



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 14 March 2022

To: Members of the
**EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND
SCRUTINY COMMITTEE**

Councillor Christopher Marlow (Chairman)
Councillor Kira Gabbert (Vice-Chairman)
Councillors Gareth Allatt, Yvonne Bear, Nicholas Bennett MA J.P.,
David Cartwright QFSM, Nicky Dykes, Robert Evans, Will Harmer, Colin Hitchins,
Simon Jeal, Melanie Stevens, Michael Tickner, Pauline Tunnicliffe and
Angela Wilkins

A meeting of the Executive, Resources and Contracts Policy Development and
Scrutiny Committee will be held Bromley Civic Centre on **THURSDAY 24 MARCH
2022 AT 7.00 PM**

PLEASE NOTE: This meeting will be held in the Council Chamber at the Civic
Centre, Stockwell Close, Bromley, BR1 3UH. Members of the public can attend the
meeting: you can ask questions submitted in advance (see item 3 on the agenda) or
just observe the meeting. There will be limited space for members of the public to
attend the meeting – if you wish to attend please contact us, before the day of the
meeting if possible, using our web-form:

<https://www.bromley.gov.uk/CouncilMeetingNoticeOfAttendanceForm>

Please be prepared to follow the identified social distancing guidance at the meeting,
including wearing a face covering.

TASNIM SHAWKAT

Director of Corporate Services & Governance

Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each
report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**

3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions that are not specific to reports on the agenda must have been received in writing 10 working days before the date of the meeting.

Questions specifically on reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically on reports on the agenda are received by the Democratic Services Team by **5pm on 18 March 2022.**

a QUESTIONS FOR THE CHAIRMAN OF EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE

b QUESTIONS FOR THE RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO HOLDER

4 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 7 FEBRUARY 2022 (EXCLUDING EXEMPT ITEMS) (Pages 5 - 20)

5 MATTERS OUTSTANDING AND WORK PROGRAMME (Pages 21 - 28)

6 FORWARD PLAN OF KEY DECISIONS (Pages 29 - 34)

HOLDING THE RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER TO ACCOUNT

7 RESOURCES, COMMISSIONING AND CONTRACTS MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY

Portfolio Holder decisions for pre-decision scrutiny.

a NORTH BLOCK SOLAR PV INSTALLATION (Pages 35 - 50)

HOLDING THE EXECUTIVE TO ACCOUNT

8 SCRUTINY OF THE LEADER OF THE COUNCIL

9 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

Members of the Committee are requested to bring their copy of the agenda for the Executive meeting on 30 March 2022.

POLICY DEVELOPMENT AND OTHER ITEMS

10 SCRUTINY OF THE EXECUTIVE ASSISTANT TO THE LEADER OF THE COUNCIL

11 ANNUAL PDS REPORT 2021/22 (Pages 51 - 76)

PART 2 AGENDA

12 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006, AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Items of Business

Schedule 12A Description

- | | | |
|-----------|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| 13 | EXEMPT MINUTES OF THE MEETING HELD ON 7 FEBRUARY 2022 (Pages 77 - 78) | Information relating to the financial or business affairs of any particular person (including the authority holding that information) |
| 14 | PRE-DECISION SCRUTINY OF EXEMPT RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER REPORTS | |
| 15 | PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS (IF ANY) | |

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EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 7 February 2022

Present:

Councillor Christopher Marlow (Chairman)
Councillor Kira Gabbert (Vice-Chairman)
Councillors Gareth Allatt, Nicholas Bennett MA J.P.,
Nicky Dykes, Robert Evans, Will Harmer, Colin Hitchins,
Keith Onslow, Melanie Stevens, Ryan Thomson,
Michael Tickner, Pauline Tunnicliffe and Angela Wilkins

Also Present:

Councillor Michael Rutherford, Portfolio Holder for
Resources, Commissioning and Contracts Management
Councillor Colin Smith, Leader of the Council

77 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Yvonne Bear and Simon Jeal and Councillors Keith Onslow and Ryan Thomson attended as their respective substitutes. Apologies were also received from Councillor David Cartwright.

78 DECLARATIONS OF INTEREST

There were no additional declarations of interest.

79 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Two questions were received for written reply and these are attached at **Appendix A.**

80 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE MEETING HELD ON 5 JANUARY 2022 (EXCLUDING EXEMPT ITEMS)

The Chairman reported that Councillor David Cartwright had raised an issue concerning his request in respect of the Platinum Jubilee item that applications for areas of social and economic deprivation be prioritised. By majority, the Committee agreed to support this, and it was noted that the Chairman would write to the Executive to make the request.

The minutes of the meeting held on 5 January 2022, were agreed, and signed as a correct record.

**81 MATTERS OUTSTANDING AND WORK PROGRAMME
 Report CSD22011**

The report dealt with the Committee's business management including the proposed work plan for the remainder of the year.

The Vice-Chairman provided an update on the progress of the Committee's Task and Finish Group reporting that membership of the Group had now been established however, as the Operational Property Review had not yet been completed, the decision had been taken to postpone meeting until the outcome of that review was known. The Committee noted that it was anticipated that the Task and Finish Group would meet in late Spring/early Summer 2022.

The Committee agreed that the post completion review in respect of Banbury House should be referred to the Renewal, Recreation and Housing PDS Committee.

RESOLVED: That the report be noted.

82 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period January 2022 to April 2022.

Members noted that the report concerning Crystal Palace Park Event Management due to be considered by the Executive on 9 February 2022, had been deferred. The Committee requested that an update on the revised timescales be provided following the meeting.

The Committee also noted that the decision concerning the Housing Revenue Account – Business Plan would be scrutinised by both the Executive, Resources and Contracts PDS Committee and the Renewal, Recreation and Housing PDS Committee in March 2022.

**83 RESOURCES, COMMISSIONING AND CONTRACTS
 MANAGEMENT PORTFOLIO - PRE-DECISION SCRUTINY**

The Committee considered the following reports where the Resources, Contracts and Commissioning Portfolio Holder was recommended to take a decision.

**a TREASURY MANAGEMENT - ANNUAL INVESTMENT
STRATEGY AND QUARTER 3 PERFORMANCE 2021/22
Report FSD22010**

The report summarised treasury management activity during the third quarter of 2021/22. Investments as at 31st December 2021 totalled £442.9m (£396.9m at 31st December 2020) and there was no outstanding external borrowing. The report also included the Treasury Management Strategy and the Annual Investment Strategy for 2022/23, which were required by the CIPFA Code of Practice for Treasury Management in the Public Services to be approved by the Council as well as prudential indicators and the MRP (Minimum Revenue Provision) Policy Statement, both of which required the approval of Council. The Council was required by statute to agree and publish prudential indicators, primarily to confirm that the Council's capital expenditure plans were affordable and sustainable. The report ensured that the Council was implementing best practice and complying with the requirements of the CIPFA Code of Practice for Treasury Management.

In response to a question concerning staff development, the Director of Finance confirmed that CIPFA ran courses which staff were encouraged to access.

In respect of CCLA performance, the Director of Finance confirmed that it was an open fund mainly used by the public sector which provides greater longer term stability.

RESOLVED: That the Portfolio Holder be recommended to

- 1. Note the Treasury Management performance for the third quarter of 2021/22.**
- 2. Note the publication of the revised Treasury Management and Prudential Codes, with formal adoption required in 2023/24.**
- 3. Recommend that Council agrees to adopt the Treasury Management Statement and the Annual Investment Strategy for 2022/23 including the prudential indicators and the Minimum Revenue Provision (MRP) policy statement.**

b COUNCILLOR IT PROVISION

The item was withdrawn

84 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following reports on the Part 1 agenda for the meeting of the Executive on 9 February 2022:

7 February 2022

**(5) 2022/23 COUNCIL TAX
FSD22019**

The report identified the final issues affecting the 2022/23 revenue budget and sought recommendations to the Council on the level of the Bromley element of the 2022/23 Council Tax and Adult Social Care precept. Confirmation of the final GLA precept would be reported to the Council meeting on 28 February 2022. The report also sought final approval of the 'schools budget'. The approach reflected in the report was for the Council to not only achieve a legal and financially balanced budget in 2022/23 but to have measures in place to deal with the medium-term financial position (2023/24 to 2025/26).

The Director of Finance introduced the report and explained that the Council was imminently expecting the final settlement. Once the final settlement had been received an update would be provided to the Executive. The Committee noted that the Mayor of London had needed permission to increase Council Tax above referendum limits, this had been granted and it was therefore expected that the 8.8% increase in the London precept would still apply. The Director of Finance drew the Committee's attention to the reference in the report to reforms to adult social care which would need to be closely monitored and would be subject to future reports to Members. In response to a question concerning the revenue raised from the adult social care precept and the proportion of that funding directed to adult social care, the Director of Finance confirmed that specific details would be provided following the meeting. However, Members were advised that the precept has been fully utilised to contribute towards inflation, demographic and other cost pressures for adult social care - the Council was required to identify that funding raised through the precept was directed to adult social care.

In respect of recent government announcements concerning support for households for winter fuel bills, the Director of Finance confirmed that every household in Council Tax bands A-D would receive a £150 fuel rebate from the Government, as long as it was a primary property. Members noted that for residents paying Council Tax by Direct Debit the fuel rebate would be easy to administer however some households would need to be written to. Local Authorities had been advised to wait for further guidance and some information would be included in Council Tax bills. There was a separate discretionary fund of £144m which could be utilised, for example, for households in Council Tax Bands E-H in receipt of benefit or Council Tax Support. There could be others alternatives for the funding that will need to be considered. Further guidance on this aspect was awaited. In response to a question, the Director of Finance confirmed that details of the percentage of council taxpayers in Bands A-D would be provided following the meeting. Members noted however that Bromley had a higher proportion of council taxpayers in the higher bands.

In response to a question concerning the other measures available to the Council to support households struggling with high fuel bills, the Director of

Finance confirmed that the Household Support Fund was being utilised to support the most vulnerable families.

In relation to fairer funding, the Director of Finance confirmed that there had been delays to the Fairer Funding Review. Members noted that some of the data used to inform the financial settlement was 20 years old and it was likely that following the 2021 Census, the government would take the opportunity presented by the Review to update the data. It was further noted that the impact on Bromley of the Government's Levelling Up programme was unclear, although it was likely that Levelling Up would have a more significantly negative impact on inner London boroughs.

RESOLVED: That the Executive be recommended to recommend to Council that it:

- 1. Approves the overall Dedicated Schools Budget (DSG) of £92.3m which matches the estimated level of Dedicated Schools Grant (DSG), after academy recoupment;**
- 2. Approves the draft revenue budgets (as in Appendix 2 of the report) for 2022/23;**
- 3. Agrees 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 12th January 2022;**
- 4. Approves a contingency sum of £17,395k;**
- 5. Approves the following provisions for levies for inclusion in the budget for 2022/23;**

	£'000
London Pension Fund Authority*	478
London Boroughs Grant Committee	247
Environment Agency (Flood defence etc.) *	270
Lee Valley Regional Park *	321
Total	1,316

***Provisional estimate at this stage**

- 6. Notes the latest position on the GLA precept, which will be finalised in the overall Council Tax figure to be reported to full Council;**
- 7. Considers the "Bromley element" of the Council Tax for 2022/23 to be recommended to the Council, including a general increase and the Adult Social Care Precept, having regard to possible 'referendum' issues;**
- 8. Approves the approach to reserves outlined by the Director of Finance (see Appendix 4 of the report);**

9. **Notes that any decision on final council tax levels will also require additional “technical” recommendations, to meet statutory requirements, which will be completed once the final outcome of levies are known at the full Council meeting);**
10. **Agrees that the Director of Finance be authorised to report any further changes directly to Council on 28 February 2022.**

**(6) CAPITAL PROGRAMME MONITORING Q3 2021/221 AND CAPITAL STRATEGY 2022 TO 26
Report FSD22015**

The report updated the Council's Capital Strategy. It also summarised the current position on capital expenditure and receipts following the third quarter of 2021/22 and presented for approval the new capital schemes in the annual capital review process. The Executive was asked to consider the updated Capital Strategy and approve a revised Capital Programme.

In response to a question concerning the transfer of funds for Education, the Director of Finance agreed to provide a response following the meeting.

The Committee noted that the Capital Programme would need to be updated to reflect any decision taken by the Executive in respect of the Bromley Town Health and Wellbeing Centre.

RESOLVED: That the Executive be recommended to:

1. **Note the report, including a total re-phasing of £849k from 2021/22 into future years, and agree a revised Capital Programme;**
2. **Recommend to Council:**
 - (i) **The inclusion of the new scheme proposals in the Capital Programme (paragraphs 3.15 to 3.22)**

**(7) OPERATIONAL BUILDING MAINTENANCE BUDGETS AND PLANNED PROGRAMME 2022/23
Report HPR2022/007**

The report provided a brief update on the Operational Property Review and sought approval to draw down from the Growth Fund for a Programme Manager to support feasibility work.

In response to a question, the Assistant Director for Property explained that, in consultation with colleagues in finance it had been considered prudent to place a bid for capital funding for maintenance as a budgetary proposal. The Portfolio Holder for Resources, Commissioning and Contracts Management

highlighted that there was a backlog in maintenance across the Council estate and the figures within the report reflected estimates for the repairs that would be necessary.

The Committee noted that Ward Councillors would be consulted as necessary prior to planned works being carried out.

Members noted that the Churchill Theatre was likely to become a significant issue requiring capital investment. Investigations were currently underway to establish the work that would be required to keep the building safe and operational.

A Members noted that the works detailed in the report were essential to keep the buildings open, in use and health and safety complaint.

In response to a question concerning Crystal Palace Park toilets, the Assistant Director for Property confirmed that discussions had taken place with Environmental Services who were leading on the project. It was agreed that an update would be provided following the meeting.

RESOLVED: That Executive be recommended to:

- 1. To approve, subject to Council agreeing the budget, the following expenditure for operational building maintenance for 2022/23:**
 - Repairs and maintenance - £2.314m
 - Earmarked reserve for Infrastructure Investment for essential and statutory works - £1m
- 2. Note provision of £2m in 2022/23 and £2m in 2023/24 to a Building Investment Fund, as included in the Draft 2022/23 Budget report**
- 3. Note a new Capital Programme for Operational Estate Maintenance Programme totalling £20.257m, phased over the next three financial years as included in the Capital Strategy 2022 to 2026 report**
- 4. Delegate authority to the Director of Housing, Planning, Property and Regeneration to vary the programmes and budget allocations where such action is considered necessary to either protect the Council's assets or make the most effective use of resources.**
- 5. Approve the request for £65k to be drawn down from the Growth Fund earmarked reserve for the appointment of a**

**Programme Manager to support the delivery of the next phase
of the Operational Property Review.**

**(16) ACCELERATED DEVELOPMENT OF A NEW HEALTH AND WELLBEING CENTRE
AT THE CIVIC CENTRE AS PART OF A WIDER MIXED-USE DEVELOPMENT**

The Committee considered a report seeking the approval of the Executive to proceed to procurement, to authorise drawdown of up to £2m from the Capital Programme to fund the various professional services required to progress the development of a health and wellbeing centre at the Civic Centre through the initial stages; noting that that this was in addition to £0.5m previously agreed by the Executive in October 2021; and noting that the Clinical Commissioning Group (CCG) would initially underwrite 50% of this total cost.

In opening the discussion, the Chairman expressed concerns around the quantity of the scoping works and risks around these works being completed with no guarantee in terms of delivery of the scheme. The Assistant Director for Property explained that the funding of £2m was intended to take the whole scheme from viability to submission of a planning application, there was an indemnity from the CCG for 50% of the initial costs and the £2m would not be committed without a firm commitment from the CCG.

The £2m was to demonstrate a commitment to the government minister that a programme to deliver the scheme was in place and that the parties were in a position to rapidly move through viability and design prior to the submission of a planning application. The Committee noted that timescales for the programme were tight but achievable to enable the opening of the health and wellbeing centre by April 2024. In terms of the costs of the scheme, Members noted that there was a 10% contingency and inflation of 5.4% included within the cost estimates on the assumption that construction would commence later in 2022. These costs would be updated as the scheme progresses. The Director of Finance recognised that in the current financial climate there were concerns around increasing building costs which would need to be monitored.

In response to a question, the Assistant Director for Property confirmed that the view of the Chief Planner had been sought in terms of massing, proximity to local residents and proximity to the Civic Centre. Whilst the scheme was not at pre-application stage, no concerns had been raised in respect of overdevelopment although the importance of respecting and reflecting the heritage of the local area through any design was recognised.

It was noted that Ward Councillors and the Council's Heritage Champion would be kept informed of progress and would be consulted in respect of the design of the scheme.

Whilst expressing reservations around the viability of the scheme, Members of the Committee recognised that the delivery of a health and wellbeing centre

was essential for Bromley Town Centre in terms of much needed healthcare facilities.

The Committee noted that there had always been an aspiration to deliver a health and wellbeing center by April 2024, however the Minister for State had recently announced a review of projects across Southeast London and this had escalated the need to demonstrate a commitment with a viable scheme in place. Although the timeframe was tight, it was deliverable if the procurement aspects were in place.

The Chairman summarised the discussion, noting that the project had been under development for some considerable time. The real need for healthcare facilities in Bromley Town Centre was recognised however a key issue was that there was the Ministerial review of healthcare projects across Southeast London. If the Executive took the decision not to approve the scheme it would be taken as a sign that the Council was not committed to the project. A number of concerns had been raised by Members of the Committee in terms of cost, timeframes and viability and the Chairman would report these concerns to the Executive. The Committee agreed that the Executive should be recommended to approve the scheme however, the Executive, Resources and Contracts PDS Committee should retain scrutiny oversight of the project and receive regular updates as the scheme progressed.

RESOLVED: That

- 1. the Executive be recommended to:**
 - a) Agreed and incorporate the following into the forthcoming Capital Programme at an estimated additional total cost of £25m including the CCG's estimated 25% share, together with non-recoverable VAT.**
 - b) Subject to the above and following Executive approval (20 October 2021) to proceed to procurement, to authorise drawdown of up to £2m from the Capital Programme to fund the various professional services required to progress the scheme through the initial stages; noting that that this is in addition to £0.5m previously agreed in October 2021; and noting that the CCG will initially underwrite 50% of this total cost.**
 - c) Authorise the drawdown of an additional £1.5m including non-recoverable VAT from the Capital Programme to fund surveys and other project costs including LBB internal costs (£3.5m running total). Estimated inclusive cost as 2.1. The CCG will initially underwrite 50% of this cost.**
 - d) Authorise proceeding to procurement via a compliant route for a works contract to demolish The Great Hall and Adventure Kingdom and prepare the site with enabling works subject to**

receipt of detailed planning consent at an estimated contract value of £650,000 (£4.15m running total) from the Capital Programme. The CCG will be responsible for 25% of this cost.

- e) Authorise proceeding to procurement via a compliant route for a construction contract for the building works at an estimated contract value of £21.4M; noting that commencement of the Build element will be subject to both Member approval for the detailed design and costs of the scheme and subject to receipt of detailed planning consent. The CCG will be responsible for 25% of this cost. Executive are asked to note that it is to be determined whether the optimum route is to procure a Build contract directly or whether to utilise a two stage (via a Pre-Contract Service Agreement [PCSA] with suitable break clause) Design & Build approach. In the event of a Design & Build approach, the first stage of Technical Design is included within the costs for professional services outlined above.**
 - f) Delegate authority to the Director of Housing, Planning, Property and Regeneration or Director of Finance with oversight from the Resources Portfolio Holder, to agree and settle all the commercial terms arising and to deal with publicising, if appropriate, any Open Space Notices and considering representations received and reporting to Members as necessary.**
 - g) Delegate authority to the Assistant Director of Legal Services to enter into all relevant legal agreements and any other ancillary legal documentation relating thereto.**
 - h) Note that an Executive report will be forthcoming with a full business case for consideration including details of the worked-up scheme, procurement of the construction element of the scheme, including additional professional fees and project costs prior to any Planning Application being made.**
- 2. That the Executive, Resources and Contracts Committee continue to receive regular updates as the scheme progresses.**

85 PROPERTY INVESTMENT PORTFOLIO UPDATE

In July 2020 the Leader made the Executive Decision that a full asset management approach to the Investment Portfolio be adopted by seeking to award a contract for the full management of the portfolio to a suitably experienced and qualified firm of Chartered Surveyors. In April 2021, following a competitive tender process, Montagu Evans were appointed as the Council's Investment Portfolio Advisors.

The report provided an overview of the work undertaken to date by the Council's appointed advisors and set out the Investment Strategy that would provide the overarching governance for the effective management of the portfolio.

A further report would be presented to the Executive in due course, providing recommendations on the Key Performance Indicators and individual asset plans to be adopted to ensure robust governance was in place to deliver on the Investment Strategy.

The Committee noted that there had been a significant general market decline, and the Chairman requested that any future reports highlight the difference between acquisition price of the portfolio's assets and their market value, and how this had changed over time.

In response to a question concerning 'other income generating properties', the Head of Estates and Asset Management reported that the Council owned around 3000 properties with roughly 50% of investment revenue generated from property.

The Committee noted that the Council's property investments were currently heavily high street retail focused and this was a challenging area which carried risks. A Member noted that that retail warehouses were currently not heavily weighted, yet this sector was booming. It was further noted that where necessary the council did look to repurpose its property portfolio and, in the Summer, Members would be presented with options for some of the more challenging properties within the portfolio.

In relation to maintenance, the Committee noted that there was need to invest in the material of buildings in order to protect revenue and in the summer Officers would present full cash flows.

RESOLVED: That the report be noted.

86 SCRUTINY OF THE CHIEF EXECUTIVE

The Chief Executive, Mr Ade Adetosoye, attended the meeting to respond to questions from the Committee. A written update for the Committee had been circulated as part of the agenda papers. Mr Adetosoye responded to questions, making the following comments –

- The Council was continuing to encourage its staff to voluntarily declare their vaccination status. All non-vaccinated staff in Adult Social Care had been redeployed to non-frontline roles and following the recent change in government policy the situation would be monitored.
- The Occupational Property Review would be presented to Members by June/July 2022.
- In respect of staff returning to the workplace, prior to the pandemic the position of the Council in respect of agile working was clear. Over the

7 February 2022

coming months hybrid working arrangements would be extended with staff, on average, being office-based two or three days a week. The Corporate Leadership Team was assessing the position however the direction of travel was to maintain flexible, hybrid working whilst not losing sight of the benefits for many staff of working in an office-based environment.

- Over the past few years, the Council had become less reliant on agency staff. In addition, the flexibility offered by the Council's flexible and agile working policies had meant that it had been possible to attract staff to some of the harder to fill posts. This had delivered further savings on agency costs.
- The Local Authority had made a significant investment in IT and new technology, and this had provided for a resilient workforce throughout the pandemic. The next stage of the Transformation Programme was to review the use of Artificial Intelligence (AI). The current direction of travel was positive, and the Council was already making use of several different platforms.
- In respect of the resilience of IT, the Chief Executive confirmed that challenges around the UPS system remained. Three attempts had been made to resolve the issues, all of which had proven unsuccessful. The Chief Executive continued to monitor the situation and until the issues were resolved, the contingency arrangement would remain in place as this was the only way to secure the integrity of data should there be an outage.
- In respect of electric vehicles and charging, a key part of the Council's Strategy was to address the various models and issues around compatibility.
- In terms of the housing shortage, the Council was looking to develop a register of empty sites as well as undertaking a review of empty homes.
- The delivery of affordable housing was a challenge across London and the Council was working on several innovative schemes. The Housing Revenue Account had been reopened and this was one of the key strategies for addressing the issue of affordable housing.
- The issues raised by Members in respect of raising concerns and complaints with housing associations were noted and would be followed up with the respective housing associations following the meeting.
- By the end of the Spring/early Summer there would be an improved sound system and technology in the Council Chamber. Surveys had been undertaken, funding approved, and delivery was awaited.
- One of the priorities for 2022 was to increase external recognition of the excellent services provided to residents. It was acknowledged that there was more work needed to celebrate and communicate the Council's achievements and promote this external recognition amongst residents

The Committee thanked the Chief Executive for his update.

87 INFORMATION ITEMS

The items comprised:

- Risk Management

88 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**

89 PART 2 CONTRACTS REGISTER AND CONTRACTS DATABASE

The report presented February 2022's Corporate Contracts Register for consideration. Detailed scrutiny of individual contracts was the responsibility of the six PDS Committees with ER&C PDS taking an overview of the Council's larger value (£200k+) contracts to ensure that commissioning and procurement activity was progressed in a consistent manner. The report provided both the Council wide £200k+ register together with the £50k+ register specific to the ER&C Portfolio.

The Committee received assurances that the status of all contracts was monitored closely and that the majority of procurement decisions were taken in good time. Further steps would be taken, such as service by service review at departmental team meetings, to reduce risk still further.

The Assistant Director Governance and Contracts would provide an update on the progress of the NHS Point of Care tender at the Committee's March meeting.

A Member highlighted that in the past few years the position in relation to flagged contracts has improved however it continued to be important that robust procurement processes and procedures were followed to enable detailed scrutiny.

*Executive, Resources and Contracts Policy Development and Scrutiny
Committee
7 February 2022*

RESOLVED: That the report be noted.

The Meeting ended at 9.39 pm

Chairman

EXECUTIVE, RESOURCES & CONTRACTS

POLICY DEVELOPMENT & SCRUTINY COMMITTEE

THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED FOR WRITTEN REPLY
BY THE PORTFOLIO HOLDER FOR RESOURCES, COMMISSIONING AND
CONTRACTS MANAGEMENT AND THE EXECUTIVE, RESOURCES AND
CONTRACTS PDS COMMITTEE

1. From Councillor Ian Dunn to the Portfolio Holder for Resources, Commissioning and Contract Management

Please provide the total number of electors in each of the new wards, and also the number of electors in each new ward who have a postal vote.

Reply:

Wards	Electors	Postal	Proxy	P/Proxy
Beckenham Town & Copers Cope	11,874	1,982	2	4
Bickley & Sundridge	13,353	2,485	3	0
Biggin Hill	8,431	1,170	0	0
Bromley Common & Holwood	13,893	2,193	4	0
Bromley Town	11,267	1,975	6	0
Chelsfield	8,729	1,531	0	0
Chislehurst	11,527	2,310	2	0
Clock House	12,569	1,673	1	0
Crystal Palace & Anerley	8,344	932	3	0
Darwin	4,235	625	0	0
Farnborough & Crofton	13,566	2,337	0	0
Hayes & Coney Hall	12,117	1,841	1	0
Kelsey and Eden Park	11,671	2,183	3	0
Mottingham	8,009	1,015	1	0
Orpington	9,191	1,469	3	0
Penge and Cator	13,511	1,567	7	1
Petts Wood & Knoll	12,822	2,266	1	0
Plaistow	9,338	1,283	1	0
Shortlands & Park Langley	12,468	2,050	8	0
St Mary Cray	13,434	1,954	3	0
St Paul's Cray	11,624	1,639	1	0
West Wickham	11,566	1,916	4	0
Total	243,539	38,396	54	5

2. From Ms Alisa Igoe to the Leader of the Council

Could you kindly advise me of the amount of funding still currently available in the Household Support Fund at the date of this committee meeting, 7 February. Thank you.

Reply:

As of the 7th February there is £542k remaining. Effectively, the answer is zero as once the remaining applications have been paid, there will be no funds remaining, hence the fund being closed to new applications.

Agenda Item 5

Report No.
CSD22039

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Executive, Resources & Contracts PDS Committee

Date: Thursday 24 March 2022

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

Title: **MATTERS OUTSTANDING & FORWARD WORK PROGRAMME**

Contact Officer: Philippa Gibbs, Democratic Services Officer
Tel: 0208 313 4508 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: (All Wards);

1. Reason for report

This report deals with the Committee's business management including:

- Monitoring progress against actions arising from previous meetings;
- Developing the 2022/23 Forward Work Programme; and
- A schedule of Sub-Committees and Working Groups across all PDS Committees

2. **RECOMMENDATION(S)**

That PDS Committee reviews and notes:

1. Progress on matters arising from previous meetings;

2. The 2022/23 work programme.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £366k (2021/22)
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6.67 FTE
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None
 2. Call-in: Not Applicable: This report does not involve an Executive decision.
-

Procurement

1. Summary of Procurement Implications: N/A
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of Committee Members.
-

Ward Councillor Views

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

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

3. COMMENTARY

Matters Outstanding from Previous Meetings

- 3.1. **Appendix 1** provides a progress update on requests made by the Committee at previous meetings. This list is checked after each meeting so that any outstanding issues can be addressed at an early stage and timely progress made.

Work Programme

- 3.2 Each PDS Committee determines its own work programme, balancing the roles of (i) pre-decision scrutiny and holding the Executive to account, (ii) policy development and review and (iii) external scrutiny. ERC PDS Committee has the additional role of providing a lead on scrutiny issues and co-ordinating PDS work.
- 3.3 PDS Committees need to prioritise their key issues. The work programme also needs to allow room for items that arise through the year, including Member requests, call-ins and referrals from other Committees. Committees need to ensure that their workloads are realistic and balanced, allowing sufficient time for important issues to be properly scrutinised. Members also need to consider the most appropriate means to pursue each issue – the current overview and scrutiny arrangements offer a variety of approaches, whether through a report to a meeting, a time-limited working group review, a presentation, a select committee style meeting focused on a single key issue, or another method.
- 3.4 **Appendix 2** sets out the ERC PDS Committee Work Programme for 2021/22, including: the provisional report title (or activity); the lead division; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate.
- 3.5 At its meeting on 25 May the Committee agreed that its four overarching priorities for the 2021/22 municipal year would be
1. The Income and Expenditure of the Council post Covid-19,
 2. A Review of the best sources of funding for the Council's Housing and Capital Programme,
 3. A Review of the Procurement Framework post Brexit, and
 4. Review of the timetable for the Council's Transformation Programme and monitor the Transformation Programme to ensure that new technology was used wherever appropriate in order to ensure that the Council's operations were economic, effective and efficient.
- 3.6 Other reports will be added to the 2022/23 Work Programme as items arise. In addition, there may also be references from other committees, the Resources, Contracts and Commissioning Portfolio Holder, or the Executive.

Sub-Committees and Working Groups

- 3.7 The Policy Development and Scrutiny Toolkit suggests that each Committee should aim to carry out no more than two or three full scale reviews each year, and it offers guidance and techniques for prioritising reviews. At a time of pressure on Member and officer resources it is important that any additional work is carefully targeted at priority issues where improvements can be achieved. In recent years, this Committee has examined a number of issues through its Working Groups - part of the Committee's workload may include follow-up work on some of these reviews.
- 3.8 For 2021/22, the Committee has established a Housing and Capital Finance Task and Finish Group focusing on one of the Committee's priorities for the year – that of sources of funding for

the Council's Housing and Capital Programme. The Task and Finish Group is being Chaired by Councillor Kira Gabbert, Vice-Chairman of the Executive, Resources and Contracts PDS Committee. The following Members sit on the Task and Finish Group: Councillors Simon Jeal, Melanie Stevens, Robert Evans, Pauline Tunnicliffe, Nicholas Bennett, Kira Gabbert.

MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Minute Number/Title/Date	Action/PDS Request	Update	Action by	Expected Completion Date
82. Forward Plan of Key Decisions (7 February 2022)	That an update on the revised timescales for the Crystal Palace Park Event Management Report be provided following the meeting.	An update was circulated on 21.02.22	Director of Housing, Planning and Regeneration	21.02.22
84(5). 2022/23 Council Tax (7 February 2022)	Details of the percentage of council taxpayers in Bands A-D be provided following the meeting.	An update was circulated on 21.02.22	Director of Finance	21/02.22
84(6). Capital Programme Monitoring Q3 and Capital Strategy 2022 to 26 (7 February 2022)	That further information concerning the transfer of funds for Education be provided following the meeting.	An update was circulated on 21.02.22	Director of Finance	21.02.22

**EXECUTIVE, RESOURCES & CONTRACTS PDS COMMITTEE
WORK PROGRAMME 2022/23**

Meeting Date: 24 May 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Scrutiny of the Portfolio Holder for Resources, Commissioning and Contracts Management	N/A	Holding the Portfolio Holder to Account
Contracts Register and Contracts Database Update	Procurement	PDS Committee
Risk Register (Red Risks)	Audit	Information Item
Meeting Date: 22 June 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Customer Services - Contract Performance Report	Customer Services	PDS Committee – Monitoring Report
Exchequer Service - Contract Performance Report	Finance	PDS Committee – Monitoring Report
Benefits Service Monitoring Report And Update On Council Tax Support\Reduction	Revenues & Benefits	Pre-decision scrutiny (PH)
Revenues Service Monitoring Report	Revenues & Benefits	PDS Committee – Monitoring Report
Risk Register	Audit	Information Item
Meeting Date: 28 July 2022	Division	Committee Role
Executive Agenda	Various	Pre-decision scrutiny
Meeting Date: 14 September 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny

Capital Programme Monitoring - 1st Quarter 2022/23	Finance	Pre-decision scrutiny (PH)
Scrutiny of the Chief Executive	Chief Execs	PDS Committee
Contract Register and Contracts Database	Procurement	PDS Committee
Meeting Date: 19 October 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Section 106 Agreements: Update*	Planning and Regeneration	PDS Committee
Risk Register (Red Risks)	Audit	Information Item
Meeting Date: 23 November 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Treasury Management - Quarter 2 Performance 2022/23 & Mid-Year Review	Finance	Pre-decision scrutiny (PH)
Insurance Fund - Annual Report 2021/22	Finance	Pre-decision scrutiny (PH)
Risk Register	Audit & Assurance	PDS Committee
BT/ICT Contract Monitoring Report	IT	PDS Committee – Monitoring Report
Scrutiny of the Leader	N/A	PDS Committee
Cost of Agency Staff	HR	PDS Committee
Contracts Register and Contracts Database Update	Procurement	PDS Committee
Meeting Date: 5 January 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Scrutiny of the Resources, Commissioning & Contract Management Portfolio Holder	N/A	PDS Committee

Scrutiny of the Executive Assistant to the Leader	N/A	PDS Committee
Capital Programme Monitoring - 2nd Quarter 2022/23	Finance	Pre-decision scrutiny (PH)
Benefits Service Monitoring Report	Revenues & Benefits	PDS Committee – Monitoring Report
Revenues Service Monitoring Report	Revenues & Benefits	PDS Committee – Monitoring Report
Exchequer Service - Contract Performance Report	Finance	PDS Committee – Monitoring Report
Customer Services - Contract Performance Report	Customer Services	PDS Committee – Monitoring Report
Meeting Date: 2 February 2023		
	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Treasury Management – Annual Investment Strategy and Quarter 3 Performance 2022/23	Finance	PH Decision
Executive Agenda	Various	Pre-decision scrutiny
Scrutiny of the Chief Executive	N/A	PDS Committee
Scrutiny of the Resources, Commissioning and Contract Management Executive Assistant (<i>if applicable</i>)	N/A	PDS Committee
Contracts Register and Contracts Database Update	Procurement	PDS Committee
Property Investment Update	Property	PDS Committee
Risk Register (Red Risks)	Audit & Assurance	Information Item
Meeting Date: 22 March 2023		
	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Scrutiny of The Leader	N/A	PDS Committee
Annual PDS Report 2022/23	Democratic Services	PDS Committee

LONDON BOROUGH OF BROMLEY

FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS PUBLISHED ON: 1 MARCH 2022

PERIOD COVERED: March 2022 - June 2022

DATE FOR PUBLISHING NEXT FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS: 26 April 2022

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
COUNCIL						
EXECUTIVE						
BASIC NEED/CAPITAL PROGRAMME UPDATE	Executive	30 March 2022 Children, Education and Families PDS Committee	Meetings	Contact Officer: Robert Bollen Tel: 020 8313 4697 Robert.Bollen@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
BUSINESS CASE FOR ADDITIONAL PROPERTY RESOURCES	Executive	30 March 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Amy Milton Tel: 020 8461 7172 amy.milton@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
ECONOMIC DEVELOPMENT STRATEGY	Executive	30 March 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Lydia Lee Tel: 020 8313 4456 lydia.lee@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
CROYDON ROAD RECREATION GROUND - BANDSTAND	Executive	30 March 2022 Environment & Community Services PDS Committee	Meetings	Contact Officer: David Braybrook Tel: 020 8313 4440 david.braybrook@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
PRIMARY AND SECONDARY INTERVENTION SERVICES - PERMISSION TO AWARD	Executive	30 March 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Ola Akinlade Tel: 020 8313 4744 ola.akinlade@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
INTEGRATED SEXUAL HEALTH TENDER	Executive	21 September 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Mimi Morris-Cotterill Tel: 020 8461 7779 mimi.morris-cotterill@bromley.gov.uk	<u>Report is expected to be considered in the public part of the agenda with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
ADULT CARE & HEALTH PORTFOLIO						
CHILDREN, EDUCATION & FAMILIES PORTFOLIO						

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
CHILDREN AND FAMILIES CENTRES - CLEANING CONTRACT	Portfolio Holder for Children, Education and Families	Between 15 March 2022 and 31 March 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Rachel Dunley Tel: 020 8461 7261 Rachel.Dunley@bromley.gov.uk	<u>Meeting in public</u>	Report & relevant background documents
ENVIRONMENT & COMMUNITY SERVICES PORTFOLIO						
ELECTRIC VEHICLES - RESIDENTIAL CHARGING PILOT	Portfolio Holder for Environment and Community Services	Between 21 March 2022 and 29 April 2022		Contact Officer: Amy Mallett Tel: 020 8461 7115 amy.mallett@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO						
RENEWAL, RECREATION & HOUSING PORTFOLIO						

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
CONFIRMATION OF ARTICLE 4 DIRECTIONS TO REMOVE PART 1, CLASS B AND C PERMITTED DEVELOPMENT RIGHTS IN PETTS WOOD ASRC AND CHISLEHURST ROAD CONSERVATION AREA	Portfolio Holder for Renewal, Recreation and Housing	Between 16 March 2022 and 31 March 2022 Development Control Committee and Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Ben Johnson Tel: 020 8461 7845 ben.johnson@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents
CONFIRMATION OF SIX ARTICLE 4 DIRECTIONS TO REMOVE PERMITTED DEVELOPMENT RIGHTS FOR USE CLASS E TO RESIDENTIAL USE	Portfolio Holder for Renewal, Recreation and Housing	Between 16 March 2022 and 31 March 2022 Development Control Committee and Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Ben Johnson Tel: 020 8461 7845 ben.johnson@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents

WHAT IS BEING DECIDED?	WHO IS THE DECISION MAKER?	WHEN WILL THE DECISION BE MADE AND WHO WILL BE CONSULTED BEFORE THE DECISION IS MADE?	HOW WILL THE CONSULTATION TAKE PLACE?	HOW CAN YOU MAKE COMMENTS ON THE DECISION BEFORE IT IS MADE?	WILL THIS ITEM BE CONSIDERED IN PUBLIC OR IN PRIVATE?	WHAT SUPPORT DOCUMENTS AND OTHER INFORMATION WILL BE AVAILABLE?
GATEWAY REPORT: PROVISION OF STATUTORY HOMELESSNESS REVIEWS	Portfolio Holder for Renewal, Recreation and Housing	Between 16 March 2022 and 31 March 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Tracey Wilson Tel: 020 8313 4515 tracey.wilson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO						

London Borough of Bromley: 020 8464 3333 www.bromley.gov.uk

Contact Officer: Graham Walton, Chief Executive's Department: 020 8461 7743, graham.walton@bromley.gov.uk

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Report No.
ES20172

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **PORTFOLIO HOLDER FOR EXECUTIVE, RESOURCES AND CONTRACTS MANAGEMENT**

Date: For pre-decision scrutiny by the Executive Resources and Contracts PDS committee on the 24th March 2022

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

Title: **NORTH BLOCK SOLAR PV INSTALLATION**

Contact Officer: George Brown, Environmental Programme Officer
E-mail: George.Brown@bromley.gov.uk

Chief Officer: Sara Bowrey, Director of Housing, Planning, Property and Regeneration
Email: Sara.Bowrey@bromley.gov.uk

Ward: Bromley Town

1. Reason for report

- 1.1. A Council Motion on 15th July 2019 unanimously approved a ten-year plan to ensure that the council achieves net zero carbon emissions by 2029. This has since revised to 2027 at a Full Council meeting on 28th February 2022).
- 1.2. This report sets out a proposal for the installation of a solar photovoltaic (PV) system on the rooftop of North Block building (located at the Civic Centre).
- 1.3. The Council can make use of Section 106 Carbon Offsetting contributions to fund energy/carbon reduction initiatives on its own estate.

2. RECOMMENDATION(S)

- 2.1. That the Portfolio Holder for Executive, Resources and Contracts (ERC) approves the proposal set out in this report to initiate and complete the procurement of a solar PV installation at the identified Civic Centre location, at an estimated whole life contract value of £119k, using the Council's s106 Carbon Offsetting Fund (COF) to finance the project. System design to meet these criteria is stipulated in the contract specification.
- 2.2. That the Portfolio Holder for ERC approves the use of the Fusion21 framework and delegates authority to the Contract Officer to appoint the preferred contractor which is evidenced through the tender evaluation process.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None.
-

Corporate Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better: For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future
-

Financial

1. Cost of proposal: Estimated installation cost £100k; estimated whole life cost (25 years) £119k
 2. Ongoing costs: Annual average maintenance costs estimated at £770, offset by anticipated savings in energy costs
 3. Budget head/performance centre: TFM Admin Buildings – Civic Centre
 4. Total current budget for this head: £2.4m
 5. Source of funding: Installation cost met from S106 Carbon Offsetting Fund; recurring maintenance costs offset by energy budget savings
-

Personnel

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

Legal

1. Legal Requirement: None: The Fusion 21 Framework allows all of the Fusion 21 members to enter Call-Off Contracts under the Framework. The Council is a member of Fusion 21 Framework, and therefore would appear to be eligible to enter into a call-off contract under that Framework as described in this report. The risks of the route being non-compliant for the Council would appear to be very low.
 2. Call-in: Applicable: Further Details
-

Procurement

1. Summary of Procurement Implications: This report seeks to utilise the Fusion 21 Framework, in accordance with Clause 3.5 of the Contract Procedure Rules, the Head of Procurement has been consulted regarding the use of the Framework. The method of mini competition can be used under the terms of the framework, and in compliance with the Council's Contract Procedure Rules (Rule 3.6.1), the mini competition must be carried out using the Council's e-procurement system.
-

Customer Impact

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

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1. The London Plan 2016 (Policy 5.2) requires developers to reduce carbon emissions associated with major new residential and non-residential developments. The policy states that any on-site shortfall may be provided through a payment in lieu contribution to the relevant borough. Payments are secured through Section 106 agreements and contribute towards funding local carbon reduction projects off-site.

3.2. In line with current industry best practice, other councils (e.g. Southampton, Rotherham and Reading) have taken action to install rooftop solar PV systems to reduce on-site energy consumption to realise carbon and cost savings.

3.3. The installation will achieve operational efficiencies through reduced expenditure on energy usage.

3.4. BACKGROUND – SYSTEM AND CONTRACT DESIGN

3.4.1. The proposal is a “design, supply and install” contract tendered under the Council’s contract procurement rules. Bromley requires the design, supply and installation of a solar photovoltaic (PV) system(s) to the North Block roofs identified in Appendix 1. This also includes annual repair and maintenance of the solar PV systems on both a programmed and reactive basis. The annual operation and maintenance (O&M) regime will be costed in the pricing schedule and subsequently an indicative amount for 25 years (the lifetime of the contract) will be calculated to understand the financial implications for whole life costs.

3.4.2. Some systems may generate a surplus of energy that cannot entirely be consumed by North Block. This is most likely to be the case during the summer months on the weekends when office occupancy is low. In order that this surplus is not wasted (and therefore financial savings are not missed) several options will be appraised in the pricing schedule:

- **Master Meter Connection:** tenderers to include a price for additional works to connect the North Block sub-meter to the Civic Centre’s master meter. This will distribute the surplus energy to the wider site for self-consumption.
- **Battery Storage:** tenderers to include a price for a battery that would store the surplus energy. The energy will be distributed back to North Block when demand requires it.
- **100% North Block self-consumption:** tenderers to design a PV system that does not generate a surplus.

3.4.3. A design with 100% supply to North Block, without a master meter connection or battery installation, is desirable due to the lower capital costs and the relatively straightforward configuration of the system. Tenderers can tailor their systems (by downsizing) so there is no overgeneration and subsequent wasted surplus and will never exceed baseline consumption.

3.4.4. However, it is preferable to have a price for all three scenarios (100% supply, master meter connection, battery storage) so the evaluators can determine the costs and benefits of the above-mentioned approaches. This will allow evaluators to conclude which system with which model will deliver the most net savings to the Council over 25 years. Furthermore, this approach affords the market significant flexibility when delivering against the brief.

3.4.5. Grid export was considered too complicated for an expected system of such a size, including the officer time spent on annual contract management with the Distribution Network Operator and the additional costs subsequently incurred. Self-consumption is financially more attractive

than a grid export arrangement because the current export rate is about 5p/kWh, whilst consumption is 11p/kWh – hence it is preferable to use what is generated rather than selling it.

3.4.6. By using The Council's Carbon Offset Fund (COF), proposals are appraised by the cost to reduce one tonne of carbon, which is known as the carbon cost effectiveness. This is a simple calculation of the capital expenditure divided by the estimated amount of carbon saved. The carbon cost effectiveness is currently capped at £300 per tonne of carbon mitigated, and proposals must fall under this threshold if they are to be financed by the COF.

3.4.7. All technical specifications (electrical works, design, material used) and service levels shall be in accordance with industry standards. There will also be an evaluation of the installation warranties and equipment guarantees to protect the Council's investment.

3.4.8. An Operation and Maintenance (O&M) contract will be also be included, with suppliers are expected to provide a cost for this in the pricing schedule. This will ensure system optimisation and maximum accrual of financial savings.

3.4.9. As part of the tender, bidders will provide full details of the PV system to be installed and the subsequent maintenance and repair regimes. Submissions will include:

- Scale drawings of the proposed system
- Anticipated yearly kWh output
- Yearly and lifetime (gross) financial savings
- Carbon savings
- Yearly and whole life costs
- Net lifetime savings
- Panel degradation
- Robust annual O&M contract
- A carbon cost-effectiveness capped at £300 per tonne mitigated

3.5. DATA ANALYSIS AND SERVICE PROFILE

3.5.1. Benchmarking will require historic yearly civic centre consumption data including:

- total kWh consumption
- billing data (including climate change levy charges)
- Half hourly sub-meter data where possible

3.5.2. Outcome requirements: installation of solar PV system to realise demonstrable reductions in all monitored indicators highlighted in paragraph 3.4.9 with specific attention to the financial and carbon savings. A programmed maintenance and repair regime, embodied by an O&M contract, will also be established to ensure system efficiency.

3.5.3. The operational lifetime of the system must be at least 25 years, with guarantees put in place to this effect.

4. POLICY IMPLICATIONS

4.1. The most significant policy driver is the Council's Net Zero Carbon 2027 target, facilitated by the Carbon Management Team. The *Making Bromley Even Better* corporate strategy, the *Transforming Bromley Agenda* and the Accommodation strategy are also relevant. Aligning with the Transforming Bromley Agenda, the proposal to install a solar PV system complements the following corporate priorities:

- **Responsible Financial Management Strategy:** reduced future costs to the council through lower energy bills.
 - **Maintaining Organisational Resilience:** A 25-year installation with forecasted output provides stability to external electricity price shocks.
 - **Modern, Efficient and Flexible Work Environment:** As part of the accommodation strategy to modernise Civic Centre buildings.
 - **Effective Resident Engagement:** Demonstrates our environmental commitments to the wider public.
 - **Improving the Public Realm, maintaining our Green Spaces and Promoting Economic Growth:** Procuring sustainably will realise cost savings in addition to safeguarding the environment and promoting a green recovery.
- 4.2. Ambition Four in the Making Bromley Even Better strategy further commits to the Council's Net Zero 2027 target, the promotion and use of renewable energy and the commitment to generate financial savings through sustainability projects.

5. SUMMARY OF THE BUSINESS CASE

- 5.1.1. Energy consumption varies by time of day, but is 24 hours, 7 days a week and running costs are significant. The financial year 2019/20 saw the Civic Centre consume 2,321,640 kWh of electricity, which cost the Council £274k.
- 5.1.2. Based on soft market testing and quotes received from industry, the average capital expenditure for such an installation is £100k, with annual operation and maintenance (O&M) charges averaging £770. **Therefore, the average whole life cost is estimated at £119k.** The estimated (25 year) *gross* lifetime savings to the Civic Centre's electricity budget averages £300k, based on average system size and yearly output of 88 kWp, with a 77,043 kWh respectively. **Average net lifetime savings (after deducting capital expenditure and the annual O&M costs) are estimated at £181k over 25 years.**
- 5.1.3. Importantly, annual savings are not fixed and increase periodically as the price of electricity is expected to rise. However, this is partly offset as each system's panel efficiency degrades year-on-year resulting in less kWh output and therefore less annual financial savings. **Payback is therefore not a simple capex/net annual savings as these variables must be taken into account.** The soft market testing obtained various quotes from industry and have provided anywhere between 6-12 years payback times. Such a variation is due to the different sizes of the arrays proposed and the prices quoted. These quotes also used different assumptions for panel degradation, fuel inflation etc. when providing these payback times. When these assumptions are standardised, payback averages 10-11 years.
- 5.1.4. It should be noted that the electricity rate for the Civic Centre until September 2022 is priced at a 10.5p per kWh. But future costs are expected to be higher when the energy contract is up for renewal. Recent energy price shocks make for a robust case for stronger resiliency to a volatile market. However, it is important to note that baseload consumption figures since March 2020 will have been affected by the impact of Covid-19 on use of the Civic Centre. In addition, the Council is currently undertaking a review of its Operational Property which will include the Civic Centre. While the future scope of occupation remains to be determined, the change in flexible working arrangements is likely to be long term and therefore energy consumption at the Civic Centre will reduce from pre-Covid levels. The Carbon Management Team have factored this reduced consumption in through half hourly billing data analysis.

5.1.5. Currently, the cost of Civic Centre energy consumption is budgeted for and managed by the Facilities Management Team within Property Services.

	Average System
Estimated PV Yearly output (kWh)	77,043
Estimate system size kWp	88
CapEx costs (including replacement inverter)	C£100k
Whole life cost of PV installation	c£119
Gross Lifetime Savings (25 years)	c£300k
Net Lifetime Savings	c£181
Net First Year Savings	£7.9k
Payback Time (Years)*	10
CO2 Savings Tonnes (25 years) DEFRA 2020 EF	465
Price of Carbon £ per tCO2e (COF price capped at £300)	£251

5.2. Carbon Offset Funds

5.2.1. The estimated capital expenditure of the project is £100k, with subsequent annual costs for operation and maintenance programmes. The use of the Council's Carbon Offset Fund is the intended financial mechanism the Carbon Management Team (CMT) will use to fund the initial investment. The annual financial savings accrued will pay for the O&M contract ensuring the system is self-sustaining. As mentioned in paragraph 5.1.2, once deducting the original capital expenditure and the on-going annual O&M contract costs, net average lifetime savings are estimated at £181k. All system proposals must meet the offset criteria including but not limited to the carbon cost effectiveness, stipulated in paragraph 3.4.6.

5.2.2. Designing the PV systems to meet the carbon cost effectiveness criteria, as highlighted in paragraph 3.4.6, is a requirement that tenderers must meet and is further stipulated in the contract specification. The payback period will depend on the final contract value and the actual annual savings generated.

5.2.3. As mentioned above, payback is not a simple Capex/annual savings as variables such as panel degradation, inflation and proposed system size must be considered. Various quotes in industry have provided anywhere between 6-12 years payback times. Such a variation is due to the different sizes of the arrays proposed and the prices quoted. For fairness, when standardising these assumptions and variables, payback averages 10-11 years. Some proposals may exceed to the £119k whole life contract value and/or have a payback period that exceeds 10 years. Providing that the carbon cost effectiveness criteria is met, the funds may still be used in this regard. However, if such an eventuality were to occur the Contract Officer will raise these issues of increased contract value and payback period with the Portfolio Holder to determine whether to proceed on such a basis.

6. FINANCIAL IMPLICATIONS

6.1 Based on soft market testing by officers, the estimated capital cost for installation is a c£100k, to be funded from Section 106 carbon offsetting contributions, and will require an addition to the Capital Programme to be approved by the Executive. Total operation and maintenance costs over 25 years are estimated at £19k, an average of £770 p.a., but could vary depending on the level of service required and tender prices. Whole life costs over 25 years are therefore estimated at c£119k but will depend on the outcome of the procurement exercise.

- 6.2 However, annual running costs will be more than offset by savings in electricity costs which, over 25 years have been estimated at £300k, an average of c£12k p.a.
- 6.3 Estimated savings in energy costs have been based on the Council's current energy contract prices, which are fixed only until September 2022. A conservative estimate of energy price increases of 3% p.a. averaged over 25 years have been assumed in estimating, although it is not possible to determine whether the expected significant contract price increase in September 2022 will be offset in the longer term by lower increases to achieve this 25-year average. Any variations to these assumptions will affect the actual level of savings generated. For example, if the Council's energy contract price increases by 50% from September 2022, the savings in year one would increase from £7k to £12k. Similarly, if longer term energy price inflation averages, say, 5% over the 25-year period, estimated average savings would increase to £15k p.a.
- 6.4 Once the Council has received quotations for this contract, officers will need to re-run the business case to ensure that the scheme at the tendered price remains viable. Once this is confirmed and the contract has been awarded, the annual projected net savings will need to be reflected in the Council's financial forecast and the necessary budget adjustments made.

7 PROCUREMENT IMPLICATIONS

- 7.2 The Council could choose to undertake a fresh procurement exercise independent of available frameworks. However, Bromley officers do not currently have the capacity nor technical knowledge to undertake this, so it is not recommended to pursue this option.
- 7.3 A further option would be to not undertake any procurement and not award a contract, this would mean the Borough would be unable to effectively commit to its carbon reduction policies and would not realise any cost savings.
- 7.4 A further option would be to make use of the Fusion 21 framework and run a mini-competition exercise led by LB Bromley.
- 7.5 A further option would be to make use of the ESPO Renewable Energy Solutions Framework (Lot 1 – The Supply and Installation of Solar PV Systems) and run a mini-competition exercise led by LB Bromley. This option is viable, but the Gateway Officer considers this option as less up to date and less flexible than its Fusion 21 counterpart.

7.6 PREFERRED OPTION

- 7.6.1 The preferred option would be to make use of the Fusion 21 framework and run a mini-competition exercise led by LB Bromley.
- 7.6.2 The evaluation process would select the Most Economically Advantageous Tender (MEAT). The "MEAT" will be determined as the highest evaluated score in a 40:60 combination of Quality and Financial scores respectively. A Commercial response will also be included, and this will cover the acceptance of the proposed Call-Off Contract on a pass/fail basis.
- 7.6.3 It is recommended that the scoring methodology is changed in the *Instructions to Tenderers* document, as the financial marking currently rewards submissions on a lowest cost basis. Due to the invest to save nature of the proposed project, it is recommended that the methodology rewards those systems that can provide the most attractive net lifetime savings to the council over the contract's lifetime. This will in effect demonstrate MEAT in a more appropriate manner.

7.6.4 The proposed framework will deliver against the Council's Net Zero 2027 Target whilst complementing the corporate strategies such as Transforming Bromley Agenda. The framework guarantees system performance of a minimum of 80% efficiency after 20 years.

7.7 PROCUREMENT RULES

7.7.1 This report seeks to utilise the Fusion 21 Framework, in accordance with Clause 3.5 of the Contract Procedure Rules, the Head of Procurement has been consulted regarding the use of the Framework.

7.7.2 The Council is able to make use of the Fusion 21 Framework and has been properly included on the Contract Notice. A call off is permitted under the terms of the framework. For each requirement, an order form and template call off contract must be completed.

7.7.3 For the requirements set out above, the method of mini competition can be used under the terms of the framework, and in compliance with the Council's Contract Procedure Rules (Rule 3.6.1), the mini competition must be carried out using the Council's e-procurement system.

7.7.4 As the contract value is over £25K, an award notice will need to be published on Contracts Finder.

7.7.5 The actions identified in this report are provided for within the Council's Contract Procedure Rules, and the proposed actions can be completed in compliance with their content.

8 LEGAL IMPLICATIONS

8.2 Insurance policies must be considered. Please note that the Civic centre is insured under Item 1 of 'PROPERTY DAMAGE SPECIFICATION 3' (Page 29 of 37 of schedule doc). The North Block is insured under the Civic centre with a sum insured of £81m. The Insurance and Risk manager has advised that once the specifics on the chosen design have been determined, the underwriter of the council's property insurer will be contacted for a view on any potential issues. Insurance policies must also remain unaffected, and works must be covered under existing policy. The contractors undertaking the work must have adequate public liability insurance to cover any potential damage to the North block. Therefore, in the event of a loss due to any negligent work, the Council would be in a position to make a claim against the contractors public liability insurance policy.

8.3 The Fusion 21 Framework allows all of the Fusion 21 members to enter Call-Off Contracts under the Framework.

8.4 The Council is a member of Fusion 21 Framework, and therefore would appear to be eligible to enter into a call-off contract under that Framework as described in this report. Council Officers may wish to check (if they feel it is necessary): (1) whether there is any exceptional reason why the Council (as a member of the Framework) is ineligible to use the Framework (there is no obvious reason, and Fusion 21 has not indicated any such reason); and (2) whether Fusion 21 has correctly procured the Framework to ensure the Framework is a compliant route for the Council the Council use.

8.5 The risks of the route being non-compliant for the Council would appear to be very low given (a) the Council has not been made aware by Fusion 21 of any successful challenge to the procurement by a dissatisfied operator (and any such challenge would now be too late) and (b) the fact that Fusion 21 holds itself out as expert in the conduct of compliant public procurements.

8.6 While there are some aspects of the Fusion 21 Framework Agreement with which we may take issue (e.g. termination, caps on liability), there is no obvious 'showstopper' reason why the Council should not use the Framework Agreement.

8.7 In using the Fusion 21 Framework Agreement:

- The Council must comply with the requirements of schedule 14 and schedule 15 of the Framework Agreement in the conduct of any mini-competition from the Framework. These procedures appear reasonable, though the Council has relied on the expertise of Fusion 21 to ensure these procurements are legally compliant. We might take some issue with the procedures. For example, paragraph 1.1 in schedule 14 seems to allow the member conducting the mini-competition some discretion as to which Framework providers are to be invited to participate. We would ordinarily take the view that the Council must invite all Framework providers (i.e., it cannot arbitrarily exclude anybody). However, it seems Fusion 21 has taken a different view, and the right to exclude some providers from participating appears to be permitted.
- The Council must comply with schedule 3 regarding the form of the Call-Off Contract which the Council is to use for this mini-competition. For further competitions, the requirements are as follows

For Further Competition Call-off Contracts

Any form of contract stipulated in a Further Invitation that is broadly commensurate with the above forms of contract.

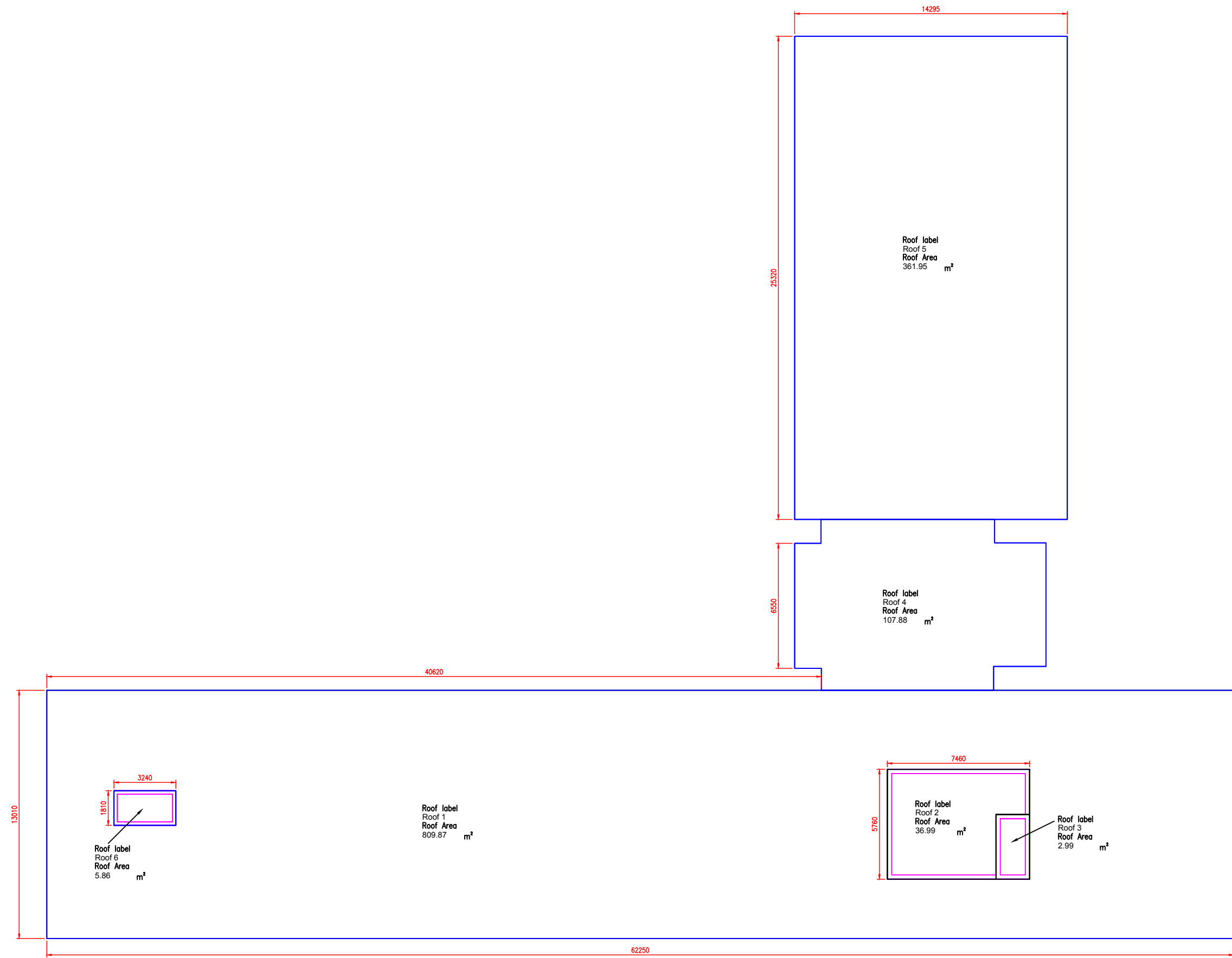
- The 'above contracts' for this purpose are any of the following:
 - A Member's Standard Terms / Purchase Order
 - JCT Measured Term Contract 2016 incorporating Fusion21's JCT MTC Schedule of Amendments contained in Schedule 19 (as may be updated following a new JCT release in accordance with the procedure in Schedule 9)
 - JCT Minor Works Building Contract 2016
 - JCT Intermediate Building Contract 2016
 - NEC4 Term Service Contract
 - NEC4 Term Service Short Contract
 - ACA TPC2005 Standard Form of Contract for Term Partnering (Amended 2008)
 - Model Services Contract (England & Wales) by the Government Legal Department
- There are parts of the Framework Agreement which apply to Call-Off Contracts. However, if there is any inconsistency between those parts of the Framework Agreement which apply to our Call-Off Contract and anything we put in our own Call-Off Contract, then our own Call-Off Contract takes priority. Accordingly, the Council may override the Framework Agreement as it sees fit.
- The Council's Officers should consider which of the above contracts should be used for this procurement, in consultation with Procurement and Legal officers if considered necessary.

9 PROPERTY CONSIDERATIONS

9.1 The Council owns the freehold on the retained Civic Centre site which includes the North Block. There are no leasing or licensing arrangements on the Civic Centre site that would be impacted by the proposals set out in this report.

- 9.2 As identified in paragraph 6.1 of the report, the solar PV installations would create an ongoing operation and maintenance costs estimated at £770pa. There is not sufficient capacity within the existing Repairs and Maintenance budget to manage any additional and new maintenance liabilities therefore the Repairs and Maintenance budget will need to be increased at the point of installation. The report identifies that this will be off-set by the revenue savings generated on the council's energy bills.
- 9.3 The Council is currently undertaking a review of its Operational Property with the objective of identifying its optimal operational estate. It is unlikely that the Review will undermine the proposals to invest in solar PV installations on the roof of North Block. Additionally, the ten-year management and maintenance plan for the North Block does not envisage a requirement to undertake any significant or intrusive repair or replacement works to the roof, however it should be noted that this may be required during the lifecycle of the solar PV installations and that this could result in temporary removal and re-installation.
- 9.4 In the Local Plan, the Civic Centre site (Site 1) is allocated as a site with potential for partial redevelopment. Orientation of the solar PV installations will need to consider any potential impacts of shadowing that might be caused by schemes delivered in accordance with the planning policy.
- 9.5 The Corporate Landlord Officer Board have reviewed and supported the proposals as set out in the report, subject to a review of the business case prior to any recommended contract award. Officers should ensure that the property division are updated as the project progresses.

Non-Applicable Sections:	Impact On Vulnerable Adults And Children Personnel Implications
Background Documents: (Access via Contact Officer)	Appendix I: North Block Roof Plans



Do not scale from this drawing.
All dimensions are to be checked on site prior to tendering. Any discrepancies should be notified immediately.
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This drawing is to be read in conjunction with all relevant drawings & specifications.

Civic Centre
Office Accommodation Project

Amey FM & Justice
London Borough of Bromley
Civic Centre
Stockwell Close
Bromley
KENT
BR1 3UH
Tel: 020 8978 3535
Email: info@bromley.gov.uk

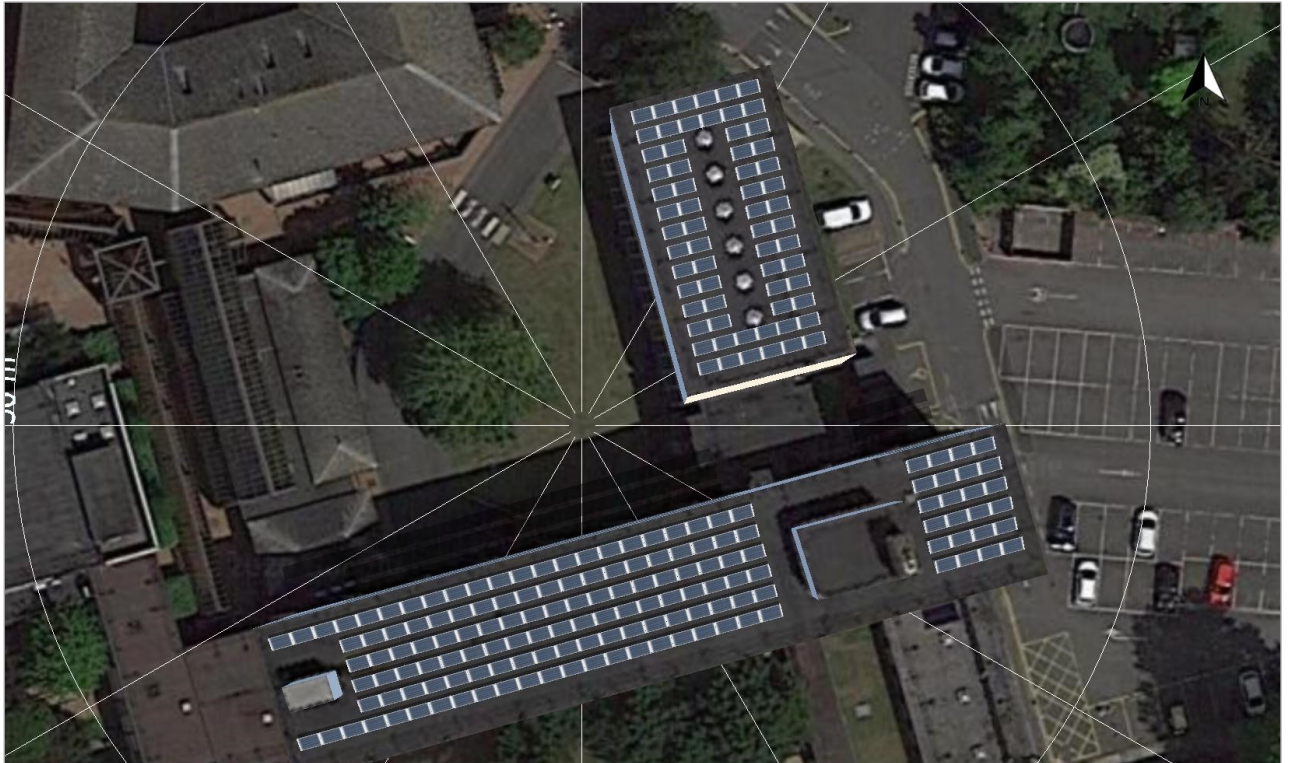


North Block Roof Detail

Scale 0 Date 23/04/20 Drawn GK

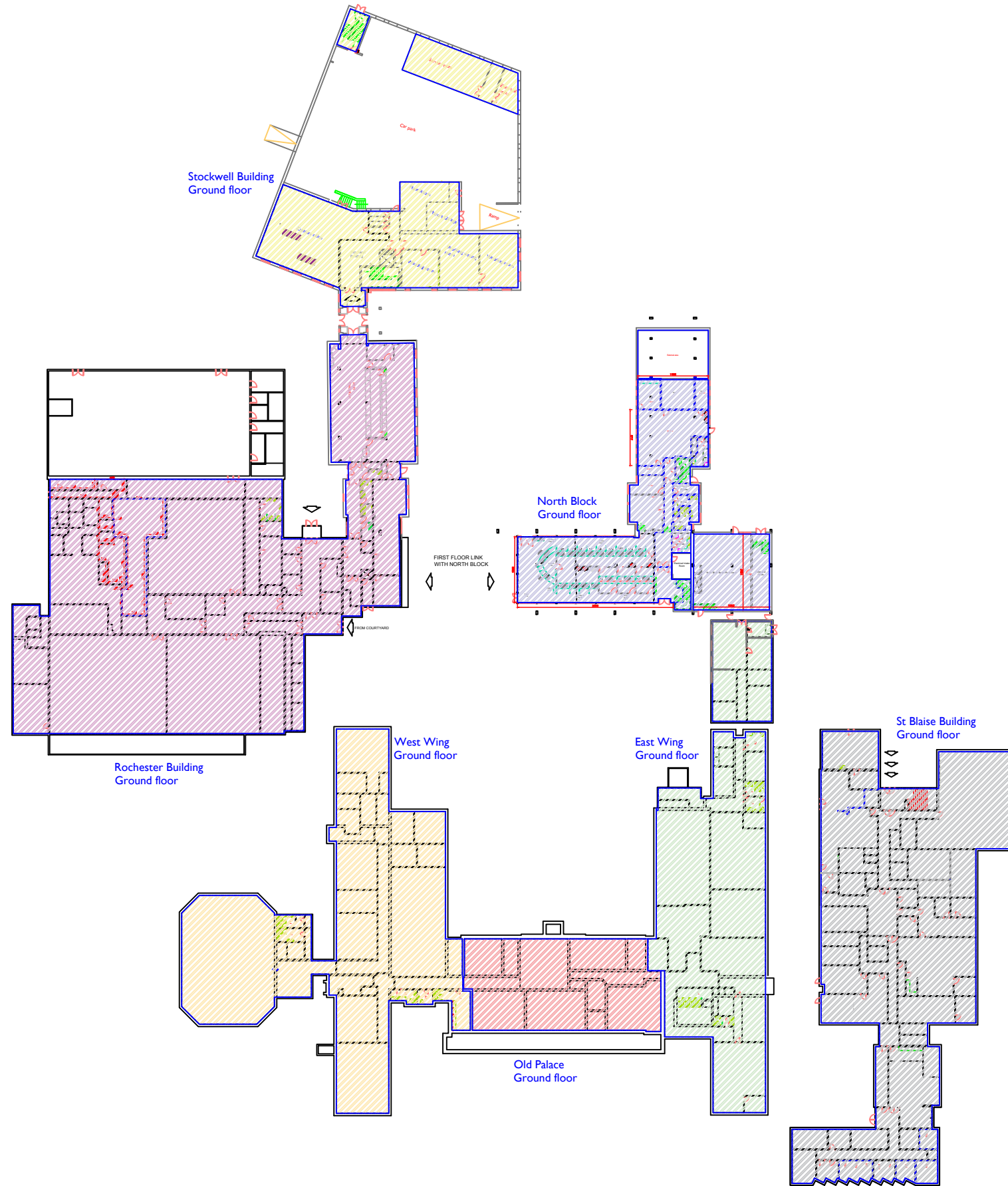
NB Roof Revision 1

Possible Design Option - Maximum Roof Space Used



PV System

3D, Grid-connected PV System



Do not scale from this drawing.
 All dimensions are to be checked on site prior to tendering. Any discrepancies should be notified immediately.
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Building	GIA m2
North Block Total GIA	3738.29
Stockwell Building Total GIA	3897.79
St Blaise Building Total GIA	2701.09
Old Palace, East & West Wings Total GIA	5384.14
Rochester Building Total GIA	2585.50

Civic Centre - Ground Floor Plan
 Office Accommodation

Amey FM & Justice
 London Borough of Bromley
 Civic Centre
 Stockwell Close
 Bromley
 KENT
 BR1 3UH
 Tel: 020 8978 3535
 Email: info@bromley.gov.uk



Civic Centre - Whole Building layout

Scale: . Date: 28/01/20 Drawn: GK

CGK/DEC Revision: 0

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Report No.
CSD22021

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS PDS COMMITTEE
COUNCIL

Date: 24 March 2022
11 April 2022

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

Title: ANNUAL SCRUTINY REPORT 2021/22

Contact Officer: Philippa Gibbs, Deputy Democratic Services Manager
Tel: 020 8461 7638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Tasnim Shawkat, Director of Corporate Services and Governance

Ward: (All Wards);

1. Reason for report

The Council's Constitution (Article 6.03 (d)) requires that a report is made each year to full Council which summarises work carried out by Policy Development and Scrutiny (PDS) Committees. The 2021/22 report (attached), including contributions from PDS Chairmen summarising the work of their committees, is due to be considered and approved by Executive, Resources and Contracts PDS Committee on 23 March 2021 and received and noted by Full Council.

2. **RECOMMENDATION**

2.1 That the Executive, Resources and Contracts PDS Committee approved the Annual Scrutiny Report 2021/22.

2.2 That Full Council receive and note the Annual Scrutiny Report 2021/22.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £366,000 (2021/22)
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 7 posts (6.67fte)
 2. If from existing staff resources, number of staff hours: 2 hours
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: Full Council decisions are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: None
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All Members of the Council and interested members of the public.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Constitution of the London Borough of Bromley (Article 6) 2019/20 Annual PDS Report



THE LONDON BOROUGH

Policy Development & Scrutiny Annual Report 2021/22

For submission to Full Council on 11th April 2022

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1. Foreword

1. On behalf of all Members who served on Policy Development and Scrutiny Committees in the London Borough of Bromley for the current municipal year, I have great pleasure in presenting our Annual Report for 2021/2022, which summarises the work that has been carried out by the Committees.

2. The municipal year began with the Council's activities still significantly affected by the ongoing COVID-19 pandemic. Although physical committee meetings were resumed, significant precautions continued to be taken with respect to social distancing in accordance with government guidelines. A large majority of officers continued to work from home, which was only possible thanks to the robust IT solutions implemented prior to and at the outset of the pandemic. It is a testament to the flexibility, creativity and dedication of our officers that the Council continued to deliver existing statutory and non-statutory services, alongside new COVID-related tasks, without the significant increases in overheads seen in other local authorities. As the London borough receiving the second-lowest grant per resident from central government along with one of the lowest council tax burdens, we are only able to deliver high quality public services to residents by being amongst the most efficient councils in the country.

3. The impact of the pandemic continued to distort the council's finances. As well as existing programmes, officers were also tasked with distributing high volumes of COVID-related grants, although the total amount more than halved from the previous year (£86.6m for 2021/22 vs £209.7m for 2020/21). The 'rollover plus' settlements since the beginning of the pandemic have undoubtedly helped the council's financial position. That said, the medium term forecasts of the council's finances show rising spend in adults' and children's social care. The various mitigation measures, many of which fall under the multi-year transformation programme, will be vital to ensure continued service delivery without compromising the council's enviable financial position. The recent rise in inflation only underlines the importance of keeping control of costs.

4. Disciplined financial management has not prevented the Council from developing investment proposals across all policy areas for the coming years. As well as housing, significant investment is planned for the Council's operational estate, while investment in Environment has helped to bring delivery of the Council's net zero target forward by two years to 2027. Maintaining a strong financial position gives Bromley the ability to invest for the long term, rather than cutting back spending on services to pay interest on loans.

5. To conclude, I thank all members who have contributed to PDS Committees this year, whether as permanent or visiting members. The adoption of amended recommendations by the Executive shows member participation in PDS Committees contributes directly to policy making. I would also like to thank officers for all reports they have prepared for the various committees, as well as those who record the minutes and recommendations.

Cllr. Christopher Marlow
Chairman, Executive Resources and Contracts PDS Committee

2. Policy Development and Scrutiny Chairmen 2021/22



Cllr Christopher Marlow
Executive, Resources & Contracts



Cllr Gareth Allatt
Adult Care & Health Services



Cllr Nicky Dykes
Children, Education & Families



Cllr Will Harmer
Environment and Community Services



Cllr David Cartwright
Public Protection and Enforcement



Cllr Yvonne Bear
Renewal, Recreation & Housing

3. Policy Development and Scrutiny in Bromley

Introduction

- 3.1 Six Policy Development and Scrutiny (PDS) Committees at Bromley discharge the overview and scrutiny functions conferred by sections 21 and 32 of the Local Government Act 2000 and successive legislation. The Executive and Resources PDS Committee has an over-arching, co-ordinating role on behalf of the other five PDS Committees and is required by the Council's Constitution to present Full Council with an Annual Report "on the Policy Development and Scrutiny functions and PDS budget, and amended working methods if appropriate" (Article 6, Section 6.03 (d) of the Constitution).
- 3.2 The PDS Committees mirror the Council's executive portfolios:
- Executive, Resources & Contracts (covering both the Resources, Contracts and Commissioning Portfolio and the Executive)
 - Adult Care & Health Services
 - Children, Education & Families
 - Environment & Community Services
 - Public Protection and Enforcement
 - Renewal, Recreation & Housing
- 3.3 In addition to these Committees there are two PDS Sub-Committees:
- Health Scrutiny Sub-Committee (Adult Care and Health)
 - Budget Sub-Committee (Children, Education and Families)
- 3.4 Although they have no decision-making powers, PDS Committees and Sub-Committees have key roles in contributing to policy development and scrutinising the decisions of the Executive and individual Portfolio Holders.

Policy Reviews

- 3.5 PDS Committees advise Portfolio Holders, the Executive and Full Council on policies, budgets and service delivery. PDS Committees can commission groups of Councillors to review an issue or policy, so assisting a Portfolio Holder or the Executive to improve a service or function affecting local people. This can be linked to a forthcoming decision by a Portfolio Holder or the Executive or to assist in formulating fresh, new policy. In each case detailed, evidence-based assessments are carried out and recommendations made in a report. In the process, Councillors can speak to a broad range of people to help gather information for their evidence-based reports.

One-Off Reviews

- 3.6 In addition to in-depth policy reviews, PDS Committees can also review a topical issue at Committee with comments and recommendations referred on to the Portfolio Holder. These reviews are often based around a presentation or an evidence-giving session with expert witnesses.

Performance and Budget Monitoring

- 3.7 PDS Committees monitor the performance of services, functions and contracts within their remit, assessing performance against key performance indicators and policy objectives. Concerns are reported to a Portfolio Holder who can then, if necessary, be called to a PDS Committee meeting to account for the performance of his or her Portfolio.
- 3.8 PDS Committees are also involved in the budget setting process and provide considered comments and recommendations for the Executive to take account of when formulating the Council's annual budget. Similarly, PDS Committees also monitor in-year spend of budgets and raise concerns where there is any possibility of overspend or other issues affecting spending priorities.

Call-in

- 3.9 The call-in process is a key means by which PDS Committees can hold the Executive to account. Any five Councillors can call in a decision and prevent it from taking immediate effect until it has been re-considered by a PDS Committee. The Committee can then interview the Portfolio Holder and officers and consider whether the decision is appropriate, within the Council's policy framework, and whether it should be reconsidered. If the Committee feels that the decision should be reversed or altered, it can make a recommendation to the Executive, which then has to reconsider the matter.
- 3.10 At the time of writing, one call-in has been made in 2021/22. The continued low level of call-in reflects an emphasis given to pre-decision scrutiny leading to better and more robust decisions which are less likely to be challenged.

4. Report from Executive, Resources & Contracts PDS Committee

Chairman: Cllr. Christopher Marlow

Vice-Chairman: Cllr. Kira Gabbert

Introduction

In the 2021/22 municipal year, the Committee held eight meetings, all of which took place in person following the relaxation of various COVID-related restrictions. Unlike the previous year, all other scrutiny committees returned to their usual frequency, allowing this committee to revert to its core responsibilities: scrutiny of the Chief Executive and Leader of the Council with respect to its strategic leadership, scrutiny of the Resources Portfolio Holder and all key reports falling within this portfolio relating to the Council's finances, scrutiny of key supplier contracts, and policy development with respect to these three areas.

Committee priorities

At the start of the municipal year, the Committee defined its four priorities as follows:

1. The Income and Expenditure of the Council post Covid-19,
2. A Review of the best sources of funding for the Council's Housing and Capital Programme,
3. A Review of the Procurement Framework post Brexit, and
4. Review of the timetable for the Council's Transformation Programme and monitor the Transformation Programme to ensure that new technology was used wherever appropriate in order to ensure that the Council's operations were economic, effective and efficient.

For the first item, the Committee scrutinised the Capital Strategy 2022 to 2026 and the update on the Council's Financial Strategy 22/23 to 25/26. The Council has produced a balanced budget for 2022/23, but these reports demonstrated the higher expenditures expected for adults' and children's social care in the medium term, and the importance of mitigation to maintain the Council's strong financial position. For the second item, a Housing and Capital Finance Task and Finish Group was established, chaired by Cllr Gabbert. The committee agreed to this as a priority in light of the significant volume of housing-related capital schemes currently expected, which should deliver both material savings to the council's budget and better outcomes for homeless families within the borough. As the Council's capital requirements will also be materially affected by the outcome of the operational property review that has yet to complete, it is expected that this priority and the related Task and Finish Group will continue into the next municipal year before reaching definitive conclusions.

For the third item, the committee was not able to progress as the relevant legislation is not anticipated to reach the statute book before 2023. For the fourth item, the Committee was given extensive reassurance regarding the progression of the transformation programme from several officers, above all the Chief Executive. He set out how the programme was progressing despite the extra workload created by COVID and the challenges from the rapid shift to working from home.

Scrutiny of the Chief Executive, Leader and Resources Portfolio Holder

The Committee scrutinised the Chief Executive and the Resources Portfolio Holder twice and the Leader of the Council once during the municipal year. Both the Chief Executive and the Resources Portfolio Holder produced reports in advance of their respective meetings, which made the scrutiny process more efficient. It would be beneficial if all Portfolio Holders could produce such reports as part of regular scrutiny by all PDS Committees.

Council Finances

The Committee continued with its scrutiny of the Council's finances through the standard budget monitoring and capital programme reports. The COVID grants report set out in detail the sheer scale and scope of the funding the Council had administered as part of efforts to provide support to those adversely affected by the pandemic and the related lockdowns.

Biggin Hill Airport

This municipal year was unusual in featuring not one but two reports relating to the Council's role as landlord for Biggin Hill Airport Limited (BHAL). The first report in May 2021 related to a request by BHAL to amend the permitted user clause of their lease, while the second was concerned with BHAL's five year review of the Noise Action Plan. These items attracted an elevated level of public interest, both in terms of correspondence and attendance in the public gallery. Although members did not all agree on the desired outcomes, both meetings saw amended recommendations adopted which were subsequently adopted by the Executive, reflecting the real impact PDS Committees have on policy making in Bromley.

Key Contracts

The Committee continued to scrutinise key contracts, including those relating to customer, exchequer, benefits and revenues services.

Other items

The Committee provided significant scrutiny and amended recommendations for the revised corporate strategy (Making Bromley Even Better) and the Council's activities for Her Majesty's Platinum Jubilee.

I thank all Members who served on the Committee for their contributions.

Councillor Christopher Marlow
Chairman, Executive & Resources PDS Committee

5. Report from Adult Care and Health PDS Committee

Chairman: Cllr. Gareth Allatt

As former Vice-Chairman for the greater part of this municipal year, sadly I must preface this report with the news of the untimely and unexpected death of former Chairman, Cllr Mary Cooke on 7 January 2022 who served as Committee Chairman with flair and distinction from May 2017. Mary will be greatly missed for her commitment, wisdom, and incisive thought. Those who knew her will also miss her warmth and good humour.

Clearly, the pandemic still cast its dark shadow over the period, and in the midst of facts and figures associated with COVID 19, at the heart has been the sorrowful loss and pain for so many families and those close to the bereaved. On a brighter note, at the end of the municipal year, the prospect for both the incidence and severity of the virus to go into retreat feels palpable, and it is very much hoped that life will now enter into a post pandemic phase.

That aside, there are some significant legacy issues that call for attention in relation to those suffering from “Long Covid”, the mental health issues caused by bereavement, isolation and financial insecurity, as well as the unwelcome effects of those who have experienced the effects of weight gain and increased alcohol consumption during successive lockdowns and restrictions.

The Committee, in response to a presentation, made representations to the South East London Clinical Commissioning Group (‘SEL CCG’) in the year in relation to the difficulty in getting face to face surgery consultations that had emerged over the pandemic. It is apparent that this is not a straight forward matter. Minimising transmissibility of the virus has been just one factor. This is a complex issue set against a backdrop of demand for services eclipsing practice capacity, increase in acuity of conditions, and longer waiting lists, together with backlogs in routine check-ups, screening and immunisations. Those issues aside, I am sure that this will be a matter for continued scrutiny into the future.

An early consequence of the lockdown was for all local authority day care centres to have to close, however, with the Council’s financial support and in compliance with Public Health guidance resumption of services began in August 2021, albeit the return has been slow.

The Council’s capacity to manage Adult Social Care remained resilient. The department was awarded the Municipal Journal’s Award for Integration of Social Care and Health in Sept 2021. This was an excellent recognition of the work carried out both to enable people to be discharged from hospital in a timely way and the work done with care homes. We commend both Council staff, Care Home staff and our retained contractors for their commitment, focus and endeavour.

Thanks are also warmly extended to those many volunteers who reached out particularly to those experiencing isolation and loneliness. It is estimated over 40% of the Borough’s households aged 65+ live alone. Cllr Aisha Cuthbert and council officers continued working on the issue, to provide definition to the importance of not only physical welfare, but crucially also to sustaining mental health by looking after social connections and the key role these contribute to overall wellbeing. The actions identified from the resulting output report are currently in the course of delivery.

The Committee was grateful to receive and consider a report from the Bromley Safeguarding Adults Board ('BSAB') which covered the very wide span of control provided by various different agencies focusing on ; domestic abuse, financial abuse, self-neglect , modern day slavery , transitional care of children into adulthood, and vulnerable adults in specialist care and residential homes. Clearly this is a vitally important subject and a matter that needs to be at the forefront of all our thinking.

The scrutiny of the various aspects of Adult Care and Health matters will of course continue. Bromley is a large borough at some 59 square miles which can pose particular challenges in relation to coverage and the various contractual arrangements it commissions to provide services such as domiciliary care. The strands of the Council's responsibilities are many and diverse including some 1700 care placements, of which 1300 are in care homes (excluding private placements). The population of Bromley comprises a comparatively older age profile with some 60,000 aged 65+ and an increasing prevalence of dementia. Separately some 1300 adults are estimated to have moderate or severe Learning Disability and so the challenges of accommodating demand with first class care services within the financial envelope available will continue in to the future.

The four priority outcomes into the next municipal year will remain:

- Safeguarding the vulnerable
- Promoting optimal life chances, resilience and wellbeing
- Integrating health /hospital and social care
- Ensuring operational and contractual efficiency and effectiveness

In closing, thanks and appreciation goes to the Committee support staff and subject matter experts who in difficult times have demonstrated commitment, skill and diligence in performance of their duties.

Committee members both elected and co-opted are also thanked for their willingness to study the extensive committee papers to prepare and contribute to meetings which likewise is also extended to the various professionals from the BSAB, PRUH , Oxleas , and the SEL CCG.

Councillor Gareth G Allatt
Chairman, Adult Care & Health PDS and Health Scrutiny Sub-Committee

6. Report from Children, Education & Families PDS Committee

Chairman: Cllr. Nicky Dykes
Vice-Chairman: Cllr. Judi Ellis

Introduction

This year has been another busy year for the Committee, with the continuing challenges brought by Covid 19 ever present. This report provides a summary of the activity of the Committee and work that has been undertaken to ensure Bromley maintains its position as one of the best boroughs to raise a family, delivering good services and support to those that need us most.

Scrutiny

The Committee has a statutory responsibility to review annual reports of key services. In the previous committee period it was decided that, to provide more 'real time' information, 6 monthly reports should be introduced. This Committee session therefore reviewed several midterm reports – private fostering; corporate parenting; adoption; and the virtual school.

We also continued to ensure the voices of our young people were heard, in a way that is suitable for them. The Vice Chair Cllr Ellis and I, supported by officers, met with the Bromley Youth Council (BYC) and our Living in Care Council (LiNCC) prior to committee meetings to discuss items of interest to them – such as the work of the Youth Offending Service and the Virtual School. This provided valuable insight into how they viewed reports and services and they asked some very challenging questions! These were shared with other members of the committee so they could take our young peoples views into their considerations.

As part of our regular scrutiny reports we also reviewed the work of the Bromley Safeguarding Children's Partnership (BSCP). It was pleasing to note that attendance of the Board meetings had improved, supporting cross partnership working.

Our role as corporate parents

From the outset Members stressed that the needs of the children for whom Members had Corporate Parenting responsibility had to be at the forefront of Member's thinking when decisions were being taken.

Given the importance of this, it's necessary to give extra time to discussion when needed. Therefore the Committee held an additional session with the Head of Children Looked After and Care Leavers to provide Members of the Committee with an informal briefing around the Education, Training and Employment (ETE) programme. This provided Members the opportunity to discuss this in more detail and learn how the council is providing support in this area.

Ofsted

During this Committee session, Ofsted conducted a focused visit on children in care. I was delighted that Bromley received a very positive letter from Ofsted following this visit. In the letter Ofsted had confirmed that Members, Officers and Partners were doing all they could to help young people reach their full potential.

Virtual school

The virtual school was one of the reports Cllr Ellis and I discussed with representatives from Bromley Youth Council (BYC) and the Living in Care Council (LinCC) prior to the PDS meeting. The LinCC raised questions seeking updates on the four challenges for 2020/21 whilst BYC had asked about support for attendance. Questions were also raised around support for the mental health of young people in Care in the light of COVID and how pupil premium was being spent to support the young people. These provide a good steer on their priorities which must always be on our minds.

Families

The Committee was pleased to see proactive outreach to families in the borough to promote activities and services. The Early Intervention and Family Support Service Baby and Toddler Festival as well as a Fun Day in Mottingham are good examples of this. The Committee welcomed this and requested future events be advertised across all the Council's social media channels.

Financial support for families

The Committee looked at how families were being supported during this challenging period. We were pleased that the Housing and Education departments were aligned and worked in partnership to support families through the Covid Local Support Grant. In total, Bromley received £709,516.58 for the period 21 June to 30 September 2021. All of the funding has been spent supporting children and families, including the families of 8,500 children with supermarket vouchers over the summer holiday period. Support is also available through the Welfare Fund.

The Committee received updates from the Portfolio Holder on funding that had been received for children holiday programmes. There was a high take up of places with most attendees being children in receipt of free school meals.

Tackling domestic abuse

The Committee was extremely supportive of this service, specifically the partnership work with the MET to encourage victims to come forward and access services and extending Bromley's contract with Bromley and Croydon Women's Aid.

SEND

Our SEND (Special Educational Needs and Disability) services are crucial. I was pleased to be able to visit the SEND Matters pop up shop in the Glades to reach out to families and children to show what support and services are available. Members were pleased to learn that further pop-up shops would be arranged for Primary and Secondary schools. Getting feedback from families that use the service is crucial for continuous improvement and to provide an excellent service.

Virtual reality demonstration

Following Member interest in the work the council was doing using virtual reality headsets, the Assistant Director for Specialist Services was asked to host a separate session for Members. The headsets are used for a variety of areas such as working with parents to help them see things from the child's perspective; work with carers (including foster carers, adopters, and special guardians), assessments and post order support and to reduce

placement breakdown. It was great for Members to experience this technology and the Committee looks forward to a future update on this work.

Education

School places

The Local Authority has an important role to ensure that there are enough school places for all children in the borough. The school places planning group met to assess the current situation and projection in very granular detail, including at ward boundary levels. The group agreed actions to ensure Bromley continues its good record of a high proportion of children getting one of their preferred choices.

As part of this work the Committee scrutinised two proposals for new schools – Harris Kentwood (Secondary school) and a new school in the borough for Bromley children with SEND. The need for these two new schools is established by the Department for Education and supported by the data reviewed by the school places planning committee.

With 97% of schools in the Borough being rated by Ofsted as either ‘Good’ or ‘Outstanding’ it is not surprising that we are seeing an increase in demand for school places in the Borough. The committee should continue to scrutinise school place planning, so that Bromley continues to perform well in terms of placing children in their preferred places.

Support for mental health

The Committee recognised the impact of successive lockdowns on the mental health and wellbeing of children and young people over the past two years. We therefore welcomed the significant additional resources put into both CAMHS (Children and Adolescent Mental Health Services) and Bromley Y with the local children’s mental health system expanded by a third in the last three years.

The Committee heard from Bromley Y, who have been central to leading on this early intervention work and the delivery of a mental health and wellbeing toolkit for schools which had been very well received.

The Committee did note that the situation was challenging and requested to be kept updated. The Committee also endorsed the approach from the Local Authority that early intervention and early identification of wellbeing needs was identified as a key ongoing priority.

Covid-19

In relation to Covid, many of the restrictions had been lifted and the requirements for schools had changed. Schools were now voluntarily informing Public Health of instances of significant outbreaks of infection in schools. Where these cases came to the attention of the Local Authority relevant Ward Councillors were informed.

The Committee continued to scrutinise the support available to ensure families were getting what they needed whether it be home learning packs, IT equipment, or advice and guidance.

Budget

There remain significant pressures in the budget. Social care placement is a particular area of fluctuation with expenditure fluctuating depending on the specific needs of individual

children. It is often difficult to predict specific levels of need, and this impacted on the budget.

SEN Transport remains an area of focus. Although Members noticed that authorities across London, indeed nationally, were experiencing the same pressures with SEN Transport, it needs to be kept high on the agenda. The cost pressures around SEN transport were also discussed further during the budget subcommittee, chaired by Cllr Ellis. The Sub-Committee noted that a Transport Group had been established to look at a range of options, such as travel training, personalised budgets, and options around the delivery of the in-house fleet.

0-25 Progress Report

The Committee welcomed the integrated 0 – 25 service offer for children and young people with SEND. I was very pleased to attend the transition event, a joint venture between the SEN and Adults Teams.

Members recommended the service develop a link with local businesses, who would be interested in supporting this work. As Chair I suggested that future reports on the 0-25 Project be considered at a joint meeting of the Children, Education and Families PDS Committee and the Adult Care and Health PDS Committee.

New Director

The Committee took time to recognise the valuable impact and contribution that Janet Bailey had made as Director for Children, Education and Families as she prepared to leave the Local Authority. It was a real pleasure to work with her – Janet is a passionate advocate for our children and young people and will be missed.

We have since welcomed Richard Baldwin, as the new Director of Children's Services.

Final comments

The Committee has worked to deliver scrutiny in a timely manner, to ensure first class services are being delivered to those that need it. We have also looked to the future to ensure the authority is set up for success - whether that be ensuring enough school places for the boroughs children or flexing services to meet the rise in demand for health services due to the pandemic.

Our children and young people and their needs should always be front of centre in our decision-making process.

Councillor Nicky Dykes
Chairman, Children, Education and Families PDS Committee

7. Report from Environment and Community Services PDS Committee

Chairman: Cllr. William Harmer

Vice-Chairman: Cllr. Robert McIlveen

Following on from a challenging year under Covid, the committee resumed its work during the municipal year with regular packed agendas and high levels of interest from both committee members and members of the public. As always I would like to thank our clerk Mr. Wood and the team who ensure our meetings are kept running smoothly.

As always, I would also like to thank:

- Our committee members whose questioning and contributions have shaped and improved the proposals coming through the committee;
- The Director of Environment and Community Services, Mr. Colin Brand, and his team for their contributions both to the reports and to the meetings;
- Cllr Huntingdon-Thresher for his courteous and knowledgeable responses to the large number of committee questions as Portfolio Holder;
- Our partners who help us deliver our services all of whom participated in different committee meetings during the year; and
- The members of the public who in asking their own questions supported the committee in holding the Executive to account and demonstrated a clear passion for enhancing the neighbourhoods in which they live.

This year marked a bounce back after a difficult year under Covid. The Committee were focussed on ensuring the return to normality of many of the key service items but also took time to develop and scrutinise policy across a host of key areas outlined below. We also had all the major suppliers of services visit the committee where their performance and plans were closely scrutinised.

Minutes of all meetings are available on the Council website for those who are interested.

Key PDS Achievements 21/22

1



A new Open Spaces Strategy: The Borough's fantastic parks and open spaces are repeatedly highlighted by residents as one of the key things loved about the Borough. The 10-year strategy attracted a huge amount of public interest and following extensive feedback was significantly edited before being finally released.

2

A Net Zero Council: The Committee scrutinised and enhanced the Borough's commitment and progress to be a carbon neutral council by 2029. This was well received by members. On top of this we pushed our suppliers to match our net zero ambitions and towards the end of the year we scrutinised the Council's exciting tree planting programme that will see 5000 new trees planted across the Borough and the implementation of a new electric charging strategy.

2

Borough Wide Road Safety and Active Travel improvements The Committee scrutinised a series of improvements on crash cluster sites and schemes designed to improve road safety across the Borough. This included a review of the Crofton Road Cycle Scheme, changes to Albermarle Road and a review of our temporary school streets.

Cllr Will Harmer
Chairman, Environment and Community Services PDS Committee

8. Report from Public Protection and Enforcement PDS Committee

Chairman: Cllr David Cartwright QFSM

Vice-Chairman: Cllr. Colin Hitchins

No of Meetings

The PP&E PDS met 5 times during 2021-22 (the 5th and last meeting for this financial year is scheduled for 23rd March 22).

Portfolio Priorities for 2021

At the PP&E PDS meeting due to be held on the 23rd March 22, the Public Protection & Enforcement Portfolio Holder Cllr Angela Page will outline her Draft Portfolio Plan priorities for 2022-23, which will incorporate the new corporate ambitions as presented in Making Bromley Even Better.

These fell under the 4 following priorities:

1. We will Keep Bromley Safe

We will take an intelligence led and partnership approach; working together with public sector agencies, businesses, and local communities to reduce: enviro-crime, crime and to improve safety.

2. We Will Protect Consumers:

We will maintain our community safety and trading standards and public protection services, to protect elderly and otherwise vulnerable residents in Bromley, and to ensure there is a fair, safe and genuine trading environment, through encouraging compliance and responsible enforcement.

3. We will support and regulate businesses

We will abide by the approach within our enforcement policy, and embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement among the regulators to which it applies. This approach will ensure that regulators are efficient and effective in their work, without imposing unnecessary burdens on those they regulate.

4. We will protect and improve the environment through custodianship and effective and responsible enforcement

We will make a difference to people's lives by promoting a healthier, fairer and safer environment in local homes and within our communities, through appropriate policies, and by providing compliance advice, education and through proportionate regulatory enforcement. We will focus on promoting behaviour change, and supporting compliance, working with businesses, the community and volunteer groups, and taking appropriate action to ensure the street environment meets local needs. We will undertake enforcement activity around issues relating to anti-social behavior, illegal incursion, dog attacks and drug abuse in our parks and open spaces; and we will manage parking issues through effective enforcement to balance the needs of motorists, residents and businesses.

Success against the 21-22 Portfolio Plan

Performance and enforcement actions undertaken against the previous Portfolio Plan have been presented to the PP&E PDS committee for scrutiny; below are examples from each service area that demonstrate the support services provide to each other and the diversity of work undertaken within the Portfolio area:

Trading Standards

The investigation of doorstep crime is considered as a priority in Bromley, with many of the victims being either elderly or vulnerable. The investigation process often uncovers additional victims that were not always apparent in the first instance, and rogue traders regularly operate, physically and electronically, beyond local authority borders. Two current Trading Standards investigations that were proceeding to prosecution,

required cross boundary authorisations from other local authorities, and Trading Standards secured the correct delegated authority to effectively investigate these cases.

Commercial and Domestic Regulation

A private Rented Sector Housing Enforcement Policy was introduced that included the ability to apply civil penalties, and further provided a transparent rationale as to how the Private Rented Sector Housing Team (PRSH Team) provides the service to different tenures, the circumstances it takes into account should a service be withdrawn, and the discretion that will be used when considering formal enforcement action against Category 2 Hazards pertaining to (amongst other issues) uncontrolled fire and smoke.

Community Safety

Bromley's Violence Reduction Action Plan (VRAP) is considered as an exemplar, and according to the GLAs Violence Reduction Unit (VRU) ranks within the top 3 plans produced in London. Accordingly, the VRU requested that our Assistant Director of Public Protection, Joanne Stowell, present the VRAP to the Partnership Reference Group which is chaired by the Mayor of London and has key senior leads from across the statutory and voluntary sectors.

Community Impact Days (CID) which are delivered by the Community safety Team, remain very successful and effective. Their aim is to reduce or stop crime and the negative impact it has on the community in areas where the highest levels of ASB and arson are recorded (currently Cray Valley East, and West, Mottingham and Penge). The initiative is funded by the Mayor's Office for Policing and Crime (MOPAC), and the statutory partners within the Safer Bromley Partnership, (e.g. Metropolitan Police, London Fire Brigade and Clarion Housing), work with other national agencies (e.g. DVLA and Border Force) and voluntary groups, in a co-ordinated manner. There are agreed taskings, with the express aims to improve the visual environment and reduce recorded ASB and arson within the targeted areas. According to the London Fire Brigade and the Police, incidents of arson within the above areas has decreased by:

- -4.2% Cray Valley East
- -18.5% Cray Valley West
- -20% Mottingham
- -75% Penge & Cator

The overall reduction on arson was -29%, which was a significant improvement on the -4% reduction the previous year. The LFB and CID coordinators are looking to improve on the reductions and will give specific consideration to Cray Valley East moving forwards.

Neighbourhood Management

The Street Enforcement team has been working "business as usual" responding to customer complaints, undertaking site and residential visits concerning all matters of highway enforcement. This ranges from the investigation into, the removal of unauthorised traveler encampments onto LBB land, fly tipping, abandoned vehicles, illegal encroachment of Highway land, overhanging vegetation onto the footway, removal of illegal skips, cones hoarding and other obstructions on the highway.

Street Enforcement Officers have assisted with the opening of a Covid Test Site at Normans Park. During the recent Winter lockdown the site was open 7 days a week including being open on Christmas Day. In addition the Councils Park Security contractor (Ward Security) has continued to fulfil its contractual obligations and operate 7 days a week, 365 days a year enforcing parks Byelaws and undertaking regular weapon sweeps of Green Spaces.

In November 2021 a target hardening scheme was completed at Mottingham Recreational Ground at a cost of £85,000 (detailed as committed expenditure above). The scheme originated at the Fly Tipping Action Working Group and resulted in the installation of a permanent post and rail fencing within the grounds of the Rec to prevent vehicles illegally accessing the grounds. Previous vehicular access had resulted in waste being deposited at site.

Finally, 226 Fly tipping referrals passed to the Enviro-Crime Officer resulted in the issuing of 23 formal notices, 44 warning letters, 9 fixed penalty notices and 1 prosecution

Planning Enforcement

In the period April 2020 to March 2021, the Council received 987 new complaints concerning alleged breaches of planning control. This compares with 768 complaints registered in the previous year.

In terms of enforcement activity 52 enforcement notices were issued in respect of breach of planning control in the period April 2020 to March 2021, in other cases, negotiation led to matters being resolved before notices were issued.

PP&E PDS Reports and Updates

In line with agreed policy priorities, by the end of the year, Members will have received detailed written and / or verbal reports on:

- Annual Update on the Safer Bromley Partnership Strategy
- Budget Monitoring Reports
- Community Impact Days Report
- Capital Programme Monitoring
- Contracts Register and Database Report
- Delegation of Function
- Emergency Planning, Civil and Corporate Resilience Annual Report
- End of Year Police Update and Forward Plan
- Enforcement Activity Update
- Enforcement Performance Overview
- Environment & Public Protection Risks
- Extension of the Stray Dog Contract
- Food Safety Service Plan 2021-22
- Fly Tipping Action Plan
- Mortuary Contract Update
- Police Crime Update Reports
- Planning Management Enforcement
- Portfolio Holder Updates
- Private Rented Sector Housing Enforcement Policy
- Proposed Changes to the Out of Hours Noise Service
- Protocol for the Scrutiny of the Safer Bromley Partnership
- Safer Bromley Partnership Update on Supporting the Elderly and Vulnerable
- Safer Bromley Partnership Board Progress
- SLAM Update
- The work of the Bromley Youth Council presentation
- Transforming Bromley, the First Two Years
- The new Protect duty

Safer Bromley Partnership Board (SBP) Scrutiny:

The Safer Bromley Partnership Strategy (SBPS) is the strategic framework document that links partners aims and outcomes against agreed MOPAC priorities; the Safer Bromley Partnership Board (SBPB) provides the governance role in relation to the strategy. The Police and Justice Act 2006 (the Act) requires every local authority to have a crime and disorder committee (CDC) with the power to review and scrutinise the work of Community Safety Partners, and in Bromley, the PP&E PDS is designated as the CDC for this purpose.

As Chairman of both the PP&E PDS and CDC, I required that a cross party Task and Finish group be convened, to be chaired by the PDS Vice Chairman Cllr Colin Hitchins. The aims of the group were to:

Produce a draft protocol, for approval, that set out how the SBP will be scrutinized; produce a suggested workplan that invites statutory partners to present their work for scrutiny throughout the year; and agree a 'fit for purpose' data package, which replicates the performance report that MOPAC presents for monitoring progress against the Police and Crime Plan, and that reduces the use of Police resources. The aims were achieved, and the protocol and subsequent data package were accepted and implemented.

The SBPB has the responsibility for developing the Safer Bromley Partnership Strategy that delivers the priorities determined by MOPAC, as well as those that are important to our residents. The 4 priorities within the current strategy that was launched in March 2020 are:

1. Safer Neighbourhoods (e.g. MOPAC local priorities - ASB, residential burglary, and non-domestic violence with injury, and a borough priority of financial abuse of the elderly)
2. Violence Against Women and Girls
3. Keeping Young, People Safe, and
4. Standing Together Against Hate and Extremism.

These priorities were chosen by incorporating the specific priorities within the MOPAC Police and Crime Plan 2017-21, data from the strategic assessment of crime, and the results of the crime survey undertaken in 2020. The overall aim is to work towards reducing crime and ASB across the borough, but particularly targeting these sectors. The comprehensive annual report that details the outcomes against these priorities within the strategy can be found here:

<https://cds.bromley.gov.uk/ielssueDetails.aspx?Ild=71108&PlanId=0&Opt=3#A171669>

In accordance with Mayoral requirements, a new Police and Crime Plan is being produced, and a draft Police and Crime Plan 2021-2025 has been consulted on and approved. The Portfolio Holder, Angela Page, and the Assistant Director of Public Protection, Joanne Stowell, attended the consultation exercise to ensure that Bromley's views were represented. A new Safer Bromley Partnership Strategy will be developed in line with the priorities as outlined in the new Police and Crime plan.

Crime Over the Last Year (January 20 – December 21 latest MOPAC figures)

All PP&E PDS meetings include a written Police Update presenting a data package commensurate with the MOPAC High Harm London Wide Priorities (HHLWP), and High-Volume Local Priorities (HVLP).

The data on the following page demonstrates that there were percentage decreases for many areas of crime considered in the Safer Bromley Partnership Strategy, as well as under the Violence Reduction Action Plan. However, of note, there were percentage increases in non-domestic violence with injury (NDVWI), the theft of motor vehicles, and hate crime. The theft of motor vehicles is being considered by the Metropolitan Police Tactical Tasking Coordination Group (TTCG), as is the response to the increase in NDVWI; as increases in this crime type were noted London wide, it is thought that the new Police and Crime Plan will seek to ensure that each BCU addresses these issues as priorities.

As was the case last year, an increase has been recorded for reports of hate crime; the Covid-19 pandemic remains an influencing element in the increase in hate crime reporting, especially against Chinese and East Asian minorities. However, it has been recognised that historically there has been under-reporting in this crime type. Some authorities have a target to improve the reporting in this area. According to the Home Office, one of the biggest drivers for the increase in recorded hate crime is a general improvement in police recording, along with an increased willingness of those impacted to come forward. Having said that, we cannot be complacent, and with that in mind, our Assistant Director of Public Protection wrote to MOPAC to enquire how we can effectively disaggregate increases in offences from those produced by improved reporting, if indeed that is possible.

Interestingly, the previous year's record number of ASB reports have reduced exponentially, as the previous rise was associated with calls pertaining to alleged breaches of Covid-19 legislation, the numbers here have reduced in line with the easing and cessation of lockdown.

REPORTING PERIOD January 20 to December 21

RAG Tolerance for % difference <=0% Green >=5% Amber >5% Red

	Rolling 12 Months	2021 (J)	2021 (D)	Difference	% Difference	RAG
			2907	2580	-327	
MOPAC High Harm London Wide Priorities	Domestic Abuse				-11%	●
		494	543	49		●
	Total Sexual Offences				10%	●
		216	181	-35		●
	Knife Crime Offences				-16%	●
		52	28	-24		●
Bromley High Volume Local Priorities	Gun Crime Offences				-46%	●
		518	612	94		●
	Race Hate Crime offences				18%	●
Bromley Local Priority		1287	1362	75		●
	Non -Domestic Abuse with Inju				6%	●
Miscellaneous Data		1629	1508	-121		●
	Total Burglary Offences				-7%	●
		951	1034	83		●
Satisfaction and Perception Data	Theft of MV				9%	●
		21385	22415	1030		●
	Total Notifiable Offences				5%	●
		13110	8311	-4799		●
Miscellaneous Data	ASB Calls				-37%	●
	Totals	42549	38574	-3975	-9%	●
RAG Tolerance for overall % <=50% Red >=69% Amber >70% Green						
Satisfaction and Perception Data	Local police Activities over last 12 months	54%	47%		-7%	●
	Agrees Police listen to concerns	73%	69%		-4%	●
	Agree Police can be relied upon to be there when needed	67%	61%		-6%	●
	Agree Police treat all fairly	72%	66%		-6%	●
	Agree Police deal with things that matter to this community	67%	64%		-3%	●
	Knows how to contact Ward Officer	21%	25%		4%	●

Work of Public Protection and Enforcement Services Through COVID-19 Pandemic

Public Protection have played a vital role throughout the pandemic in explaining rules to local businesses, encouraging them to comply with regulations, and enforcing where necessary. The table below lists the formal enforcement that Public Protection has taken within between 27th March 2020 to 28th March 2021 resultant of COVID enforcement. When it came to boroughs submitting their enforcement actions, benchmarking demonstrated that when monthly submissions were compared with the resources available, it could be seen that outputs of Public Protection Officers significantly outperformed other boroughs. Members and Officers are rightly proud of this achievement.

ENFORCEMENT OF COVID -19 REGULATIONS (1st April 2021 to 31st January 2022)

Health Protection (Coronavirus, restrictions) (Steps) Regulations	No. of warnings/prohibition notices (e.g. lack of face coverings, statutory notices, social distancing)	37
Health Protection (Coronavirus, restrictions) (Steps) Regulations	No. Fixed Penalty Notices (e.g. lack of face coverings, statutory notices, social distancing)	2

"I would like to thank all members of the PP&E PDS for their contribution and support over the past year, and I would also like to thank those Council Officers who have worked diligently to ensure the Committee has been able to fulfil its role.

I would also like to thank the PP&E Portfolio Holder Cllr Page, for her support and guidance and her hard work and enthusiasm over a very busy year. Finally, Joanne Stowell the Assistant Director of Public Protection left Bromley Council in February 2022 for pastures new and has secured the prestigious position of Director in another Local Authority Council. Bromley (and Public Protection & Enforcement in particular) will greatly miss her experience and expertise, along with her enthusiasm and incredible capacity for hard work. Personally, as Chairman of the PP&E PDS, I will miss Joanne's understanding, support, and wise counsel. Her strategic understanding and detailed knowledge have been second to none and she will be a hard act to follow. On behalf of the Public Protection & Enforcement Committee, I wish her all the very best for her future career and would like to place on record our enormous gratitude for her significant contribution, over recent years, to the safety and protection of Bromley, its residents, and its communities.

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**CCouncillor David Cartwright QFSM
Public Protection & Enforcement PDS Chairman**

9. Report from Renewal, Recreation and Housing PDS Committee

Chairman: Cllr Yvonne Bear
Vice-Chairman: Cllr Gary Stevens

The Committee met six times this municipal year, including one special meeting. Each meeting has scrutinised the reports for decision by the Renewal, Recreation and Housing Portfolio Holder and considered policy development for key areas across the portfolio.

The municipal year has been a very busy one for the Renewal, Recreation and Housing PDS Committee, with many important policy developments and strategic initiatives coming forward for scrutiny.

Some of the most important proposals we have helped shape have included:

- The building of the council's first social housing in decades. The committee has overseen delivery of over 100 socially rented units built on Council owned land at Burnt Ash Lane Plaistow, the former Annerley Town Hall Car Park, Bushel Way Chislehurst and York Rise Orpington with the first 3 of these now nearing completion. In addition, new contracts with Beehive and Orchard and Shipman have enabled more homes to be acquired to address demand for affordable housing.
- Distribution of millions of pounds of grants to businesses to help them recover from the impact of the Covid pandemic.
- The launch of the Council's first Economic Development Strategy which seeks to understand the dynamics of the local economy and explore how best to support its future growth for the prosperity of the borough and its residents. This strategy also encompasses a digital infrastructure strategy which seeks to rapidly ramp up the rollout of full fibre broadband and 5G mobile connectivity across the borough, critical both for business and individuals who are now increasingly working from home. Big improvements have been seen over the last year as a result of the increased focus.
- Key investment in the Boroughs cultural assets. The biggest projects reviewed include the renovation of Crystal Palace Park, a major initiative which will seek to restore the key assets in the Park back into full use including the dinosaurs and subway, and the provision of a new library in West Wickham which will also come with some further social housing.
- Extensive enhancements in planning policies, including the creation of a conservation area in Shortlands, numerous Article 4 Directions including one which will require all HMO conversions in the Borough to require planning permission and the launch of the Orpington Supplementary Planning Guidelines which outlines a vision for how Orpington can be optimally and sympathetically developed in the future.

In addition, the Committee scrutinised the portfolio budget and raised concerns about the continually rising cost pressures on housing.

The Committee also analysed the contract register throughout the year, challenging on specific contracts to ensure that they are being managed effectively and there is suitable foresight of where new contracts are required. Similarly, it considered the Risk

Register on a regular basis, highlighting potential new risks and challenging identified impacts.

Regular thematic sessions have been introduced which enable a deep dive into specific aspects of the Portfolio. Extremely informative presentations have been made to members on the state of the local economy, homelessness and the performance of the housing team in addressing demand for accommodation, challenges within the planning department, and key culture, leisure and town centre regeneration projects. These presentations have been enhanced by external attendees from MyTime, GLL and the major local Housing Associations.

I would like to thank all the Members of the Committee for their diligence and hard work throughout the year. A lot of work has been carried out, which has covered a very broad range of subjects. I would also like to thank officers for their efforts in bringing forward clear and informative reports and presentations which have enabled members to make properly informed recommendations about the important work carried out in this portfolio.

Councillor Yvonne Bear
Chairman, Renewal, Recreation and Housing PDS Committee

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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