely that a provider will be found to provide this service at the current cost and with the increased need.

This will achieve a more efficient service and realise £106,000 savings.

Table 2. Proposed commissioning arrangements 2016-17

Contract	Annual Value 2015-16		Proposed annual value 2016-17 (from Jan 2016)
Stabilisation and Assessment	£589,045	To tender as one service, with an increase in prescribing services to take account of ceasing Shared care service (80 people). There will be the potential to realise efficiencies by amalgamating the contracts	£1,417,166
Recovery Service	£346,143		
Prescribing	£350,240		
Shared Care	£186,980	Cease this service by increasing the intensive prescribing specification.	Nil
Service agreement with GP's for shared care	£26,000	Cease this service by increasing the intensive prescribing specification	Nil
Oxleas dual diagnosis workers	£64,000	Ongoing agreement now part of the S75 agreement with Oxleas	£64,000
Needle Exchange /Supervised Consumption	£47,000	One year Service agreement extension agreed to March 2016.	£47,000
Residential/detox placements	£129,140	Spot placements Reduction of £80,000 funding for 2015/16	£129,140
Children and Young People Substance Misuse Service	£127,980	To tender this service in line with an increase in activity specification	£177,980
Total	£1,866,530		£1,835,286

4. FINANCIAL IMPLICATIONS

Table 3. Financial implications for 2015/16 and 2016/17.

Contract	Annual Contract Value (14/15)	Proposed Contract Costs for 15/16*	Proposed Contract Costs for 16/17
Stabilisation and Assessment	£589,045	£1,474,166	£1,417,166
Recovery Service	£346,143		
Intensive Prescribing	£345,803		
Shared Care	£186,175		
Service agreement with GP's for shared care	£26,000		
Dual diagnosis workers	£64,000	£64,000	£64,000
Needle Exchange /Supervised Consumption	£47,000	£47,000	£47,000
Residential/detox placements	£209,140	£129,140	£129,140
Children and Young People Substance Misuse Service	£127,980	£140,480	£177,980
	£1,941,286	£1,854,786	£1,835,286

*Figures for 15/16 and 16/17 are different as figures for 15/16 cover period of 9 months under current contract and 3 month under new contract. Figures for 2016/17 cover period under new contract.

5. LEGAL IMPLICATIONS

5.1 The Council's Contract Procedure Rules (CPR 5.3) require that "Where the value of the intended arrangement is £1,000,000 or more the Executive will be *Formally Consulted* on the intended action and contracting arrangements."

6. PERSONNEL IMPLICATIONS, POLICY IMPLICATIONS

Non-Applicable Sections:	PERSONNEL IMPLICATIONS, POLICY IMPLICATIONS
Background Documents: (Access via Contact Officer)	16 July 2014 Executive – ITEM 10 http://cds.bromley.gov.uk/documents/g4919/Public%20reports%20pack%20Wednesday%2016-Jul-2014%2019.00%20Executive.pdf?T=10 15 October 2014 Executive - ITEM 7 http://cds.bromley.gov.uk/documents/g4921/Public%20reports%20pack%20Wednesday%2015-Oct-2014%2019.00%20Executive.pdf?T=10

Report No.
DRR15/021

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive

For pre-decision consideration by the Development Control Committee on:

Date: 24th March 2015

Decision Type: Non-Urgent Executive Non-Key

Title: LOCAL DEVELOPMENT SCHEME 2015-16

Contact Officer: Mary Manuel, Head of Planning Strategy and Projects
Tel: 020 8313 4303 E-mail: mary.manuel@bromley.gov.uk

Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

This report seeks Members agreement to the revised Local Development Scheme (LDS) for 2015/16 forming Appendix 1 to the report, which sets out the timescale for the preparation of the Local Plan for the Borough. The current legislative requirements for the LDS are to only include the development plan documents (DPD) which are subject to independent examination which for Bromley will be the Local Plan. Supplementary Planning Documents are therefore not included in the formal LDS. It does however provide an indicative timescale for the preparation of a local Community Infrastructure Levy.

2. **RECOMMENDATIONS**

Development Control Committee

2.1 Members are asked to recommend to the Executive that the revised Local Development Scheme as set out in Appendix 1 be approved as the formal management document for the production of the Bromley Local Plan.

Executive

2.2 Members are asked to agree the Local Development Scheme as set out in Appendix 1.

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence Vibrant, Thriving Town Centres:
-

Financial

1. Cost of proposal: Estimated Cost Up to £92k
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Local Plan Implementation budget and carry forward balance
 4. Total current budget for this head: £32k and £60k
 5. Source of funding: Existing revenue budget for 2015/16 and carry forward sum
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance None: Further Details
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough-wide
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Council is required to publish an up to date Local Development Scheme (LDS), setting out the timescale for the preparation of local development plan documents (DPDs). There is no longer a requirement for the LDS to be submitted to Secretary of State. The last LDS was agreed by the Council in Autumn 2013.
- 3.2 The 2013 LDS showed a move to preparing a Local Plan in line with the National Planning Policy Framework (2012) rather than continue with a Local Development Framework which had already seen the Bromley Town Centre Area Action Plan, and Supplementary Planning Documents (SPDs) for Planning Obligations and Affordable Housing adopted. The NPPF made substantial changes including the introduction of 'Local Plans', and has been followed by further reforms including, for example, the greater range of permitted development rights, and the National Planning Policy Guidance (2014). Further changes are expected following consultation last Autumn.
- 3.3 The Council published its Local Plan Draft Policies and Designations document early in 2014 which included a 'Call for Sites'. Sites continued to be received for consideration throughout 2014. Also early in "2014 the Mayor published his draft Further Alterations to the London Plan (FALP). These factors combined with the continued planning reforms and further evidence gathering combined to contribute to the delay in the preparation of the Local Plan. Significant work was involved in responding to the FALP, including making representations at the Examination in Public in September 2014.
- 3.4 During 2014 the Local Development Framework Advisory Panel has met regularly receiving reports updating it of progress. This includes work following up the Council's decision to encouraging economic growth in Bromley Town Centre, the Cray Corridor and the Biggin Hill SOLDC, with the Planning for Growth Work, exploring the potential for employment and business growth in the Cray Business Corridor and Biggin Hill Strategic Outer London Development Centre, as well as the work with the South East London Housing Partnership to understand the Strategic Housing Market, revisiting employment and housing figures in light of the revised forecasts and targets in the FALP.
- 3.5 The new LDS, (appendix 1) reflects the recent major Government planning reforms, the need to be in conformity with the London Plan, including the Further Alterations to the London Plan which were published and subject to Examination in 2014 when adopted later this month, the Council's resources and lessons from other authorities and Inspectors' reports regarding timescales, and the increased burden on authorities to demonstrate plans are based on objective and up to date evidence to be found 'sound'.
- 3.6 The LDS outlines the further evidence required to ensure the Local Plan is 'sound', the risks and measures to mitigate these. This includes work already underway to provide an up to date open space audit, further detail of constraints and capacity at Biggin Hill SOLDC, viability work to support the Local Plan and the introduction of a Bromley Community Infrastructure Levy, and an updated Flood Risk Assessment.
- 3.7 The draft LDS also shows the timescale for the preparation of a Bromley Community Infrastructure Levy (CIL). The third set of CIL regulations increased the consultation period for each stage of the preparation of the charging schedule for CIL, and again increased the burden for evidence of viability and the proposed infrastructure to be funded based on an up to date development plan. On this basis the LDS shows the CIL alongside the Local Plan, however it is expected that the CIL Examination will closely follow the Local Plan Examination.
- 3.8 The Local Plan will include the vision and objectives for the Borough, planning policies and site allocations. The number of supplementary planning documents will be kept to a minimum but

will include, a revised S106 supplementary planning document (SPD) alongside the introduction of a local Community Infrastructure Levy.

- 3.9 Viability work to support the Local Plan and the introduction of a local Community Infrastructure Levy is due to start this month which will inform the Council with regard to the type of development which could be subject to a Local CIL. The Council estimates it will collect in the region of £1.37m for 2014/15 from the Mayoral CIL. On a similar scale of development it is anticipated that Bromley's CIL could contribute between £1.3m and £3.8m per annum.
- 3.10 The Community Infrastructure Levy Regulations 2010 (as amended) restrict the pooling of S106 contributions to no more than five contributions for any specific type of infrastructure that could be funded from CIL. Affordable Housing cannot be funded from CIL and therefore contributions can continue to be funded.
- 3.11 The changes brought in from April 6th 2015 to S106 obligations due to the CIL regulations are included in a separate report on the agenda of DCC.
- 3.11 The work is led by the Planning Strategy team which provides the majority of the resources. However, consultants are required to undertake specialist work and this is included in the Local Plan budget. The Council is responsible for paying the cost of the Examinations of the Local Plan and the Community Infrastructure Levy Charging Schedule which is estimated to be in the region of £40-60k and includes the Inspector and the Programme Officer's costs.

4. POLICY IMPLICATIONS

- 4.1 The Local Plan when 'Adopted' together with the London Plan, will form the Development Plan for the Borough and will set out the policies against which to consider planning applications. The LDS is a procedural document regarding the preparation of the Local Plan. However, the Local Plan is one of the key strategic documents guiding the development of the Borough and helping deliver the Building a Better Bromley priorities.

5. FINANCIAL IMPLICATIONS

- 5.1 The cost of public consultation and related printing and publishing of any Local Plan document will be met from the Local Plan Implementation budget of £32k within Planning Services.
- 5.2 The cost of the examination of the plan in public, any further evidence work required during 2015 and the examination of the CIL charging schedule is expected to cost up to £60k. The Executive agreed to carry forward £60k in June 2014 for the preparation of the Local Plan. This was intended to fund the examination of the plan in public and associated work which are now due to take place later than expected - potentially not until 2016/17. A request for approval to carry forward this sum will be submitted to the Executive in June 2015.
- 5.3 It should be noted that the precise timing of the examination in public is determined by the Planning Inspectorate and is therefore outside of the Council's control.
- 5.4 The timetable included in Appendix 1 indicates that the Bromley CIL charging schedule should be effective from Summer 2016. With a similar scale of development as in 2014/15, it is anticipated that between £1.3m and £3.8m per annum could be generated by Bromley's CIL towards infrastructure.
- 5.5 The amended CIL Regulations 2010, effective from 6 April 2015, will restrict the scale of S106 contributions to five per specific infrastructure project in the interim period until a local CIL scheme is introduced.

5.6 In the longer term, once the local CIL is in place, S106 contributions will mainly be for affordable housing, unless specifically negotiated.

6. LEGAL IMPLICATIONS

6.1 The Council has a duty to publish an up to date Local Development Scheme.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	Report DRR 13/103 Local Development Scheme Version 5 2013-2015 12 September 2013

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Appendix 1

London Borough of

BROMLEY

LOCAL DEVELOPMENT SCHEME

February 2015



Introduction**APPENDIX 1**

- 1.1 The Planning and Compulsory Purchase Act 2004 (The Act) requires the Council to prepare and maintain a 'local development scheme'. This document is the revised Local Development Scheme for Bromley, (also referred to as the LDS). It replaces the September 2013 version for Bromley published in Autumn 2013. This version has been prepared with regard to the Act and its associated Regulations which set out what is required of an LDS.
- 1.2 This LDS takes into account the changes in legislation and policy at a national and regional level and the resources available to the Council. It reflects the impact of continued planning reforms, and the Mayor's 2014 publication of Further Alterations to the London Plan, which when adopted and forming part of the London Plan (as amended) the Local Plan will be required to be in conformity with.
- 1.3 The primary purposes of the LDS is to inform the public about local development plan documents for Bromley and the timescale for their preparation. National Planning Policy Guidance (2014) states that local authorities should publish the timescale on its website and keep this up to date.
- 1.4 Bromley adopted its UDP in 2006, and 'saved' many of its policies in 2009. The Council subsequently worked on its Local Development Framework, and under this system adopted the Bromley Town Centre Area Action Plan and Supplementary Planning Documents for Affordable Housing, and for Planning Obligations. The Council is now preparing Bromley's borough-wide 'Local Plan'.
- 1.5 There are six different types of planning document that could potentially be prepared. Their content varies from policies for the use of land, policies for involving the public in planning, guidance and information and procedural documents.
- Development Plan Documents (DPDs)
 - Neighbourhood Plans
 - Supplementary Planning Documents (SPDs)
 - Community Infrastructure Levy (CIL) Charging Schedule
 - Statement of Community Involvement (SCI)
 - Authority Monitoring Report (AMR)

Development Plan Documents (DPDs) form the Local Plan for the Borough.

- 1.6 The Bromley Local Plan will be the borough-wide DPD which sets out the overarching strategy for the future development of the Borough to 2031-36 and detailed policies to manage new developments and incorporates strategic site allocations supporting its delivery. The Bromley Town Centre Area Action Plan is an existing Adopted DPD

covering a specific part of the Borough, and will be incorporated within the 'Local Plan' once adopted.

- 1.7 The statutory **Development Plan** for Bromley currently comprises the London Plan (2011), the 'saved' policies of the 2006 UDP, and the Bromley Town Centre Area Action Plan.
- 1.8 Local Development Documents must be in 'general conformity' with the London Plan, (the Mayor's Spatial Development Strategy).

Neighbourhood Plans

- 1.9 The Localism Act 2011 makes provision for Neighbourhood Plans, a new type of planning document to be prepared. Neighbourhood Plans are community-led documents which would be initiated through a Neighbourhood Forum and ultimately adopted by the Council as part of its development plan. Neighbourhood Plans have to be in 'general conformity' with strategic policies in the Local Plan for an area, and are subject to independent examination and a referendum.
- 1.10 There are currently no Neighbourhood Forums within the Borough and no proposals for Neighbourhood Plans.

Supplementary Planning Documents

- 1.11 Supplementary Planning Documents are used to amplify planning policy within development plan documents. There is no legal requirement for these to be included within the LDS, and this enables local planning authorities to respond as circumstances change. They do not form part of the 'Development Plan' for the Borough. However, they are considered material considerations and provide additional detail to existing policy in the development plan or national policy. Where it is known they are likely to be prepared within the LDS timescale reference is made to them, but there is scope for additional SPDs to be prepared and information will always be published on the Council's website.
- 1.12 DPDs and SPDs are subject to public consultation. In addition, DPDs are subject to Sustainability Appraisals in their preparation to assess the economic, social and environmental effects of the plans. DPDs are submitted to the Secretary of State and an Examination in Public by a Planning Inspector.
- 1.13 The Town and Country Planning (Local Planning) England 2012 Regulations sets out the revised procedure for the preparation and review of Local Plans.

Community Infrastructure Levy (CIL) Charging Schedule

- 1.14 The Community Infrastructure Levy is a charge that local planning authorities may choose to levy on new development to fund infrastructure required to support growth and the delivery of the Development Plan for the area. To date, LB Bromley has used S106

agreements negotiated with developers to secure funding where needed as appropriate. However, restrictions to the pooling of S106 agreements come into effect from April 2015 to avoid the use of S106 and CIL monies to pay for the same piece of infrastructure. No more than five S106 contributions can be pooled to fund the same type of infrastructure. The CIL Charging Schedule will set out the rates at which CIL will be charged for specific types of development.

Bromley's Current Position

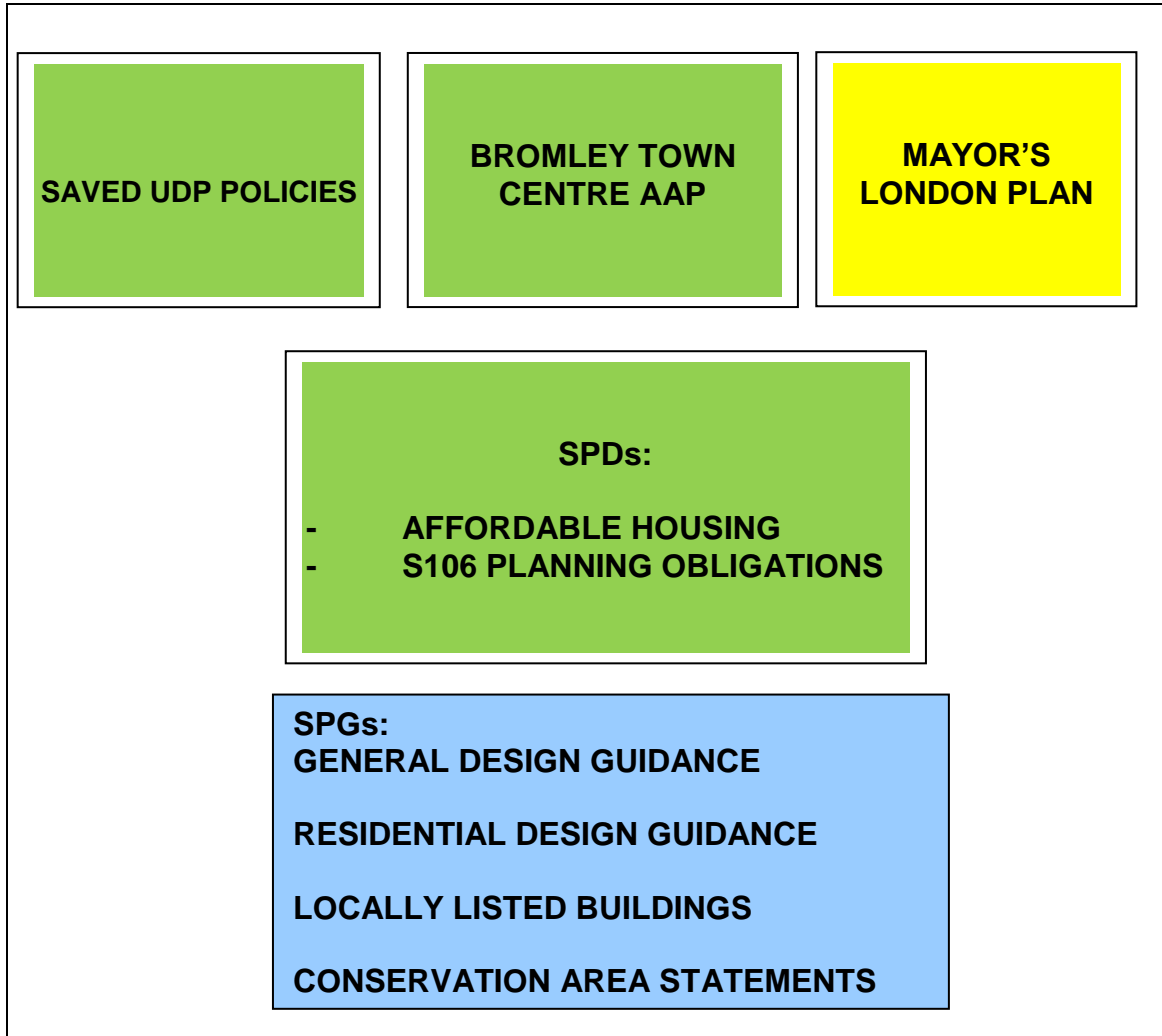
- 2.1 The Council decided to move to preparing a Local Plan in line with the NPPF rather than a Local Development Framework which it started to prepare and adopted some documents.
- 2.2 The current Development Plan for the Borough comprises:
 - 'saved' policies from the 2006 UDP
 - Bromley Town Centre Area Action Plan (2010)
 - Affordable Housing SPD (2010)
 - Planning Obligations SPD (2010)
 - Supplementary Planning Guidance linked to the saved UDP policies
 - The London Plan (2011)
- 2.3 Diagram 1 illustrates this position.
- 2.4 During the Local Plan preparation the development plan for Bromley comprises the London Plan (2011) as amended, the 'saved' policies from the 2006 Unitary Development Plan.

Saved Policies

- 2.5 The Unitary Development Plan (UDP) 2006 was saved for three years after adoption by virtue of the Planning and Compulsory Purchase Act 2004. The Council sought agreement of the Secretary of State to retain specific policies beyond this period.
- 2.6 The Secretary of State for Communities and Local Government issued a Direction to Bromley that specifies which policies in the UDP can continue to be saved as part of the Development Plan. Appendix 2 lists the policies 'saved'.

Diagram 1

BROMLEY'S DEVELOPMENT PLAN (CURRENT)



STATEMENT OF COMMUNITY INVOLVEMENT

AUTHORITY MONITORING REPORT

LOCAL DEVELOPMENT SCHEME

Supplementary Planning Documents

The Council has two adopted Supplementary Planning Documents: 'Affordable Housing', and 'S106 Obligations'.

Supplementary Planning Guidance

The Council's existing supplementary planning guidance (SPG) can only remain in force while the relevant UDP policies are operational. All are currently linked to 'saved' policies and have been retained as a material

consideration in the determination of planning applications. Table 2 shows the current SPG linkages to 'saved' policies.

Table 1 - Supplementary Planning Guidance

Supplementary Planning Guidance/ Information Leaflets (IL)	Links to saved Unitary Development Plan Policies
General Development Principles	BE1/BE3
Residential Design Extending your homes (IL)	H7/ H8/ H9/ H11
Conservation Area Character appraisals and Guidance	BE9
Shop fronts and security Shutters (IL)	S1/S2/S4/S5/BE9
Archaeology (Fact Sheet)	BE16
Advertisements	BE21

Preparation of the Local Plan

- 3.1 The Council signalled it would move to a Local Plan with the National Planning Policy Framework (2012) and incorporate the work undertaken so far to progress the Local Development Framework. This included the evidence base which continues to be updated as appropriate, and the Core Strategy Issues Document consultation from 2011.
- 3.2 In 2012 the Council undertook consultation on its Local Plan 'Options and Preferred Strategy' and in 2014 its 'Draft Policies and Designations' Document. The issuing of the Draft Policies and Designations Document overlapped with the Mayor of London consulting on the Draft Further Alterations to the London Plan in early 2014. The FALP are due to be adopted in March 2015 and the Local Plan will be required to be in general conformity.
- 3.2 The Local Plan when adopted together with the London Plan will form the Development Plan for the Borough.
- 3.3 There is a period of transition between the old and new systems. The old system is represented by the 'saved policies of the 2006 adopted Bromley Unitary Development Plan (UDP) and currently these together with the Bromley Town Centre Area Action Plan form the Development Plan for the Borough together with the London Plan. Appendix 1 sets out the 'saved' UDP policies. The new system will comprise the Bromley Local Plan.

Development Plan Documents

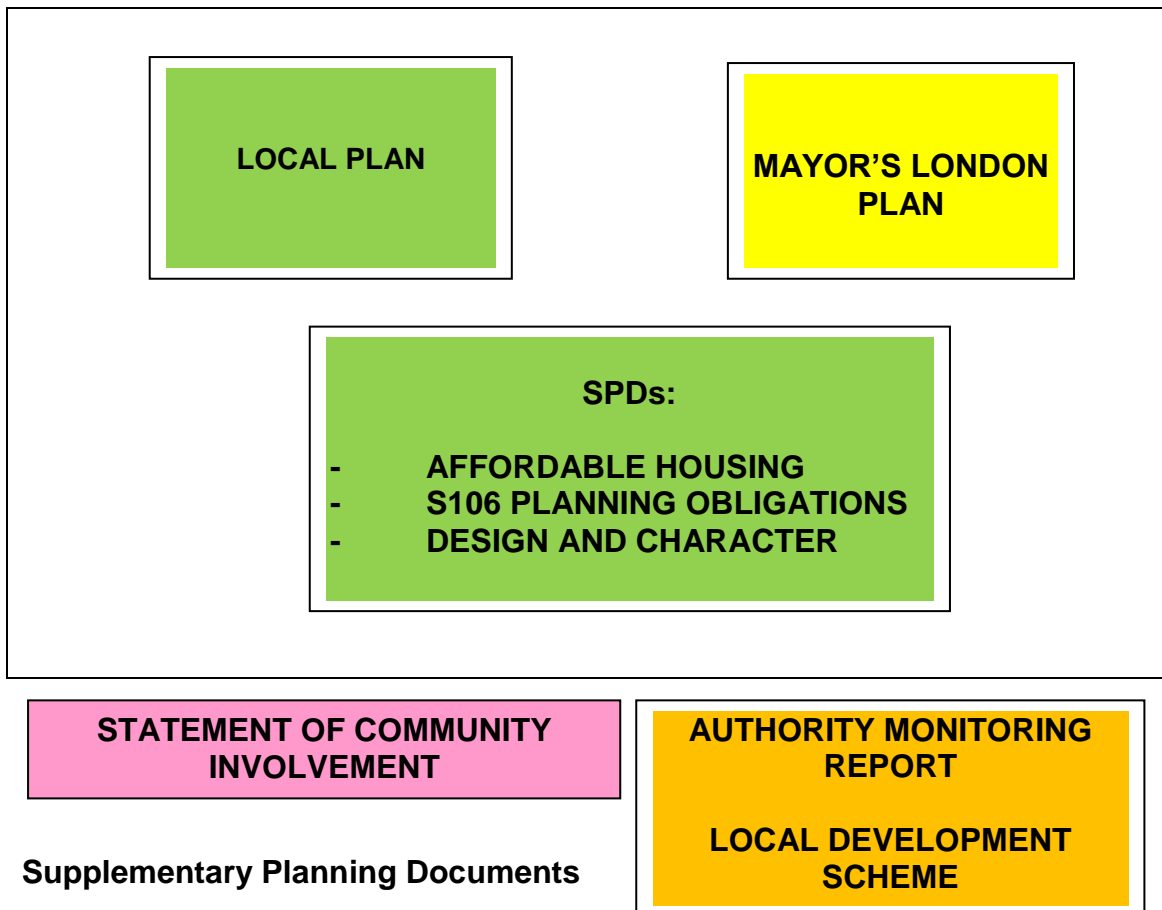
- 3.4 Bromley Borough Local Plan – this will set out the spatial vision and strategic objectives, policies for managing development in the Borough, identify the main sites where development or change is anticipated and

the proposals map identifying areas designated for protection or where areas where specific policies will apply. It will incorporate the Bromley Town Centre Area Action Plan with any amendments that are made during the Local Plan process.

- 3.5 In addition there will be a Community Infrastructure Levy (CIL) Charging Schedule
- 3.6 The timetable for the production of these two documents is detailed in Tables 2 and 3 shown in summary on Annex 1. Diagram 2 shows the other documents involved as well.

Diagram 2

BROMLEY'S DEVELOPMENT PLAN (PLANNED)



- 3.7 The LDS is only required to set out the timetable for Development Plan Documents which have to be subject to an Examination in Public. However, the Council considers it useful to indicate the Supplementary Planning Documents which are anticipated to be prepared.

Planning Obligations – The existing SPD will be reviewed in line with the Borough Local Plan and the introduction of the Borough's Community Infrastructure Levy (CIL).

Affordable Housing – It is anticipated that the existing SPD will be reviewed and updated in light of the Borough Local Plan following its adoption.

Character and Design – This would be a new SPD covering in the main the topics covered by the current SPGs regarding General Design and Residential Design and follow on from the Local Plan.

Other Documents

3.8 Local Development Scheme This document will be kept under review and progress monitored as part of the Authorities Monitoring Report.

Statement of Community Involvement Bromley’s Statement of Community Involvement was Adopted in 2006. Consultation has been undertaken in line with the SCI. The document will be kept under review.

Neighbourhood Plans There are no current proposals for Neighbourhood Plans within the borough.

Authorities’ Monitoring Report An annual AMR is reported to Development Control Committee and in addition monitoring information is made available on the Council’s website and updated throughout the year.

Local Development Document Profiles

3.9 The following tables outline in detail each document proposed to form part of the Bromley Local Plan.

TABLE 2

TITLE	Borough-Wide Local Plan
Development Plan Document	YES
ROLE & CONTENT	The Local Plan will establish the Vision, key objectives and spatial strategy for the Borough and will reflect the spatial aspirations of the Community Strategy and contain a number of core policies and a monitoring and implementation framework. It will address levels of growth and the strategic distribution of development and will include policies addressing key issues and policies to aid the development management process including a clear strategy for the delivery of its objectives. The Local Plan will include a key diagram identifying the spatial elements of the strategy.
GEOGRAPHICAL COVERAGE	Borough-wide

BROMLEY LOCAL DEVELOPMENT SCHEME 2015-2016

Responsibility for Production	Lead	Planning Strategy Team	
	Resources	Planning Strategy Team with input from other services as required	
	Stakeholder & Community Involvement	Consultation and engagement in line with the SCI	
KEY MILESTONES	<ul style="list-style-type: none"> ▪ Consultation on sites assessed as part of the site allocation process. ▪ Draft Local Plan ▪ Pre-submission Consultation ▪ Submission to the Secretary of State and then Examination ▪ Receipt of Inspector's Report ▪ Adoption of the Local Plan 	<p>June/July 2015 ongoing</p> <p>December 2015</p> <p>December/January 2016</p> <p>February 2016</p> <p>Spring 2016</p> <p>Summer 2016</p>	
REVIEW	The document will be monitored on an annual basis through the Authority Monitoring Reports.		

TABLE 3

TITLE	Community Infrastructure Levy Charging Schedule		
Development Plan Document	NO		
ROLE & CONTENT	The document will set out the charges to be levied on new development within the Borough.		
GEOGRAPHICAL COVERAGE	Borough-wide		
UDP REPLACEMENT	N/A		
Responsibility for Production	Lead	Planning Strategy Team	
	Resources	Planning Strategy Team with input from other services as required	
	Stakeholder & Community Involvement	Consultation and engagement as required by the CIL Regulations 2010 (as amended) and in line with the SCI	
TIMETABLE & KEY MILESTONES	<ul style="list-style-type: none"> ▪ Preliminary Draft Charging Schedule consultation ▪ Publish draft schedule and consults ▪ Submit for examination ▪ Receipt of Inspector's Report ▪ Adopt Charging Schedule 	<p>July/August 2015</p> <p>December/Jan2016</p> <p>February 2016</p> <p>Spring 2016</p> <p>Summer 2016</p>	
REVIEW	The document will be monitored on an annual basis and will then be the subject of review if the monitoring highlights such a need.		

Risk Assessment

- 4.1 The Council is required in the LDS to set out a clear timetable for the delivery of the local development documents. Therefore it is important to identify the risks that could affect the work programme shown and to consider how these can be minimised and mitigated. The main issue is the impact the risks could have on the programme, although it is important that the plan progresses in compliance with legislation and regulations and is found 'sound' at its Examination to ensure a robust up to date Local Plan at the end of the process.

Table 4 - Risk Assessment

Risk Identified	Likelihood/Impact	Management Action
New policy guidance being published part way through the plan preparation	medium/high The Coalition Government has undertaken an extensive reform of the planning system and this is continuing with the 2014 Technical consultation on planning rights. There may be further changes with a new government following the May 2015 General Election.	<ul style="list-style-type: none"> High level policy change is monitored. Plan has to be progressed on the best information available at the time. Seek advice from the GLA, DCLG and Planning Inspectorate as appropriate.
Loss of staff/reduction in staff resources/competing work priorities. Reduced ability of other departments and partners to contribute effectively and in a timely manner.	medium/high The Council is going through a period of transformation. Loss of experienced staff will impact on the production of local development documents and ability to keep to the timescale. Many partner agencies are also experiencing substantial change and a reduction in resources which may impact on their ability to contribute as planned.	<ul style="list-style-type: none"> Staff input from other departments secured at Chief Officer level Recognition of the importance of the Local Plan and its priority over other work. Focus resources on the Local Plan and minimise non statutory work Use work experience, other planning colleagues to contribute Use consultants for specialist work subject to available funding If necessary and other alternatives exhausted timetable will need to be reviewed.
Need to meet Duty to Co-operate and undertake joint working with other authorities/partners	medium/medium Other authorities and partners have their own priorities and timetables for development plans which	<ul style="list-style-type: none"> Regular Duty to Co-operate meetings with sub-region Liaison with other authorities and bodies through partnership

	will differ. Inspectors' Reports have highlighted the importance and the extent to which co-operation is expected under this Duty.	groups e.g. Borough Officers Group, Partnership Officer Group, South London Partnership, London Councils as well as co-operating with individual authorities/partners
Insufficient budget for preparation of plans or evidence base work and consultation	low/high sufficient financial resources are required to prepare local development documents including for consultancy, consultation and the examination process	<ul style="list-style-type: none"> • Budget required for known studies and consultation already built in to Council budget, however, Examination Costs can only be estimated at this time. • CIL costs can be set against future CIL income • Ways to add value to work, e.g through joint commissioning as with South East London Housing Partnership • Ensure future likely examination and associated costs are considered within the Council budgeting process and set aside as far as possible.
Capacity of the Planning Inspectorate and other agencies to support the process	Low/high Decisions taken nationally to change the resources of statutory agencies and their capacity to deal with consultations or the programme Examination process could cause delays	<ul style="list-style-type: none"> • Liaise with Planning Inspectorate in revising the LDS and keep PINS up to date if the timetable changes. • Maintain contact with key agencies to minimise prospect of slippage
Consultation fatigue amongst the public	Medium/high Other parts of the Council and other partner agencies undertake consultation and communities can get 'fatigued' of being consulted.	<ul style="list-style-type: none"> • Evidence to suggest good level of involvement, especially for future stages involving site allocations and planning policies • Keep the public informed of the process . • Link with other Council and partner consultation where possible
Delay due to scale of public response	Medium/high Public Interest particularly in site allocations and detailed policies can be high.	<ul style="list-style-type: none"> • Continue to encourage the public to respond on line to enable easier and effective analysis of responses.
A requirement to carry out further studies in light of the	Medium/High New national, regional policy or guidance,	<ul style="list-style-type: none"> • Review of progress, changing policies, 'needs' assessment, and land availability

site assessment work or changes in national/regional policy or guidance to ensure that Draft Plan is 'sound'.	change in market conditions for instance may mean the Council has to undertake new/additional research or evidence.	
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Local Plan Evidence Base

5.1 Local Development Documents are required to be underpinned by up to date evidence. The Council has undertaken, and where necessary commissioned research to support the preparation of the plan and this is available via the 'bromley.gov.uk' website. However, the Council has an obligation to keep its evidence up to date and to undertake new studies as necessary and review existing evidence in a timely manner.

5.2 Further work being undertaken/required includes:

Table 5 - Further Evidence Work

Evidence Area	Current Position	Resources	Timescale
Update to Strategic Flood Risk Assessment	Last Study 2008, Scope of work being prepared	Allocated from Lead Flood Risk Authority funding and staff resources within Planning Strategy	March- May
Open Space Audit Review	Work started	Existing Planning Strategy Budget	Feb – April 2015
Further work assessing site constraints potential at the proposed Biggin Hill Strategic Outer London Development Centre	Work underway	Existing Planning Strategy Budget	Anticipated completion April 2015
Review and update of Employment Land Requirements	Work underway	Staff resources and Existing Planning Budget	April/June 2015

Review of Housing Land Availability, as part of the Site Assessment Work	GLA SHLAA 2014 provides the basis of the more detailed borough level work.	Staff resources	Ongoing - May 2015
Waste Technical Paper	Update to demonstrate how requirements can be met	Staff resources	
Site Allocations	Review of housing, primary and secondary school forecasting to identify provision required,	Staff resources	

Duty to Co-operate

- 6.1 The Duty to Co-operate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis.
- 6.2 The strategic priorities the Government expects joint working includes where appropriate:
- The homes and jobs needed in the area;
 - The provision of retail, leisure and other commercial development
 - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk, and coastal change management, and the provision of mineral and energy (including heat);
 - The provision of health, security, community and cultural infrastructure and other local facilities,; and
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.)
- 6.3 The Duty to Co-operate covers a number of public bodies in addition to councils. These bodies are set out in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and comprise:
- Environment Agency
 - Historic Buildings and Monuments Commission for England (English Heritage)
 - Natural England
 - Mayor of London
 - Civil Aviation Authority
 - Homes and Community Agency
 - Clinical Commissioning Groups
 - National Health Service Commissioning Board
 - Office of the Rail Regulator

Highways Agency
Transport for London
Integrated Transport Authorities
Highway Authorities
Marine Management Organizations

- 6.4 These bodies are required to co-operate with councils on issues of common concern to developing sound local plans. Local Enterprise Partnerships and Local Nature Partnerships are not covered by the Duty but local planning authorities have to co-operate with LEPs and LNPs having regard to their activities as they relate to Local Plans.
- 6.5 The Council has, and continues to undertake a range of work to ensure the Duty to Co-operate is met. This includes one to one meetings with neighbouring authorities on specific issues, and specific stages in the preparation of respective development plan documents, meeting with groups of authorities, for instance South East London boroughs, boroughs adjoining Crystal Palace, participating in London wide initiatives and Bromley's non-London neighbouring authorities,. These include adjoining parishes, Dartford, Sevenoaks and Tandridge Councils, and Kent and Surrey County Councils.
- 6.6 Specific work is undertaken on a cross borough basis, for instance, the joint Strategic Housing Market Assessment undertaken jointly with Bexley, Southwark, Greenwich and Lewisham, as the five boroughs that make up the established South East London Housing Market Area. Working with authorities and other partners through Biggin Hill Consultative Committee and the Locate Initiative are also examples of the Duty to Co-operate.

Revised Diagram showing Provisional Timetable for the preparation of the Local Plan and Community Infrastructure Charging Schedule

	2015						2016												
	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Jan	Feb	March	April	May	June	
The plan for the future development of Bromley including spatial, strategic, and detailed development policies and site allocations							Consultation					Formal pre-submission consultation		S					A
To set out the Council's Proposed CIL charges							Preliminary Draft Charing Schedule consultation					Draft charging schedule consultation		S					A

Notes

S' refers to Submission to the S/S for examination

'A' refers to Adoption by the Council.

Appendix 2

'Saved' policies from the 2006 UDP

Housing policies

- H1 Housing Supply
- H2 Affordable Housing
- H3 Affordable Housing – payment in lieu
- H4 Supported Housing
- H6 Gypsies and Travelling Show People
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- H10 Areas of Special Residential Character
- H11 Residential Conversions
- H12 Conversion of Non-Residential Buildings to Residential Use
- H13 Parking of Commercial Vehicles

Transport policies

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T4 Park and Ride
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T8 Other Road Users
- T9 Public Transport
- T10 Public Transport
- T11 New Accesses
- T12 Residential Roads
- T13 Unmade Roads
- T14 Unadopted Highways
- T15 Traffic Management
- T16 Traffic Management and Sensitive Environments
- T17 Servicing of Premises
- T18 Road Safety

Conservation and the Built Environment

- BE1 Design of New Development
- BE2 Mixed Use Development
- BE3 Buildings in Rural Areas
- BE4 Public Realm
- BE5 Public Art
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE8 Statutory Listed Buildings
- BE9 Demolition of a listed building
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- BE12 Demolition in conservation areas
- BE13 Development adjacent to a conservation area
- BE14 Trees in Conservation Areas
- BE15 Historic Parks and Gardens
- BE16 Ancient Monuments and Archaeology
- BE17 High Buildings
- BE18 The Skyline
- BE19 Shopfronts
- BE20 Security Shutters

BE21 Control of Advertisements, Hoardings and Signs
BE22 Telecommunications Apparatus
BE23 Satellite Dishes

The Natural Environment

NE1 Development and SSSIs
NE2 Development and Nature Conservation Sites
NE3 Nature Conservation and Development
NE4 Additional Nature Conservation Sites
NE5 Protected Species
NE6 World Heritage Site
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodlands
NE9 Hedgerows and Development
NE11 Kent North Downs Area of Outstanding Natural Beauty
NE12 Landscape Quality and Character

Green Belt and Open Space

G1 The Green Belt
G2 Metropolitan Open Land
G3 National Sports Centre Major Developed Site
G4 Extensions/Alterations to Dwellings in the Green Belt or on Metropolitan Open Land
G5 Replacement Dwellings in the Green Belt or on Metropolitan Open Land
G6 Land Adjoining Green Belt or Metropolitan Open Land
G7 South East London Green Chain
G8 Urban Open Space
G9 Future Re-Use of Agricultural Land
G10 Development Related to Farm Diversification
G11 Agricultural Dwellings
G12 Temporary Agricultural Dwellings
G13 Removal of Occupancy Conditions
G14 Minerals Workings
G15 Mineral Workings – Associated Development

Recreation, Leisure and Tourism

L1 Outdoor Recreation and Leisure
L2 Public Rights of Way and Other Recreational Routes
L3 Horses, Stabling and Riding Facilities
L4 Horses, Stabling and Riding Facilities – joint applications
L5 War Games and Similar Uses
L6 Playing Fields
L7 Leisure Gardens and Allotments
L8 Playing Open
L9 Indoor Recreation and Leisure
L10 Tourist-Related Development – New Development
L11 Tourist-Related Development – Changes of Use

Business and Regeneration

EMP1 Large Scale Office Development
EMP2 Office Development
EMP3 Conversion or redevelopment of Offices
EMP4 Business Areas
EMP5 Development Outside Business Areas
EMP6 Development Outside Business Areas – non conforming uses
EMP7 Business Support
EMP8 Use of Dwellings for Business Purposes
EMP9 Vacant Commercial Sites and Premises

Town Centres and Shopping

- S1 Primary Frontages
- S2 Secondary Frontages
- S3 The Glades
- S4 Local Centres
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- S6 Retail and Leisure Development – existing centres
- S7 Retail and Leisure Development – outside existing centres
- S8 Petrol Filling Stations
- S9 Food and Drink Premises
- S10 Non-Retail Uses in Shopping Areas
- S11 Residential Accommodation
- S12 Markets
- S13 Mini Cab and Taxi Offices

Biggin Hill

- BH1 Local Environment
- BH2 New Development
- BH3 South Camp
- BH4 Passenger Terminal/Control Tower/West Camp (Area 1)
- BH5 Former RAF Married Quarters (Area 2)
- BH6 East Camp
- BH7 Safety
- BH8 Noise Sensitive Development

Community Services

- C1 Community Facilities
- C2 Communities Facilities and Development
- C4 Health facilities
- C5 Facilities for Vulnerable Groups
- C6 Residential Proposals for People with Particular Accommodation
- C7 Educational and Pre-School Facilities
- C8 Dual Community Use of Educational Facilities

Environmental Resources

- ER2 Waste Management Facilities
- ER9 Ventilation
- ER10 Light Pollution
- ER11 Hazardous Substances
- ER16 The Water Environment
- ER17 Development and the Water Environment

Implementation

- IMP1 Planning Obligations

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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