



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 11 May 2017

To: Members of the  
**EXECUTIVE**

Councillor Stephen Carr (Chairman)

Councillors Graham Arthur, Peter Fortune, Kate Lymer, Peter Morgan, Colin Smith  
and Diane Smith

A meeting of the Executive will be held at Bromley Civic Centre on **WEDNESDAY 24  
MAY 2017 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 QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

In accordance with the Council's Constitution, questions to the Executive must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 18<sup>th</sup> May 2017.

**4 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 14 AND 22 MARCH 2017**

(Pages 5 - 22)

**5 EXECUTIVE APPOINTMENTS**

(Pages 23 - 26)

**6 CHILDREN'S SERVICES UPDATE**

(To follow)

- 7 **LOCAL GOVERNMENT OMBUDSMAN PUBLIC REPORT**  
(Pages 27 - 30)
- 8 **GATEWAY 0 REPORT: PROCUREMENT STRATEGY FOR LBB CCTV SERVICE**  
(Pages 31 - 40)
- 9 **GATEWAY REVIEW - ADULTS AND YOUNG PEOPLE'S SUBSTANCE MISUSE SERVICES**  
(Pages 41 - 56)
- 10 **DRAWDOWN AND CARRY FORWARD OF CONTINGENCY GOVERNMENT (NEW BURDENS) GRANT FUNDING TO SUPPORT THE LOCAL AUTHORITY IN IMPLEMENTING THE SEN REFORMS AND THE CONTINUED ROLE OF BROMLEY (IN PARTNERSHIP WITH ENFIELD) AS SEND REGIONAL LEAD FOR LONDON**  
(Pages 57 - 64)
- 11 **CAPITAL FUNDING FOR PROPERTY DISPOSAL/FEASIBILITY WORKS**  
(Pages 65 - 72)
- 12 **FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND PROCUREMENT STRATEGY FOR TEMPORARY ACCOMMODATION MODULAR HOME PROVISION**  
(Pages 73 - 82)
- 13 **HOMELESS CONTINGENCY DRAWDOWN FOR EARLY INTERVENTION AND VISITING RESOURCES**  
(Pages 83 - 94)
- 14 **LOCALLY ADMINISTERED BUSINESS RATES RELIEF SCHEME**  
(Pages 95 - 100)
- 15 **CONTRACT AWARD: 0-4 HEALTH VISITING AND FAMILY NURSE PARTNERSHIP (PART 1 SUMMARY)**  
(Pages 101 - 106)
- 16 **CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**
- 17 **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**

- |           |  |   |
|-----------|--|---|
| <b>18</b> | <b>EXEMPT MINUTES OF THE MEETINGS HELD ON 14TH AND 22ND MARCH 2017</b><br>(Pages 107 - 116)                        | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>19</b> | <b>CONTRACT AWARD - 0-4 HEALTH VISITING AND FAMILY NURSE PARTNERSHIP</b><br>(Pages 117 - 128)                      | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>20</b> | <b>AWARD OF CONTRACT FOR CAPITAL WORKS AT LEESONS PRIMARY SCHOOL</b><br>(Pages 129 - 140)<br>Cray Valley West Ward | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| <b>21</b> | <b>INTEGRATED COMMUNITY EQUIPMENT SERVICES</b><br>(Pages 141 - 146)  | 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 special meeting held on 14 March 2017 starting at 8.30 am

### **Present:**

Councillor Stephen Carr (Chairman)  
Councillors Graham Arthur, Robert Evans, Peter Fortune,  
Kate Lymer, Peter Morgan and Colin Smith

### **Also Present:**

Councillor Diane Smith

### **187 APOLOGIES FOR ABSENCE**

Apologies for absence had been received from the Chief Executive, Mr Doug Patterson.

### **188 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **189 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**

### **190 PROVISION OF TEMPORARY ACCOMMODATION** Report FSD 17006

The Executive approved a proposal for the short term provision of temporary accommodation for the homeless as well as an investment income opportunity for a residential development in Beckenham.

*Executive*  
*14 March 2017*

**191 ACQUISITION OF PROPERTY - TRINITY HOUSE, ASHFORD**  
Report DRR17/020

The Executive decided purchase Trinity House, Ashford by utilising funds from the Investment Fund.

The Meeting ended at 8.45 am

Chairman

## **EXECUTIVE**

Minutes of the meeting held on 22 March 2017 starting at 7.00 pm

### **Present:**

Councillor Stephen Carr (Chairman)  
Councillors Graham Arthur, Robert Evans, Peter Fortune,  
Kate Lymer, Peter Morgan and Colin Smith

### **Also Present:**

Councillor Nicholas Bennett J.P., Councillor Simon  
Fawthrop and Councillor William Huntington-Thresher

### **192       TERRORIST INCIDENT AT WESTMINSTER**

The Leader offered condolences to those affected by the terrorist incident at Westminster that afternoon, and led those present at the meeting in a few moments of silent reflection.

### **193       APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **194       DECLARATIONS OF INTEREST**

Councillor Peter Morgan declared an interest in relation to minute 198 (Budget Monitoring 2016/17) as his daughter worked for Kier, who held the Council's street cleansing contract.

### **195       QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

### **196       TO CONFIRM THE MINUTES OF THE MEETING HELD ON 8TH FEBRUARY 2017, AND CONSIDER MATTERS ARISING Report CSD17039**

**RESOLVED** that the minutes of the meeting held on 8<sup>th</sup> February 2017 be confirmed.

### **197       CHILDREN'S SERVICES UPDATE Report CS17130**

The Executive received an update on progress with Children's Services, including feedback from Ofsted's second Monitoring Visit on 22<sup>nd</sup>/23<sup>rd</sup> February 2017. The report had been scrutinised by the Executive and

Resources PDS Committee at its meeting on 15<sup>th</sup> March 2017 and the Care Services PDS Committee at its meeting on 21<sup>st</sup> March 2017. Three key areas of progress were set out –

(i) Progress with the Children’s Services Improvement Plan. The Plan included some two hundred actions, of which only seven were outstanding at the last review in February. The Plan was closely monitored by the Governance Board and at weekly meetings of the Improvement Team Board.

(ii) Practice Improvement Framework. A new improvement audit programme had been introduced including a programme of monthly case audits and deep dive reviews of specific areas. An analysis of sixteen children returned to their families had established that it was appropriate to return them in twelve cases, in two cases the parents had withdrawn and in the remaining two the courts had decided that return was appropriate.

(iii) Ofsted Monitoring Visit. The latest monitoring visit had been on 22<sup>nd</sup>/23<sup>rd</sup> February; feedback had been encouraging and the formal letter would be published on Friday.

There was also progress in appointing senior staff at Head of Service level, and there appeared to be interest amongst social workers in working for Bromley.

Although there had been a good pace to the improvement so far, it was important to ensure that progress was embedded and sustainable. The service was engaging more successfully with partner agencies, and was working closely with Legal Services to build up the confidence of the courts in Bromley’s capability.

Members requested that a “dashboard” of performance information be provided and updated on a regular basis; the Education and Children’s Services Portfolio Holder confirmed that this was being developed. Further information on outcomes for Looked after Children was sought – this needed to go beyond academic qualifications and capture wider health and wellbeing information. The Leader proposed that this information be reported to the PDS Committee on a regular basis.

A sheet summarising the use of the additional funding allocated to children’s services improvement had been circulated at the request of Executive and Resources PDS Committee. The Chairman of the PDS Committee urged the Executive to ensure that expenditure was kept within budget and queried a sum of £63k included in the summary. The Leader stated that large overspends were being reported across the country and in London in particular - Bromley’s position was relatively under control compared to some London authorities. While the Government had provided the precept on adult care, there was a need to recognise funding pressure on children’s services.

There had been a dramatic increase in legal proceedings, with around ninety cases now with Legal, roughly double the amount from a year ago. This



reflected both a national increase, and the effect of the Ofsted report. Efforts were being made to understand and manage this increase. The Chairman of the Education Select Committee stated that if scrutiny of children's services was referred to his Committee in May he intended that this would be a priority for their work programme. He also suggested that Members consider his Committee's third report, which included scrutiny of the Virtual School (at section 4.9.) He pointed out that the academic performance of Looked after Children in Bromley was good compared to the national figures, but he also suggested that there was a need to convey the Council's high expectations for children in its care more effectively, including through the Adoption Panel and Fostering Panel.

**RESOLVED that the contents of the report be noted.**

**198            BUDGET MONITORING 2016/17**  
Report FSD17034

The Executive received the third budget monitoring report for 2016/17 which projected a net overspend of £3.7m and highlighted significant variations which would impact on future years as well as early warnings that could have an impact on the end of year position. The report was based on activity and expenditure levels up to the end of December 2016. An additional recommendation would be considered on the Part 2 agenda.

The report had been scrutinised by the Executive and Resources PDS Committee at its meeting on 15<sup>th</sup> March 2017. The Committee had supported the recommendations, subject to an additional suggestion that consideration be given to merging the Council's Adult Passenger and SEN Transport fleets.

The Environment Portfolio Holder pointed out that the Environment budget was projected to underspend, but there was some uncertainty on whether certain income from defaults was achievable.

Members were concerned at the projected overspend of £124k on the Coroner's Service. This was a statutory service managed by LB Croydon on behalf of four local authorities. The Council had an obligation to meet its share of the costs, but Members wanted reassurance that expenditure was being controlled and managed effectively.

The Director of Finance agreed to present the income from investment properties as a separate line in Appendix 1, the projected outturn, in future. This was currently anticipated to be around £13m.

The Chief Executive reported that a letter had just been received from the Government on the operation of the additional adult social care funding. The detailed conditions would need to be closely examined, as they appeared to be driven by health service considerations and might create additional burdens and requirements.

**RESOLVED that**

- (1) The latest financial position be noted.**
- (2) It is noted that a projected net overspend on services of £3.7m is forecast based on information as at December 2016.**
- (3) The comments from the Deputy Chief Executive and Executive Director of Education, Care and Health Services and the Executive Director of Environment and Community Services, as detailed in sections 3.2 and 3.3 of the report, be noted.**
- (4) The projected variation of Cr £5m in the Central Contingency as detailed in section 3.4 be noted.**
- (5) The projected increase to the General Fund balance of £224k as detailed in section 3.7 be noted.**
- (6) The release of £786k from the Central contingency as detailed in paragraph 3.4.3 be agreed.**
- (7) It is agreed that £257k held in the central contingency for the Civic Centre Development Strategy be transferred to an earmarked reserve as detailed in section 3.4.4.**
- (8) The carry forwards being requested for drawdown from the Central Contingency totalling £40k (net) as detailed in section 3.5 be noted.**
- (9) The Prior Year Adjustments of £185k as detailed in section 3.6 be noted.**
- (10) Council be recommended to approve the transfer of £4.0m to the Growth Fund as detailed in section 3.12.**
- (11) The full year costs pressures of £5.2m as detailed in section 3.8 be noted.**
- (12) Funding of up to £50k be approved, to be met from the Council's 2016/17 Central Contingency Fund, for the legal matter identified in part 2 of the agenda.**

**199            PROPOSED PUBLIC REALM PROJECT AND MARKET  
REORGANISATION FOR BROMLEY HIGH STREET**  
Report DRR17/005

The detailed designs and scheme costs for the whole of the proposed improvement works for Bromley High Street had now been fully completed. As a consequence of the proposed public realm changes the existing street market would need to be relocated and officers had been assessing options for the future development of the market, including commissioning of the

market operation. The report outlined options for the relocation and reorganisation of the market – the Executive was asked to approve the relocation of the market and agree the future format, and approve funding for the scheme including funding for an additional temporary staffing resource to manage the market transition project.

The Report had been scrutinised by the Renewal and Recreation PDS Committee on 7<sup>th</sup> March 2017. The Committee supported the recommendations, subject to proposing that approval of £720k of the spending be deferred until the outcome of the detailed design and final costs for the market kiosks was submitted for approval in July 2017 and that the provision of electronic advertising boards should be reviewed in 2019 when the reorganisation is complete.

The Executive welcomed the scheme, which would result in a slightly smaller but better quality market. It was confirmed that the additional street cleansing costs of £60k per annum could be met from income generated by the scheme, including rent from the market kiosks, and that the electronic advertising boards were new, rather than just replacing existing boards. Members also commented that lighting should be a key feature of the scheme to highlight the more attractive buildings in the High Street and Market Square.

**RESOLVED that**

**(1) The detailed design and programme for the Bromley Town Centre Public Realm Improvement scheme comprising the ground plane works extending from Market Square to the Elmfield Road junction costed at £2.844m be approved.**

**(2) A total of £2.844m is allocated from the Growth Fund and added to the Capital programme to undertake the implementation of the scheme, subject to Full Council approval. (It was noted that the outcome of detailed design and final costs for commercial kiosks and the mirrored pavilions would be reported to Members for approval in July 2017.)**

**(3) A decision on the allocation of £720k from the Growth Fund to the Capital Programme be deferred until the outcome of the detailed design and final costs for the market kiosks are submitted for approval in July 2017.**

**(4) Should the S106 funding of £4m be received from the Langley Court development, it is agreed that the scheme be funded by these monies and the £3.564m be returned to the Growth Fund.**

**(5) Annual growth of up to £60k to cover the enhanced cleaning and maintenance costs from April 2018, subject to the level of income generated from the commercial kiosks.**

**(6) The options for the future operation of the market set out in paragraph 3.15 of the report having been reviewed, the preferred option**

**(c), to approve the relocation, reorganisation and relaunch of Bromley Town Centre market as outlined in paragraphs 3.17 to 3.22, be approved.**

**(7) The taking of all necessary steps to relicense the market and street trading arrangements under the Food Act as recommended in paragraph 3.21 and Section 7 be approved.**

**(8) The allocation of £40k from the Growth Fund to meet the cost of employing a temporary project officer for a period of 12 months to provide the necessary coordination for the transition of the market to the proposed new format be approved.**

**(9) Plans to install a number of 3m x 1.7m electronic advertising boards be reconsidered and reviewed in 2019 when the High Street and Market Square reorganisation is complete.**

**200 BROADBAND INFRASTRUCTURE INVESTMENT**  
Report DRR17/017

A proposal had been received from Cudham Village Residents Association for Growth Fund funding towards the provision of upfront Broadband infrastructure. The report had been scrutinised by the Renewal and Recreation PDS Committee on 7<sup>th</sup> March 2017 and the Committee had supported the proposal.

A Member commented that fibre over poles was now a potential low-cost solution – this would be fed back to the organisers.

**RESOLVED that**

**(1) Funding of £15k be approved from the Growth Fund to support the community initiative detailed in paragraph 3.3 of the report.**

**(2) Authority to release the final funding be delegated to the Executive Director of Environment and Community Services with the agreement of the Portfolio Holder for Resources and the Director of Corporate Services.**

**201 OPERATIONAL BUILDING MAINTENANCE BUDGETS AND PLANNED PROGRAMME 2017/18**  
Report DRR17/018

The Executive considered proposed maintenance budgets and the planned maintenance programme for 2017/18. The report highlighted a number of budgetary pressures and requested additional funding to ensure that the Council had sufficient funds to maintain its buildings and to ensure compliance with statutory regulations.

The Renewal and Recreation Portfolio Holder called for a more proactive approach to maintenance, which he stated would save money in the long-

term. Another Member suggested that more maintenance and repairs needed to be undertaken by tenants – lease terms were being reviewed by Cushman and Wakefield and this would be addressed wherever possible.

Councillor Nicholas Bennett asked whether there had been any progress with the former public toilets in West Wickham in his ward. Officers were requested to report back on the current position, and on the other former public toilet buildings. It was noted that these buildings could be very difficult to sell, and sales often fell through. It was suggested that some properties might be suitable to use for temporary accommodation for the homeless; this was now considered in all cases.

The report had been scrutinised by the Executive and Resources PDS Committee at its meeting on 15<sup>th</sup> March 2017.

**RESOLVED that**

**(1) An increase in the Building Maintenance budget of £126k per annum be agreed for the reasons set out in paragraph 3.5 of the report, which is to be funded from the Council's 2017/18 Central Contingency Sum.**

**(2) Subject to the Council agreeing the budget, overall expenditure of £2,068,790 be agreed for the Building Maintenance budget in 2017/2018.**

**(3) It is noted that a further report will be submitted to the Executive (see paragraph 3.6) to consider any further costs arising from the Council's statutory obligations.**

**(4) The planned programme in Appendix A be approved.**

**(5) Authority be delegated to the Director of Regeneration to vary the programmes to accommodate any change in the approved budget or where such action is considered necessary to either protect the Council's assets or make the most effective use of resources.**

**(6) Funding of up to £170k be approved from the earmarked reserve in the Infrastructure Investment Fund to install separate meters to the utility supplies at the Churchill Theatre/Central Library to protect the Council's VAT exemption status.**

**(7) The carrying forward of £113k from this year's planned programme to 2017/18 to reconstruct the Central Depot wall be approved.**

**202 CONTRACT AWARD OF LEARNING DISABILITY SUPPORTED LIVING SCHEMES (PART 1 SUMMARY)**

The Executive considered a part one summary of a part 2 report providing an overview of the process for the tendering of the learning disability supported living schemes at 109 and 111 Mason's Hill and 18/19 Century Way.

*Executive*  
22 March 2017

The report had been scrutinised by the Care Services PDS Committee on 21<sup>st</sup> March 2017.

**203 CONTRACT AWARD FOR COMMUNITY SEXUAL HEALTH  
EARLY INTERVENTION SERVICES (PART 1 SUMMARY)**  
Report CS17106A

The Executive considered a part one summary of a part 2 report providing an overview of the tendering process for the Community Sexual health Early Intervention Service.

The report had been scrutinised by the Care Services PDS Committee on 21<sup>st</sup> March 2017.

**204 EXTRA CARE HOUSING CONTRACT AWARD (PART 1  
SUMMARY)**

The Executive considered a part one summary of a part 2 report providing an overview of the process for the tendering of the care and support in Extra Care Housing Schemes at Regency Court, Sutherland Court, Apsley Court, Crown Meadow Court, Durham House and Norton Court.

The report had been scrutinised by the Care Services PDS Committee on 21<sup>st</sup> March 2017.

**205 CONTRACT AWARD FOR STATUTORY HOMELESSNESS  
REVIEWS (PART 1 SUMMARY)**  
Report CS17132A

The Executive considered a part one summary of a part 2 report providing an overview of the tendering process for the Statutory Homelessness Reviews Service.

The report had been scrutinised by the Care Services PDS Committee on 21<sup>st</sup> March 2017.

**206 REPLACEMENT OF HOUSING INFORMATION SYSTEM - ITT  
EVALUATION OUTCOME (PART 1 SUMMARY)**

The Executive considered a part one summary of a part 2 report providing an overview of the process for the tendering of a Housing IT system.

The report had been scrutinised by the Care Services PDS Committee on 21<sup>st</sup> March 2017.

**207 GATEWAY REPORT - MENTAL HEALTH FLEXIBLE SUPPORT SERVICES CONTRACT**

Report withdrawn. (A decision was now being taken by the Care Services Portfolio Holder following scrutiny at Care Services PDS Committee on 21<sup>st</sup> March 2017.)

**208 INFORMATION BRIEFING**

An information briefing concerning Crystal Palace Park – Regeneration Plan Update had been circulated.

It was suggested that the tower block at the Lodge should be considered for use by the homeless. Approaches had already been made, although it was understood that the tower was still used at certain times of the year. The Leader urged that another approach be made.

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

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

**210 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**

**211 EXEMPT MINUTES OF THE MEETING HELD ON 8TH FEBRUARY 2017**

The minutes of the meeting held on 8<sup>th</sup> February 2017 were approved.

**212 BUDGET MONITORING 2016/17**

The Executive approved funding of up to £50k from the Council's Central Contingency Fund for a legal matter.

**213 CONTRACT AWARD OF LEARNING DISABILITY SUPPORTED LIVING SCHEMES**

The Executive awarded a contract for the delivery of supported living services at 109 and 111 Masons Hill and 18/19 Century Way.

**214 CONTRACT AWARD - COMMUNITY SEXUAL HEALTH EARLY INTERVENTION SERVICES**  
Report CS17106B

The Executive awarded a contract for the provision of Community Sexual Health Early Intervention Services.

**215 EXTRA CARE HOUSING CONTRACT AWARD**

The Executive awarded two contracts for the provision of Care and Support Services within Extra Care Housing schemes at Regency Court, Sutherland Court and Apsley Court (Lot 1), and Crown Meadow Court, Durham House and Norton Court (Lot 2).

**216 CONTRACT AWARD FOR STATUTORY HOMELESSNESS REVIEWS**  
Report CS17132B

The Executive awarded a contract for the provision of Statutory Homelessness Reviews.

**217 REPLACEMENT OF HOUSING INFORMATION SYSTEMS - ITT EVALUATION OUTCOME**

The Executive awarded a contract for a new Housing IT system.

**218 INTEGRATED COMMUNITY EQUIPMENT SERVICES (ICES)**

Report withdrawn.

**219 FUTURE PROVISION OF STREET LIGHTING SERVICE**  
Report ES17018

The Executive agreed proposals for the future of the contract for the provision of street lighting.

**220 BROMLEY OLD TOWN HALL AND SOUTH STREET CAR PARK**  
Report DRR 17/019

The Executive received a report on the proposed redevelopment of the former Bromley Town Hall and South Street Car Park.



**221 EXTENSION OF CONTRACT FOR TEMPORARY  
ACCOMMODATION AT STEWART FLEMING PRIMARY  
SCHOOL**  
Report ED17038

The Executive agreed to an extension of the contract for provision of temporary accommodation at Stewart Fleming Primary School until permanent expansion works are completed in 2019.

**222 AWARD OF CONTRACT FOR CAPITAL WORKS AT  
POVEREST PRIMARY SCHOOL**

The Executive awarded a contract for capital works at Poverest Primary School.

**223 CONEY HILL LANDFILL SITE, OXTED - LANDFILL  
MONITORING CONTRACT**

Report withdrawn.

The Meeting ended at 9.30 pm

Chairman

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 24 May 2017

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

**Title:** MATTERS ARISING FROM PREVIOUS MEETINGS

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

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

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2. **RECOMMENDATION**

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

<b>Non-Applicable Sections:</b>	Impact on Vulnerable Adults and Children/Policy/Financial/Personnel/Legal/Procurement
Background Documents: (Access via Contact Officer)	Minutes of previous Executive meetings

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Not applicable
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### 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: £335,590
  5. Source of funding: 2016/17 Revenue Budget
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### Personnel

1. Number of staff (current and additional): 8 posts (7.27fte)
  2. If from existing staff resources, number of staff hours: Monitoring the Executive's matters arising takes at most a few hours per meeting.
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### Legal

1. Legal Requirement: None:
  2. Call-in: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: 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: Not Applicable

Appendix A

<u>Minute Number/Title</u>	<u>Executive Decision/Request</u>	<u>Update</u>	<u>Action by</u>	<u>Completion Date</u>
<b>30<sup>th</sup> November 2016</b>				
126 Update on Tackling Troubled Families (Outcomes/Draw-down)	The Leader asked that a further report on measuring outcomes be provided by the first quarter of next year.	Arrangements are now in hand to provide a further report for the June meeting.	Interim Social Care Director  Head of Early Interventions and Family Support	June 2017
<b>11<sup>th</sup> January 2017</b>				
159 Extension of Bromley Y Community Wellbeing Service for Children and Young People	Executive agreed a two year extension to the current contract, subject to a further report on funding issues.	Funding issues are being considered with Bromley CCG – a further report is scheduled to be presented in June 2017	Director, Health Integration Programme	June 2017
161 Disposal of Banbury House, Chislehurst	Report deferred for consideration of use of the property for temporary accommodation for homeless people.	Currently being assessed – a report is due to be presented in June 2017.	Head of Strategic Property	June 2017

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Report No.  
CSD17069

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 24 May 2017

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

**Title:** EXECUTIVE APPOINTMENTS

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** N/A

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1. Reason for report

- 1.1 This report allows the Executive to note appointments made by the Leader of the Council to help with the administration of executive business during 2017/18. Further details will be set out in an appendix which is to follow.
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2. RECOMMENDATIONS

- (1) That the appointment of Councillors to serve on the Executive for the 2017/18 Municipal Year and responsibility for Portfolios, as allocated by the Leader of the Council, be noted.
- (2) That the appointment of Councillors as Executive Assistants by the Leader of the Council for the 2017/18 Municipal Year be noted.
- (3) The appointment by the Leader of the Council of Executive Members to serve on the following Working Groups, Boards and Advisory Panel for the 2017/18 Municipal Year be noted –
  - Health and Wellbeing Board;
  - Town Centre Working Group;
  - Local Development Framework Advisory Panel;
  - Constitution Improvement Working Group;
  - Crystal Palace Park Executive Project Board;
  - Children's Services Governance Board.
- (4) Elected Member representation on the Bromley Adoption Panel and Fostering Panel be noted for 2017/18.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: Estimated Cost: Allowances relating to the posts in this report amount to £182,895pa.
  2. Ongoing costs: Recurring Cost:
  3. Budget head/performance centre: Democratic Representation
  4. Total current budget for this head: £1,061,060
  5. Source of funding: Revenue Budget
- 

### Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

### Legal

1. Legal Requirement: Statutory Requirement: Local Government Act 2000 – Executive arrangements.
  2. Call-in: Applicable:
- 

### Procurement

1. Summary of Procurement Implications: Not Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
- 

### Ward Councillor Views

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



### 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 after the last local elections on 4<sup>th</sup> 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 2017/18 Municipal Year. It is for the Leader to determine which Portfolios are held by Members and their period of office. The Council's Portfolios are currently:

- (i) Care Services
- (ii) Education, Children and Families
- (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, four 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 2*).

3.3 In previous years the Leader has appointed a number of Working Groups, Boards and Panels to assist with the executive work of the Council. It is anticipated that the following will continue in 2017/18 –

- Town Centre Working Group;
- Local Development Framework Advisory Panel;
- Constitution Improvement Working Group;
- Crystal Palace Park Executive Project Board;
- Health and Wellbeing Board; and
- Children's Services Governance Board.

It is anticipated that the Children's Board and the Working Group and the Child Safeguarding and Corporate Parenting Working Party will not need to be re-appointed. (*Recommendation 3*)

3.4 The Executive is also asked to note the 2017/18 elected member representation on Bromley's Fostering Panel and Adoption Panel (*Recommendation 4*). The Adoption Panel is governed by statutory regulations and managed by the Head of the Adoption Agency i.e. the Director of Children's 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.

<b>Non-Applicable Sections:</b>	Vulnerable Adults and Children/Financial/Personnel/ Legal/Procurement
Background Documents: (Access via Contact Officer)	Council Constitution

Report No.  
Please obtain  
a report  
number

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 24 May 2017

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

**Title:** LOCAL GOVERNMENT OMBUDSMAN PUBLIC REPORT

**Contact Officer:** Stephen John, Director: Adult Social Care (ECHS)  
Tel: 0208 313 4754 E-mail: Stephen.John@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Resources, Ade Adetosoye Deputy Chief Executive,  
Executive Director of Education, Care, Health and Social Care.

**Ward:** (All Wards);

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1. Reason for report

1.1 This report provides an overview of the findings against the Council, which has been the subject of a complaint to the Local Government Ombudsman (LGO). Section 31(2) of the Local Government Act 1970, requires the Council to consider the LGO report and inform the Ombudsman of the action that it has taken or proposes to take in respect of the findings in the report.

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2. **RECOMMENDATION(S)**

2.1 Executive is requested to:

- (a) Consider the report and accept the findings and the action taken to resolve the complaint,
- (b) endorse the compensation payment of £6,032.10.

### Impact on Vulnerable Adults and Children

1. Summary of Impact: None arising directly from this report.
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: Further Details
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: N/A
  5. Source of funding: Care services
- 

### Personnel

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: Not Applicable:
- 

### Procurement

1. Summary of Procurement Implications: None arising from this report
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Not Applicable
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

- 3.1 The Council has been the subject of a complaint to the Local Government Ombudsman ('the Ombudsman') which has led to an adverse finding of fault causing injustice.
- 3.2 The Ombudsman decided to issue a public report (attached) which was dated 14<sup>th</sup> February 2017 and subsequently published 2nd March 2017. The parents of a young person complained the Council failed to ensure their son continued to receive a support package following his 18th birthday when he transitioned to adult social care. In September 2015 the Council Carried out an assessment to determine whether the young person was eligible to continue the services he was receiving. The assessment recommended respite of 72 days per year; however, the decision was delayed until February 2016. The family had no respite between 15 October 2015 and 5 April 2016 and minimal support in the subsequent months. This placed significant and unnecessary additional stress and anxiety on the family.
- 3.3 Section 31(2) of the Local Government Act 1974 requires the Council to consider the report and inform the Ombudsman of the action that it has taken or proposes to take in respect of the findings in the report. In this particular case, the remedial steps have already been agreed in principle with the Ombudsman under delegated powers and implemented, due to the nature of the complaint and the timescale involved.

### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 This report has no impact on vulnerable adults and children. However, the Council has reinforced how officers follow procedures

### **5. POLICY IMPLICATIONS**

- 5.1 The Ombudsman has recommended a review of the transition policy and procedures to ensure the transition process runs smoothly and there are no gaps in provision of care and support.

### **6 FINANCIAL IMPLICATIONS**

- 6.1 The Ombudsman has recommended the following; the Council should pay a sum equivalent to the cost of missed respite and support, between October 2015 and April 2016, this comes to £5,032.10. In addition to this, an award of a £1,000 to his parents is made, for the distress and inconvenience caused by the service failure. The compensation totals £6,032.10. This was funded from the Care Services budget for 2016/2017.

### **7 PERSONNEL IMPLICATIONS**

- 7.1 Not applicable

### **8 LEGAL IMPLICATIONS**

- 8.1 Although the remedies recommended have been accepted and implemented under delegated powers the Council is still obliged to consider the report under the provisions of Section 31 (2) Local Government Act 1972. In addition the Monitoring Officer by virtue of Section 5A 3 (b) of the Local Government and Housing Act 1989 is obliged to report on the matter to the Executive and this report discharges that obligation.

### **9 PROCUREMENT IMPLICATIONS**

Not applicable

<b>Non-Applicable Sections:</b>	7. PERSONNEL IMPLICATIONS 9. PROCUREMENT IMPLICATIONS
Background Documents(Access via Contact Officer)	<a href="http://collateral.vuelio.uk.com/RemoteStorage/LGO/Releases/1163/LB%20BROMLEY%20-%20TRANSITION%20-%20EMB.pdf">http://collateral.vuelio.uk.com/RemoteStorage/LGO/Releases/1163/LB%20BROMLEY%20-%20TRANSITION%20-%20EMB.pdf</a>

Report No.  
ES17020

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**PRE DECISION SCRUTINY BY THE PUBLIC PROTECTION AND SAFETY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE ON**

**Date:** Wednesday 29<sup>th</sup> March 2017

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

**Title:** GATEWAY 0 REPORT: PROCUREMENT STRATEGY FOR LBB CCTV SERVICE

**Contact Officer:** Jim McGowan, Head of Environmental Protection  
Tel: 020 8313 4651 E-mail: Jim.McGowan@bromley.gov.uk

**Chief Officer:** Nigel Davies, Executive Director of Environment & Community Services

**Ward:** Borough Wide

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1. Reason for report

- 1.1 The Community Safety CCTV control room is currently located within the Civic Centre complex, at the rear of the St Blaise building. Notice has been given that the Council redevelopment proposals for the Civic Centre site include the need to vacate this building, therefore an alternative location for the CCTV control room will need to be found or an alternative model of service delivery commissioned.
  - 1.2 The current contract, under a 1 year extension, expires on the 31 March 2018, with the option available for up to an additional extension of 1 year, delegated to the Executive Director of ECS, under consultation with the Portfolio Holder. The programme for this European tender process is anticipated to take 14 month and it will be necessary to increase the current extension to 14 months.
  - 1.3 This report outlines the strategy for continuance of the Community Safety CCTV service and seeks approval to start the process of market testing this service.
- 

2. RECOMMENDATION(S)

The Executive is recommended to:

- 2.1 Agree the strategy for the continued delivery of the CCTV service including the market testing of the CCTV functions, whilst exploring alternative commissioning options.

**2.2 Receive a further report outlining the results of the commissioning process with a recommendation for the optimum service delivery model.**



### Impact on Vulnerable Adults and Children

1. Summary of Impact: No significant impact
- 

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Excellent Council Safer Bromley Vibrant, Thriving Town Centres
- 

### Financial

1. Cost of proposal: A full, detailed financial assessment and break down of costs will be provided in the future report for all of the options that have been investigated.
  2. Ongoing costs: Recurring Cost: are variable and will be dependent upon the option chosen to move forward in 2018.
  3. Budget head/performance centre: CCTV service within Environmental Protection
  4. Total current budget for this head: £507k
  5. Source of funding: Existing revenue budget 2017/18
- 

### Personnel

1. Number of staff (current and additional): 1.1 FTE
  2. If from existing staff resources, number of staff hours: 1.1 FTE
- 

### Legal

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

### Procurement

1. Summary of Procurement Implications: OJUE notice to be issued to commence market testing of the service
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 310,000
- 

### 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 There are currently two CCTV control rooms located at the Civic Centre, Stockwell Close.
- The Community Safety CCTV monitoring function is operated from the CCTV control room located in the St. Blaise building. The service is operated by a contractor, who supplies two operators 24/7, 365 days per annum, overseen by a day time Supervisor. The maintenance of the system is also provided by a third party contractor. LBB employ an officer to oversee the management of both contracts.
  - The Parking Enforcement monitoring control room is located in the Rochester building. Whilst this room will also need to be vacated Parking Services are currently exploring options for future monitoring of the service with their contractors.
- 3.2 Other systems operated by the CCTV control room located in the St. Blaise building are:-
- The Bromley High Street drop down bollard system and the audio control link;
  - Police Airwave radio;
  - Shop-Safe town centre radio with the Police and about 150 business members.
- 3.3 Both CCTV control rooms need to be vacated as part of the Civic Centre redevelopment project and therefore there is the need to consider the future operating model of the CCTV services. The CCTV monitoring room has been included in the Civic Centre redevelopment and in the Report to the Executive of 18<sup>th</sup> May 2016, it stated that £500,000 would be allowed for the reemployment of ancillary services as part of the wider office accommodation project, which is assumed to include the CCTV control room.
- 3.4 The CCTV control rooms share cameras and fibre transmission. The systems comprise of: 85 on-street PTZ cameras, three systems monitoring car parks and one in the Civic Centre; up to 20 re-locatable cameras; and recently procured unattended, automated, parking enforcement cameras.
- 3.5 The Deregulation Act 2015 amended the Traffic Management Act 2004 that allows local authorities to undertake enforcement through the use of CCTV cameras. This has reduced the scope of the activities of the Bromley parking enforcement control room, which has, at the same time, adopted a strategy of using automated or unattended cameras which is both more efficient and requires far fewer people to operate than before. In view of this, it would be feasible to co-locate both the parking enforcement and community safety control rooms. The opportunity to utilise the Parking Services contract for the community safety monitoring has been explored but is not viable due to the limitation on the contract scope and specification. However this could be an option in the future or become apparent during market testing.
- 3.6 OCS (previously Legion) provide the 24-hour 365 days a year monitoring of Bromley's extensive network of cameras and Eurovia are responsible for maintaining, updating and repairing the existing camera network and these contracts are due to expire at the end of March 2018. The Executive Director of Environment and Community Services has delegated authority to extend the contract for a further year, until 31 March 2019.

#### **Commissioning Strategy**

- 3.7 Given the need to relocate the CCTV room officers have considered the options available for continuing the service. Three options have been identified and are outlined below. Each option will consider the re-location of community safety monitoring functions:-

- Relocate the control room to premises elsewhere in Bromley where the systems would be operated as they are currently;
- Partner with another local authority or public sector organisation, who would be responsible for monitoring and maintenance of the CCTV system on the Council's behalf;
- Market test the service including within the specification the provision of a CCTV monitoring service as well as the management and maintenance of the CCTV system.

### **Deliverability**

3.8 For all options there are some points that are common to all of them, including:-

- A suitable secure equipment room, accessible at all times, to house the CCTV fibre transmission, network switches and digital recording equipment; and
- The rerouting or diverting of the IT and CCTV fibre cables away from the Civic Centre site and terminating them at a suitable location
- Footage must be accessible to LBB, the police and other partners to be viewed as and when required. All data must be kept securely and shall be the property of the LBB at all times.

### **Overview of options**

#### **Option 1. Relocation of the CCTV control rooms to another location locally**

- 3.9 The Council depot in Waldo Road is considered the most viable option as it has the benefit of already being connected to other Council premises via the Council private ducting and the LBB fibre network that both transmits camera images and the Council ITC data.
- 3.10 The Depot premises are not the only option for relocation and others may be considered, providing the site chosen has space available and the cost of fibre connection does not prove to be prohibitive. The premises must also be secure and accessible for the Police and others at all times of the day and night.

### **Deliverability**

- 3.11 At present, there is no suitable, vacant accommodation at the depot to accommodate the secure equipment nor the control room itself; which needs to be in separate air conditioned rooms because they are operated at different temperatures. However, there are several suitable rooms that could be vacated to provide this space, but the impact of this needs to be properly considered.

#### **Option 2 – Partnering with another local authority or other public sector organisation**

- 3.12 Rather than the Council owning its own CCTV control room, this option would seek to establish a partnership with another public sector organisation to operate the services on behalf of Bromley. The option would involve Bromley's partner taking responsibility for the management and operation of the Council's camera systems at its control room. This could result in a net revenue saving that includes a reduction in operating costs of the control room offset by the additional management fee costs. Approaches have been made to three authorities and initial responses have been positive.
- 3.13 As above, the camera circuits would terminate in an equipment room in Bromley rather than the partner's premises where the images would be recorded, although this will involve Capital costs.

## **Deliverability**

- 3.14 At present, there is no suitable, vacant accommodation at the depot to accommodate the secure equipment room but suitable accommodation can be identified in order to progress the relocation of equipment from the Civic Centre site.

### **Option 3: Outsourcing the service to a 3rd party provider**

- 3.15 It is proposed to go to the market in order to obtain a price for a private sector supplier to accommodate, manage, maintain and operate the Bromley CCTV service. This will provide a cost for comparison with options 1 & 2. This would include the opportunity to operate the monitoring of the cameras from a remote location i.e. outside of the borough.

## **Deliverability**

- 3.16 Although there is little experience in the sector for security suppliers owning and operating community safety control rooms, as opposed to facilities management and shopping centre systems, there are major suppliers, who have been approached and shown an interest in providing this service.

## **Conclusion**

- 3.17 The Community Safety CCTV service needs to vacate the current location in the St. Blaise building as part of the Civic Centre Site development therefore alternative arrangements need to be made for the continuation of the service.
- 3.18 The various options need to be fully researched and costed before a decision is made.

It is proposed to explore further the three options presented above and present back to members a more detailed business case and a recommendation on the most appropriate and Best Value option for decision.

## **4. SERVICE PROFILE**

### **CCTV service Scope of work**

- 4.1 The London Borough of Bromley (LBB) has a digital, community safety CCTV control room that is staffed, managed and operated 24/7 by an externally contracted company OCS, who employ SIA licensed officers to meet their contractual obligations.
- 4.2 The control room monitors the 85 Town centre cameras, 10 of which are bus lane enforcement cameras; the 75 car park cameras and 20 relocatable cameras. The car park CCTV cameras are provided in order to provide a safe environment for residents and they contribute as one of the necessary criteria for Bromley to achieve the *Park Mark* classification as provided by the Police.
- 4.3 The operators are highly trained and qualified to monitor activity and incidents twenty-four hours a day, seven days a week, and they are experienced in working with the Police and other partner and emergency services, to ensure the right resources are deployed.
- 4.4 As well as CCTV monitoring, additional services are also provided such as traffic and car park security and enforcement, care in the community, DVLA enforcement, special events such as

sports and carnivals; an integrated approach to crime management and close liaison with key emergency services.

- 4.5 Bromley Borough already has a strong track record in managing criminal activity through the CCTV control room over many years and it already forms the nerve centre for a comprehensive network of nearly 200 CCTV cameras sited at strategic sites within the borough, including Bromley, Beckenham, Penge, Crystal Palace, Petts Wood and Orpington. Community safety has always been a priority for the Borough and the system will help to further reduce crime and secure the safety of people and places within the borough.
- 4.6 Working in partnership with local businesses, the staff have radio links via the *shopsafe* radio system with local shops and public houses to further monitor criminal activity and public disorder incidents. The operatives also have a live link to the Police via Metcall and can speak directly to officers on the ground when directing them to an incident.
- 4.7 It will also protect the public as they work, socialise and travel whilst respecting privacy and utilising 'privacy zone' software. Working in partnership with local businesses, the staff have radio links with local shops and public houses to further monitor criminal activity and public disorder incidents.

## **5. CUSTOMER PROFILE**

- 5.1 The customers include residents and visitors to Bromley and also various enforcement agencies such as the Police.

## **6. MARKET CONSIDERATIONS**

- 6.1 Market considerations are contained in the body of the report

## **7. STAKEHOLDER CONSULTATION**

- 7.1 No stakeholder consultations have been carried out at present

## **8. SUSTAINABILITY / IMPACT ASSESSMENT**

- 8.1 Following the examination of the options for future delivery of each of the services, an Equality Impact Assessment will be completed, the results of which will inform any decisions on the future delivery of these services.

## **9. OUTLINE PROCUREMENT STRATEGY AND CONTRACTING PROPOSALS**

### **Estimated Contract Value –**

- If a 5 + 2 + 2 year contract is let then the total contract value based on current budget would be £4.5m.

### **Other Associated Costs –**

- Capital costs of relocating the monitoring suite. Not know at this time.

### **Proposed Contract Period**

- 9.1 It is proposed to award the contract in 2018 for a period of 5 years plus the option to extend for 2+2 years. This will mean future Environment Services contracts will be co-terminus in 2027 allowing for possible synergies around future commissioning options.

## Procurement project plan

The commissioning draft project plan is outlined below:

Task	Committee/Board	Indicative Date
Decision to commence market testing	PP&S PDS	29 March 2017
	Executive	24 May 2017
OJEU notice published		July 2017
Stage 1 Tenders received		August 2017
Stage 1 Evaluation		September /October 2017
Invite for final submissions		November/December 2017
Evaluation		February 2018
Award Report	PP&S PDS	March 2018
	Executive	March 2018
New contract commences		May 2018

## Development of Tender Documentation

A Project Board will be established to include:

- Director of Environment – Project Sponsor
- Head of Environmental Protection – Project Owner
- Project Manager
- Project support
- Legal support
- Finance support
- HR support
- ICT support
- Procurement support

9.2 The board will be responsible for the review, development and production of the contract documentation and for issuing the OJEU notice and managing the commissioning process, including the production and evaluation of the alternative models of business delivery outlined above.

- 9.3 There is no change to the current terms and conditions or service offer, although the specifications will ask for the delivery options to include for innovation and service improvement and the ability to include the monitoring of CCTV for parking enforcement functions if required by the LBB. This is to allow for future changes to parking enforcement legislation to be accounted for,

### **Evaluation**

- 9.4 In line with the Council's standard policy, it is proposed that a 60/40 price/quality ratio will apply to the tender evaluation for all lots. It is not considered appropriate to increase the percentage allocated to price (say to 70%) as the contracts are for front-line services which are experienced by all residents and visitors on a daily basis and service quality is considered crucial in terms of both service delivery and tender evaluation.
- 9.5 Tender evaluation will be undertaken in line with CIPFA's model, which should ensure that submissions should be neither too high to be affordable nor too low to be financially sustainable.
- 9.6 Tenders will also be assessed in line with the Council's Sustainable Procurement Policy and in particular evaluation will reflect 'whole life costing'.
- 9.7 Minimum scores will apply to ensure that bids which do not adequately address quality issues do not progress to the negotiation stage.
- 9.8 An assessment of both price and quality, in the round, will allow the Council to demonstrate that it is achieving 'best value' over the term of the contract.
- 9.9 The evaluation will also consider any inward or Council investment required for the proposed services as part of the financial assessment.

### **Lotting strategy**

- 9.10 The proposal is to combine all of the functions into one lot.

## **10. POLICY IMPLICATIONS**

- 10.1 The Council's CCTV Strategy was approved in 2002 and has been reviewed in in the context of this and the Council's corporate plan Building a Better Bromley. The CCTV system contributes to the Council's priorities of. Excellent Council, Safe Bromley, and Vibrant, Thriving Town Centres

## **11. FINANCIAL IMPLICATIONS**

- 11.1 The existing budget associated with the CCTV service is £507k.
- 11.2 Details of the fully costed options will be brought back to Members for consideration.
- 11.3 It should be noted that there may be significant capital costs required to prepare the necessary accommodation for each option.

## **12. PERSONNEL IMPLICATIONS**

- 12.1 The current services outlined in this report are already contracted out to private sector organisations. There is currently 1 FTE employed by LBB who is responsible for certain operational functions of the service and some management functions. There is no CCTV Manager and the overall responsibility is with the Head of Environmental Protection.

- 12.2 As part of the review, development and production of the specifications, the functions of the LBB CCTV member of staff will be considered and may be in scope depending on the outcome of the tendering process as set out below:
- 12.3 There has been engagement with staff, trade unions and departmental representatives around the market testing of these services as part of the wider engagement with PP&S staff since 2015.
- 12.4 If Members agree the recommendations in the report, staff and their representatives will be engaged and formally consulted as early as practical at each stage of the process going forward, subject of course to any commercially sensitive information, consistent with the Council's legal obligation pursuant to the Collective Redundancies Consultation Regulations and the Employment Rights Act. There will also be engagement with representatives and stakeholders who might be affected by the proposals.
- 12.5 Any staffing implications arising from the recommendations in this report will need to be carefully planned for and managed in accordance with Council policies and procedures and with due regard for the existing framework of employment law. Subject to the outcome of the process the staffing considerations are likely to include the application of TUPE or not and possible redundancy implications.

### 13. LEGAL CONSIDERATIONS

- 13.1 The Council has powers to introduce CCTV under a range of legislation including the power of competence contained in section 1 Localism Act 2011.. This enables CCTV to be installed and used not only to the prevention and detection of crime and securing the welfare of the victims of crime but also assisting the Council perform other statutory duties such as highway management and the effective control of traffic.
- 13.2 In operating the system it must have regard to the private rights of the citizen as in such legislation as the Data Protection Act 1998, Human Rights Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000. The system is operated in accordance with a Code of Practice designed to ensure these rights of the individual are balanced against the need to secure the public interest and all control room operatives are all licensed under the SIA.
- 13.3 Any procurement would need to comply with the Public services Regulations 2015. However, as is outlined in the report the present contract can be lawfully extended if necessary.

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	N/A



Report No. **London Borough of Bromley**

**PART 1 - PUBLIC**

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**Decision Maker: EXECUTIVE**

**Date: 24<sup>th</sup> May 2017**

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

**Title: GATEWAY REVIEW – ADULTS AND YOUNG PEOPLE’S  
SUBSTANCE MISUSE SERVICES**

**Contact Officer:** Dr Nada Lemic, Director of Public Health  
Tel: 020 8313 4220 E-mail: [nada.lemic@bromley.gov.uk](mailto:nada.lemic@bromley.gov.uk)  
Carolyn Piper, Public Health Programme Manager  
Tel: 020 8461 7775 E-mail: [carolyn.piper@bromley.gov.uk](mailto:carolyn.piper@bromley.gov.uk)

**Chief Officer:** Dr Nada Lemic, Director of Public Health

**Ward:** Borough Wide

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## 1. Reason for report

This proposal sets out the commissioning intentions relating to substance misuse contracts, together with the benefits and implications for London Borough of Bromley.

The current contracts for the Adult and Young People’s Substance Misuse services run until 30 November 2017 with an option to extend for a period of one year. This report presents the case for extending the contracts for these services.

Additionally, there are two smaller substance misuse contracts with community pharmacies which are due to expire in March 2018. These could be extended and then incorporated into the Adult Substance Misuse service when it is retendered to start on 1st December 2018.

The Adult and Young People’s Substance Misuse Contracts expire on 30<sup>th</sup> November 2018 and will need to be retendered. This is addressed in this paper recognising the long lead-in time to complete the procurement process.

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## 2. RECOMMENDATIONS

- i) **Approve the extension of the Adults and Young People’s Substance Misuse contracts with Change, Grow, Live for a period of one year from 1 December 2017 to 30 November 2018. Set out in paragraph 4.1 of this report.**
- ii) **Approve the exemption from tendering of the Community Pharmacy Needle Exchange and Supervised Administration of Methadone services for a period of**

**eight months from 1 April 2018 to 30 November 2018 to align with the above Adults and Young People's Substance Misuse contracts. Set out in paragraph 4.2 of this report.**

**Subject to the above being agreed:-**

- iii) Agree to tender all Substance Misuse Contracts for a period of three years plus an optional two year extension from 1 December 2018 to 30 November 2021 (3+ 1 + 1 years) as set out in paragraph 4.3 of this report.**

### Corporate Policy

1. Policy Status: Existing policy. Existing Policy Context/Statements
  2. BBB Priority: Supporting our Children and Young People; Supporting Independence; Safe Bromley; Healthy Bromley; An Excellent Council.
- 

### Financial

1. Cost of proposal: Estimated cost maximum £1,732K
  2. Ongoing costs: N/A. £
  3. Budget head/performance centre: Public Health
  4. Total current budget for this head: £1,746k
  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

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

### 3. COMMENTARY

#### CURRENT CONTRACTING ARRANGEMENTS

- 3.1 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.
- 3.2 There is a statutory responsibility for the Local Authority to provide substance misuse services. This has been detailed extensively in the Executive committee gateway review of substance misuse services (report cs14134, May 2015) and summarised in the legal implications in this report, see section 9.
- 3.3 **Adult and Young People's Substance Misuse Service Contracts**  
Report CS14134 to Executive (May 2015) recommended that the Council continue to fund substance misuse services to provide a full treatment service for young people and adults and to tender for these services. This resulted in a number of services being amalgamated which brought associated service efficiencies and cost savings.
- 3.4 Contract Award Report CS15920 (Sept 2015) resolved that contracts for the provision of Bromley Adults Substance Misuse Service and Bromley Young Persons Substance Misuse Service be awarded to the service provider Crime Reduction Initiatives (CRI) commencing on 1st December 2015 for a period of two years along with the option to extend the contract for a further one year. The extension was delegated to the Director of Public Health in consultation with the Portfolio Holder.
- 3.5 Crime Reduction Initiatives (CRI) changed their name to Change, Grow, Live on 1 April 2016.
- 3.6 **Community Pharmacy Needle Exchange and Supervised Administration of Methadone Services**  
The Substance Misuse Commissioners also manage two pharmacy contracts linked to the substance misuse service; the Needle Exchange (NEX) and Supervised Administration of Methadone service (SAM), which are due to expire in March 2018.

#### ***Needle Exchange Service (NEX)***

The aim of the service is to reduce the transmission of blood-borne viruses associated with injecting drug use. Pharmacies serve as a safe and secure point of collection and return of drug injecting paraphernalia by injecting drug users. The service seeks to increase referrals from pharmacy healthcare professionals to the Bromley substance misuse treatment service.

#### ***Supervised Administration of Methadone Service (SAM).***

Pharmacies provide SAM, a supervised community detoxification regime, which aims to reduce drug related morbidity/mortality. SAM is a harm reduction intervention which seeks to stabilise and maintain engagement in a prescribing regime, reducing the need for illicit opiates, the risk of blood borne virus transmission, and overdose. This also serves as a mechanism to reduce the diversion of medication onto local illicit markets.

These services are currently provided by community pharmacies across Bromley through three pharmacy chain providers: Boots UK Ltd, Pharma BBG, and Paydens Group Holdings.

## 4. COMMISSIONING PROPOSALS

### 4.1 Extension of the Adult and Young People's Substance Misuse Services Contracts from 1<sup>st</sup> December for One Year

The Director of Public Health and the Portfolio Holder are requested to consider options for the extension of the current adult and young people's substance misuse services from 1<sup>st</sup> December 2017 for one year.

A review of current provider's performance was undertaken to assist the assessment of commissioning options.

#### ***Young People's Substance Misuse Service***

The performance of the Young People's Substance Misuse Service has improved considerably since the new provider took over the contract on 1<sup>st</sup> December 2015.

There is evidence that activity by the previous provider declined significantly in the months prior to the retendering process for the Young People's Substance Misuse Service, resulting in unmet need and potentially leaving young people at risk. It has taken the new provider several months to establish effective referral pathways with the numerous stakeholders involved.

There has been a 34% increase in the numbers of young people in treatment in Bromley in the last twelve months to end December 2016, compared to a national decrease of 6%. This is a welcome increase following large decreases in numbers in treatment last year. The number of young people with planned exits from the service is currently up 16%, at 88%, above the national average of 81%.

The significant increase in the numbers of young people receiving treatment is due to the work undertaken by the service to promote and facilitate referrals from all stakeholders.

The new young person's service have embedded an integrated pathway to substance misuse services ensuring young people have swift access to a high quality, evidence-based, integrated specialist treatment system. There is an increased awareness of the young people's service, they have visited 13 schools with 9 more planned, 125 referrals have been received from A&E, YOS, CAMHS, social services, housing, schools and parents in 12 months of delivery and there are currently 89 young people in Tier 3 treatment.

#### ***Adult Substance Misuse Service***

The performance of the adult substance misuse service is good overall.

The Public Health Outcomes Framework (PHOF) measure of successful completion of substance misuse treatment indicates that Bromley is performing at a similar rate to the rest of the country in relation to opiate and non-opiate clients, and a lower rate than the rest of the country in relation to alcohol clients.

The latest data which reflects more recent performance shows that although there has been an increase in successful completions for opiate clients from the baseline, there has been a small fall in the latest quarter. Outcomes for non-opiate clients continue to improve and are now not far from top quartile performance for similar local areas. Successful completions for alcohol clients also continue to improve, and are now above national averages.

Due to the long timescale associated with the key performance measure for adult substance misuse services: *the proportion of people who successfully completed treatment and did not return within 6 months*, it takes a long time to assess performance in a new provider.

**Table 1 Adult Substance Misuse Service Performance**

Performance Indicator	Substance	Q3 2015-16	Q3 2016-17	Top Quartile Range/National Average
Successful Completions	Opiate	20/315 (6.3%)	22/288 (7.6%)	9.64% - 19.18%
	Non-opiate	40/71 (56.3%)	23/45 (51.1%)	55.48% - 64.44%
	Alcohol	58/212 (27.4%)	82/199 (41.2%)	39.5%
	Alcohol & Non-opiate	18/55 (32.7%)	21/76 (27.6%)	45.22% - 56.88%
Representations	Opiate	3/11 (27.3%)	0/15 (0%)	12.5% - 0%
	Non-opiate	2/30 (6.7%)	0/9 (0%)	0%
	Alcohol	1/30 (3.3%)	2/33 (6.1%)	8.84%
	Alcohol & Non-opiate	0/8 (0%)	0/13 (0%)	2.33% - 0%

**Source: NDTMS Diagnostic Outcomes Monitoring Executive Summary**

Commissioning performance has also improved since the services were reprocurd. In particular, the process for the substance misuse panel has been reviewed and a more efficient and clinically safer process has been introduced. This has resulted in a reduction in costs of approximately £50,000 for inpatient detoxification and residential rehabilitation. As this is only the first year, it is prudent to retain the budget at the original level for this year and reassess the need next year.

Commissioners have also achieved savings on prescribing of approximately £19,000 for adults and £5000 for young people. It is proposed that a prescribing budget of £5000 should be retained for each service (adult and young people) and that the remaining £14,000 be offered as an efficiency saving.

In light of the above position, two options are proposed in relation to these contract extensions:

**Option 1:** Extend the contracts for one year

**Option 2:** Terminate the contracts and retender

Termination of the contracts without retendering has not been proposed because it has been established that provision of Substance Misuse Services is a statutory duty of the Local Authority (ref. Report CS14134 to Exec, May 2015).

Option 1 is recommended because the provider is currently delivering satisfactory services.

Option 2 is not recommended because there is no evidence that the current provider is not delivering a satisfactory service, so it would be a waste of resources to retender the service and it is likely that performance would deteriorate in the interim.

#### 4.2 Exemption from tendering of the Community Pharmacy contracts for Needle Exchange (NEX) and Supervised Administration of Methadone (SAM)

The Community Pharmacy NEX and SAM contracts are due to expire on 31 March 2018. The NEX and SAM contracts are currently part of the Public Health Framework which is due to expire on 2 March 2018, and this will not be renewed due to the cessation of the majority of the services commissioned from it.

Current service activity is shown in the table below:

**Table 2 Needle Exchange and Supervised Consumption Service Activity**

Service	2015-16	2016-17 (to Q3)
No. of Needle Exchange Packs	2,377	1,248
No. of Episodes of Supervised Administration of Opiates	11,259	3,364

Activity for the supervised consumption service is lower than for 2015-16 because of the impact of decommissioning the GP Shared Care Substance Misuse scheme, however, a longer time period is needed to ascertain whether this reduction is maintained.

The market for providers of NEX and SAM services is limited to pharmacies, providers employing prescribers (such as the adult substance misuse service) and dispensing GPs since providers must be appropriately trained, comply with applicable clinical governance, comply with standards on safeguarding and have the appropriate level of indemnity cover to provide this enhanced service. There are no dispensing GPs in Bromley.

Given the expiry of these two pharmacy contracts and the Public Health Framework, there are two options for the future commissioning of the NEX and SAM services;

**Option 1:** These services could be amalgamated into the adult Substance Misuse service from 1 December 2018.

If this option is selected, then it will be necessary to extend the pharmacy contracts for NEX and SAM for an additional eight months from 1st April 2018 to 1<sup>st</sup> December 2018 in order to align with the reprocurement of the adult Substance Misuse service contract.

**Option 2:** Keep the current commissioning arrangements. Re-tender the NEX and SAM contract via the Due North portal to re-test the market.

The preferred option is **Option 1**, amalgamating the NEX and SAM contracts with the main adult substance misuse contract as it will bring associated efficiencies of co-ordination and administration for both LBB and the service provider.

The benefits for LBB of amalgamating the contracts are that:

- These contracts would not have to be procured independently
- There would be efficiencies in no longer managing the three community pharmacy contracts and their associated payment administration.
- The North 51 data management and payment system is currently shared between the sexual health and the substance misuse pharmacy services. Due to the re-procurement

structure of the sexual health pharmacy services, the shared data North 51 system will no longer be required for sexual health services. The cost of using North 51 for these substance misuse pharmacy contracts is disproportionate to the value of these two contracts.

- The amalgamation will result in both clinical and financial risks of current contractual arrangement being passed to the substance misuse service provider.

In addition, **Option 2** would incur additional costs in maintaining the North 51 pharmacy payment system, and there would be no realisation of resource efficiencies.

Guidance from the NTA recommends that that needle exchanges must be within five miles of all residents, if they are to be accessible, which is why pharmacies are the recommended providers. There are a larger number of clients utilising pharmacy services than the number of clients in treatment; therefore restricting accessing to service could increase the number of blood borne virus infections and an increased number of clients not adhering to their methadone treatment regime, leading to increased costs for the service.

#### **4.3 Retendering of the Adult and Young People's Substance Misuse Services Contracts commencing 1st December 2018.**

The current service was retendered, and commenced on 1 December 2015. This service caters for adults and young persons with some of the most complex needs in Bromley. It has taken that time to embed the new service, increase commissioning knowledge, awareness and referral pathways to that service and start to see a positive impact in outcomes.

Given this increased understanding and experience of commissioning of this service, and in view of the length of the procurement process and of the commissioning cycle, approval to retender is being sought now.

In addition, the bringing together all the commissioning proposals (i.e. extension of current contract, amalgamating NEX and SAM services into the main adult substance misuse contract) into one paper presents an opportunity to provide clarity to members on the totality of the commissioning strategy.

### **5. EXTENSIONS AND EXEMPTIONS REQUIRED TO EXISTING CONTRACTS**

#### **5.1 Adult and Young People's Substance Misuse Service Contract Extension**

The authority to extend the Adult and Young People's Substance Misuse service contract was delegated by the Executive to the Director of Public Health in consultation with the Portfolio Holder (Report CS15920, September 2015). Commissioners will be asking the Director of Public Health in consultation with the Portfolio Holder for a contract extension from 1 December 2017 for the one year period.

#### **5.2 Community Pharmacy Needle Exchange and Supervised Administration of Methadone service contract exemption.**

Two smaller pharmacy contracts are linked to the commissioning of substance misuse services; the Community Pharmacy Needle Exchange (NEX) and Supervised Administration of Methadone services (SAM). These contracts could be incorporated into a revised Adult Substance Misuse service from 1 December 2018 to bring efficiencies. To be able to do this an exemption from tendering of the Community Pharmacy contracts is needed for a period of eight months from 1 April 2018 to 30 November 2018.



## 6. MARKET CONSIDERATIONS

The open market for substance misuse service providers was tested in 2015, and will be retested at reprocurement for the new amalgamated service to start in December 2018.

Our research indicates that, for substance misuse services, the majority of London boroughs have a commissioning timescale of 3 years with the option to extend for a further two years. It might, therefore, be detrimental to the quality and range of applicants to proceed to procurement with a shorter contract period.

## 7. LOCAL POPULATION NEED FOR SUBSTANCE MISUSE SERVICES

### Health and Social Care Act 2012

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 10<sup>th</sup> revision (ICD-10, World Health Organisation 2015) both drug and alcohol dependencies are defined as diseases.

The 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.*”

The provision of both drug and alcohol misuse services form part of;

NHS and Community Care Act 1990,

Criminal Justice Act 1991

National Assistance Act 1948

Care Act 2014

Children’s Act 1989

Statutory Guidance: “*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. The national Alcohol Strategy ‘*Safe Sensible and Social*’ 2007, in law the strategy has the same legal standing as a National Health Service Framework and places statutory responsibilities on Local Authority and others.

The commissioning strategy and service model for substance misuse services are based on the local population need and the clinical and cost-effectiveness of the service as detailed in the Appendix.

- Overall, amongst adults, the trend in harmful alcohol use has remained fairly stable, with a reduction in the proportion of under 25s drinking harmful levels of alcohol, and an increase in the 55 to 64 year age group. However, hospital admissions for alcohol-related disorders have been increasing.
- Nationally, although the level of substance misuse amongst adults is lower than a decade ago, the Crime Survey for England and Wales 2015-16 still found that 8.4% of adults had taken a drug in the last year.

## 8. FINANCIAL IMPLICATIONS

- 8.1 The costs of the extensions are highlighted below. There is currently budget available to fund these extensions.

**Table 3. The cost of the extension to current contracts**

<b>CONTRACT</b>	<b>2016/17 BUDGET £'000</b>	<b>VALUE OF EXTENSION 01/12/17 TO 30/11/18 £'000</b>
Stabilisation, Assessment, Recovery and Prescribing Service – Adults Service	1,216	1,216
Children and Young People Substance Misuse Service	165	165
<b>Total</b>	<b>1,381</b>	<b>1,381</b>
<b>CONTRACT</b>	<b>2016/17 BUDGET £'000</b>	<b>VALUE OF EXTENSION 01/04/18 TO 30/11/18 £'000</b>
Needle Exchange / Supervised Consumption	47	31

- 8.2 The current and proposed service structure and the costs are shown in the table 4.

**Table 4. The proposed new service structure and cost**

CONTRACT	2016/17 BUDGET	PROPOSED CONTRACT VALUE FROM 1/12/2018	DIFFERENCE
	£'000	£'000	£'000
<b>Adults</b>			
Stabilisation, Assessment, Recovery and Prescribing Service – Adults Service	1,216	1,263	47
Oxleas dual diagnosis workers	64	64	0
Residential /detox placements	129	129	0
Prescribing Adults	19	5	-14
Dispensing Costs	50	50	0
<b>Total Adults</b>	<b>1,478</b>	<b>1,511</b>	<b>33</b>
<b>Children</b>			
Children and Young People Substance Misuse Service	165	165	0
Dispensing costs	50	50	0
Prescribing Young People	5	5	0
<b>Total Children</b>	<b>220</b>	<b>220</b>	<b>0</b>
<b>Other</b>			
Needle Exchange / Supervised Consumption	47	0	-47
<b>Grand Total Adult/Children/Other</b>	<b>1,745</b>	<b>1,731</b>	<b>-14</b>

8.3 It can be seen that the proposed service will be £14k lower than the current 2016/17 budget. Any savings that do occur will in the first instance be offset against any savings or reductions in public health grant that may be agreed.

8.4 By combining the contract for the needle exchange into the adults service additional savings may be achieved through rationalisation although this cannot be quantified at this point.

## 9. POLICY IMPLICATIONS

The Adult and Young People's Substance Misuse Service support the visions and values of Building a Better Bromley. Services help to;

- Create an environment where individuals and communities can thrive and where people can lead healthier, more independent and self-reliant lifestyles.
- Focus on supporting the Borough's most vulnerable residents.
- Deliver the principles of early intervention and prevention.
- Create an environment for our children and young people to be successful: by supporting people into work; offering advice and signposting to self-help solutions, and working with partners to minimise crime and antisocial behaviour.

The key priorities these services will support include;

- A Healthy Bromley
- Support our Children and Young People
- A Safe Bromley
- Support Independence
- An Excellent Council

## 10. LEGAL IMPLICATIONS

- 10.1 The current contract for substance misuse service allows the Council to extend the contract for a further year therefore the proposed extension is permitted under the terms of the contract.
- 10.2 The proposed extensions to the Community Pharmacy Needle Exchange and Supervised Administration of Methadone services for a period of eight months can be agreed under Rule 13 of the Council's contract Procedure Rules to allow for the service to be amalgamated and re-tendered with the substance misuse service.
- 10.3 Substance misuse services are "light touch" services under the Public Contracts Regulations 2015 and as the contract value is in excess of the relevant threshold will need to be procured in compliance with the Regulations.

<b>Non-Applicable Sections:</b>	N/A
Background Documents: (Access via Contact Officer)	<a href="#">Report CS14134</a> (May 2015) Gateway Review of Substance Misuse Services  <a href="#">Report CS15920</a> (Sept 2015) Bromley Adults and Bromley Young Persons Substance Misuse Contract Tenders – Award of Contract

## APPENDIX

### Need for Alcohol Services

- Alcohol is the third leading risk factor for death and disability globally.
- Overall, amongst adults, the trend in harmful alcohol use has remained fairly stable, with a reduction in the proportion of under 25s drinking harmful levels of alcohol, and an increase in the 55 to 64 year age group.
- Estimates suggest that the level of drinking in Bromley is similar to that for London and England, with 17% of people in the increasing and high risk categories.
- Bromley GP data suggests that 21% of men and 6% of women drink above the recommended levels of alcohol each week and this is most prevalent in those aged between 40 and 69 years.
- The rate of alcohol-related hospital admissions has been increasing at national, regional and local levels, but remains lower in Bromley than for London and England.
- The hospital admission rate for males (2,396 per 100,000 population) is almost twice the rate for females (1,361 per 100,000 population) in Bromley.
- The alcohol-specific admission rate for under 18 year olds in Bromley (22.7 per 100,000 population) has been gradually decreasing over the last two years, and is comparable with the rate for London, but significantly lower than the rate for England.

### Impact of Alcohol Misuse in Bromley

- The consumption of alcohol carries a risk of adverse health and social consequences related to its intoxicating, toxic and dependence-producing properties.
- Alcohol has been identified as a casual factor in more than 60 medical conditions such as liver disease, cancers, heart disease, pancreatitis, etc. In addition to the chronic diseases that may develop in those who drink large amounts of alcohol over a number of years, alcohol use is also associated with an increased risk of acute health conditions, such as injuries, including from traffic accidents.
- In 2014 there were 121 alcohol-related deaths in Bromley. The mortality rate from alcohol-related causes in Bromley appears to be on a rising trend for women whilst remaining level for men in the period between 2009 and 2013. The alcohol-related mortality rate for men in Bromley is approximately twice that for women.
- Nationally alcohol misuse is involved in almost half violent assaults, noted in 27% of serious case reviews, caused 13% of road fatalities, is a common cause in domestic violence and martial breakdown.

### Need for Drug Misuse Services

- Nationally 2.7 million adults used an illegal drug in the past year. There were approximately 289 thousand individuals in contact with drug and alcohol treatment services in 2015-16 in England, this is a fall of 2% since last year and 7% since a peak in 2009-10.
- Approximately 17,000 residents took illicit drugs in Bromley in 2014/15.
- The estimated prevalence of Class A drug use was 6,400 in Bromley in 2014/15, at a rate of 3.2% of the adult population. The most commonly used drugs in the UK, in order, are cannabis, cocaine and crack, and opioids. The substances most commonly misused by those in treatment in Bromley are opiates (44%) and alcohol (41%).
- The rate of hospital admission for drug poisoning in Bromley was 25.0 per 100,000 population in 2015-16.
- Drug use is more common in males, single adults, white ethnic groups and those on low incomes.

### Impact of Drug Misuse in Bromley

- Nationally Deaths among heroin users are 10 times the death rate in the general population
- 24 drug related deaths occurred in Bromley between 2103 and 2015 (ONS Drug Misuse Deaths by Local Authority).

- There are multiple areas of benefit realised when an individual has treatment for an alcohol or drug dependence. It should be recognised that 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, which also benefits the community. Preventing early drop out and keeping people in treatment long enough to benefit contributes to these improved outcomes.
- Parental drug use is a risk factor in 29% of all serious case reviews.
- The National Treatment Outcomes Research Study (NTORS) found that 61% of a sample of people entering treatment had committed crimes other than drug possession in the three months prior to starting treatment, the most common being shoplifting.

### **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.
3. *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.
4. *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.
5. *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.
6. *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.
7. *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.

## 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.

## Return on Investment

- Every 100 alcohol dependent people treated can prevent 18 A&E visits and 22 hospital admissions.
- Providing adult drug treatment interventions prevents an estimated 4.9m crimes every year.
- Providing young people's drug and alcohol interventions result in £4.3m health savings and £100m crime savings per year.
- Public Health England evidenced that 82% of people surveyed said treatment's greatest benefit was improved community safety.

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Report No.  
ED15082

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** 24<sup>th</sup> May 2017

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

**Title:** **DRAWDOWN & CARRY FORWARD OF CONTINGENCY GOVERNMENT (NEW BURDENS) GRANT FUNDING TO SUPPORT THE LOCAL AUTHORITY IN IMPLEMENTING THE SPECIAL EDUCATIONAL NEEDS REFORMS & THE CONTINUED ROLE OF BROMLEY (IN PARTNERSHIP WITH ENFIELD) AS SEND REGIONAL LEAD FOR LONDON**

**Contact Officer:** Mary Cava, SEN Implementation Manager  
E-mail: mary.cava@bromley.gov.uk

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

**Ward:** All Wards

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1. Reason for report

This report is seeking approval for the following:-

- (a) **SEND Implementation (New Burdens) Grant 2017/18** – draw down of final year of CSEC104/2016 grant of £224,975.
- (b) **SEND Implementation (New Burdens) Grant 2016/17** – draw down the remainder of the 2016/17 grant of £20,508 which was kept in contingency
- (c) **London SEND Regional Lead Grant 2017/18** – draw down of final year of S31 Grant funds of £27,522 (shared with partner Enfield)

2. **RECOMMENDATION(S)**

The Executive are asked to:-

- (i) **Approve the drawdown of the final year of the SEN New Burdens Grant 2017/18 of £224,975.**
- (ii) **Approve the drawdown of the remainder of the 2016/17 SEND Implementation grant of £20,508 kept in contingency**
- (iii) **Approve the drawdown of the final year of the London SEND Regional Lead Grant 2017/18 of £27,522**

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### Corporate Policy

1. Policy Status : Education and Care Services Plan for 2017/18 and Government Directed.
  2. BBB Priority: Children and Young People: Supporting Independence, listening to the views of children and young people , encouraging excellent educational opportunities , working with health
- 

### Financial

1. Cost of proposal: New Burdens new grant £224,975 plus carry forward £20,508 (Total £245,483.00); Regional Lead new (shared/Enfield) grant £27,521.93
  2. Ongoing costs: One-off grant payment
  3. Budget head/performance centre: SEN Reform Implementation (136034) & Regional Lead (136355)
  4. Total current budget for this head: Reforms Grant 2016/17 n/a
  5. Source of funding: DfE grants;- SEND Implementation (New Burdens), Regional Lead Grant ( 3<sup>rd</sup>&4<sup>th</sup> Year grants)
- 

### Staff

1. Number of staff (current and additional):8 fte Additional Staff (short term contract) Implementation of Reforms
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: Statutory Requirement: The Children and Families Act became law from September 2014. There is a phased approach to delivering the transitions from Statutory Statements to EHC Plans.
  2. Call-in: Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): 1,908 children with a Statement of SEN/EHC Plan.
- 

### Ward Councillor Views

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

### 3. COMMENTARY

#### 3.1 SEND New Burdens Grant

3.2 This Government Grant is to support local authorities in delivering the Special Educational Needs & Disability reforms over a statutory four year period. Bromley SEND Services together with partner agencies have developed new systems alongside the old system which continues to function for the four year period. A Bromley Local Offer at universal, targeted and specialist levels (across all disciplines - Education, Care and Health) is published and is constantly under review; statutory compliant systems are in place delivering services for students with complex and enduring SEND from 0-25 years; coordinated assessment and administration of the education, health and care plans; robust policy and practice for personal budgets across education and care (and co-ordinating with health); working in partnership with local providers to deliver local services for young people; methodology for increasing participation of families and children; organisational change and workforce development and early stage planning for joint commissioning of services.

3.3 The New Burdens Grant is provided to ensure that local authorities deliver these changes within a specified period of time. This is the fourth year of grant funding available to deliver the reforms and ensure a robust system is in place to identify and meet the needs of children and young people with complex and enduring special educational needs and disability.

3.4 Essential statutory targeted work is in progress in Bromley to **transition Statements of Special Educational Needs and Learning Difficulty Assessments into Education Health and Care Plans (EHCP)**, where appropriate. Conversion **must** take place during this four year period. The DfE has specified the cohorts of young people whose statements must be converted during this timeframe. This is in addition to the work carried out in everyday SEND processes. Work continues with a range of partner agencies including Social Care, Health, Clinical Commissioning Groups and education settings (including Further Education colleges and other post-16 providers to ensure quality local provision where it is appropriate that a young person remains in education.) Temporary staff continues to be required to deliver these changes, to ensure Post 16 and Post 18 interventions are developed and extended and to ensure the 20 week timeframe is delivered for the majority of assessments and transition of statutory documents. As at the SEN2 Census 03/02/17 of the 1,908 statutory documents, 1,023 are EHC Plans and 885 statements. These statements will require formal review and transition to a EHC Plan by 30<sup>th</sup> April 2018. A large percentage of the grant will be used to carry out these processes.

3.5 Further development work includes robust systems for the extension of age range within the system (19-25 years). This is a relatively new area and requires ongoing work to deliver systems, interventions and support 19+ provisions to develop quality and relevant courses for young people with a range of needs.

#### **Transition in Bromley - Scope of the Exercise & Prioritising the Phased Transfers**

As at the SEN2 Census (03/02/17) there were 885 children and young people with a Statement of SEN maintained by LB Bromley. These will need to be transitioned to EHC Plans where appropriate. At that time there were 1,023 Education Health and Care Plans completed

Under Government direction further planned phased transfer is as follows:-

### Year Four Target Groups for Transfer to EHC Plans September 2017- August 2018

Pupil/Student Groups	Numbers
Year 5 (end KS2)	92
Year 9	137
Other year groups not yet converted	300
Total	529

*The tables provide approximate numbers, given the fact that some young people will leave school once choices are made after examination results and some statements may cease if objectives are met. Also Pupil Resource Agreements (PRAs) are promoted, where appropriate, to support more responsive, more flexible and more cost effective intervention. It is estimated that approximately 80-100 statements will cease through pupils moving on to higher education, and pupils moving out of the area each year. The transition plan is constantly under review, taking account of DfE requirements and local needs.*

### 3.6 London Regional Lead Grant

- 3.7 In partnership with the DfE, Council for Disabled Children, London Councils and LB Enfield Bromley leads and delivers the London Regional programme. Funding for the programme ensures statutory compliance of the SEND aspects of the Children & Families Act 2014, consistent accountability, OFSTED & CQC readiness through information and training.
- 3.8 This has benefited the local authority in accessing high quality workforce training to deliver the reforms in an efficient and statutory compliant manner ensuring OFSTED and CQC readiness. During the 2016/17 Programme 11 London-wide events were held for the 33 London boroughs these continued to support Bromley colleagues across Education, Care and Health and our Parent Carer Forums. These events have supported workforce development in Bromley including cross-borough moderation and development in key SEND areas such as the Local Offer. All have been funded through the London Regional Grant Programme. Approval of this resource will enable continuation of the transition process to ensure statutory compliance and prevent further delay in progressing the transitions.

## 4. FINANCIAL IMPLICATIONS

- 4.1 There are three grants currently in the Council's central contingency, the new grant of £224,975 SEN Reform, £27,522 SEND Regional Lead, and the remainder of the 2016/17 un-ring-fenced SEND Implementation Grant (New Burdens) totalling £20,508.
- 4.2 This funding will be used to continue the extra capacity to primarily deliver the **statutory transitions of statements to EHC plans** or pupil resource agreements; review current SEND services and provisions; embed the new policies and practices; develop robust systems for recording and monitoring the EHC process and ensure the workforce has a clear understanding of policy and practice.

4.3 **Table A** below provides a summary of the planned expenditure of the **SEND Reforms Grant (£224,975 plus £20,508 totalling £245,483)**, with a more detailed spending plan in **Table B**.

4.4 **Table C** provides an outline of the **SEND Regional Lead Activity spend of £27,522**.

**Table A Planned Expenditure SEND New Burdens Grant**

	<b>2017/18</b>
Temporary staff	£212,483
Third parties	£33,000
<b>Total</b>	<b>£245,483</b>

**Table B SEND New Burdens Grant Detailed Expenditure**

<b>Funded Element</b>	<b>Detail</b>	<b>2017/18</b>
1. Implementation Manager	Manager time to implement changes, co-ordinate activity	£10,000
2. Additional temporary Inclusion professionals across 0-25 age range	Skilled staff to target year groups requiring conversion (see transition table)	£45,000
3. Additional temporary Assessment & Placement Officers	Transfer of statements to EHC/PRA	£110,000
4. Preparing for Adulthood (PfA) Officer for Mainstream Schools	PfA Officers working in specialist provision to provide guidance on adulthood planning for young people with an EHCP	£47,483
5. LBB Partners	Voluntary agencies – delivery of elements of the statutory requirements/co-production/involving young people/delivery of services	£33,000
<b>Total</b>		<b>£245,483</b>

**4.5 Table C SEND Regional Lead Planned Expenditure**

The funding allocation from the Department for Education for the London Region for 2017/18 is £27,522. This amount is intended to be shared with our partner borough, Enfield. The activities to be funded from the grant are set out below

	ACTIVITY	COST £
1	<b>SEN Support Events x 2 – 2017</b> <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	5,000
2	<b>Accountability and addressing the requirements of the Local Area Inspection process including education, health and care, and Self Evaluation</b> <i>Including venue, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
3	<b>Developing an Early Years Network across London</b> <i>Including venue, refreshments, Enfield and Bromley regional time, speaker / facilitator and administrative support</i>	2,500
4	<b>Improving the quality, accessibility and effectiveness of an integrated Local Offer – Peer moderation across London boroughs</b> <i>Including venue, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
5	<b>Further targeted support for EHC Plan writers – in conjunction with Preparing for Adulthood</b> <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	2,000
6	<b>Joint Commissioning and Social Care (1 or 2 events)</b> <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	1,000
7	<b>A practical approach to developing and agreeing statutory compliant, person centred and outcome focused plans across education, health and care</b> <i>Including venues, refreshments, Enfield and Bromley regional time and administrative support</i>	2,500
8	<b>SEND Update Briefing to the Association of London Directors of Children's Services (ALDCS)</b> (in partnership with London Councils) <i>Including refreshments, Enfield and Bromley regional time and administrative support</i>	500
9	<b>Termly meetings for Principal Educational Psychologists – 3 x one day meetings / Support to the London Strategic Manager's Network and aligned delivery partner activity</b>	2,000
10	<b>Regional co-ordination / administration / evaluation and preparation of events</b> The main administration for the SEND London Regional Lead Programme sits with Bromley	3,500
11	<b>Contingency</b> of c.15% of regional funding to be agreed for the development of key SEND themes following evaluation and development of new SEND policy initiatives	3,522
	<b>TOTAL</b>	<b>£27,522*</b>
	*£6k will reflect Enfield's share of the organisation, presentations, leading and delivery of events.	

**5. POLICY IMPLICATIONS**

- 5.1 Existing policy to deliver high quality cost effective services. Education Services Plan 2016/17.  
BBB Priority: Supporting Independence, listening to the views of children and young people, encouraging excellent educational opportunities, working with health.

**6. LEGAL IMPLICATIONS**

- 6.1 Legal Requirement: new statutory regulations (Children & Families Act September 2014) ensuring statutory compliance across Bromley and London. A new SEN Code of Practice recently published again ensuring compliance.

**7. PERSONNEL IMPLICATIONS**

- 7.1 Number of staff; currently the equivalent of 6 full time equivalent members of staff to be employed on temporary contracts for a period of one year only.

<b>Non-Applicable Sections:</b>	None.
Background Documents: (Access via Contact Officer)	DfE Documentation: SEN & Disability Code of Practice 0-25, 2014, Children & Families Act 2014

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Report No.  
DRR 17/024

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 24 May 2017

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

**Title:** CAPITAL FUNDING FOR PROPERTY DISPOSAL/FEASIBILITY WORKS

**Contact Officer:** Michael Watkins, Manager - Strategic Property  
Tel: 020 8313 4178 E-mail: Michael.Watkins@bromley.gov.uk

**Chief Officer:** Executive Director of Environment & Community Services

**Ward:** (All Wards);

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1. Reason for report

This report seeks the Executives approval to set aside a sum of £250k in a new Earmarked Reserve to enable feasibility works to be undertaken on various sites, either currently identified or yet to be identified, within the Borough either for disposal to generate a capital receipt or to redevelop to provide new facilities or developments to generate efficiencies and or economic growth. The allocation would be made with the important proviso that where allowable, expenditure is funded by the receipts generated from site sales, or feasibility costs for a re-development are capitalised..

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2. **RECOMMENDATION(S)**

The Executive is recommended to:

- 2.1 Agree to the creation of a new Earmarked Reserve with an initial allocation of £250k to be funded from the Growth Fund to allow for the feasibility works to be commissioned against specific sites so as to inform the Executive of sites viability for disposal or re-development and potential scheme optimisation together with an appraisal as to worth.
- 2.2 That officers are delegated authority to instruct appropriate consultants, in accordance with the Council's Procurement Policies, with approval from either the Resources Portfolio Holder or the Renewal and Recreation Portfolio Holder as appropriate.

- 2.3 Note that recommendations for future disposals/re-developments will be made by the Executive on a case by case basis but will be informed by the feasibility work.**
- 2.4 Note that monitoring of this allocation will be undertaken as part of the Capital Programme monitoring process.**
- 2.5 Agree a variation of up to £250k to the contract with Amey to undertake this work.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: it is considered that this recommendation will not have an impact on Vulnerable Adults and Children.
- 

### Corporate Policy

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

### Financial

1. Cost of proposal: £250k
  2. Ongoing costs: Recurring Cost:
  3. Budget head/performance centre: Growth Fund
  4. Total current budget for this head: £5,026k uncommitted balance
  5. Source of funding: Growth Fund
- 

### Personnel

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: None
  2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: The feasibility work would be undertaken by Cushman and Wakefield who are the key sub- contractor of the Council's TFM Contract and commenced their service offering on the 1<sup>st</sup> December 2016.
- 

### Customer Impact

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

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 The Council's recent disposal practice was to go to market seeking offers subject to planning. However, this had led to offers being made on the basis of unrealistic schemes which could not obtain planning consent. It was therefore proposed to try an alternative approach whereby planning permission for an optimal scheme would be obtained prior to re-marketing the site. This would potentially generate a larger and guaranteed capital receipt.
- 3.2 Officers have identified a number of opportunities for further consideration as either sites which could be disposed of so as to generate a capital receipt or sites which could be re-developed, usually with a residential scheme, to allow for the re-provision of existing facilities. In addition asset management opportunities have been identified to enhance the Council's existing interests and returns in a number of Shopping Centres by redeveloping assets purchased by the Growth Fund.
- 3.3 In order to inform Members and the Executive as to the potential viability of such opportunities feasibility works need to be undertaken to ascertain the optimal site development capability – taking into account the Council's Social Housing requirements, Planning Policy and Ward Members views.
- 3.4 This feasibility work would be undertaken by Cushman and Wakefield who are the key sub-contractor of the Council's TFM Contract and commenced their service offering on the 1<sup>st</sup> December 2016. Their fee basis is calculated against the schedule of rates contained within the contract which are set against comparable frameworks with a 5% discount. This will be continually monitored on a case by case and reported to Members.
- 3.5 Cushman and Wakefield were procured within the TFM Contract to offer this service, amongst others, due to their ability to bring together the various components required to undertake such feasibility work.
- 3.6 In addition Cushman and Wakefield have been tasked by the Council to produce an Asset Strategy with the intention of identifying further opportunities to dispose of or re-develop. This work is due to be reported to the Executive in September 2017.
- 3.7 The table detailed below provides a list of opportunities which have been identified and in order to progress, funding is required to produce viability reports so as to inform the Executive of sites viability for disposal or re-development and potential scheme optimisation together with an appraisal as to worth.

<b>Location</b>	<b>Estimated Feasibility / Viability Cost (£'000)</b>	<b>Description</b>	<b>Will Anticipated Scheme Generate a Capital Receipt</b>
West Wickham Leisure Centre	35	To fund study to deliver optimal new leisure facilities based on market evidence as to rents from third party operators' together with residential development to generate a capital receipt to fund the cost of re-provision of facilities.	Yes
The Glades Department Store	49	To fund work to progress the business case for the development of a new Department Store at the Glades Shopping Centre utilising the Council's interests at Market Square so as to improve footfall and therefore improve the asset value and return on income derived from the Council's ownership of The Glades.	Yes
The Walnuts Centre	33	To fund work to progress the business case for the development at the Walnuts utilising the Council's interests at and around the Walnut's Centre including the Leisure Centre so as to provide larger retail opportunities and improve footfall and therefore improve the asset value and return on income derived from the Council's ownership of The Walnuts.	Yes - dependant on residential element of development
Old Town Hall/Civic Centre	44	To fund a review of the Council's accommodation strategy at the Civic Centre based on the addition of the former Town Hall becoming available as part of the Council's property portfolio and how that asset could be utilised as a Democratic Centre and associated offices/meeting space.	Yes - if linked to the wider Civic Centre accommodation strategy as utilisation of Town Hall would see a larger disposal receipt being generated on the Civic Centre
Depots Review - Disposal Options	45	To fund disposal viability studies as to density and permitted development together with initial planning briefs so as to be in a position to take to market as an outcome of the Depot review.	Yes
Biggin Hill Aviation College - Alternative	20	To fund potential alternative site viability studies for Biggin Hill should the Council decide not to pursue Area 1 purchase for an Aviation College/Enterprise Zone.	No, as the Council would be a land purchaser
Libraries (Chislehurst model roll out)	18	To fund the investigation of viability of renewing other library facilities by redeveloping their sites and using the capital receipt proceeds to develop replacement facilities within said schemes.	Yes
Lease standardisation	6	To fund legal work to create standard T&C's to Portfolio	No
<b>TOTAL</b>	<b>250</b>		

- 3.8 The costs contained in the above table have been calculated, in conjunction with Cushman & Wakefield, and are estimates as to the likely costs.
- 3.9 The list provided above is illustrative of the type of feasibility work the Council is likely to incur over the next 4 years as a result of the continued rationalisation of the Council's land assets and as such a year on year allocation has been recommended.
- 3.10 The recommendation would streamline the work, so that the officers, with the relevant Portfolio Holder's approval could draw down funds as and when needed. Where allowable under Capital Financing Regulations, and subject to the cap of 4% of sale proceeds, directly attributable costs will be financed by the capital receipts generated from the disposals to reduce the draw on the earmarked reserve. Where possible, feasibility costs resulting in a re-development of a site will be capitalised and added to the relevant capital scheme.
- 3.11 However, it is anticipated that some costs will not meet these requirements, particularly where a disposal does not complete, and the earmarked reserve may therefore require top-ups for any future feasibility works that are identified. Any such top-up will be requested in subsequent reports.
- 3.12 The decision to dispose or re-develop sites will be made by the Executive on a case by case basis but would be informed by the feasibility work the details of which would be reported at that point demonstrating as to what the sums expended were and what would be required to take to market on a transparent basis by reference to the TFM agreed schedule of rates, demonstrating that the Council has secured value for money for such fees.
- 3.13 Monitoring of this allocation will be undertaken as part of the Capital Programme monitoring process.

#### **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

Summary of Impact: it is considered that this recommendation will not have an impact on Vulnerable Adults and Children.

#### **5. POLICY IMPLICATIONS**

- 5.1 The Council's aims include being an authority which manages its assets well.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 If agreed, the funding of the new Earmarked Reserve will reduce the uncommitted balance in the Growth Fund to £4,776k.
- 6.2 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) permit the use of capital receipts "to meet the costs of or incidental to a disposal of an interest in land other than housing land, provided these do not exceed 4% of the capital receipt arising from the disposal". Where allowable, expenditure that is attributable to the disposal of Council properties will be funded from the related capital receipts which will reduce the draw on the Earmarked Reserve.
- 6.3 Any identified re-development opportunities will be subject to a capital appraisal process and a report will be submitted to the Executive, or Council as appropriate, requesting approval of the addition of the scheme to the Capital Programme. Where a scheme progresses, applicable feasibility costs will be capitalised where possible.
- 6.4 Officers will have to regularly review the fees set out in the Schedule of Rates to ensure that the Council is obtaining Value for Money.

**7. PERSONNEL IMPLICATIONS**

N/A

**8. LEGAL IMPLICATIONS**

8.1 Section 123 of the Local Government Act 1972 requires a local authority to secure the best consideration reasonably obtainable when it disposes of land (other than on a lease of 7 years or less) unless it has the benefit of an express or general consent of the Secretary of state. Marketing a property is the usual method of ensuring compliance with this requirement.

**9. PROCUREMENT IMPLICATIONS**

9.1 Cushman & Wakefield is a key sub-contractor of the Council's TFM Contract and commenced their service offering on the 1<sup>st</sup> December 2016. Their fee basis is calculated against a set of fees contained within the contract which are set against comparable frameworks with a 5% discount consequently separate tenders for this work would not be required.

<b>Non-Applicable Sections:</b>	Ward Councillors Personnel Implications
Background Documents: (Access via Contact Officer)	[Title of document and date]

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**REPORT No.**  
Please obtain  
a report  
number

## London Borough of Bromley

**Part 1 - Public**

**Agenda**      Agenda  
**Item No.**      Number

<Please Select>

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**Decision Maker:**      **Executive**

**Date:**                      **Wednesday, 24 May 2017**

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

**Title:**                      **FORMAL CONSULTATION ON OUTLINE SERVICE PROPOSALS AND  
PROCUREMENT STRATEGY FOR TEMPORARY ACCOMMODATION  
MODULAR HOME PROVISION**

**Contract Officer:**      Sara Bowrey, Director Housing

Tel: 020 8313 4013

E-mail: Sara.bowrey@bromely.gov.uk

**Chief Officer:**              Ade Adetosoye, Deputy Chief Executive and Executive Director ECH&S

**Ward:**                      Borough wide

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### **1.      REASON FOR REPORT**

- 1.1      Members receive regular reports outlining the key activities, new initiatives and pressures in the Housing Division. This report summarises the current pressures around temporary accommodation provision and activities currently underway and seeks approval to proceed to invite bids to pilot the use of modular homes for the provision of temporary accommodation as part of the overall strategy to reduce the current use of costly nightly paid provision.
- 1.2      The Council spends more than £4.5m (net) procuring temporary accommodation (TA) for homeless households every year and demand for this service is forecast to increase. TA is currently procured through a mixture of block and spot contract arrangements.

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### **2.      RECOMMENDATIONS**

- 2.1      **Members of the Executive & Resources PDS are asked to note and comment on the contents of this report and proposed action to increase the supply of cost effective TA to meet statutory homeless requirements.**
- 2.2      **Members of the Executive Committee are asked to agree:**
- **Progression to invite bids from prospective providers to undertake a pilot temporary modular home development on York Rise for use as TA to meet the Councils statutory rehousing duties in relation to homeless families.**
  - **The proposed next steps for procurement and evaluation and appointment of a provider is as set out in paragraph 9.3 of this report**

## Corporate Policy

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

## Financial

1. Cost of Proposal: Choose an item. [Click to enter text](#)
  2. Ongoing Costs: Choose an item. £[Click to enter value](#)
  3. Budget Head / Performance Centre: Temporary Accommodation
  4. Total current budget for this head: £3,783,370
  5. Source of funding: Revenue Support Grant
- 

## Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: [Click to enter text](#)
- 

## Legal

1. Legal Requirement: Statutory Requirement. The Council has a statutory duty for the provision of temporary accommodation
  2. Call-in: Call-in is applicable. [Click to enter text](#)
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The Council currently has 1439 households in TA and initial assessment of site suggests that between 30 and 36 units may be able to be accommodated subject to more detailed analysis and final bid outturn.
- 

## Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: Full consultation will be undertaken with ward councillors in assessing the use of York Rise for use of modular homes in then in any proposed designs.

### **3. COMMENTARY**

- 3.1. Members receive regular reports outlining the key activities, new initiatives and pressures in the housing division in relation to fulfilling the Council's statutory homeless and TA duties. The report provides an update on the current position and activities being undertaken together with details of the proposal to pilot the provision of alternative more cost effective temporary accommodation through the use of modular units.
- 3.2. The number of people living in TA and the cost of this continues to rise, now dominating overall provision with no prospect of any reduction over the next few years. In order to meet the continued demand for TA the Council secures units in several ways. The most advantageous arrangements are via housing association temporary lets and the most costly are spot purchased nightly paid units. The Temporary Accommodation Procurement and Placement policies set out the range of procurement routes and temporary accommodation schemes. These were also reported in detail in Gateway report on temporary accommodation presented to the Executive Committee in January 2016, with updates through the bi-annual performance monitoring to Members.
- 3.3 The table below shows the numbers of properties currently used for general needs TA split by source. This includes the initiatives currently underway in relation to the property purchase scheme with Mears, refurbishment and temporary use of a former residential home and renewed campaign to increase the volume of leasing scheme units. For the purpose of this report specialist supported accommodation which may be used as temporary accommodation as part of a housing pathway is not included.
- 3.4 If the growth estimates and the current projections to increase supply are correct the Council will reduce the proportion of TA provided via nightly paid accommodation by March 2018 from 59% to 52% slowing the current rate of increase but nonetheless leaving a significant shortfall and reliance on costly forms of nightly paid accommodation. It must also be noted that continued reductions in housing association lettings form re-lets and new builds, alongside the impact of forthcoming welfare reform changes and increased duties arising from the Homeless Reduction Act are likely to increase demand further during this period.

	Type of Accommodation	Current Units 2016/17	% of total required	Estimated Units by 31/3/18	%
A	Housing Association (fixed proportion of lettings from permanent stock offered as TA)	298	20%	240	15%
B	Private Sector Leasing (Bellegrove, Manorfields & 5 Bromley owned)	270	18%	310	18%
C	Private Sector - Mears	26	2%	206 (based 15 month)	12%
D	Block Booking	18	2%	18	1%
E	Private Sector temporary use - Benedict House	0	0%	40	2%
		<b>612</b>	<b>42%</b>	<b>814</b>	<b>48%</b>
	<b>Total Required</b>	<b>1,439</b>	<b>100%</b>	<b>1679 (estimated 20 per month)</b>	<b>100%</b>
	<b>Shortfall of Units</b>	<b>827</b>	<b>58%</b>	<b>865</b>	<b>52%</b>

3.5 The Mears model assumes that 15 new properties will be acquired each month until all 400 properties are purchased.

## Conclusions

3.6 The current position means that the gross outturn for nightly paid provision was £12,476,213 for 2016/17.

3.7 In order to meet the demand for TA the Council will continue to seek the number of units required for the best possible value for money achievable in this difficult market. However, as has been previously reported there are limitations on the volume of units able to be acquired direct form housing associations (as this simply decreases the supply of move-on accommodation) and leasing properties due to the current restrictions on benefits against rising rental prices meaning that in many cases providers are being effectively priced out of the market.

3.8 The Council needs to secure a much higher percentage of accommodation through a wider range of schemes to reduce the current reliance on high costs nightly paid units. In light of the recent changes to TA subsidies, the 4 year freeze in benefit levels and continued private sector rental increases it is advisable to seek options which reduce the financial 'top up' risk to the Council for the provision of TA.

3.9 It is accepted that the Council will need to make some placements in other local authority areas, however there are real risks attached to doing this in volume and recently other London

Boroughs have faced significant six figure sum fines for placing out of borough or in shared accommodation.

- 3.10 As such, a range of accommodation is being sought both within the borough and then 'radiating outside of the borough, focusing on those areas with easy transport links and also where clients have indicated that they would have support networks, access to employment and so forth thus continuing to ensure that the Council meets its statutory obligations in relation to the suitability criteria for TA.
- 3.11 If the Council does not take further procurement action to increase the range of temporary accommodation initiatives the costs of temporary accommodation will continue to increase and the risk of challenges because of the location and type of accommodation offered will increase. Therefore "no action" is not an option. In line with the agreed procurement strategy additional schemes are reported for consideration and member approval.

**The proposal:**

- 3.12 Bromley has a number of land sites which it is seeking to regenerate and develop for both residential and commercial opportunities. However in all cases development can take a number of years between identification and an actual developer starting on site. In many cases the land essentially remains dormant during this period.
- 3.13 Approval is therefore sought for the principle to utilise such sites during this period for the provision of temporary accommodation using good quality modular homes. These units are built off site and can be installed in a relatively short time period once planning permission has been granted. They can then be dismantled and moved on ensuring that the site is vacant as soon as development work is due to start.
- 3.14 A initial pilot site has been identified at York Rise which could accommodate in the region of 30-36 family sized units, subject to full feasibility and consultation.
- 3.15 The Executive considered a report on the disposal of this site on the 11 January 2017 (DRR16/093 Disposal of Small Halls Site, York Rise, Orpington). Authority to dispose of this site had been given in March 2016, but it had also been agreed that the temporary use of the site as a car park be explored. The Council's recent disposal practice was to go to market seeking offers subject to planning. However, this had led to offers being made on the basis of unrealistic schemes which could not obtain planning consent. It was therefore proposed to try an alternative approach whereby planning permission for an optimal scheme would be obtained prior to re-marketing the site. This would potentially generate a larger capital receipt. The Executive was particularly interested in exploring the possibility of a joint venture.
- 3.16 The report had been scrutinised by the Executive and Resources PDS Committee on 4th January 2017. The Committee supported the recommendations, but with the benefits of ensuring an overage clause and looking at whether the disposal should be considered as part of a joint venture. In addition, the PDS Committee commented that it would also be helpful to have some information on the extent to which £46k represented value for money for obtaining planning consent on the site, and the Chairman of the Committee commented that a transparent, "open-book" approach was required.
- 3.17 It was resolved that (1) The appointment of Cushman & Wakefield be approved to develop a scheme in order to achieve best consideration for the site by a) The submission of a planning application; b) Once planning permission has been achieved, exploring the possibility of a joint venture and marketing the site on a non-conditional basis; and c) Post marketing, evaluating the bids received, recommending a prospective purchaser for the site via a report to the Portfolio

Holder for Resources seeking his approval for the disposal of the site to the recommended purchaser. It was also agreed that the estimated cost of £46k be met from the Investment Fund.

- 3.18 The proposal to utilise the York Road site for 30-36 units would not prevent the development of the scheme for disposal of the site and its subsequent planning permission. The grant of planning consent would last for three years and therefore there is a window of opportunity for this site to be utilised for a maximum of 3 years from the date of this report for temporary housing purposes.
- 3.19 As the Council does not currently own or manage housing stock it is proposed to seek a housing provider partner currently providing modular units to undertake the full range of services including assembly, management and dismantling at the end of the term in return for guaranteed use of the land during the defined period and guaranteed nominations from the Council.
- 3.20 The nominal arrangement would be for the provider to lease such units with running costs being met through the rental stream able to be charged to tenants and the applicable TA management fee grant.
- 3.21 In order to fully identify the potential of the site and secure best value it is proposed to invite partners to submit bids detailing their proposals and terms for the site under a competitive, negotiated process.
- 3.22 As this is an initial pilot scheme with the potential to utilise further sites it would be proposed to ask bidders to provide details for a 3 year one site only scheme together with 5 and 10 years in the event further sites can be identified for move on of the modular homes.
- 3.23 Based upon the current average net cost of nightly paid provision a 30 unit schemes comprising of 2 and 3 bed units would offer annual savings of approximately £216,090. Each additional unit would provide a further saving of on average £7,203 per year.

#### **4. SERVICE PROFILE / DATA ANALYSIS**

- 4.1 See Paras 3.5, 3.7, and 3. 17 for Service Metrics / Benchmarking.

#### **5. CUSTOMER PROFILE**

- 5.1 Homeless people meeting the criteria to be placed in TA. The Council regularly reviews the profile of statutory homeless households to feed into the requirement of TA in terms of the profile, size and nature of accommodation required. Currently the broad requirements are as follows:
- 30% - single person, couples or pregnant households with no other dependent children
  - 55% - 2 bedroom accommodation – single adult or couple with up to 2 children
  - 15% - 3+ bedroom –families with 3 or more children

#### **6. MARKET CONSIDERATIONS**

- 6.1 Temporary Accommodation is a tough market with all London Boroughs facing increasing difficulty in procuring the level of cost effective accommodation required.

- 6.2 The number of registered providers (RPs) offering leasing scheme properties has reduced in recent years with providers commonly complaining that the current management fee allowance and restriction on benefits is not sufficient to cover their costs.
- 6.3 A key difficulty in achieving a sufficient supply of TA is that whereas Councils are in some ways bound to their geographical area the providers are not and therefore they play Councils off against each other to achieve the most favourable price. Although London Councils have jointly reached an agreement about maximum prices inner London boroughs still purchase placements in outer London boroughs which force the outer London boroughs to place in surrounding areas.
- 6.4 Schemes such as use of existing buildings, property purchase or modular homes provide a level surety of supply and protection from the current increases in private market rents.
- 6.5 There are a number of providers operating in the provision and management of modular homes for use as both temporary and long terms housing. Inviting tenders will enable a full assessment of the market to achieve best value.

## **7. STAKEHOLDER CONSULTATION**

- 7.1 The Council has a published temporary accommodation procurement and placement policy which was developed in consultation with key partners and service users.
- 7.2 The Council has consulted widely with other housing authorities in London and South East who have developed similar modular schemes. London Councils Housing Directors group has undertaken extensive data sharing in relationship to the TA market (providers, prices, availability) and homeless demand. The Council continues to liaise frequently with housing providers to gain insight into the market.
- 7.3 Through this consultation and research it has been established that providers would be responsive to an invitation to tender for the provision of a modular homes scheme.

## **8. SUSTAINABILITY / IMPACT ASSESSMENTS**

- 8.1 Improving the supply of good quality TA will have a positive impact on homeless people placed by the Council. If the exercise is successful in accessing more TA within Bromley, or retaining this TA for Bromley residents (as opposed to residents from other boroughs) this will enable people and their families to retain contact with their own community, health resources, schools etc. This will have a positive impact on the well-being of Bromley residents and the life chances of children.

## **9. OUTLINE PROCUREMENT STRATEGY & CONTRACTING PROPOSALS**

- 9.1 **Estimated Contract Value** – £329,674.80 per annum based on full gross rent for a 30 bed scheme (the management fee element would equate to £62,400)
- 9.2 **Other Associated Costs** – Initial capital may be applicable for planning application fees, surveys etc. This can be met from uncommitted Payment in Lieu funding. Any requirement will be reported back alongside evaluation of tenders for approval by the Executive Committee.
- 9.3 **Proposed Contract Period** – Initial period of 3 years for first pilot site with the option to extend to 10 years subject to move on site availability

9.4 Members are agreed to agree the proposed process as set out below:

- A funding prospectus setting out the Council’s bidding requirements (e.g on such matters as unit sizer, design, quality, nomination rights etc.), key funding conditions and scoring criteria is developed by the corporate officer project team which includes commissioning, procurement, finance, legal and, renewal and recreation and housing. Representatives from planning will also provide advice as required.
- Providers are invited to tender during a 6 week timeframe
- An initial assessment of bids is made by the officer project team and follow up meetings with prospective providers are arranged as required in relation to competitive dialogue and negotiation.
- Evaluation will be based on the methodology recommended by the Chartered Institute of Public Finance & Accountancy (CIPFA). Tenders will be evaluated based on 70% Price and 30% Quality. The overall weightings for this contract evaluation have been set to identify the Most Economically Advantageous Tender (MEAT) and deliver the best possible combination of whole-life cost and quality to meet the Council’s requirements. Evaluation will be based on:

Cost	Quality
<ul style="list-style-type: none"> <li>• Acquisition/Set up costs</li> <li>• Rental cost</li> <li>• Management fee</li> <li>• Providers ability to provide appropriate certification / insurance for properties</li> <li>• Providers financial status / credit check</li> </ul>	<ul style="list-style-type: none"> <li>• Proven ability to deliver and manage temporary accommodation schemes of this nature</li> <li>• Management standards</li> <li>• Property condition and maintenance</li> </ul>

9.5 A report setting out all details of the bids received, evaluation and recommended provider is reported to Executive Committee for approval.

## 10. **POLICY CONSIDERATIONS**

- 10.1 The housing objectives are set out in the relevant business plans. These objectives are compliant with the statutory framework within which the Council’s housing function must operate and incorporate both national targets and local priorities identified from findings of the review, audits and stakeholder consultation.
- 10.2 The Council has a TA procurement and placement policy (elsewhere on this agenda) which seeks to ensure compliance with the statutory framework for the provision of temporary accommodation meeting the requirements for suitability whilst seeking value for money in all placements.
- 10.3 The Council’s TA procurement and placement policy takes account of statutory guidance together with case law requirements to fulfil the Council statutory duty for the provision of TA . This has been reviewed to reflect market, legislative and case law changes and a report is elsewhere on this agenda.



## **11. COMMISSIONING & PROCUREMENT CONSIDERATIONS**

1.1 The proposals made are a combination of Property, Service, Supply and Construction activity all of which have different statuses under the Public Procurement Regulations. However, it is considered that the predominate purpose of this requirement is “Construction / Works”. As such, although on the face of it being less than the EU limit for works (£4.1M), and given the opportunities the approach may provide to roll out further, if the initial arrangement is found to be successful, the process to be used to pursue the tender and placement of the works will follow a fully compliant EU Process, using a Competitive Procedure with Negotiation tendering arrangement.

## **12 FINANCIAL CONSIDERATIONS**

12.1 The increasing costs of TA have been reported to Members previously.

12.2 The table below provides a breakdown of the nightly paid bed and breakfast costs

Bed Size	Average of Landlord Weekly Charge	Average of Weekly Subsidy claimed by LBB	Average of Weekly Personal Charge	Average of Weekly Cost to LBB	Average annual Cost to LBB
Room	193.87	164.40	16.10	13.37	695.24
Studio	235.41	194.11	-	41.30	2,147.60
1 Bed	267.70	182.25	-	85.53	4,447.56
2 Bed	327.64	208.20	-	119.44	6,210.88
3 Bed	384.73	227.10	-	157.63	8,196.76
4 Bed	474.95	342.28	-	132.67	6,898.84

12.3 The current average net annual costs for 2 and 3 bed units is £7,203. This would potentially be saved if the modular units were procured. The potential saving for a 30 unit site this would equate to £216k on current nightly paid arrangements.

## **13. LEGAL CONSIDERATIONS**

13.1 The Council have a statutory duty under part VII (as amended by the Homelessness Act 2002) to secure suitable temporary accommodation for priority homeless households.

13.2 Local authorities also have other statutory duties including those under sections 190 and 195 of the 1996 Act to provide accommodation, help and assistance.

13.3 Under section 188, part VII of the Housing Act 1996 local authorities have a duty to secure accommodation for homeless households that are eligible for assistance and have a known priority need pending a decision on any duty owed under the 1996 Act. This is known as the ‘interim duty’.

13.4 The decision to invite bids from prospective providers to undertake a pilot temporary modular home development on York Rise for use as temporary accommodation to meet the council’s statutory rehousing duties in relation to homeless families will need to be undertaken in accordance with the Council’s Financial Regulations and Contract Procedure Rules and compliant with the requirements of the Public Contract Regulations 2015.

- 13.5 Once the Council has made its decision, the Authority will need to issue the appropriate Award Notices, observe the mandatory Standstill Period and issue an OJEU and Contract Finder Award Notice as provided for in the above Regulations.
- 13.6 The report author will need to consult with the Legal Department regarding the execution of the contract.

Non-Applicable Sections:	Personnel
Background Documents: (Access via Contact Officer)	Gateway temporary accommodation January 2016 Homeless Contingency draw down Executive Report 15 <sup>th</sup> November 2016 Temporary Accommodation Placement and Procurement Policies Homelessness Strategy  Appendices to be included
	Version CP@5/16

Report No.

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** 24 May 2017

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

**Title:** HOMELESS CONTINGENCY DRAWDOWN FOR EARLY INTERVENTION AND VISITING RESOURCES

**Contact Officer:** Sara Bowrey, Director: Housing  
Tel: 020 8313 4013 E-mail: sara.bowrey@bromley.gov.uk

**Chief Officer:** Director: Housing (ECHS)

**Ward:** (All Wards);

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1. Reason for report

- 1.1 This report provides an update on the current homeless pressures and sets out the business case to approve drawdown from the contingency budget. This will be used to both pilot an early intervention model in preparation for the Homeless Reduction Act and to establish a dedicated visiting fraud prevention service to avoid unnecessary financial costs regarding non-occupation of temporary accommodation. These measures are part of the overall strategy to tackle the growing level of homelessness and reduce the associated costs of temporary accommodation provision.
- 

2. RECOMMENDATION(S)

2.1 The Executive and Resources PDS Committee is asked to note and comment on this report prior to the Council's Executive being asked to:

1. Approve the release of up to £230K set aside in the central contingency for homelessness and welfare reform to pilot the early intervention initiative set out in the body of this report as part of the range of activities being undertaken to prepare for the requirements of the Homeless Reduction Act and to address the current cost pressures in relation to temporary accommodation provision.
2. Approve the release of £80K set aside in the central contingency for homelessness and welfare reform to pilot the visiting fraud prevention initiative set out in the body of this report as part of the range of activities being undertaken to address the current cost pressures in relation to temporary accommodation provision.

## Impact on Vulnerable Adults and Children

1. Summary of impact: The initiatives set out in this report seek to ensure the provision of support to vulnerable adults and young people to prevent homelessness wherever possible or to assist in securing alternative accommodation suitable for their needs.
- 

## Corporate Policy

1. Policy status: existing policy:
  2. BBB priority: supporting independence: further details
- 

## Financial

1. Cost of proposal: £310K - £80K for visiting fraud prevention on a self-funding basis and £230K for early intervention to prevent homelessness and avoid placement into temporary accommodation.
  2. Ongoing costs: non-recurring cost - the proposal is for a time-limited one-year pilot.
  3. Budget head/performance centre: operational housing
  4. Total current budget for this head: £5,732,250
  5. Source of funding: EC&HS approved 2017/18 revenue budget. Contingency budget set aside for homelessness and welfare reform pressures.
- 

## Personnel

1. Number of staff (current and additional): 5
  2. If from existing staff resources, number of staff hours:
- 

## Legal

1. Legal requirement: statutory requirement - the statutory duty regarding housing advice will be extended within the Homeless Reduction Act.
  2. Call-in: applicable
- 

## Procurement

1. Summary of procurement implications: N/A
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): more than 5,500 households approach the council for assistance each year facing housing difficulties which threaten to render them homeless. There are currently 1,439 households in temporary accommodation, of which 845 are in costly forms of nightly paid accommodation. Early impact analysis of the extended duties contained within the Homeless Reduction Act suggest a potential caseload increase in the region of 40%.
-

Ward councillor views

1. Have ward councillors been asked for comments? Not Applicable
2. Summary of ward councillors' comments: N/A

### 3. COMMENTARY

#### Background

- 3.1 The level of homelessness is increasing, due, in particular, to the unaffordability of accommodation. This is set to increase further as the remaining welfare reforms are rolled out and in light of the increased duties that will be placed on local authorities in the Homeless Reduction Act which has now been granted Royal Assent and is likely to come into full force in early 2018.
- 3.2 Previous reports have set out the increasing cost pressures relating to the provision of temporary accommodation, with an estimated additional overall cost pressure of £4.9m by 2019/20.
- 3.3 At the end of March 2017 there were 1,439 households in temporary accommodation. Of these, 827 placements are in private rented sector accommodation secured on a nightly rate basis. This form of accommodation has more limited occupancy checks provided by landlords and often presents the highest risk in terms of rent arrears, abandonments or sub-letting. As the greatest proportion of this form of temporary accommodation is outside the borough this presents increased risks due to more limited contact. Again, with households now remaining in temporary accommodation for longer periods, there is a greater risk that their circumstances will change, giving rise to the increased potential for non-occupation and fraud.
- 3.4 As universal credit is rolled out, the housing element of benefits will no longer be paid via housing benefit. This presents increased risks of rent arrears requiring a more intensive response to ensure that managed payments are made directly from the DWP to the local authority.
- 3.5 No one solution is likely to resolve the current pressures being faced and a three-strand approach has been adopted to seek to create a sufficient affordable supply of accommodation and reduce the number of households reaching homeless crisis:
1. Prevention at the heart of everything we do
  2. Increasing supply of TA, preventing fraud, ensuring best use of available units, and promoting move-on
  3. Longer-term supply options to take some pressure off the system by providing extra move-on options to prevent homelessness and through-flow from TA
- 3.6 The above elements must work hand-in-hand to ensure demand is effectively managed and statutory needs are met. The key starting point must be to maximise the effectiveness of all homeless prevention initiatives to reduce the level of homeless acceptances and placements into temporary accommodation.
- 3.7 The housing division has achieved significant success in delivering housing advice and homelessness prevention. During 2016/17 the housing division directly prevented homelessness for 1,919 households who would otherwise have been placed into temporary accommodation. The current average net costs per temporary accommodation placement, per year is £7,203. Thus the net cost of temporary accommodation provision had homelessness not been prevented for these households would have been in the region of £13.8m. This reports seeks approval to pilot additional work to extend the level of homelessness prevention and to establish increased visiting of households in temporary accommodation to assist in move-on solutions, thus significantly reducing the potential for fraud

## Early intervention pilot:

- 3.8 The current legislation focuses homeless prevention work at the point of homelessness crisis. Whilst the housing division has achieved significant results in homeless prevention, for many this window of time is too short to find a solution. Research and analysis on the causes of homelessness suggests that there is more that can be done to reduce the numbers facing homeless crisis in the first instance. This will also essentially become a requirement when the Homeless Reduction Act comes into force in early 2018.
- 3.9 The pilot therefore seeks to not only explore how to most effectively target early intervention services, but it will also enable the council to prepare to meet its new statutory duties. The early intervention pilot comprises of the following elements:
- 3.10 **Predict to prevent:** The council and its partners hold an increasing wealth of information about the residents of Bromley, with many households approaching a number of council departments and agencies prior to being at risk of homelessness.
- 3.11 The council is already commissioning a new housing ICT system including the implementation of a fully-integrated self-help module to enable service users to receive comprehensive advice and sign-posting at an early stage.
- 3.12 The use of targeted analytics and predictive models utilising multi-agency data alongside exploring customer journeys in more detail would assist not only in identifying potential fraud but also those households at greatest risk of becoming homeless. This would inform not only where to target interventions but also how to engage and deploy services for the greatest impact. This type of enhanced system can also help to build sound evidence and correlations between service intervention and outcomes.
- 3.13 The proposed pilot would undertake profiling of 50 customer journeys to look at how services could have intervened earlier/differently to have prevented homelessness
- 3.14 Alongside this work options to procure a data analytics system would be explored including any opportunity to secure this on a regional or joint-borough basis. The proposed system would pull in multi-agency data including housing, social care, education and health to secure a more strategic approach to target those most at risk for preventative delivery.
- 3.15 **Redesign prevention offer:** A more holistic approach needs to be adopted to prevent homelessness and its triggers. Far too often issues are dealt with in isolation with interventions carried out in an ad-hoc or piecemeal fashion. The approach to early intervention seeks to adopt a whole household, end-to-end approach which coordinates interventions across departments/agencies to address the issues leading to homelessness, thus stabilising the household, building financial resilience alongside the most appropriate prevention package to ensure ongoing sustainability. This form of collaborative approach not only offers a more sustainable package but will also avoid duplication and reduce the overall cost to the council of multiple approaches for assistance.
- 3.16 The new model would seek to co-ordinate interventions and tap into services across agencies/departments to mitigate, prevent and secure sustainable solutions to enable a household to become as independent as possible in the longer term.
- 3.17 The key actions proposed are:
- Establishment of a multi-agency homeless strategy sub-group to determine a strategic and integrated approach to more effectively tackle homeless and to better identify those most at risk to target interventions.

- To develop protocols across agencies/departments to integrate prevention into wider work streams ensuring agencies are trained for effective sign posting and coordinate intervention.
- Pilot intensive working with 240 households prior to crisis point to see what works best including an enhanced range of housing interventions and court surgeries.

3.18 A one-year pilot would offer the opportunity to prepare for the Homeless Reduction Act and to pilot new intervention techniques. The pilot would be subject to detailed scrutiny to analyse all inputs, the effectiveness of interventions and impact on homelessness acceptances, temporary accommodation use, and associated costs. The learning from this pilot can then be used to inform future service delivery options. Analysis would also be undertaken of the potential wider benefits and savings in relation to health and social care.

### Cost of proposal and costs avoidance:

3.19 The table below sets out the cost of the proposal together with the anticipated savings against the current net cost of temporary accommodation based on the number of cases where successful interventions can be implemented:

	No./of cases	Average NPA net cost weekly £	Cost Avoidance £
Homelessness prevented by at least 1 year	120	138.00	861,120
Homelessness prevented by at least 6 months	25	138.00	89,700
Homelessness prevented by at least 3 months	30	138.00	53,820
			1,004,640
<b>Funding</b>			
Casework intervention			£130,000
Prevention funding (maximum)			£100,000
			<b>£230,000</b>
<b>Net savings</b>			<b>774,640</b>
Contribution to data analytics			30,000
<b>Revised net savings</b>			<b>744,640</b>

- The prevention scheme funding would be drawn down on a case by case basis up to the value of the prevention package which secures that homelessness has been prevented.
- Early analytics contribution is estimated and will form part of a wider scheme if pursued. The sum would be drawdown if an appropriate system is identified and approved in line with financial and procurement regulations and subject to full analysis of actual costings

3.19 Appendix 1 summarises the key monitoring area and targets to increase prevention and assess the impact of early intervention.

3.20 Approval is therefore sought to draw down up to £230K from the current homelessness contingency to proactively reduce the rate of increase in temporary accommodation costs on a one year pilot basis.

## 2. Visiting and fraud prevention:

3.21 In November 2016, as part of our partnership arrangement with Greenwich Fraud Team an exercise was undertaken to check a sample of 55 placements identified as 'high risk' to determine those which might not be living at the address.



- 3.22 Out of the 55 clients it was found that 4 clients (7% of the checks undertaken) were not living at the address. These placements were subsequently ended and successful prosecutions undertaken.
- 3.23 The cost of non-occupation:** Assuming that there are no rent arrears then the overall average net cost to the council of each placement is approximately £7,203. However as this is an average across all nightly let placements in many cases the net costs is far higher.
- 3.24 In addition many such cases have higher levels of rent arrears. There are also the associated costs around the management of placements. As such, Cipfa calculates the overall average cost of placing a family in temporary accommodation is £18K per year.
- 3.25 The recent audit report on temporary accommodation therefore included the priority one recommendation that *“Housing should recruit visiting officers to carry out placements to ensure occupancy of places being paid for.”*
- 3.26 The current staffing resources do not allow the required level of work to be carried out to effectively manage the identified risk. A risk analysis has been undertaken against placements and the controls already in place which has identified the need for approximately 278 visits per year. In the main these visits will encompass out-of-borough placements. This level of visits represents visiting 100% of higher risk suppliers’ properties, 50% of medium risk, and 25% of low risk.
- 3.27 Each of two officers would carry out 140 visits a year and subsequent work arising from visits this work would be solely focused on the following:
- Working with suppliers on adherence to the contract
  - Acting on non-occupation (in partnership with Greenwich where appropriate), arrears and eviction work
  - Advice and options to customers with particular focus on those who are not engaging with us to assist in the through flow from temporary accommodation.
- 3.28 A one-year pilot is proposed to assess the impact of this initiatives and options for future delivery.

### **Cost of proposal and cost avoidance:**

- 3.29 The cost of this proposal to resource the work including the infrastructure for mobile working due to the location of accommodation is £80K per year. This proposal is designed to be self-financing through the savings achieved in identifying non-occupation.
- 3.30 Taking account of the sample checks undertaken in partnership with Greenwich and previous work on occupation checks it would be realistic to anticipate a minimum rate of non-occupation in 5% of nightly paid accommodation (42 units against the current total). **Based solely on the current average net costs of a nightly paid placement this would equate to an annual cost avoidance of £303,000**, well in excess of the cost of the resources required. The overall figure would however be likely to be considerably higher when including the impact regarding rent arrears and so forth.
- 3.31 Approval is therefore sought to draw down up to £80K from the current homelessness contingency to proactively prevent fraud, reduce rent arrears, and increase move-on from costly forms of nightly paid accommodation on a one-year pilot basis.

#### 4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 There is no direct impact on vulnerable adults and children arising from the contents of this report. Current policy holds safeguarding as a core element within the homeless assessment process and ensures the specific needs of vulnerable adults and children are considered within the suitability assessment of all accommodation provided in discharge of the homelessness duty as referred to in sections 5 and 7 of this report.

#### 5. POLICY IMPLICATIONS

5.1 The housing objectives are set out in the relevant business plans. These objectives are compliant with the statutory framework within which the council's housing function must operate and incorporate both national targets and local policies identified from the best practice guidance, audits and stakeholder consultation.

5.2 The council has an approved homelessness prevention strategy and temporary accommodation placement policies to ensure compliance with the statutory framework for the provision of housing advice, homeless and temporary accommodation provision. This meets the requirements of the law whilst seeking best value for money in all placements and prevention initiatives.

#### 6. FINANCIAL IMPLICATIONS

6.1 The provision of temporary accommodation is a high-risk budget area. As previously reported currently predictions show cost rising as per the table below.

##### Calculation on Current Homelessness position

	<u>2017/18</u>	<u>2018/19</u>	<u>2019/20</u>
	<u>£000</u>	<u>£000</u>	<u>£001</u>
Universal credit spike	673	1,246	1,246
Universal Credit subsidy loss	190	380	380
Additional posts	175	175	175
Furniture and Storage	125	125	125
Growth 2017/18	750	1,000	1,000
Growth 2018/19		750	1,000
Growth 2019/20			750
Increase in rents (on all)	200	204	208
Legal costs	90	90	90
	<u>2,203</u>	<u>3,970</u>	<u>4,974</u>

6.2 The overall financial impact of this report is as follows:-

	<b>Early Intervention Pilot £'000</b>	<b>Visiting &amp; Fraud Prevention £'000</b>	<b>Total £'000</b>
Funding required	260	80	340
Potential saving/cost avoidance	-1,004	-303	-1,307
<b>Total</b>	<b>-744</b>	<b>-223</b>	<b>-967</b>

6.3 Any savings arising from this will offset the need for the drawdown of additional resources from the contingency.

## 7. PERSONNEL IMPLICATIONS

7.1 The pilot would require the additional staffing on a one-year basis as set out in the body of this report. The housing division would work closely with colleagues in HR to seek to recruit experienced housing officers on a temporary basis to enable the pilot to be introduced with minimal lead-in times.

## 8. LEGAL IMPLICATIONS

8.1 All local authorities as a statutory duty under part VII (as amended by the Homeless Act 2002) to provide housing advice and preventative services, the assessment of homelessness duties, and to secure suitable temporary accommodation for priority homeless households.

8.2 The Homeless Reduction Act places an increased number of duties upon local authorities, particularly in relation to the level of advice and support given to prevent homelessness. The new act extends the provision to all households, includes far greater prescription in terms of the nature of advice and support, and also rolls back the point at which intervention must be provided.

8.3 Whilst in the longer term these measures seek to increase the success of homeless prevention initiatives, it will nonetheless increase the number of duties faced by local authorities and the volume of casework which must be undertaken.

## 9. PROCUREMENT IMPLICATIONS

9.1 There are no direct procurement implications arising from this report.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	Gateway report Temporary Accommodation CS16007 LBB Bromley Homelessness Strategy 2012-17 LB Temporary Accommodation placement & Procurement Strategy 2016 Contingency drawdown report.

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## **Appendix 1:**

Key Targets: to work with at least 240 households  
Prevent homelessness by up to one year in 120 cases.  
Delay Homelessness by at least 6 months: 25 cases  
Delay Homelessness by at least 3 months: 30 cases  
Repeat homeless risk: less than 2 %

### **Additional monitoring;**

The table below sets out the key criteria areas. For homelessness this will detail each type of intervention and the associated outcome – the areas on homelessness prevention and delay would be broken down by client group and nature of intervention to more fully assess what works best at what stage.

## Criteria

Homeless prevention - remain in accommodation

Homeless prevention - alternative accommodation

Homelessness delayed

An adult in receipt of out of work benefits

Benefit capped household

Debts/financial problems that impact on ability to afford accommodation and basic family needs

Currently experiencing or is at risk of experiencing domestic Violence and abuse

Accommodation unsuitable on health grounds and causing a significant risk on health.

safeguarding concerns raised regarding accommodation and impact upon mental and or physical health and wellbeing or risk of domestic abuse

Child 'in need' or subject to child protection plan as a result of accommodation status or cost

A child who has been identified by educational professional as having attendance problems due accommodation status

A child who educational obtainment has been identified by educational professional as being impacted by the accommodation status.

A care leaver is at risk of losing accommodation

## Outcome

Household able to remain in accommodation for a period of at least 1 year. Accommodation is suitable for needs, affordable and able to be sustained. In the case of rented accommodation a new tenancy is in place. For home owners any repossession orders have been suspended indefinitely is agreements are adhered to.

The household are assisted to secure accommodation which is suitable for their needs, affordable and sustainable. Able to remain for at least 1 year.

Risk of exclusion or eviction is delayed from original homelessness date. Household able to remain in accommodation and will not require temporary accommodation during this period

Moves off "out of work" benefits or Universal Credit and sustains a period of continuous employment. or;  
Remains on benefit but meets an agreed earnings threshold or;  
Professional's judgement of significant and sustained progress towards work, for example a vocational qualification, significant work experience, back in education or an apprenticeship.

No longer benefit capped or cap reduced to an affordable level

Financial situation has been improved as a result of intervention. Income and debt repayment plan is in place and being adhered to. Family have engaged with appropriate support services/activity to develop and implement a plan and have managed for at least 3 months. Have not had to call on any services such as food banks for at least 2 months.

Reduced risk or occurrence evidenced through revised risk assessment.

Accommodation is now suitable for needs promoting health and wellbeing.

Evidence that accommodation issues have been resolved in relation to the safeguarding referral.

Child longer 'in need' or on a CP as a result of accommodation or financial position.

All children attending school regularly over past term

Concern has been negated.

Assisted to sustain accommodation or access appropriate accommodation. Move on pathway in place to independent accommodation utilising appropriate accommodation. Client has not been placed into nightly paid or more costly placement.

Report No.  
FSD17040

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** EXECUTIVE

**Date:** Wednesday 24 May 2017

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

**Title:** **LOCALLY ADMINISTERED BUSINESS RATES RELIEF SCHEME**

**Contact Officer:** John Nightingale, Head of Revenues and Benefits  
Tel: 020 8313 4858 E-mail: john.nightingale@bromley.gov.uk

**Chief Officer:** Director of Finance

**Ward:** All

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1. Reason for report

- 1.1 This report provides information on the design of a local discretionary relief scheme for businesses facing significant increases in their Business Rates liability as a result of the 2017 revaluation.
- 

2. **RECOMMENDATION(S)**

2.1 **The guidance and parameters of the scheme to be noted**

2.2 **A consultation exercise be undertaken with the scheme proposed in this report being recommended for adoption.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: NA
- 

### Corporate Policy

1. Policy Status: New Policy
  2. BBB Priority: Vibrant, Thriving Town Centres
- 

### Financial

1. Cost of proposal: £52k,
  2. Ongoing costs:
  3. Budget head/performance centre: Exchequer - Revenues
  4. Total current budget for this head: £3.69m
  5. Source of funding: contained in overall department budget
- 

### Personnel

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

### Legal

1. Legal Requirement: Statutory Requirement

Local Government Act 1988

Local Government Act 2003

2. Call-in: Applicable
- 

### Procurement

1. Summary of Procurement Implications: N/A
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approx 2,600 businesses.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A



### 3. COMMENTARY

- 3.1 The Chancellor in his Spring 2017 budget announced the Government would make available £300 million over the next 4 years from 2017/18 to support businesses with the steepest increases in Business Rates as a result of the 2017 revaluation.
- 3.2 The DCLG subsequently published a document providing further information and seeking feedback in response to the content. Initially it was announced that the result of the consultation exercise would not be announced until after the General Election. However, we have since been advised that the funding for 2017/18 will be as originally advised. The actual payment to the Authority will be the amount that would be retained by the Authority and GLA under the Business Rates Retention Scheme. This equates to 67% of the funding, 30% for the Authority and 37% for the GLA.
- 3.3 The DCLG have advised that a decision as to whether funds can be transferred across years will not be made until the second quarter of 2017/18.

#### **Funding Allocation**

- 3.4 The Government allocated the funding by means of reviewing the number of properties with a 2017 Rateable Value less than £200,000 and experiencing an increase in their liability of more than 12.5%, before any other relief is applied.
- 3.5 Based on this mechanism, Bromley's allocated funding is as follows:

Year	Maximum Programme Funding available £'000	Amount Retained by Bromly (30%) £'000
2017/18	1,405	422
2018/19	682	205
2019/20	281	84
2020/21	40	12

- 3.6 As advised earlier in the report, the Authority will receive the sum that would be retained by the Authority and GLA under the Business Rates Retention Scheme. For 2017/18 this amounts to £941,189
- 3.7 Payment will be made to the billing authority and major precepting authority during the year based on estimates of relief expenditure. Reconciliation will then take place at the end of the year once outturn figures are known. The grant is based on maximum funding and will reduce if the expenditure from the relief scheme is at a lower level. In the same way, assistance provided in excess of the Government funding will need to be met by the Council.

#### **Government Assumptions**

- 3.8 It will be for billing authorities, in collaboration with other authorities operating within their area to design a discretionary relief scheme.

3.9 In respect of the scheme design it was assumed:

- Assistance will only be provided to businesses who faced an increase in their bill following revaluation
- More support would be provided to ratepayers or localities that face the most significant increases in their bill
- More support would be provided to those occupying lower value properties

### **State Aid**

- 3.10 Assistance under a “relief scheme” constitutes State Aid. It will therefore be necessary to establish that an award under this scheme will not result in the business receiving more than €200,000 of De Minimis aid in the last three years.
- 3.11 The above requirement removes the opportunity of operating an automated scheme and applications/confirmations will need to be sought.

### **Consultation**

- 3.12 Guidance advises that we will need to consult with the GLA before adoption of a scheme, whilst the information to date does not mandate further consultation, best practice would point to consultation being undertaken and that would reduce the risk of any challenge to the scheme design.
- 3.13 A letter has already been received from the National Federation of Self Employed and Small Businesses asking that assistance be focused on micro and small businesses and setting out an expectation that there is consultation before adoption.

### **Proposed Scheme**

- 3.14 The scheme is designed to mirror the criteria used by the DCLG when allocating the available “pot” between Local Authorities.
- 3.15 Relief is limited to all properties that have a Rateable Value of under £200k and who have suffered a loss (pre-Transitional Relief) of more than 12.5%. They must have seen an increase in their Business Rates liability after all other reliefs have been applied.
- 3.16 In accordance with legislation, businesses will be subject to De Minimis Regulations (less than €200,000 State Aid in the current & previous 2 financial years). This would be a requirement in respect of any scheme to be adopted. Further details are given later in this report.
- 3.17 The following categories would not be granted assistance: LBB properties, properties held by the Official Receiver and properties whilst empty.
- 3.18 Not allowing for empty properties, this would result in approximately 2,600 business receiving assistance.

3.19 Based on the available funding, discretionary relief at the following percentages of the net increase for 2017/18 could be granted:

Financial Year	Percentage
2017/18	25%
2018/19	12.25%
2019/20	5%
2020/21	0.7%

3.20 A hardship fund of £50k be available for those businesses that have experienced an increase in Business Rates as a result of the revaluation and whose circumstances are such that the Authority wishes to provide more assistance than would be payable under this scheme.

3.21 Should the DCLG advise that the Authority is permitted to transfer funds between years a review will be undertaken in year 2 as the to the level of assistance that can be provided in subsequent years.

### Administration Costs

3.22 The proposal in the report will provide total discretionary relief of £2.4m over a period of 4 years and will require checking with businesses that the combined level of State Aid received from various Authorities does not exceed the maximum permissible. In addition, accounts will have to be adjusted manually to reflect the relief awarded and create the revised demand (the Academy system does not have the functionality to automate the process). Administration costs cannot be met through the available Government funding and it proposed that the estimated four year cost of £52k be absorbed in the overall departmental budget.

### Impact Assessment

3.23 At this stage it is not believed that a detailed Impact Assessment is required. However, this will be reviewed in light of the response to the consultation.

## 4. FINANCIAL IMPLICATIONS

4.1 The table in 3.5 sets out the maximum amount that Bromley will receive towards a locally administered business rates relief scheme. For 2017/18 this amount is £422k.

## 5 LEGAL IMPLICATIONS

Key issues relating to the introduction of and operation of the scheme including the implications of the state aid regime are set out in the body of the report.

<b>Non-Applicable Sections:</b>	Impact on Vulnerable Adults and Children, Personnel and Procurement
Background Documents: (Access via Contact Officer)	

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Report No. **London Borough of Bromley**

**PART 1 - PUBLIC**

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**Decision Maker: EXECUTIVE**

**Date: Wednesday 24 May 2017**

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

**Title: CONTRACT AWARD FOR 0-4 YEARS HEALTH VISITING SERVICE (INCORPORATING FAMILY NURSE PARTNERSHIP)**

**Contact Officer:** Dr Jenny Selway, Consultant in Public Health  
Tel: 020 8313 4769 E-mail: jenny.selway@bromley.gov.uk

**Chief Officer:** Dr Nada Lemic, Director of Public Health

**Ward:** Borough Wide

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## 1. **Reason for report**

- 1.1 This document is a summary to Part 2 '0-4 years Health Visiting Service (incorporating Family Nurse Partnership) – Contract Award' to be considered by Executive on 24 May 2017 with pre-decision scrutiny by the Chair of Care Services Policy & Development Scrutiny Committee and E&RPDS on 18 May 2017
  - 1.2 This summary provides an overview of the tendering process for the 0-4 years Health Visiting Service (incorporating Family Nurse Partnership) in accordance with the Council's financial and contractual procedure rules.
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## 2. **RECOMMENDATIONS**

- 2.1 **Chair of Care Services Policy & Development Scrutiny Committee is asked to note the contents of this report when considering the recommendations in the Part 2 report that details the tender outcome.**
- 2.2 **E&RPDS is asked to note the contents of this report when considering the recommendations in the Part 2 report that details the tender outcome.**
- 2.3 **Executive is asked to note this summary when considering the recommendations in the Part 2 report that details the tender outcome. The recommendation is to award a contract for a term of 3 years.**

### Corporate Policy

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

### Financial

1. Cost of proposal: Estimated cost maximum £3,288k p.a. (£9.9m over three years)
  2. Ongoing costs: N/A
  3. Budget head/performance centre: Public Health Budget
  4. Total current budget for this head: £3,634k p.a. (10.9m over three years)
  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 and non- statutory requirements.
  2. Call-in: Call-in is 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? N/A.
2. Summary of Ward Councillors comments: None

### 3. COMMENTARY

#### Background:

- 3.1 This report follows a Gateway Review in March 2016 (CS16025) at which Executive agreed that taking forward integration between the Health Visiting service and the Early Intervention and Family Support service (EI&FS) is a priority. Work is under way to identify the best way to integrate the two services which are already co-located where possible. At present FNP and Health Visiting are commissioned services and EIFS is an internally provided service.
- 3.2 Report to Executive CS17019 (July 2016) provided an update of this work. Report CS17019 also set out the preferred procurement route for commissioning Health Visiting and Family Nurse Partnership as an integrated service.
- 3.3 Approval was given to tender the Health Visiting and Family Nurse Partnership services as a single contract for 3 years to start from the 1<sup>st</sup> October 2017. This option aimed to restructure existing services and build in extra capacity within existing budget. By commissioning the service in this way there should be a level of integration that supports a wider and more sustainable programme empowering individuals to take responsibility of their children's health and wellbeing, as well as their own.

#### The Tender Process:

- 3.4 Prospective providers were invited to a market engagement event on 9 September 2016 to present the reconfigured service and explain the procurement process.
- 3.5 In accordance with the Council's financial and contract procedure rules, the tender was published on 7 February 2017 using ProContract, the Council's electronic tendering system. An OJEU notice was published on the same date.
- 3.6 As it had been identified that there was a limited market for this service, a one stage open tender procedure was used which asked potential bidders to set out their proposals for service delivery and cost.
- 3.7 A total of three bids were received and verified on Friday 17 March 2017.
- 3.8 The tender prices were evaluated based on the Chartered Institute of Public Finance & Accountancy (CIPFA) Evaluation Model, which calculates an overall mean price value from all the prices received. Individual scores are then allocated for each 1% the bidder's tender value is above or below the mean price.
- 3.9 The tender submissions were evaluated on a 60% price and 40% quality split. The evaluation of the 40% quality scoring was undertaken against the following criteria, rated as shown.

1 Service Delivery	25%
2 Care Pathways and Partnership Working	25%
3 Workforce	5%
4 Governance	5%
5 Safeguarding	5%
6 Facilities and Property	10%
7 Data and Information Management	20%
8 Financial Sustainability	5%

- 3.10 Weighting of 25% for questions 1 and 2 were approved by the Head of Procurement as Commissioners were keen to ensure that the new service accurately delivers the requirements of the specification and that the care pathways and partnership working become key components.
- 3.11 The overall weightings for this tender evaluation were set to identify the Most Economically Advantageous Tender (MEAT) and deliver the best possible combination of whole-life cost and quality to meet the Council's requirements.
- 3.12 Initial evaluations were undertaken by members of the Public Health Team and the Children's Referral and Assessment Team.
- 3.13 Bidders were invited to attend clarification interviews on Thursday 6 April 2017 after which final scores were agreed by the evaluators at a consensus meeting attended by a member of the Procurement Team.

#### **4. JUSTIFICATION FOR AWARD**

- 4.1 The results of the evaluation process are shown in the Part 2 report which contains the detailed scoring.
- 4.2 A recommendation to award the contract for 0-4 years Health Visiting Service (incorporating Family Nurse Partnership) is included in the Part 2 report.

#### **5. POLICY IMPLICATIONS**

- 5.1 The 0-4 years Health Visiting Service (incorporating Family Nurse Partnership) meets the Council's objectives within 'Building a Better Bromley' for Children and Young People.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 The proposal set out in this report is consistent with current policy and is in line with the proposal for the Council's Public Health budget for 2017/18.
- 6.2 The financial implications of this contract award are included in the Part 2 report.

#### **7. LEGAL IMPLICATIONS**

- 7.1 The contract value is above the threshold value for "light touch" services and as such was tendered in compliance with the Public Contracts Regulations 2015. Compliance with the Regulations also ensures compliance with competitive tendering requirements in Rule 8.2 of the Council's Contract Procedure.
- 7.2 If the contract award is approved then officers will need to liaise with Legal Service to draw up the contract and arrange execution.



<b>Non-Applicable Sections:</b>	Personnel implications
Background Documents: (Access via Contact Officer)	<a href="#">Report CS17019</a> (20 July 2016) Commissioning Strategy – Health Visiting and Family Nurse Partnership  <a href="#">Report CS16025</a> (23 March 2016) Gateway Review of Health Visiting and National Child Measurement Programme  <a href="#">Report CS16021</a> (23 March 2016) Gateway Review of Family Nurse Partnership

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