

EXECUTIVE

Minutes of the meeting held on 10 July 2019 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 Robert Evans, Councillor Simon Fawthrop and
Councillor Angela Wilkins

19 APOLOGIES FOR ABSENCE

There were no apologies for absence.

20 DECLARATIONS OF INTEREST

The Director of Corporate Services declared an interest in relation to minutes 32 and 45 (Mental Health Flexible Support Service) as his wife was employed by one of the unsuccessful tenderers, but she was not involved in the process.

21 QUESTIONS

No questions had been received.

22 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 21ST MAY 2019

RESOLVED that the minutes of the meeting held on 21st May 2019 be confirmed.

23 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Report CSD19100

The Executive noted a report on matters outstanding from previous meetings.

24 BUDGET MONITORING 2019/20

Report CSD19109

The Executive considered the first budget monitoring report for 2019/20, based on expenditure and activity levels up to the end of May 2019.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals.

RESOLVED that

- (1) The latest financial position be noted, including the projected net overspend on services of £2,084k forecast based on information as at 31st May 2019. Consider the latest financial position.*
- (2) The comments from Chief Officers detailed in Appendix 2 to the report be noted.*
- (3) The projected variation of £696k debit from investment income as detailed in sections 3.6 and 3.7 of the report be noted.*
- (4) The carry forwards being requested for drawdown as detailed in section 3.3 of the report be noted.*
- (5) The projected reduction to the General Fund balance of £2,788k as detailed in section 3.4 of the report be noted.;*
- (6) The full year cost pressures of £3.7m as detailed in section 3.5 of the report be noted.*
- (7) The release of £70k from the 2019/20 Central Contingency relating to street lighting costs be agreed as detailed in paragraph 3.2.2 of the report.*
- (8) The release of £52k from the 2019/20 Central Contingency relating to additional Exchequer and TFM contract costs as detailed in paragraph 3.2.4 of the report be agreed.*
- (9) The release of £584k credit from the 2019/20 Central Contingency relating to savings allocated to the review of staffing as detailed in paragraph 3.2.5 in the report be agreed.*
- (10) The return to the Central Contingency of £898k as detailed in paragraph 3.2.6 in the report be noted.*
- (11) £900k be allocated from the Health and Social Care Initiative Reserve to support additional Children's Social Care costs as detailed in paragraph 3.10 of the report.*
- (12) Council be recommended to agree that £1m transferred from the Health and Social Care Initiative Reserve to support the BCCG with their transformation plan for 2019/20 as detailed in paragraph 3.10 of the report.*

**25 CAPITAL PROGRAMME MONITORING - 1ST QUARTER
2019/20**

Report FSD19067

The report summarised the current position on capital expenditure and receipts following the first quarter of 2019/20 and sought approval for a revised Capital Programme.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals.

RESOLVED that

(1) The report be noted, including a total re-phasing of £45,868k from 2019/20 into future years, and the revised Capital Programme be agreed.

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

- (i) Deletion of the £391k residual balance on the Beacon House Refurbishment scheme and increase of £391k to the Basic Need scheme as detailed in paragraph 3.3.2;*
- (ii) Deletion of £40k from the Phoenix Centre scheme as detailed in paragraph 3.3.3;*
- (iii) Addition of £239k for the Devolved Formula Capital 19/20 scheme as detailed in paragraph 3.3.4; and*
- (iv) Increase of £16k for the Banbury House Demolition/Site Preparation scheme as detailed in paragraph 3.3.5.*

(3) It is noted that a report elsewhere on the agenda requests the addition of £1.5m to the Capital Programme for Boiler Plant Works;

(4) It is noted that a report elsewhere on the agenda requests the addition of £6.0m to the Capital Programme for the provision of modular homes as detailed in paragraph 3.3.6 of the report.

(5) Council be recommended to agree an increase of £1,922k on Transport for London (TfL) funded Traffic and Highways schemes as detailed in paragraph 3.3.1 of the report.

26 CENTRAL LIBRARY/CHURCHILL THEATRE DEFECTIVE TILING: REQUEST FOR ADDITIONAL FUNDING

Report DRR19/037

On 11 July 2018, the Executive approved a report agreeing funding of £427k from the earmarked reserve for infrastructure Investment to undertake temporary works at the Central Library/Churchill Theatre. Now that tenders had been received for the works additional funding was requested.

Planning permission granted for the works in 2016 expired on 17th August 2019, so it was essential that an order was placed as quickly as possible so that works could proceed under the existing permission. It was therefore recommended that the decision was urgent and not subject to the normal call-in arrangements.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals.

RESOLVED that

(1) Additional funding of £110k be approved from the earmarked reserve for the Infrastructure Investment Fund to undertake temporary works.

(2) Call-in will not be applicable to allow the purchase order to be raised immediately so that there is sufficient lead-in time for commencement of the work prior to the expiry of the extant planning permission.

27 REPLACEMENT OF THE DISTRICT HEATING SYSTEM BOILERS AND RELATED WORKS TO WALNUTS LEISURE CENTRE

Report DRR19/038

The District Heating System in Orpington was approximately forty years old and was subject to frequent breakdowns. Funding was requested to carry out the essential replacement of the boilers to prevent a total breakdown. In addition, associated repairs to the secondary heating plant at the Walnuts Leisure Centre were required. Officers confirmed that the leases for other users were being closely examined to ensure that appropriate costs were recovered. The Leader requested regular reports back on progress.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals.

RESOLVED that

(1) Funding of £1.5m from capital receipts be approved to carry out the works outlined in the report, and, subject to the approval of full Council, the scheme be added to the Capital Programme.

(2) The procurement proposals outlined in sections 3.14 to 3.17 of the report be approved.

(3) Authority be delegated to the Director of Regeneration to approve variations using the contingency.

(4) Authority be delegated to the Director of Regeneration to finalise contributions from leaseholders which will reduce the net cost to the Council of the scheme.

28 DRAFT HOUSING STRATEGY 2019 TO 2029

A new draft Housing Strategy had been developed by the Council to take account of major changes in the housing sector and wider demographic and economic changes. The strategy addressed the key challenges of increased housing demand, rising cost pressures in relation to homelessness and provision of temporary accommodation, growth and regeneration in the borough. A public consultation with key stakeholders was proposed before the Strategy was finalised.

A Member asked for further details of the extent of the renewal areas mentioned in the summary documents. The Director of Housing confirmed that these renewal areas were as set out in the Local Plan, and that she could circulate a link to the documents showing the boundaries.

Councillor Angela Wilkins suggested that ward councillors in the north of the borough were encountering increasing problems with housing associations not carrying out maintenance and repairs. The Director of Housing suggested that these issues could be taken up through the Bromley Federation of Housing associations.

The report had been scrutinised at the Renewal, Recreation and Housing PDS Committee meeting on 2nd July 2019 and the Committee supported the proposals.

RESOLVED that

(1) The draft Housing Strategy be approved for public consultation.

(2) Officers be authorised to commence public consultation for a period of six weeks ; the results of the consultation will be referred back to the Executive together with officers' recommendations and the final version of the Housing Strategy for formal approval.

29 BROMLEY'S DISCHARGE TO ASSESS SCHEME - OUTCOME OF THE PILOT

The Executive received an update on the Bromley Discharge to Assess (D2A) scheme that had been operating in pilot form, and made decisions on the future shape and funding of the service. Members noted that there was a close link between discharge and reablement; it was important that reablement services were in place when people were discharged.

The report had been scrutinised at the Adult Care and Health PDS Committee meeting on 25th June 2019 and the Committee supported the proposals.

RESOLVED that

(1) Progress on the Discharge to Assess scheme and the positive outcomes achieved for individuals be noted.

(2) A one year continuation of the Discharge to Assess scheme be agreed, revised in the light of learning from the pilot, pending an evaluation of the revised service and longer term recommendations due to be made to the Executive in July 2020.

(3) The cost of the overspend on the Discharge to Assess scheme be met with a contribution from the Better care Fund, currently estimated at £850k.

(4) Tenders be issued for the Discharge to Assess service for a one year contract to run from August 2020 to August 2021; tender award will be subject to further approval by the Executive in March 2020, and a recommendation to award the contract will only be presented if it is also recommended (following the service review in January 2020) that the model should be endorsed.

**30 OPTIONS APPRAISAL FOR THE CONTINUED MEMBERSHIP
 OF THE LONDON COMMUNITY EQUIPMENT CONSORTIUM
 AND ONE YEAR EXTENSION TO CONTRACT**

Report ECHS19049

The report outlined current arrangements for the provision of Bromley's Integrated Community Equipment Service and set out options for future procurement. The contract, which was commissioned through the London Community Equipment Consortium (London Consortium) as a call-off contract, ended on 31st March 2021. Authorisation was sought to re-procure the service through continued membership of the London Consortium, which could include extending the current contract for a further year.

The report had been scrutinised at the Adult Care and Health PDS Committee meeting on 25th June 2019 and the Committee supported the proposals.

RESOLVED that

(1) The Council participates in a joint re-tendering exercise through the London Consortium.

(2) An extension to the current contract with Medequip to the value of £2m be agreed, should it be required, under the London Consortium framework for up to one year commencing on 1st April 2021, to enable the tendering process to be undertaken.

**31 GATEWAY REPORT: LEARNING DISABILITY SUPPORTED
 ACCOMMODATION PROCUREMENT STRATEGY (PART 1)**

Report ECHS19052

The Council had 7 block contracts with 5 providers for supported living services for adults with a learning disability, providing 26 accommodation schemes for 125 service users. Developments taking place in 2019 suggested the need for a revised procurement plan. Firstly, the Council's Transformation Board had launched a programme designed to review the Council's offer and explore options for greater effectiveness and efficiency, and secondly, the Council and Bromley Clinical Commissioning Group (CCG) would be developing a Learning Disability Strategy Intended for approval in October 2019.

It was recommended that the timescale for procurement of learning disability supported living accommodation be adjusted to reflect the new direction of travel and provide an opportunity to align most of Bromley's supported living contracts to end during 2021. Two contracts, with Sanctuary Homecare Ltd regarding Johnson Court, and with Avenues regarding a range of schemes at 213 Widmore Road, Swingfield Court, Lancaster House, Goldsmith's Close and Amplio Road, were due to expire in January 2020 so it was proposed to award two short contracts to the existing suppliers.

The report had been scrutinised at the Adult Care and Health PDS Committee meeting on 25th June 2019 and the Committee supported the proposals.

RESOLVED that

(1) It is agreed that procurement for the Learning Disability Supported Living contracts with Sanctuary Care and Avenues set out above should not proceed to allow them to be included in a wider commissioning exercise for Supported Living contracts.

(2) An exemption from procurement be granted and a new contract be awarded with Sanctuary Care for 15 months from 14th January 2020 to 24th April 2021.

(3) An exemption from procurement be granted and a new contract be awarded with Avenues for 15 months from 12th January 2020 to 24th April 2021.

32 CONTRACT AWARD - MENTAL HEALTH FLEXIBLE SUPPORT SERVICE (PART 1)

Report ECHS19048

The contract for Mental Health Flexible Support Services was due to expire on 30th September 2019 and there were no further options to extend the life of the contract. The Executive on 28th November 2018 had approved the tendering of the service and the results of the tendering process were now

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presented to enable a new contract to be awarded. A more detailed report was considered in Part 2.

The report had been scrutinised at the Adult Care and Health PDS Committee meeting on 25th June 2019 and the Committee supported the proposals.

RESOLVED that the report be noted.

33 TRANSFORMING BROMLEY

Report CSD19108

The Executive received an overview of the Transforming Bromley roadmap 2019-2013, which set out the Council's eight strategic priorities to improve outcomes for residents. The roadmap set out the principles of the Transformation Programme, a four year programme of six cross-cutting work-streams that would deliver transformation options to address the Council's emerging budget gap of £31.7m by 2022/23 and identified growth pressure affecting service delivery.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals.

The Leader spoke briefly to the item, reiterating the essential nature of the Transformation agenda for all Council services and of its critical importance for making inroads into the Borough's future projected budget deficit.

RESOLVED that

(1) The report be noted.

(2) The relevant Chief Officers report back to their respective PDS Committees on the progress of the Transforming Bromley Programme as a standing item.

(3) It is noted that the Transformation Programme is on the Corporate Risk Register and will be monitored in line with the Council's risk management procedures.

34 REVIEW OF CORPORATE LEADERSHIP STRUCTURE

Report CSD19110

The report set out key proposals following a review of the corporate leadership structure to ensure an appropriately robust and effective leadership and management structure was in place to deliver the transformation agenda. The key reasons for reviewing the structure were to identify and address current and future business requirements to create a sustainable and fit for

purpose leadership structure, and to reconfigure complementary functions/services to improve organisational performance.

The Leader stressed the importance of enabling the Interim CEX to structure his SMT in a manner which best helped to ensure that the Transformation agenda was delivered in a timely and effective manner.

Cllr Wilkins requested that any staff changes to senior posts be relayed to her. The interim CEX confirmed that this would be accommodated.

The report had been scrutinised at the Executive, Resources and Contracts PDS Committee meeting on 3rd July 2019 and the Committee supported the proposals, making one additional recommendation.

RESOLVED that

(1) The report be noted.

(2) The Leader agrees to the consequential name changes of officer titles for the Scheme of Executive Delegation to reflect the corporate leadership structure and Council be recommended to agree the necessary consequential officer name changes for the Non-Executive Scheme of Delegation and descriptive text in the Constitution.

(3) Prior to finalising the 2020/21 budget, the Executive ensures that there is adequate contingency to meet the Council's core capacity requirements to deliver services and key transformation challenges.

35 CHILDREN'S SPEECH & LANGUAGE THERAPY - BETTER CARE FUND AND FUTURE FUNDING STRATEGY (PART 1)

Speech and Language Therapy for children and young people in Bromley was primarily provided by Bromley Healthcare through a contract held by NHS Bromley Clinical Commissioning Group (BCCG), jointly commissioned with the Council. In September 2018 the Executive had agreed additional one off funding from the Better Care Fund for the Speech and Language Therapy service.

The Executive received the outcome of a review carried out by commissioners from the Council and BCCG, including a recent Speech, language and Communications Needs (SLCN) analysis undertaken by Public Health, and proposing a re-designed and sustainable service.

The report had been scrutinised at the Children, Education and Families PDS Committee meeting on 9th July 2019 and the Committee supported the proposals.

RESOLVED that the report be noted, and that a further allocation of funding be agreed (details set out in part 2.)

36 AUTHORISATION FOR EXEMPTION TO AWARD A FURTHER INTERIM CONTRACT FOR COMMUNITY WELLBEING SERVICE FOR CHILDREN AND YOUNG PEOPLE AND FUTURE PROCUREMENT OPTION (PART 1)

Report ECHS19067

The contract for the Children and Young People's Mental Health and Wellbeing Service had been held by Bromley Y since 1st December 2014, and had been extended to 31 May 2020. This contract worked alongside the local clinical and community mental health services for children and young people commissioned and procured by NHS Bromley CCG (BCCG), delivered primarily by NHS Oxleas but also by Bromley Y. The services commissioned by the Council and BCCG provided a pathway for children and young people's mental health support in the borough.

On 7 January 2019, the NHS long-term plan (NHS LTP) was published, setting out key ambitions for the NHS over the next 10 years. Among the policy directives revealed in the LTP were the intention for partnerships of commissioners and providers to lead Integrated Care Partnerships (ICPs) and a reduced necessity for market testing and competitive procurement in favour of collaborative work such as alliances and other partnerships.

In light of these significant changes in national policy, BCCG had confirmed that there will no longer be circumstances in the near term in which they would wish to re-procure the NHS Oxleas contract, including the Children and Adolescent Mental Health service (CAMHs). The report therefore set out a proposed joint response to this change in policy landscape to jointly commission a new service that incorporated both the community wellbeing and specialist clinical CAMHS services currently commissioned in Bromley.

Officers confirmed that a written assurance would be obtained from BCCG that they would be committed to the new arrangements.

The report had been scrutinised at the Children, Education and Families PDS Committee meeting on 9th July 2019 and the Committee supported the proposals.

RESOLVED that

(1) The award of a further short term contract to Bromley Y, via an exemption to competitive tendering, for ten months from 1 June 2020 to 31 March 2021 be approved; this will ensure sufficient time for a successful tender process and adequate time for the production of a new service specification, while maintaining continuity of service and support to vulnerable young people; it will also avoid the disruption of the NHS England funded Trailblazer which is currently due to finish in March 2021.

(2) That the proposal for proceeding to procurement of an integrated Children and Young People's Mental Health and Wellbeing Service (Tier 1 & 2 only) with an initial contract term of five years, with two options to extend for two periods of up to two

years each, making a total potential contract term of nine years, be approved; the contract will be procured with funding from both BCCG and the Council. (For more details of this proposed procurement, please see sections 4, 6 and 8 of the report. It is further proposed that a Gateway 2 report to seek approval to award a contract to the successful bidder will be brought before members in 2020.)

(3) It is noted that BCCG have given a commitment to provide resources to support the procurement and contract management of the Children and Young People's Mental Health and Wellbeing Service, as well as the transfer of core costs and NHS England Trailblazer funds to LBB in a joint funding agreement in accordance with Section 75 of the NHS Act 2006.

37 YORK RISE - AWARD OF CONTRACT FOR MODULAR HOUSING SCHEME (PART 1)

Report ECHS19061

Members had received regular reports on the pressure in relation to homelessness and temporary paid accommodation. On 10th January 2018 the Executive had agreed that tenders be sought to appoint a supplier of modular build accommodation at the York Rise site in Orpington. Tenders had now been received, and the Executive agreed proposals for the award of a contract. Further details were set out in a part 2 report.

Councillor Robert Evans attended the meeting representing the ward councillors for Farnborough and Crofton. Although the ward councillors supported the general principle of the development, they were concerned that in two years they had received no further details of the proposals, and that the number of units proposed had risen from 33 to 53. They wanted assurances that there would be full consultation with them before agreements were signed. The Director of Housing confirmed that there would be full consultation, and that planning permission would be required before the houses could be installed.

Councillor Simon Fawthrop suggested that officers should investigate the use of Section 106 money for this scheme - the Leader requested that officers review this and report back to himself and Councillor Fawthrop.

The report had been scrutinised at the Renewal, Recreation and Housing PDS Committee meeting on 2nd July 2019 and the Committee supported the proposals.

RESOLVED that

(1) A contract be awarded for the provision of modular build accommodation with a management contract at the York Rise site for a contract period of 15 years, with the option to extend for a further 5 years.

(2) Modular units are purchased on day 1 of the contract.

(3) Council be recommended to approve the addition of funds to the Capital Programme funded from the Housing Investment Fund and the Investment Fund for the purchase of the modular constructed units, planning, preparation and associated construction costs.

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

There were no additional issues to consider referred from the Executive, Resources and Contracts PDS Committee.

39 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**

40 CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2019/20 - APPENDIX E

The Executive noted Appendix E to the Capital Programme report, setting out capital receipts.

41 EXTENSION TO AGENCY CONTRACT

The Executive agreed an extension to the contract for the provision of agency workers.

42 AWARD OF RE-TENDERED CONTRACT FOR PHASE 2 WORKS AND EXTENSION OF CONTRACT FOR TEMPORARY ACCOMMODATION AT STEWART FLEMING PRIMARY SCHOOL

The Executive awarded a contract for the remaining Phase 2 works at Stewart Fleming Primary School.

43 OUTLINE PROCUREMENT STRATEGY FOR ADULTS AND CHILDRENS TRANSPORT SERVICES INCLUDING INTERIM ARRANGEMENTS FOR ADULTS TRANSPORT

Report ECHS19041

The Executive approved proposals for the tendering of transport services.

44 GATEWAY REPORT: LEARNING DISABILITY SUPPORTED ACCOMMODATION PROCUREMENT STRATEGY (PART 2)

Report ECHS19052

The Executive agreed changes to the timescale for procurement of Learning Disability Supported Accommodation.

45 CONTRACT AWARD - MENTAL HEALTH FLEXIBLE SUPPORT SERVICE (PART 2)

The Executive awarded a contract for provision of Mental Health Flexible Support Services.

46 CHILDREN'S SPEECH & LANGUAGE THERAPY - BETTER CARE FUND AND FUTURE FUNDING STRATEGY (PART 2)

The Executive approved additional funding for Speech and Language Therapy for children and young people.

47 AUTHORISATION FOR EXEMPTION TO AWARD A FURTHER INTERIM CONTRACT FOR COMMUNITY WELLBEING SERVICE FOR CHILDREN AND YOUNG PEOPLE AND FUTURE PROCUREMENT OPTION (PART 2)

Report ECH19067

The Executive agreed proposals for the future commissioning of community wellbeing services for children and young people.

48 YORK RISE - AWARD OF CONTRACT FOR MODULAR HOUSING SCHEME (PART 2)

Report ECHS19061

The Executive awarded a contract for the provision of modular build accommodation at York Rise, Orpington.

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