

## **EXECUTIVE**

Minutes of the meeting held on 22 September 2021 starting at 7.00 pm

### **Present:**

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

### **Also Present:**

Councillor Peter Fortune, Councillor Christopher Marlow,  
Councillor Michael Rutherford and Councillor Angela  
Wilkins

### **285 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **286 DECLARATIONS OF INTEREST**

Councillor Kate Lymer declared that as Administrator for the Safer Neighbourhood Board she had written a bid for the Cycle Track at Hoblingwell Wood (Minute 291.)

Councillor Michael Rutherford declared that he was a member of Bromley Athletics Club (Minute 292).

### **287 QUESTIONS**

Four questions had been submitted for oral reply, and four for written reply. The questions and answers are set out in Appendix A.

### **288 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 30 JUNE AND 15 JULY 2021**

**RESOLVED that the minutes of the meetings held on 30<sup>th</sup> June and 15 July 2021 be confirmed.**

### **289 MAKING BROMLEY EVEN BETTER 2021-2031** Report CSD21098

Bromley Council and its partners had been working together to deliver the corporate strategy "Building a Better Bromley". The report presented the refreshed corporate strategy "Making Bromley Even Better" 2021-2031. The

ambitions outlined would be delivered through a wide range of strategic and operational plans across the Council and partner agencies.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 15<sup>th</sup> September 2021 and the Committee supported the recommendations, commenting on the need to ensure that the Plan continued to be reviewed and updated. An annual report would be made to the Executive.

The Leader thanked Naheed Chaudhry, Assistant Director, Strategy, Performance and Corporate Transformation, for her considerable effort in developing the strategy, through several drafts over an extended period, to bring the document to fruition.

**RESOLVED that Council be recommended to approve the refreshed corporate strategy, Making Bromley Even Better 2021 – 2031.**

**290 CRM REPLACEMENT PROJECT - WEBSITE REDESIGN AND UPGRADE**  
Report SCD21097

The report provided an update on the CRM replacement project. Member approval was sought to progressing the complementary scheme to redesign and upgrade of the Council's public facing website.

The Portfolio Holder for Resources, Commissioning and Contract Management, Councillor Graham Arthur, commented that it was unusual for IT projects to come in under budget, and this was a good opportunity to assist with the funding of the refresh of the Council's website. He suggested that officers should demonstrate what was proposed for the website to Executive, Resources and Contracts PDS Committee at the appropriate time.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 15<sup>th</sup> September 2021 and the Committee supported the recommendations.

**RESOLVED that**

**(1) The estimated underspend of approximately £372K for the CRM capital project scheme be noted as outlined in the report; the actual figure will be confirmed within the capital scheme project closure report.**

**(2) Additional expenditure be approved of £175K on the website redesign and upgrade project, to complement the CRM replacement project.**

**(3) It is agreed that the website redesign and upgrade project be funded from the existing CRM capital programme provision and the capital programme be amended to reflect the revised total estimated costs to be funded of £625k.**

Chairman

**291 COMMUNITY CYCLE TRACK AND HUB AT HOBLINGWELL  
WOOD RECREATION GROUND**  
Report ES20116

Following receipt of tenders, the report updated information that had informed the previous Environment and Community Services Portfolio Holder approval (23<sup>rd</sup> June 2020) and Executive decision (10<sup>th</sup> July 2020) for the proposed community cycle track and associated community club (previously known as the BMX track) at Hoblingwell Wood Recreation Ground, and recommended an increase in capital programme provision, approval of additional funding sources, acceptance of further grant funding and progression of the project within delegated authority arrangements.

The Portfolio Holder for Environment and Community Services, Councillor William Huntington-Thresher, commented that considerable work had been needed by officers, idverde and other partners to bring the scheme to fruition.

Following a question from Councillor Angela Wilkins it was noted that an Equality Impact Assessment or social value assessment would not have been appropriate at this stage, but the project would involve further efforts to build up community facilities.

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 1st September 2021 and the Committee supported the recommendations.

**RESOLVED that an increase in the capital programme provision from £276k to £369k to accommodate the increased project costs arising from the recent tender prices and changes to the previously reported grant funding be approved.**

**292 NORMAN PARK**  
Report HPR2021/043

The report updated Members on proposals by Bromley and Blackheath Harriers Athletic Club (BBHAC) to take over the management and operation of the Norman Park Athletic Track on a 125 year full repairing and insuring lease and to make the site self-sustaining. The report recommended a grant of £200k towards the development of the new Clubhouse, funded by a drawdown from Central Contingency in 2021/22, of which £41k related to forward funding of the remaining year of the current contract and would be credited back to central contingency in 2022/23.

Councillors Graham Arthur and Peter Fortune welcomed the proposals as ward members for Hayes and Coney Hall – they would result in superb facilities and a great legacy for the borough. The Portfolio Holder for Renewal, Recreation and Housing, Councillor Peter Morgan, added that this reflected a strong commitment to sport in the borough.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 8<sup>th</sup> September 2021 and the Committee supported the recommendations.

**RESOLVED that**

**(1) Subject to legal consideration of Subsidy Control Legislation (previously state aid), a grant of £200k be approved towards the cost of the new clubhouse at Norman Park, to be funded by a drawdown from Central Contingency in 2021/22, of which £41k relates to funding of the remaining year of the current contract and will be credited back to Central Contingency from the Leisure Client revenue budget in 2022/23.**

**(2) Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Director of Finance to agree the grant conditions and due process following receipt of the information detailed in paragraph 7.4 of the report.**

**(3) Authority be delegated to the Director of Corporate Services for Legal Services to execute the Grant Agreement and all ancillary paperwork/legal documentation.**

**293 WEST WICKHAM LEISURE CENTRE**  
Report HPR2021/049

The Executive received an update on the findings of the condition survey for West Wickham Leisure Centre which set out options for the future of the site. The report's recommendations provided the final information required for a full financial options appraisal to be undertaken which will be reported back to Members for further consideration and decision.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 8<sup>th</sup> September 2021 and the Committee supported the recommendations.

**RESOLVED that the marketing of the Leisure Centre car park for sale, through a suitable compliant procedure, with conditions on car parking provision for the Leisure Centre and purchase of any affordable housing as set out in Option 6 within the report, be approved.**

**294 ADDITIONAL RESTRICTIONS GRANT (ARG) TOP UP FUNDING**

Report HPR 2021/048

The London Borough of Bromley had now distributed all the Additional Restrictions Grant (ARG) funding received from Central Government to support businesses in the borough during the Covid 19 pandemic. As a consequence of successfully distributing these moneys in advance of 30<sup>th</sup> July 2021 the Council had received an ARG top-up of £2.611m to further support businesses. The report set out recommendations for spending this top up funding.

The Chairman of the Executive, Resources and Contracts PDS Committee, Councillor Christopher Marlow, stated that his Committee would be considering a report on Covid costs and expenditure at their meeting in October.

In response to questions from Cllr Angela Wilkins, it was confirmed that sporting organisations would have the opportunity to apply for grants as part of the cultural programming strand, and that although the business lounges were located in Bromley, Orpington and Biggin Hill it was hoped to provide surgeries though other libraries across the borough.

Councillor Peter Morgan, Portfolio Holder for Renewal, Recreation and housing reported that town centre footfall in Bromley had returned to pre-pandemic levels, and although there were empty units these were largely due to the failures of national chains rather than any local issues. The grants were providing effective help to smaller local businesses.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 8<sup>th</sup> September 2021 and the Committee supported the recommendations.

The Leader thanked the staff in the Regeneration and Finance Teams for their work on the ARG scheme.

**RESOLVED that**

**(1) The distribution of £2.611m grants to businesses and business support across the borough across the five grant programmes detailed in the report be approved: existing start-up businesses, new start-up businesses, business expansion, business growth and cultural programming.**

**(2) Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing to determine grant criteria and application processes as required, in line with the Department for Business, Energy and Industrial Strategy (BEIS) guidance.**

**(3) Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Portfolio Holder for Renewal, Recreation and Housing to move funding between the five grant programmes to best respond to demand and to ensure the full £2.611m is distributed.**

**295 LEARNING DISABILITY SUPPORTED LIVING CONTRACT AWARD (PART 1)**  
Report ACH21-040

The Council had five separate contracts with specialist learning disability providers to provide care and support into sixteen supported living properties within the borough. A Gateway report, setting out the strategy for undertaking the re-procurement of these services, had been agreed by the Executive on 27 November 2019.

The report detailed the outcome of the procurement process and sought Executive approval for the award of contracts for the four lots to the providers detailed in the Part Two report for a period of five years with the option to extend for a further period of three years. The estimated total costs of the awards over the full eight year term (excluding inflationary increases and fluctuation due to individual client need) were detailed in the Part Two report. Contracts would commence on 25 January 2022.

The report should be read in conjunction with the Part 2 report "Learning Disability Supported Living Contract Award."

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 9<sup>th</sup> September 2021 and the Committee supported the recommendations.

Councillor Diane Smith, Portfolio Holder for Adult Care and Health, thanked Colin Lusted, Head of Complex and Long Term Commissioning, for his work on the contract.

**RESOLVED that**

**(1) The contract for the provision of supported living services be awarded to the providers detailed in the part 2 report with estimated annual/whole life values (excluding inflationary increases and fluctuations due to individual client need) for each lot as also detailed in the part 2 report.**

**(2) Authority be delegated to the Director of Adult Social Care, in consultation with the Portfolio Holder for Adult Care and Health, the Assistant Director, Governance and Contracts, the Director of Finance and the Director of Corporate Services to exercise the three year extension period.**

**296 HARRIS KENT HOUSE FREE SCHOOL INCLUDING  
ASSOCIATED PROPERTY TRANSACTION**  
Report CEF21038

Harris Kent House had been approved as a new secondary school, entering the Department for Education's Free School programme in Wave 12. The new school would be constructed on the Kentwood site in Penge. In addition to the new secondary school, the project would involve provision of new accommodation for the existing Harris Primary Academy Kent House and the Council's Adult Education and Adult Social Care operations on the site. The Department for Education would act as developer for the Council in constructing new-build Adult Education and Adult Social Care premises, and new leases would need to be provided to the Free School and existing Harris Primary Academy Kent House. The report recommended that the Council enter into a number of agreements with the Department for Education and the Harris Federation – further details were set out in a part 2 report.

Councillor Angela Wilkins recognised that there was a need for the additional school places in the area, but set out concerns about the size of the buildings needed to accommodate the various facilities on the site in relation to the size of the site, the proposal that the new school should be for boys only and the priority given to feeder schools in the Harris admissions criteria. She called for more information to be available and for wider public consultation.

**RESOLVED that**

**(1) The progress of the Harris Kent House Free School Project which will provide a new secondary school and new accommodation for Harris Primary Academy Kent House and the Council's Adult Education and Adult Social Care facilities be noted.**

**(2) The progress in conversations with the Harris Federation about the organisation of the new school and relationship with Harris Bromley to ensure Harris Kent House meets the Council's future need for school places be noted.**

**(3) That authority be agreed -**

- To enter into negotiations for the relevant Heads of Terms ("HOTS") the current versions of which are attached to the Part 2 report.**
- To delegate authority to the Director of Education in consultation with the Director of Corporate Services, the Director of Finance and the Portfolio Holder for Children, Education and Families to finalise the HOTS, and enter into ancillary legal agreements relating thereto with the Department for Education and Harris Federation (subject to the HOTS being agreed.)**

**297 SEN FREE SCHOOL INCLUDING ASSOCIATED PROPERTY TRANSACTION**  
Report CEF 21037

The Executive considered a report proposing that the Council enters into agreements for the property transactions and operating costs for a new special school in Chislehurst at a site off Bushell Way that had been identified for a 420 place primary school in the Local Plan.

The Portfolio Holder for Environment and Community Services, Councillor William Huntington-Thresher, confirmed that the proposals were not in conflict with the borough's Open Space Strategy, and would preserve the open space. In addition, the school would mean that local children would not have to travel long distances to school.

A letter had been received from Bob Neill MP commenting on the proposals.

**RESOLVED that**

**(1) The progress of the Special Free School project and the recent announcement by the Department for Education that Rivermead Inclusive Trust have been appointed to manage the new school be noted.**

**(2) The analysis by the Department for Education that the site is insufficient for a 152 pupil school based on their guidelines on special school sites (BB104) and its current approach to constrained sites be noted.**

**(3) The grant of a lease of land shown on the plan attached to the report (Appendix 1) to Rivermead Inclusive Trust for a term of 125 years at a pepper corn rent be authorised, (subject to the Council being satisfied with the outcome of the feasibility study and planning consent being obtained.)**

**(4) The Director of Education, in consultation with the Director of Corporate Services and Director of Finance and the Portfolio Holder for Children, Education and Families, be authorised to agree and settle the commercial terms and to enter into all relevant legal agreements and any other agreements ancillary thereto with Riverside Inclusive Trust and the Department for Education for the opening of the Special Free School and the granting of the relevant 125 year lease.**

**298 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.

**299 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

**300 EXEMPT MINUTES OF THE MEETINGS HELD ON 30 JUNE AND 15 JULY 2021**

The exempt minutes of the meetings held on 30<sup>th</sup> June 2021 and 15<sup>th</sup> July 2021 were confirmed.

**301 LEARNING DISABILITY SUPPORTED LIVING CONTRACT AWARD (PART 2)**

The Executive considered part 2 details relating to the proposed contracts.

**302 HARRIS KENT HOUSE FREE SCHOOL INCLUDING ASSOCIATED PROPERTY TRANSACTION**

The Executive considered part 2 details relating to the proposed new school.

**303 SEN FREE SCHOOL INCLUDING ASSOCIATED PROPERTY TRANSACTION**

The Executive considered part 2 details relating to the proposed SEN Free School.

The Meeting ended at 8.08 pm

Chairman

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### EXECUTIVE

22 September 2021

#### **(A) Questions for Oral Reply**

##### **(1) From Alisa Igoe to the Portfolio Holder for Children, Education and Families**

On 4th August Bromley announced an additional £141k in the government's Covid Essential Fund, until end September. Residents could self-refer if adversely affected by the pandemic. On 22nd August I noticed the website said the Fund had been exhausted. Could you kindly explain how the £141k was so quickly dispersed, to which departments and how much to each?

#### **Reply:**

I note that you previously raised this question at the Children, Education and Families PDS Committee and were provided with my written response. The Covid Essential Fund is administered by the Housing, Planning and Regeneration directorate. All of the funding has been spent supporting children and families.

##### **(2) From Alisa Igoe to the Portfolio Holder for Children, Education and Families**

*Reference: Bromley Council website/Latest News page/Covid Essential Fund/4 August 2021*

*"A maximum of two grants will be paid to eligible households during the grant scheme period, subject to fund availability. Once the application has been assessment and accepted, the council will then be able to arrange suitable payment, including vouchers for food for instance."*

The CEF's additional £141k was exhausted within two and a half weeks of the Council press release 4 August announcing the extra funding from the government, this despite the fund being due to run until the end of September. Could you please tell me exactly what proportion of the £141k was used to provide food vouchers or meals for Bromley families?

#### **Reply:**

100% of the funding provided support to Bromley families.

#### **Supplementary question:**

Can you supply the actual number?

#### **Reply:**

The return to the DWP is not complete yet, but the families of around 8,500 children received supermarket vouchers over the summer holiday period.

### **(3) From Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing**

It's great to see the Council receive an Additional Restrictions Covid Grant of £2.6million. Can the Council confirm that this money will go directly to the businesses that need it, and not just used to balance the Council's books, which has been the case with other grants?

#### **Reply:**

I do not know which previous grants Mr McPartlan is referring to so I can't comment on the accusation in relation to these. However, the report on the ARG top up funding makes it very clear where the funding will be targeted across the five grant streams, which are all for the direct benefit of borough businesses and have been shaped in consultation with the business community. None of the ARG funding is being used directly by the Council and indeed the BEIS does not allow any Councils to do this.

#### **Supplementary Question:**

The ARG top up is intended for top up but can also be used for business support. How is the £2.6m split?

#### **Reply:**

I cannot give a split. The report shows the allocation – I expect that we will follow the same split.

### **(4) From Tony McPartlan to the Portfolio Holder for Renewal, Recreation and Housing**

The West Wickham Leisure Centre Report is one that is likely to raise a lot of local interest. The intentions in the report seem positive but can the Council confirm that they will only take forward the recommendations that ensure that high quality leisure facilities will remain in West Wickham?

#### **Reply:**

Yes.

#### **Supplementary Question:**

What level of public involvement will there be in any decision making?

#### **Reply:**

When proposals come forward there will be full consultation as with all the Council's schemes.

**(B) Questions for Written reply**

**(1) From Councillor Kathy Bance to the Portfolio Holder for Public Protection and Enforcement**

I am pleased to see that LBB has signed up to the Women's Night Safety Charter. Can the Portfolio Holder please advise what additional work is underway in order to achieve the actions we have signed up to?

**Reply:**

I can confirm that Bromley have signed up to the charter. This is a cross cutting issue in relation to housing, public protection and is included in the Domestic Violence Action Plan and will be added to the Safer Bromley Partnership Plan. We are awaiting further details from MOPAC and will ensure that this is reported to cross portfolios on the progress made.

**(2) From Dermot Mckibbin to the Portfolio Holder for Resources, Commissioning and Contract Management**

Please list by ward and postcode the number of empty properties in the borough that have been vacant for over 2 years, over 5 years and over 10 years.

**Reply:**

Please see attached tables (appendix 1). The full postcode has not been included to prevent empty properties being identified.

**(3) From Dermot Mckibbin to the Portfolio Holder for Resources, Commissioning and Contract Management**

The Council's consultation document on the empty homes premium refers to around 300 properties empty for 2 years or more. The Empty Homes Agency refers to 554 empty properties in Bromley in 2019 and 828 in 2020. Which is correct and why?

**Reply:**

Each year the Council carries out an Empty Homes Review on properties that are empty for more than 6 months and this is reported to Central Government as part of the Council Tax base returns. The figures of 554 empty properties in Bromley in 2019 and 828 in 2020 refer to properties empty for more than 6 months which is taken at a specific date in October each year and are correct.

Empty Homes Premium is charged for properties which have been unoccupied and unfurnished for two years and more. The difference in the figures can be attributed to

those properties empty between 6 months and 2 years which cannot be classed as chargeable for Empty Homes Premium. The figure stated in the Council's consultation document is therefore also correct.

**(4) From Gary Kent to the Portfolio Holder for Renewal Recreation and Housing**

The report records that West Wickham councillors should consider a temporary alternative facility while the leisure centre is out of action. Could this be beefed up to commit to such an alternative rather than it merely being considered.

**Reply:**

Whether we completely refurbish the existing building or provide a new building there will inevitably be a limited period of disruption during which West Wickham's pool users might very well decide they prefer to use the excellent facilities at either the Spa (Beckenham) or Pavilion (Bromley) or possibly even those of a private club.

What I'm absolutely certain that both Mr Kent and everyone else can agree upon, is that above all else we need to avoid a repeat of the situation currently being experienced up at Crystal Palace NSC where the pool is facing indefinite or even permanent closure, thanks to the lack of interim maintenance and long-term financial planning demonstrated by the current Mayor for London.

Appendix 1 – Question 2

<b>Empty Properties in LB Bromley</b>				
<b>Ward</b>	<b>Over 2 Years</b>	<b>Over 5 Years</b>	<b>Over 10 Years</b>	<b>Total</b>
Bickley	7	2	1	10
Biggin Hill	5	1		6
Bromley Cmmn & Keston	12	2		14
Bromley Town	17	4	4	25
Chelsfield & Pratts Bottom	2	3	1	6
Chislehurst	8	3	6	17
Clock House	15	1		16
Copers Cope	28	7	1	36
Cray Valley East	12		3	15
Cray Valley West	5			5
Crystal Palace	11	4	1	16
Darwin	3	2	2	7
Farnborough & Crofton	6	32		38
Hayes & Coney Hall	6	2		8
Kelsey & Eden Park	8			8
Mottingham & Chis. North	2	2		4
Orpington	11	2	1	14
Penge & Cator	27	6	2	35
Petts Wood & Knoll	9	1		10
Plaiستow & Sundridge	9	3	2	14
Shortlands	5	1		6
West Wickham	10	1		11
<b>Totals</b>	<b>218</b>	<b>79</b>	<b>24</b>	<b>321</b>

<b>Empty Properties in LB Bromley</b>				
<b>Postcode</b>	<b>Over 2 Years</b>	<b>Over 2 Years</b>	<b>Over 10 years</b>	<b>Total</b>
BR1 1	4	2	1	7
BR1 2	3	1	1	5
BR1 3	8	2	2	12
BR1 4	7	2	3	12
BR1 5	3			3
BR2 0	10	2		12
BR2 6	3	1		4
BR2 7	2	2		4
BR2 8	7	1		8
BR2 9	10	1		11
BR3 1	20	6	1	27
BR3 3	3			3
BR3 4	8	1		9
BR3 5	8	1		9
BR3 6	6			6
BR4 0	7	1		8
BR4 9	5			5
BR5 1	6	1		7
BR5 2	6	1		7
BR5 3	5		2	7
BR5 4	3			3
BR6 0	11	1	1	13
BR6 6	1	2		3
BR6 7	1			1
BR6 8	5	2		7
BR6 9	8	32	1	41
BR7 5	4	2	4	10
BR7 6	4		2	6
DA14 5			1	1
SE19 2	4			4
SE20 7	18	4	2	24
SE20 8	13	2	1	16
SE26 5	5	1		6
SE26 6	1	3		4
SE9 4	2	2		4
TN14 7	2	1	1	4
TN16 2		1		1
TN16 3	5	1	1	7
<b>Totals</b>	<b>218</b>	<b>79</b>	<b>24</b>	<b>321</b>