

EXECUTIVE

Minutes of the meeting held on 12 February 2020 starting at 7.00 pm

Present:

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

Also Present:

Councillor Nicholas Bennett MA J.P., Councillor Simon
Fawthrop and Councillor Angela Wilkins

131 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Peter Fortune.

132 DECLARATIONS OF INTEREST

Councillor Angela Wilkins declared an interest in relation to the report on Tenancy Support Services for Homeless People (minute 141) as she was employed by Hestia.

During consideration of the report on the London Councils TEC Amendment (Minute 138) Councillor Simon Fawthrop declared an interest as he was shortly to take delivery of an electric car.

133 QUESTIONS

One question for written reply had been received from a member of the public for written reply -

From Andrew Ruck to the Portfolio Holder for Resources, Commissioning and Contract Management

Given the Council's target for net zero carbon by 2029, will the Council commit to divest its investment portfolio from fossil fuels?"

Reply:

The Council's investment portfolio consists of lending to banks, local authorities, housing associations, money market funds, investment properties and alternative investments which includes property funds and multi asset income funds.

The Council seeks to secure the best returns in the interests of council tax payers whilst taking into account investment risk. With regards to alternative investments, the Authority works with investment managers over the long-

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term and has an approach to ensure that long-term value is not eroded by unsustainable behaviours or activities which are incompatible with responsible investing. The Council has no direct investments relating to fossil fuels.

134 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 15 JANUARY 2020

RESOLVED that the minutes of the meeting held on 15th January 2020 be confirmed.

135 MATTERS OUTSTANDING FROM PREVIOUS MEETINGS
Report CSD20009

The Executive received a report on matters outstanding from previous meetings, and noted an update on the tendering process for appointment of a multi-disciplinary team to develop a scheme for Beckenham Public Halls.

136 2020/21 COUNCIL TAX
Report FSD200022

The Executive considered a report with recommendations for the Council meeting on 24th February 2020 on the draft budget and Council Tax for 2020/21. The provisional Local Government Finance Settlement 2020/21 provided the most positive funding proposals for local government since the start of austerity, but there remained uncertainty around funding for 2021/22 and beyond.

The report identified the issues affecting the 2020/21 revenue budget and sought recommendations to Council on the Bromley element of the 2020/21 Council Tax and Adult Social Care precept. Confirmation of the final GLA precept would be reported to the Council meeting on 24th February 2020. The report also sought approval of the schools budget.

The Director of Finance tabled proposed amendments to the report setting out the “technical” recommendations and two additional recommendations relating to the Council’s partnership work with Bromley Clinical Commissioning Group.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 5th February 2020, and the Committee supported the proposals.

RESOLVED that Council be recommended to -

- (1) (a) Approve the schools budget of £79.506m which matches the estimated level of Dedicated Schools Grant (DSG) after academy recoupment;
- (b) Approve the draft revenue budgets (as in Appendix 2) for 2020/21 to include the following updated changes:

- (i) minor variation of £27k relating to the collection fund surplus/ collection fund surplus set aside.
- (c) Agree that Chief Officers identify alternative savings/mitigation within their departmental budgets where it is not possible to realise any savings/mitigation reported to the previous meeting of the Executive held on 15th January 2020;
- (d) Approve the following provisions for levies for inclusion in the budget for 2020/21:

	£'000
London Pensions Fund Authority *	447
London Boroughs Grant Committee	248
Environment Agency (flood defence etc.) *	252
Lee Valley Regional Park *	309
Total	1,256

* Provisional estimate at this stage

- (e) Approve a revised Central Contingency sum of £12,666k to reflect the changes in (d);
- (f) Note that the 2020/21 Central Contingency sum includes significant costs not yet allocated and there will therefore be further changes to reflect allocations to individual Portfolio budgets prior to publication of the Financial Control Budget;
- (g) Approve the revised draft 2020/21 revenue budgets to reflect the changes detailed above;
- (h) Set a 3.99% increase in Bromley's council tax for 2020/21 compared with 2019/20 (1.99% general increase plus 2% Adult Social Care Precept) and note that, based upon their consultation exercise, the GLA are currently assuming a 3.6% increase in the GLA precept;
- (i) Note the latest position on the GLA precept, as above, which will be finalised in the overall Council Tax figure to be reported to full Council (see section 12);
- (j) Approve the approach to reserves outlined by the Director of Finance (see Appendix 4);
- (k) Executive agrees that the Director of Finance be authorised to report any further changes directly to Council on 24th February 2020.
- (2) Council Tax 2020/21 – Statutory Calculations and Resolutions (as amended by the Localism Act 2011).

Subject to 2.1 (a) to (k) above, if the formal Council Tax Resolution as detailed below is approved, the total Band D Council Tax will be as follows:

	2019/20 £	2020/21 £	Increase £	Increase % (note #)
Bromley (general)	1,128.80	1,153.00	24.20	1.99
Bromley (ASC precept)	87.46	111.77	24.31	2.00
Bromley (total)	1,216.26	1,264.77	48.51	3.99
GLA *	320.51	332.07	11.56	3.61
Total	1,536.77	1,596.84	60.07	3.91

* The GLA Precept may need to be amended once the actual GLA budget is set.

(#) in line with the 2020/21 Council Tax Referendum Principles, the % increase applied is based on an authority's "relevant basic amount of Council Tax" (£1,216.26 for Bromley) – see paragraph 6 below. Any further changes arising from these Principles will be reported directly to Council on 24th February 2020.

(3) That Council be recommended formally resolve as follows:

- 1. It be noted that the Council Tax Base for 2020/21 is 132,026 'Band D' equivalent properties.**
- 2. Calculate that the Council Tax requirement for the Council's own purposes for 2020/2021 is £166,983k.**
- 3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):**
 - (a) £543,554k being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.**
 - (b) £376,571k being the aggregate of the amounts which the Council estimates or the items set out in Section 31A(3) of the Act.**
 - (c) £166,983k being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year.**
 - (d) £1,264.77 being the amount at 3(c) above, divided by (1) above, calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.**

- (4) To note that the Greater London Authority (GLA) has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in the table below (NB. the GLA precept figure may need to be amended once the actual GLA budget is set).
- (5) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2020/21 for each part of its area and for each of the categories of dwellings.

Valuation Bands	London Borough of Bromley £	Greater London Authority £	Aggregate of Council Tax Requirements £
A	843.18	221.38	1,064.56
B	983.71	258.28	1,241.99
C	1,124.24	295.17	1,419.41
D	1,264.77	332.07	1,596.84
E	1,545.83	405.86	1,951.69
F	1,826.89	479.66	2,306.55
G	2,107.95	553.45	2,661.40
H	2,529.54	664.14	3,193.68

- (6) That the Council hereby determines that its relevant basic amount of council tax for the financial year 2020/21, which reflects a 3.99% increase (including Adult Social Care Precept of 2%), is not excessive. The Referendums Relating to Council Tax Increases (Principles) (England) Report 2020/21 sets out the principles which the Secretary of State has determined will apply to local authorities in England in 2020/21. Any further changes arising from these Principles will be reported directly to Council on 24th February 2020. The Council is required to determine whether its relevant basic amount of Council Tax is excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.
- (7) That Council be recommended to set aside a sum of £2m in 2019/20 as an earmarked reserve for transformation funding for health and social care;
- (8) That Council be recommended to set aside a sum of £993k in 2019/20 as an earmarked reserve for health estate development in Bromley.

**137 CAPITAL PROGRAMME MONITORING Q3 2019/20 AND
CAPITAL STRATEGY 2020 TO 2024**
Report FSD20024

The report updated members on the Council's Capital Strategy and summarised the current position on capital expenditure and receipts following the third quarter of 2019/20. New capital schemes arising from the annual capital review process were presented for approval. The Executive was asked to consider the updated Capital Strategy and approve a revised Capital Programme.

The Leader drew attention to the proposed works to the layout of the Saxon Family Contact Centre to make it DDA compliant at a cost of £160k. While he did not want to hold up the proposals, he requested that further information be submitted to the Executive on how this expenditure fitted in with the longer term proposals for the site before the money was actually spent.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 5th February 2020, and the Committee supported the proposals.

RESOLVED that

(1) The report be noted, including the total re-phasing of £13.6m from 2019/20 into future years, and the revised Capital Programme be agreed.

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

(i) Increase of £3,141k to the capital programme for a Crystal palace Subway capital scheme (paragraph 3.2.1 of the report, and detailed in a separate item on the agenda.)

(ii) Increase of £115k to the Central Deport Wall Reconstruction, funded by the Infrastructure Investment Fund (earmarked reserve) (paragraph 3.2.2 to the report, and as agreed by the Executive on 15th January 2020.)

(iii) Increase of £10k to the TfL Bus Priority Programme Scheme, funded by a £10k contribution from the Royal Borough of Greenwich (paragraph 3.2.3 of the report.)

(iv) Decrease of 1k to the capital programme to reflect the removal of the Manorfield - Temporary Accommodation scheme from the capital programme (paragraph 3.2.4 to the report.)

(v) Increase of £232k to the Section 106 receipts from developers - as detailed in paragraph 3.2.5 of the report.

(3) Council be recommended to approve the inclusion of the new scheme proposals listed in Appendix C and section 5 to the report in the Capital Programme.

**138 TEC AMENDMENT TO ALLOW LONDON COUNCILS A
 COLLABORATIVE ROLE IN ELECTRIC VEHICLE CHARGING
 INFRASTRUCTURE**
Report ES20008

London Councils had requested all boroughs to amend the Transport and Environment Committee (TEC) Agreement in order for them to continue to perform a coordination role in the planning and delivery of electric vehicle charging infrastructure. This was a role that London Councils currently undertook through the Go Ultra Low City Scheme (GULCS), which was due to end in March 2020. The amendment required a decision from full Council.

Members commented that there was a need to consider carefully where charging equipment was most needed. The Portfolio Holder for Environment and Community Services reported that the Council received rent from commercial companies installing charging equipment on Council property, so there was no state subsidy involved. He also indicated that the costed life of this equipment was just five years, so the equipment would be updated as the technology evolved.

The report had been scrutinised by the Environment and Community Services PDS Committee on 29th January 2020, and the Committee supported the proposals.

RESOLVED that Council be recommended to agree to the proposed Transport and Environment Committee amendment, and that the Director of Environment and Public Protection be authorised to sign the amendment as required.

139 CRYSTAL PALACE PARK
Report DRR20/018

The Executive received a report summarising progress on the restoration of Crystal Palace Park and seeking authority to proceed with the restoration of the Crystal Palace Subway. The outline planning application for the Regeneration Plan had now been submitted - this reflected the scheme as presented to Members in 2017, with some changes to the Capel Manor College site next to the Museum and the existing farm site. The Leader stated that he would be contacting the Mayor of London to explain why it was crucial that the capital receipt for the two sites sold for housing was maximised to support the Park.

Councillor Angela Wilkins addressed the meeting as a ward member for Crystal Palace. She thanked officers for their achievement in getting the Subway restoration plans in place, and commented that there was some opposition from residents to the Capel Manor development. She also stated that it was important that transfer of events management to the Crystal Palace Park Trust should happen as quickly as possible. Councillor William Huntington-Thresher confirmed that it was the intention that the Trust would

take on the management of the events programme, and the related income stream, but also the liability for maintenance and clearing up after events. The details of the impact on the idverde contract needed to be worked through.

Councillor Nicholas Bennett addressed the meeting as the Council's Design and Heritage Champion. He had been impressed by the work of Capel Manor College, which had also taken over the Hadlow College site in Mottingham, and he supported the College's plans. He welcomed the restoration of the subway, and urged that explanatory notice-boards should be installed to provide information about this scheme and the history of the Park. Councillor Peter Morgan, Portfolio Holder for Renewal, Recreation and Housing, agreed on this point and stated that there was a need for new notice-boards across the Park.

Councillor Bennett also invited Members to attend the historic vehicle run starting at Crystal Palace Park at 7am on 3rd May 2020.

Councillor Simon Fawthrop drew attention to the cost of the subway scheme, which was based on a detailed condition survey and cost plan work undertaken in 2014, with the addition of 48.5% inflation, which he questioned. Officers explained that this was a prudent figure, including all fees, 10% contingency and 5% dilapidation costs and reflecting not only inflation but also the specialist nature of the work. Officers undertook to provide a note with further details to Councillor Fawthrop.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 11th February 2020, and the Committee supported the proposals.

RESOLVED that

(1) The contents of the report be noted, including the information relating to the submission of the Regeneration Plan outline planning application.

(2) Subject to the agreement of full Council, the addition of the Subway project to the Capital Programme at a cost of £3.141m on the basis of the scheme costs being fully funded by grants from the Strategic Investment pot, Historic England, and Transport for London, and a contribution from the Friends of Crystal Palace Subway, be approved.

140 HOUSING STRATEGY 2019-2029
Report DRR20/008

A new draft Housing Strategy had been developed 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, and growth and regeneration in the borough. A public consultation had been carried out with key stakeholders including

housing associations, developers, tenants and residents, and the Executive reviewed the responses. Although the consultation had been well-publicised, the response had been low, but there had been no negative feedback.

Councillor William Huntington-Thresher sought clarification on the figures for building new homes on page 3 of the Strategy. It was confirmed that these figures reflected targets for the duration of Bromley's Local Plan, but they would need to be refreshed to take account of the London Plan and to clarify the period to which they referred.

Councillor Simon Fawthrop commented that the strategy did not appear to reflect the aim, included within Building a Better Bromley, of promoting home ownership. The Portfolio Holder for Renewal, Recreation and Housing responded that a proportion of affordable housing was sought in private developments above ten units, so home ownership was promoted, but the Strategy was about affordability and homelessness, rather than housing in general.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 21st January 2020, and the Committee supported the proposals.

RESOLVED that

(1) The findings from the Housing Strategy consultation be noted and, subject to final formatting, the final draft of the Housing Strategy be approved.

(2) Authority be delegated to the Director of Housing, Planning and Regeneration to finalise the action plan to implement and deliver the strategy.

**141 TENANCY SUPPORT SERVICES FOR HOMELESS PEOPLE
(PART 1)
Report DRR20-001**

The Council had two contracts to supply accommodation based and floating support services for vulnerable homeless people - Evolve provided accommodation based support and Hestia provided floating support and specialist accommodation based support for ex-offenders. Both contracts were due to expire on 30th September 2020 and all extension options had been exhausted. It was therefore proposed to extend these contracts via an exemption from competitive tendering for a period of up to six months in order to allow for the services to be amalgamated and re-tendered as one contract.

Further details about the contracts was set out in a part 2 report (minute 149).

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 21st January 2020, and the Committee supported the proposals.

RESOLVED that a six month extension to 31st March 2021 be authorised for both contracts , via exemption from competitive tendering, to enable the services to be amalgamated and put out to tender; the combined estimated value of the extension is £196.5k.

142 CONTRACT AWARD: PROVISION OF HOUSING SUPPLY IN ANERLEY AND CHISLEHURST (PART 1)
Report DRR10/019a

Following a report to the Executive's meeting on 21st May 2019, a tender process had been carried out through a compliant framework for the design and build of off-site housing construction for the provision of temporary accommodation at two sites - Bushell Way, Chislehurst and Anerley Town Hall Overflow Car Park.

Further details were set out in a part 2 report (minute 150.)

Councillor Angela Wilkins, as ward member for Crystal Palace, pointed out that as the free parking on the Anerley site would no longer be available there would be an impact on surrounding streets. She therefore asked that additional resources be put towards parking management in the area, and the Leader supported this.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee on 11th February 2020, and the Committee supported the proposals.

RESOLVED that the contract for the Design and Build (subject to planning permission) of the two schemes be approved as detailed in the part 2 report.

143 CONTRACT AWARD: DOMICILIARY CARE FOR DISCHARGE TO ASSESS (PART 1)
Report ACH20-006

The Discharge to Assess (D2A) service had started in October 2017 on a pilot basis funded through the Better Care Fund with the domiciliary care element procured on an interim basis through Bromley Clinical Commissioning Group. In July 2019 the Executive had agreed to the continuation of the pilot and to proceed to procurement for the domiciliary care element of the service for a one year contract to commence in August 2020, following which the service would be included within the procurement process for all domiciliary care provision. However, by September 2019 it had become apparent that the procurement timetable had to be brought forward and a tender process for a framework contract had commenced in November 2019.

Further details were set out in a part 2 report (minute 151).

The report had been scrutinised by the Adult Care and Health PDS Committee on 22nd January 2020, and the Committee supported the proposals.

RESOLVED that a Domiciliary Care for Discharge to Assess framework contract be awarded as detailed in the part 2 report for an eighteen month period commencing on 1st March 2020 until 27th August 2021; the framework contract will operate on a call-off basis with an estimated contract value of £810k per annum and a whole life value of £1.215m.

144 LONDON BOROUGHS LEGAL ALLIANCE FRAMEWORK AGREEMENT FOR BARRISTERS
Report CSD20030

The Executive considered proposals to join the London Boroughs Legal Alliance (LBLA) Framework for barristers. The Barristers Framework had recently been re-tendered - the new framework began in January 2020 and lasted for three years, with the option to extend for a further year. The framework consisted of six lots, with specialist chambers appointed for each of the lots.

The framework enabled the Council to benefit from competitive prices and standard agreed rates, but there was no minimum spend required and it would remain possible to commission barristers from outside the framework where necessary.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 5th February 2020, and the Committee supported the proposals.

RESOLVED that

(1) The Council joins the new LBLA Framework Agreement for barristers for a period of 3 years with the option to extend for a further year.

(2) In the event that the LBLA framework is extended by a further year, authority be delegated to the Director of Corporate Services to extend access to the LBLA framework for a further year after the initial 3 year term.

145 AUTHORITY TO ENTER INTO NEGOTIATIONS TO DISPOSE OF FORMER ADVENTURE KINGDOM BUILDING, BROMLEY CIVIC CENTRE TO CREATE A NEW NHS HEALTH AND WELL BEING CENTRE FOR BROMLEY
Report DRR19/062

Bromley Clinical Commissioning Group (BCCG) had been searching for a suitable site in Bromley town centre for some years for a new Health and Wellbeing Centre. Following a strong steer from both the Leader and Portfolio Holder for Adult Care and health, the CCG had recently formally requested

that the Council consider disposing of the former Adventure Kingdom building at the Civic Centre to them, at market value, for the development of the new centre. It was possible that this could involve the grant of a long lease, which would enable the Council to retain a greater degree of control over the development, and ensure that it dovetailed with any Council proposals at the Civic Centre.

Clarity was sought as to the precise extent of the area to be disposed of. The Assistant Director - Strategic Property confirmed that the Great Hall itself would not be included, but some ancillary areas - the former Well Bar, courtyard and kitchens - would. This would probably require kitchen facilities to be re-provided in the bar area of the Great Hall.

The Adventure kingdom site was currently occupied on a temporary basis by Bromley Borough Foodbank. The Portfolio Holder for Renewal, Recreation and Housing, Councillor Peter Morgan, read the following comment from the trustees of the Bromley Borough Foodbank -

“We (BBF trustees) are extremely grateful to the Council for helping us so much by giving us free use of the Adventure Kingdom building for the past 19 months which we always knew was a temporary situation. It has been a great benefit to us as demand for our services has increased to over 5,000 people a year needing emergency supplies of food for 3-5 days. We have nothing but thanks for the help we have received and are glad that the company proposing to develop it as a health facility have agreed to wait till final plans have been drawn up before asking us to leave. We have been looking at various sites already but would be delighted if anyone else came forward with a proposal to provide cheap or free safe storage which would help us as much as the Council has done already.”

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 5th February 2020, and the Committee supported the proposals.

RESOLVED that the disposal of the Adventure Kingdom site at market value be agreed in principle and the Assistant Director, Strategic Property, be authorised to negotiate terms of sale with the CCG subject to a report being made to the Executive for final decision.

**146 OPERATIONAL BUILDING MAINTENANCE BUDGETS AND
PLANNED PROGRAMME 2020/21**
Report CSD20032

The report set out the proposed maintenance budgets and planned programme for 2020/21. Under the Total Facilities Management contract, Amey Community Ltd had responsibility for delivering building maintenance, and the programme had been drawn up by them in consultation with the Council's client team, and following meetings with departmental focus groups. The programme covered Reactive Maintenance, Cyclical Maintenance,

Asbestos Management, Water Treatment Works, Planned Programme and Fire Risk Assessments.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee on 5th February 2020, and the Committee supported the proposals.

RESOLVED that

(1) Subject to Council agreeing the budget, overall expenditure of £2.167m for the Building Maintenance budget in 2020/21 be approved.

(2) The Planned Programme 2020/21 be approved as set out in Appendix A to the report.

(3) Authority be delegated to the Director of Housing, Planning and 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 efficient use of resources.

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

There were no additional items referred from the Executive, Resources and Contracts PDS Committee.

**148 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**

**149 TENANCY SUPPORT SERVICE FOR HOMELESS PEOPLE
(PART 2)**

The Executive considered exempt information in relation to the part 1 report at minute 141 and agreed to the extension of contracts.

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**150 CONTRACT AWARD: PROVISION OF HOUSING SUPPLY IN
 ANERLEY AND CHISLEHURST (PART 2)**

The Executive considered exempt information in relation to the part 1 report at minute 142 and awarded a contract for the design and build of housing for these sites.

**151 CONTRACT AWARD: DOMICILIARY CARE FOR DISCHARGE
 TO ASSESS (PART 2)**

The Executive considered exempt information in relation to the part 1 report at minute 143 and awarded a framework contract for Domiciliary Care for Discharge to Assess.

152 CAPITAL PROGRAMME MONITORING - APPENDIX F

The Executive received Appendix F to the Capital Programme Monitoring report on the part one agenda (minute 137.)

The Meeting ended at 7.53 pm

Chairman