

## **EXECUTIVE**

Minutes of the meeting held on 28 November 2018 starting at 7.00 pm

### **Present:**

Councillor Colin Smith (Chairman)  
Councillors Graham Arthur, Peter Fortune,  
William Huntington-Thresher, Kate Lymer, Peter Morgan  
and Diane Smith

### **Also Present:**

Councillor Simon Fawthrop and Councillor Angela Wilkins

### **66 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **67 DECLARATIONS OF INTEREST**

Councillor Peter Fortune declared an interest in agenda item 19 (Housing S.106 Payment in Lieu Contributions) as a non-executive director of Clarion - he left the room during consideration of this item.

Councillor Simon Fawthrop declared in relation to agenda item 14 (IT Transformation) that although he was an employee of BT, he had been granted a dispensation from the Monitoring Officer to attend and speak to this report at this meeting, the Executive, Resources and Contracts PDS Committee and at full Council.

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

No questions had been received.

### **69 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 17TH OCTOBER 2018**

Report CSD18159

**RESOLVED that the minutes of the meeting held on 17<sup>th</sup> October 2018 (excluding exempt information) be confirmed.**

### **70 CHILDREN'S SERVICES IMPROVEMENTS**

The Portfolio Holder for Children, Education and Families reported that the Ofsted inspection was now into its third week, and informal feedback so far was positive. He thanked all those involved for their very hard work.

**71 BUDGET MONITORING 2018/19**  
Report FSD 18085

The Executive received the second budget monitoring report for 2018/19 based on expenditure and activity levels up to the end of September 2018. The report also highlighted any significant variations that would impact on future years, and highlighted any early warnings that could affect the final year end position.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 22<sup>nd</sup> November 2018 and the Committee had supported the proposals.

**RESOLVED that**

**(1) The latest financial position, and that a projected net overspend on services of £1,506k is forecast based on information as at September 2018, be noted.**

**(2) The comments from Chief Officers detailed in Appendix 2 be noted.**

**(3) A projected variation of £98k credit from investment income as detailed in sections 3.5 and 3.6 of the report be noted.**

**(4) A projected variation of £1,454k in the Central contingency, as detailed in section 3.2 of the report, be noted.**

**(5) A projected reduction to the General Fund balance of £1,085k as detailed in section 3.3 of the report be noted.**

**(6) The release of £165k from the 2018/19 Central Contingency relating to the cost of Local Elections be agreed as detailed in paragraph 3.2.2 of the report.**

**(7) The release of £500k Improved Better Care Funding from the 2018/19 Central Contingency as detailed in paragraph 3.2.3 of the report be agreed.**

**(8) The drawdown of £1.5m Health Funding to the CCG from Health and Social Care earmarked reserves as detailed in paragraph 3.9.1 be agreed.**

**(9) Council be recommended to agree that £3.5m be set aside in the Technology Fund earmarked reserve from underspends in the 2018/19 Central Contingency for the Council's IT Transformation scheme as detailed in paragraph 3.2.6 of the report.**

**(10) The full year cost pressures of £5.2m as detailed in section 3.4 of the report be noted.**

**72 CAPITAL PROGRAMME MONITORING - 2ND QUARTER,  
2018/19**  
Report FSD 18094

The Executive received a report summarising the current position on capital expenditure and receipts following the second quarter of 2018/19 and seeking approval for a revised Capital Programme.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 22<sup>nd</sup> November 2018 and the Committee had supported the proposals, with the exception that they had recommended that the Betts Park Canal Stabilisation Project should remain in the Capital Programme as the works did not appear to be complete. This was accepted by the Executive.

Supplementary recommendations were tabled relating to additional local transport funding in 2018/19 of £1.1m from the Department of Transport. The Executive agreed that, subject to full Council approval, this should be added to the Capital Programme, and noted that a report would be provided via Environment and Community Services PDS Committee in February 2019.

**RESOLVED that**

**(1) The report be noted, including a total re-phasing of £28,311k from 2018/19 into future years, and the revised Capital Programme be approved.**

**(2) The following amendments to the Capital Programme be approved:**

**(i) Reduction of £192k to the Transport for London (TfL) funded Traffic and Highways schemes (see paragraph 3.3.1);**

**(ii) Removal of £4k from the Woodlands Improvements Programme Scheme (see paragraph 3.3.2);**

**(iii) It is noted that a report elsewhere on the agenda requests the addition of £100k to the Capital Programme for Housing Development Feasibility (see paragraph 3.3.4);**

**(iv) It is noted that a report elsewhere on the agenda requests the allocation of £800k to the Affordable Housing capital scheme and £206k to the Property Acquisitions scheme from Housing Payment in Lieu Funds (see paragraph 3.3.5);**

**(v) It is noted that a report is due elsewhere on the agenda which requests the addition to the Capital Programme of the IT Transformation scheme (see paragraph 3.3.6);**

**(vi) It is noted that additional local transport funding of £1.1m has been allocated for the 2018/19 financial year to fund carriageway maintenance**

**schemes and Council be recommended to approve an increase in the 2018/19 Capital Programme to reflect this.**

**(vii) It is noted that a report will be submitted to Environment and Community Services PDS Committee in February 2019 to identify progress on schemes during 2018/19 and agree additional capital schemes for completion during 2019/20.**

**73 COUNCIL TAX SUPPORT/REDUCTION SCHEME 2019/20**  
Report FSD 18082

The report set out the results of public consultation on the proposed Council Tax Support/Reduction Scheme 2019/20, and sought approval for the scheme to be forwarded to full Council for approval. Mindful of the unknown potential impact of the rollout of Universal Credit, the Executive considered that it would be prudent to leave the current level of support unchanged at 75%.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 22nd November 2018 and the Committee had supported the proposals.

**RESOLVED that**

**(1) The updated Impact Assessment at Appendix 1 and the responses to the public consultation exercise at Appendix 3 be noted.**

**(2) It is noted that the Council Tax Support/Reduction scheme for 2019/20 retains the calculation of entitlement for working-age claimants on 75% of the household's Council Tax liability; thereby the maximum assistance provided to a claimant of working-age is 75% of his/her Council Tax liability.**

**(3) Council be recommended to approve the Council Tax Support/Reduction scheme for 2019/20.**

**74 BUILDING CONTROL - SERVICE REVIEW**  
Report DR18/1057

The report sought approval for a review of the current Building Control Service, and, as part of the agreed gateway process for determining the method that offered best value and quality for delivering services (in accordance with the Council's Corporate Operating Principles) the report provided a high level options appraisal of the service. The four options were –

Option 1: Undertake a review of the service with the intention of continuing an improved internal service.

Option 2: Stop providing Building Control services.

Option 3: Commission Building Control services.

Option 4: Enter into a shared service with another local authority.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 13<sup>th</sup> November 2018 and the Committee had supported the proposals.

**RESOLVED that officers review the Building Control Service, as set out in paragraph 5 of the report, including consideration of a shared service with LB Bexley.**

**75 PROCEEDING TO PROCUREMENT (GATEWAY 1) MENTAL HEALTH FLEXIBLE SUPPORT SERVICE**  
Report CS18181

The contract for Mental Health Flexible Support Services was due to expire on 30<sup>th</sup> September 2019. There were no further options to extend the current contract which had an annual value of £0.401m and cumulative spend over the life of the contract to 30<sup>th</sup> September 2019 of approximately £2.935m and therefore procurement options had to be explored to determine how relevant needs would be met from 1<sup>st</sup> October 2019. The report sought Executive approval to commence the procurement of services in alignment with the LBB Commissioning Plan and the Joint CCG Mental Health Strategy. Four options were set out in the report -

- Option 1: Develop a framework of providers;
- Option 2: Purchase services on a spot basis;
- Option 3: Tender the service on a block basis with one provider;
- Option 4: Decommission the service

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 21<sup>st</sup> November 2018 and the Committee had supported the proposals, subject to recommending that option 1, a framework of providers, should be the preferred approach.

Councillor Angela Wilkins expressed concern that the process would not allow sufficient opportunity for scrutiny by Members, but officers confirmed that there would be regular updates to Adult Care and Health PDS Committee.

**RESOLVED that**

**(1) The tendering of the Mental Health Flexible Support service via the development of a framework of providers (option 1 detailed at paragraph 4.2.2 in the report) to meet the current and future needs of people requiring flexible mental health support within the community and which are aligned with the LBB Commissioning Plan and the Joint CCG Mental Health Strategy be approved.**

**(2) In the event a part fixed (block)/part variable hours basis with one provider (option 3 detailed at paragraph 4.2.4 in the report) is**

**established through market engagement activity as the best option, the decision to procure on this basis is delegated to the Chief Officer in consultation with the Portfolio Holder for Adult Care and Health.**

**76            AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUNDS MAINTENANCE (PART 1)**  
Report ES18082

The report set out proposals to award contracts for the provision of Waste Disposal, Waste Collection, Street Environment and Parks Management and Grounds Maintenance. Further details were set out in a part 2 report.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 20<sup>th</sup> November 2018 and the Committee had supported the proposals.

A Member queried whether there were sufficient scrutiny and default penalties built into the contract. It was confirmed that there were clear KPIs and default payments, although the Council's preferred approach was to work with contractors to drive up performance standards in an effort to further improve customer satisfaction levels.

It was confirmed that the contracts were for eight years with options to extend for a further eight years and did not include break clauses. A parent company guarantee would offer protection to the Council. It would be for the contractor to make the capital investment in the waste collection vehicles – this had been examined and found to be the best approach.

The Executive thanked Mrs Lesley Moore and Mr John Bosley for their exceptional efforts working on this contract.

**RESOLVED that Lots 1-4 be awarded for a contract period of eight years, with the option to extend for a further eight years.**

**77            AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES (PART 1)**  
Report ES18077

The report summarised the tenders received for the Arboricultural Services Contract and made recommendations for the award of the contract. Two compliant bids had been received and evaluated – full details were set out in a part 2 report.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 20<sup>th</sup> November 2018 and the Committee had supported the proposals.

**RESOLVED that**

**(1) The Arboricultural Services contract be awarded for a contract period of eight years from 1<sup>st</sup> April 2019, with the option to extend for a further two four year periods.**

**(2) The option to extend the contract, under the terms of the contract, be delegated to the Executive Director of Environment and Community Services in consultation with the Director of Commissioning, Director of Corporate Services and Director of Finance and the Environment and Community Services Portfolio Holder.**

**78 HEALTH SUPPORT TO SCHOOL AGE CHILDREN**  
Report CS18184

The Health Support to Schools contract expired at the end of March 2019. The contract was currently held by the Bromley Clinical Commissioning Group (CCG), funded through the Better Care Fund at 603k per annum. The Better Care Funding for this service would cease at the end of 2018/19 and recurrent funding was required if the service was to continue. The report set out the options in terms of funding and commissioning. The commissioning options were –

Option 1: Go to tender for a standalone Health Support to Schools service for children aged 5-19 to start in April 2019.

Option 2: In agreement with Bromley CCG, extend the current contract for sixteen months so that it will align with the end of the current Health Visiting Contract which ended in September 2020, and then commission a combined 0-19 service.

Option 3: Consider if, within the existing service provision there are elements of the service that could cease and if so what implications this would have on other areas of children's' services.

The recommended option, option 2, would align the service with Health Visiting in a combined contract from September 2020 – this was a model that was being adopted across the country.

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 21<sup>st</sup> November 2018 and the Committee had supported the proposals.

**RESOLVED that new funding of £603k be approved to be included in the Draft Revenue Budget for 2019/20, with a further £302k for 2020/21 for the Health Support to Schools service as outlined in option 2 in section 4.6 of the report.**

**79 IT TRANSFORMATION**  
Report CSD18176

The Executive considered proposals for a major refresh of the IT infrastructure that supported the Council's core IT and key business systems, partly due to the cessation of support by several manufacturers during the next few years. The report set out the risks and the changes required to ensure that the Council retained a significant number of critical infrastructure platforms. Service departments had been closely involved with developing the strategy to ensure that business systems could operate using Windows 10; solutions would be established in the few cases where systems were currently incompatible.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 22<sup>nd</sup> November 2018 and the Committee had supported the proposals, subject to recommending in addition that in the next phase of work consideration should be given to how IT transformation could be used to improve services, improve the lives of staff in terms of flexible and home working, and deliver reduced costs, and to agree that all options concerning WAN and LAN connections should be considered further. The Committee had also requested further information on the cost of Office 2019. Confidential information on these issues had been circulated by the Head of ICT since the PDS meeting; this showed that for Bromley the SD-WAN approach offered no advantages over MPLS networks. The Chairman of the Executive, Resources and Contracts PDS Committee repeated his concerns and urged that the Council should take a more radical approach.

The Resources, Commissioning and Contract Management Portfolio Holder confirmed that the proposals developed with BT had been supported by Gartner, a leading independent research and advisory company, and moving to a cloud-based approach would enhance disaster recovery capability. He assured Members that the project would be overseen by a board that would include himself and the director of Corporate Services, and there would be regular reports to PDS.

The Executive concluded that the additional information circulated after the PDS meeting provided reassurance that the MPLS approach was correct for Bromley, but they accepted the PDS recommendation about using the next phase of work to improve services and enhance mobile and flexible working.

**RESOLVED that**

- (1) The ICT strategy attached as Appendix 1 to the report be endorsed.**
- (2) The information provided be noted, and the procurement of End of Life (EoL) IT infrastructure and the proposed work to be undertaken to upgrade and replace the platforms as set out in this report be agreed.**
- (3) Council be recommended to approve the addition of £5.381m to the Capital Programme to undertake the delivery of the ICT transformation**

**project between 2019 and 2022, funded from a total reduction of £1.925m to existing IT capital schemes, and £3.5m set aside in the Technology Fund earmarked reserve from underspends in 2018/19.**

**(4) A hybrid approach of ‘on premise’ and cloud IT infrastructure be agreed to facilitate the upgrade requirements as detailed in paragraph 3.6.7 of the report.**

**(5) The Director of Corporate Services be given delegated authority in consultation with the Resources, Commissioning and Contract Management Portfolio Holder to agree the cloud or 3<sup>rd</sup> party cloud solution, as needed for Disaster Recovery (DR) and for Business Continuity (BC).**

**(6) The use of the Westminster Pan-London Framework be agreed and the current service provider, BT, be utilised to deliver the upgrade and procure the services and supplies detailed in the report; where, in the opinion of the Director of Corporate Services, a separate procurement is required or desirable, authority be delegated to the Director of Corporate Services, in consultation with the Resources, Commissioning and Contract Management Portfolio Holder, to use an appropriate framework or alternative procurement route.**

**(7) The creation of up to 3 FTE temporary posts be approved if required to support, coordinate and manage the delivery of the projects for a period of 27 months, as set out in paragraph 3.7.1 of the report.**

**(8) It is agreed that any future development costs for systems will be funded from the Capital Programme, as and when new system development is required, enabling revenue savings of £170k to reduce the growth.**

**(9) Additional net growth be agreed of £92k for 2018/19 and £394k per annum from 2019/20 to cover the licensing, support and system running costs.**

**(10) It is noted that, as set out in paragraph 3.6.59 of the report, it is estimated that a further £250k may be required to undertake the reviews of the line of business systems and the potential replacement costs for those line of business systems could be up to £5m in the next three years.**

**(11) It is agreed that in the next phase of work consideration should be given to how IT transformation could be used to improve services, improve the lives of staff in terms of flexible and home working and deliver reduced costs.**

**80 COMMISSIONING STRATEGY AND CONTRACT VARIATION -  
HIGHWAY ENGINEERING CONSULTANCY SERVICES - PART  
1  
Report ES18088**

The report considered the need for highway engineering consultancy services, future proposals for the service and the offer made by JB Riney within the context of the OJEU (official Journal of the European Union) Notice issued for the Council's Major Highway Works and Street Lighting Contract 2016. Further details were set out in a part 2 report.

**RESOLVED that Highway Engineering Consultancy Services be included as part of the Highway major Works and Street Lighting contract with JB Riney via a contract variation.**

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

There were no additional items to report from Executive, Resources and Contracts PDS Committee.

**82 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**

**83 EXEMPT MINUTES OF THE MEETING HELD ON 17TH  
OCTOBER 2018**

The exempt minutes of the meeting held on 17<sup>th</sup> October 2018 were confirmed.

**84 TENANCY SUPPORT SERVICES FOR HOMELESS PEOPLE**

The Executive approved a proposal to award a contract via an exemption from competitive tendering.

**85 HOUSING S.106 PAYMENT IN LIEU CONTRIBUTIONS**

The Executive approved the allocation of housing S.106 funds.

**86 UPDATE ON BROMLEY HOMES SPV AND OPTIONS GOING FORWARD FOR FURTHER JOINT VENTURE ARRANGEMENTS**

The Executive received an update on the Special Purpose Vehicle (SPV) set up to acquire temporary accommodation properties for homeless families, and considered the options to extend this SPV.

**87 INCREASING HOUSING SUPPLY TO MEET HOUSING NEED**

A report on increasing the supply of housing to meet housing need was approved.

**88 LEISURE SERVICES LEASE PROPOSAL**

The Executive considered proposals for the future of leisure facilities in the borough.

**89 AWARD OF CONTRACTS FOR WASTE DISPOSAL, WASTE COLLECTION, STREET ENVIRONMENT AND PARKS MANAGEMENT & GROUNDS MAINTENANCE (PART 2)**

The Executive awarded contracts for Waste Disposal, Waste Collection, Street Environment and Parks Management and Grounds Maintenance.

**90 AWARD OF CONTRACT FOR ARBORICULTURAL SERVICES (PART 2)**

The Executive awarded a contract for the provision of arboricultural services.

**91 CAPITAL PROGRAMME MONITORING - APPENDIX E**

The Executive noted Appendix E to the Capital Programme Monitoring report.

**92 COMMISSIONING STRATEGY AND CONTRACT VARIATION - HIGHWAY ENGINEERING CONSULTANCY SERVICES - PART 2**

The Executive agreed a proposal to include Highway Engineering Consultancy Services within the Highway Major Works and Street Lighting contract.

The Meeting ended at 8.45 pm

Chairman