

## **EXECUTIVE**

Minutes of the meeting held on 6 October 2022 starting at 7.00 pm

### **Present:**

Councillor Colin Smith (Chairman)  
Councillors Kate Lymer (Vice-Chairman), Yvonne Bear,  
Nicholas Bennett J.P., Aisha Cuthbert,  
Christopher Marlow, Angela Page and Diane Smith

### **Also Present:**

Councillor Simon Fawthrop

### **53 APOLOGIES FOR ABSENCE**

Apologies for late arrival at the meeting were received from Cllr Aisha Cuthbert.

### **54 DECLARATIONS OF INTEREST**

Councillor Simon Fawthrop declared an interest as an employee of BT in minutes 69 and 76 and left the room while these reports were considered.

### **55 QUESTIONS**

Two questions had been received for written reply – the questions and replies are set out in Appendix A attached to these minutes.

### **56 TO CONFIRM THE MINUTES OF THE MEETINGS HELD ON 29 JUNE, 15 JULY AND 3 AUGUST 2022**

**RESOLVED** that the exempt minutes of the meetings held on 29<sup>th</sup> June, 15<sup>th</sup> July and 3 August 2022 be confirmed.

### **57 BUDGET MONITORING 2022/23**

Report FSD22068

The report provided the first budget monitoring position for 2022/23 based on expenditure and activity levels up to the end of July 2022. The report also highlighted any significant variations which would impact on future years as well as any early warnings that could impact on the final year end position.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) The latest financial position be noted, including that a projected net overspend on services of £8,036k is forecast based on information as at July 2022.**

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

**(3) The carry forwards being requested for drawdown as set out in paragraph 3.3 of the report be noted.**

**(4) A projected reduction to the General Fund balance of £2,177k be noted as detailed in section 3.4 of the report.**

**(5) The full year cost pressures of £8.255m as be noted as detailed in section 3.5 of the report.**

**(6) The release of funding from the 2022/23 central contingency be agreed as detailed in paragraphs 3.2.2 to 3.2.23 of the report.**

**(7) The release of £600k from the Growth Fund reserve for the Local Plan review as be agreed as detailed in paragraph 3.9 of the report.**

**(8) The change in General Fund Earmarked Reserves as detailed in paragraph 3.12 of the report be noted.**

**(9) Council be recommended to agree a sum of £2.4m be drawn down from the 2022/23 contingency as detailed in paragraph 3.2.2 of the report.**

**58 CAPITAL PROGRAMME MONITORING - 1ST QUARTER  
2022/23**

Report FSD22071

The report summarised the current position on capital expenditure and receipts following the first quarter of 2022/23 and sought the Executive's approval to a revised capital programme.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) The report be noted, including a total re-phasing of £4,482k from 2022/23 into future years, and a revised capital programme be agreed.**

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

- (i) increase of £8,478k to the Basic Needs capital scheme (paragraph 3.5.1 in the report);
- (ii) addition of £383k of SCA grant and of £466k of Salix grant to the Capital Maintenance scheme (paragraph 3.5.2 in the report);
- (iii) an increase of £2,443k to the Disabled Facilities Grant capital scheme (paragraph 3.5.3 in the report.)

**(3) Council be requested to approve the total increase of £8,478k to the Basic Needs capital scheme, £849k to the Capital Maintenance scheme, and £2,443k to the Disabled Facilities Grant capital scheme (see paragraphs 3.5.1 to 3.5.3.)**

## **59 ADDITIONAL STAFFING CAPACITY FOR CHILDREN'S SOCIAL CARE**

Report CSD22101

Current demand for support to vulnerable young people across Bromley had been gradually rising since 2018. The Covid-19 pandemic had accelerated this demand, and the Council now had sustained levels of demand that were significantly higher than previously.

This continued to place pressure on many parts of Children's Social Care, but particularly on "Front Door" services and "Safeguarding" services where the majority of Child in Need cases and Child Protection cases were held.

Currently, caseloads averaged 21 children per Social Worker (SW). The Bromley "Caseload Promise" which was an essential element of the Council's pledge to Social Workers to provide them with the right environment in which to deliver good quality practice, put a limit on cases of between 12-15 children. In order to maintain the quality of practice and ensure that we can retain and attract good quality staff the Council wished to make a targeted investment in additional staff for a four-year period that would assist it in meeting the increased need over this period, whilst also allowing for an anticipated gradual reduction in demand as the Council moved forward and was able to work more effectively utilising the additional staff.

The proposal sought investment of £2.4 million over four years to allow for the initial recruitment of 20 additional SW posts. It was proposed that the Council would recruit 20 new posts in year one, and then reduce back down by 5 SWs in each subsequent year of the additional funding. The initial additional investment would allow a return to lower caseloads, which in turn would assist in making effective interventions with families that would lead to better and safer outcomes and ensure the Council was not involved in the lives of families for so long. These efficiencies would allow the Council to work more effectively and so gradually return to the current staffing numbers over the course of the funding.

The report had been scrutinised by the Children, Education and Families PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) Subject to approval by the Council, the proposal of the time-limited funding for these additional staff (£2.4m) be endorsed and supported.**

**(2) The One-off request for use of £250k of Contingency monies to fund the short-term support to the Safeguarding Service be approved.**

**(3) It is noted that it is proposed that the additional funding in the main part of this request is to cover a period of four years. This will be achieved by the following measures -**

- **Anticipating a gradual reduction of demand over the next four years which will allow between 5-10 posts to be absorbed into existing agency SW posts and/or vacancies as they arise.**
- **The additional capacity will also allow for more effective working of cases ensuring that periods of intervention can be reduced, and cases closed sooner. This means that we should be able to reduce the overall number of open cases across the service by between 65-70 each year for the next four years.**
- **Therefore, the number of posts should be able to reduce by 5 posts per year over the duration of the four years to bring staff funding back into line with present capacity at the end of the four years.**

**60 CONTRACT FOR DYNAMIC PURCHASING SYSTEM FOR EDUCATION AND CHILDREN'S SERVICES**

Report CEF22056

The Council currently held a contract with ADAM for the delivery of a Dynamic Purchasing System (DPS) for the procurement of supply teachers, teaching assistants, tutors, and other services to Education and Children's Services. This contract was extended in March 2022 at an annual value of £20k. This extension was due to end on 2<sup>nd</sup> March 2023. The report set out the commissioning intentions.

The report sought authorisation to commission ADAM through calling off of the g-cloud framework at a maximum cost of £25k per year for a total of 4 years with an initial term of 2 years followed by two extensions of 12 months each. The DPS was likely to procure services to the total of around £700k per annum. This brought the total expenditure going through the system for the duration of the contract to £2.9M.

The report had been scrutinised by the Children, Education and Families PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) The procurement strategy outlined in the report to award a new contract to ADAM for them to run and manage DPS for the Home and Tuition Service be approved; this would be via a direct award calling off of the g-cloud framework.**

**(2) It is proposed that the Service will have an estimated annual value of £25k p.a. for the DPS system and a projected total of £700k of services being purchased through the system per annum; the approximate full life value of the service would be £2.9M. The new contract will commence on 2<sup>nd</sup> March 2023 and terminate on 1<sup>st</sup> March 2027.**

**(3) Authority be delegated to the Director of Children's Services for the authorisation of the two 12-month extension options.**

**61 CARBON MANAGEMENT PROGRAMME UPDATE**

Report ES20201

The report provided an update on the carbon management programme, with specific reference to:

- The prioritisation of actions within the Carbon Net Zero Action Plan to achieve the revised Net Zero target date of 2027 for Scope 1 and 2 emissions.
- The motion to reduce the council's Scope 3 procurement emissions

The report had been scrutinised by the Environment and Community Services PDS Committee at its meeting on 6<sup>th</sup> September 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) The prioritisation of the four initiatives from the previously agreed Carbon Net Zero Action Plan set out in this report to achieve the delivery of the revised Net Zero target date of 2027 be agreed.**

**(2) The recommendation to measure Scope 3 emissions based on service time and contract spend values with the intention of using this data to agree an Action Plan for reducing emissions and approve the drawdown of £7k from the ringfenced Carbon Neutral Fund for specialist consultancy to support the technical aspects of this work be approved.**

**62 LOCAL PLAN REVIEW - TIMESCALES AND BUDGET**

Report HPR2022/44

The report set out the stages and approximate timescales for the review of the Bromley Local Plan. The report also sought approval of a budget to undertake the Local Plan review work, including the preparation of necessary evidence.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) It is agreed that a review of the Local Plan should commence and the details of the Local Plan review process are noted.**

**(2) The additional one-off funding of £600k for the Local Plan review process be agreed as detailed in Section 5 of the report, to be met from the Council's Growth Fund earmarked reserve.**

**63 BROMLEY TOWN CENTRE SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION DRAFT**

Report HPR2022/034

This report recommended that the draft Bromley Town Centre Supplementary Planning Document (SPD) should be published for 12 weeks of public consultation. The SPD provided guidance to assist with the determination of planning applications in the Bromley Town Centre area, including guidance on design requirements.

The report had been considered by Development Control Committee on 26<sup>th</sup> July 2022 and scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committees had supported the recommendations.

**RESOLVED that**

**(1) The draft Bromley Town Centre Supplementary Planning Document (shown at Appendix 1 to the report) and supporting documentation (at Appendices 2 and 3) be approved for 12 weeks public consultation.**

**(2) That the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, be authorised to approve any further minor changes (e.g. related to formatting or mapping) to the draft Bromley Town Centre Supplementary Planning Document (shown at Appendix 1) prior to consultation.**

**64 URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION DRAFT**

Report HPR2022/45

The report recommended that the draft Urban Design Guide Supplementary Planning Document (SPD) be published for six weeks of public consultation. The SPD provided guidance on urban design to inform and engage developers, applicants, planning officers, residents and all other interested parties in bringing forward proposals for development in Bromley.

The report had been considered by Development Control Committee on 27<sup>th</sup> September 2022 and scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022. Both Committees had supported the recommendations with some minor changes, which were summarised in an additional note tabled at the Executive's meeting. The report had also been considered at Executive, Resources and Contracts PDS Committee on 5<sup>th</sup> October 2022.

**RESOLVED that**

**(1) The draft Urban Design Guide Supplementary Planning Document (shown at Appendix 1 to the report) and supporting documentation (at Appendix 2) be approved, with the minor changes in the note mentioned above, for six weeks public consultation.**

**(2) That the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing, be authorised to approve any further minor changes (e.g. related to formatting or mapping) to the draft Urban Design Guide Supplementary Planning Document (shown at Appendix 1) prior to consultation.**

**65 GATEWAY REPORT FOR HOUSING MANAGEMENT PROCUREMENT ACTIONS**

Report HPR2022/050

The report outlined the Council's current Private Sector Leasing and Housing Management Contract which was provided by Orchard & Shipman (Pinnacle) and set out the options for future procurement.

The current contract ended on 31<sup>st</sup> March 2023. A further one-year extension option was available and approval for the extension was sought.

The report set out the commissioning intentions for this requirement beyond the extension period. It recommended separating the contract into a distinct Private Sector Leasing contract and a separate Housing Management contract. It recommended entering into a new contract for Private Sector

Leasing via exemption to competitive tendering and to commence a compliant procurement process for the Housing Management requirement.

Given the complexities of being a Social Housing Provider and importance of the tender exercise the report referred to the resource requirements required to carry out this procurement exercise and where this would be funded from.

Further reports would come back to the Executive in 2023 as set out in the report, including a report on the skills and resources required for effective long-term management and operations of the Housing Revenue Account.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) For the current Private Sector and Housing contract with Orchard & Shipman, the remaining one-year extension for the period 1 April 2023 to 31 March 2024 at an estimated value of £3m be authorised.**

**(2) For future Private Sector Leasing arrangements with Orchard & Shipman:**

- (i) This element be separated from the Housing Management arrangements (as described in paragraphs 3.8 to 3.17 in the report) and the award of a further contract be authorised, via exemption to competitive tendering (as set out in paragraphs 3.48/49), to commence from 1 April 2024 for a period of ten years at an estimated value of £3m per annum (whole life value of £30m).**
- (ii) Authority be delegated to the Director of Housing, Planning, Regeneration & Property to vary the contract to secure additional leases/properties from the provider subject to due diligence.**

**(3) For future Housing Management arrangements:**

- (i) Proceeding to procurement be approved in principle via a compliant process, as set out in paragraphs 3.18-3.22 and 3.48 of the report for Housing Management provision for a contract to commence from 1 April 2024 for a fifteen-year term (with the option to extend for a further five years) at an estimated annual value of up to £2m (estimated whole life value of £40m).**
- (ii) It is noted that a Gateway 1 report setting out the full detail of the proposed procurement will be presented for decision in early 2023, prior to commencing a tender process.**



- (iii) The drawdown £183k be agreed from the Housing Feasibility and Viability Fund earmarked reserve for the resources required in paragraphs 3.28 to 3.36 of the report.

(4) For the Beehive Scheme, the drawdown of £32k be agreed from the Housing Investment Fund earmarked reserve to procure specialist advice to determine options for the best mechanism for future management of the Beehive scheme, as set out in paragraphs 3.23 to 3.27 of the report.

## **66 MEADOWSHIP HOMES PHASE 2 - CHANGES TO FINANCING**

Report FSD22069

The report advised on progress with setting up the Meadowship Homes 2 joint venture arrangement with Orchard and Shipman to acquire residential properties to help reduce the current pressures in relation to homelessness and temporary accommodation, and requested a change to the financing arrangements. A supplementary note had been circulated updating members on changes to the financing arrangements.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

### **RESOLVED that**

- (1) Progress on the scheme to date be noted.
- (2) Committing to an ongoing revenue contribution of up to £250k per annum (indexed annually by CPI) be agreed.
- (3) Extending the loan term from the Funder from 50 years to up to 55 years be agreed.
- (4) It is agreed that if minor variation to the decision above would be expedient then officers shall seek agreement from the Portfolio Holders for Renewal, Recreation and Housing and Resources, Commissioning and Contract Management and the Directors of Finance and Corporate Services and Governance before proceeding.

## **67 CONTRACT AWARD: ACCOMMODATION, SUPPORT AND TENANCY SUSTAINMENT (PART 1)**

Report HPR2022/049A

In March 2022, the Executive had approved proceeding to procurement for the Accommodation, Support and Tenancy Sustainment service. The report

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set out the result of the competitive tender process and recommended the award of the contract as detailed in a Part 2 report.

The report had been scrutinised by the Renewal, Recreation and Housing PDS Committee at its meeting on 4<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that the award of contract for Accommodation, Support and Tenancy Sustainment be approved.**

**68 PROCEED TO CONTRACT AWARD FOR THE BROMLEY INTEGRATED SEXUAL HEALTH SERVICE (PART 1)**

Report ACH22-031

The Executive had agreed on 24<sup>th</sup> November 2021 to proceed to procurement for the Bromley Integrated Sexual Health Service. The report detailed the outcome of the tender process and recommended contract award.

The report had been scrutinised by the Adult Care and Health PDS Committee at its meeting on 7<sup>th</sup> September 2022 and the Committee had supported the recommendations.

**RESOLVED that**

**(1) Award of contract for the Bromley Integrated Sexual Health Service be approved to the service provider named in the Part 2 Report, commencing on 1<sup>st</sup> April 2023 for 5 years with an option to extend for up to a further two years at an estimated contract value as detailed in the Part Two report.**

**(2) Authority be delegated to the Director of Public Health in consultation with the Adult Care and Health Portfolio Holder following agreement from the Assistant Director, Governance & Contracts, the Director of Finance and Director of Corporate Services and Governance to the extension period and to authorise any variation to the scope of the contract.**

**69 IT PROCUREMENT AND PROVISION (PART 1)**

Report CSD22069

The report provided an analysis of the work agreed by the Executive at its meeting on 30 June 2021 and set out options and recommendations for the Executive to consider on the future of IT Services including procurement options. The Portfolio Holder for Resources, Commissioning and Contract Management had been consulted on the analysis of options in the report.

Any future changes to the IT infrastructure technology would be submitted for consideration and decision making by Members as and when necessary, as they would be part of the IT infrastructure transformation which was not the subject of this report.

Exempt details were set out in an accompanying part 2 report.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

- (1) The options explored and analysis in the report be noted.**
- (2) The plan and budget for the next phases of work (procurement and transition) be approved as set out in Section 8 of the report; this will incur costs estimated at £682k in total (£346k in 2022/23 and £336k in 2023/24) to be funded from the Central Contingency Fund.**
- (3) The procurement of a contract for the provision of IT and Digital services for a period of five years be approved, to commence from December 2023, with an option to extend for a period of up to another five years.**
- (4) The engagement that has taken place with staff within the current IT Client Team about the options being considered be noted; whilst no feedback has been received from them to date, the report would be shared with them and engagement would continue throughout this process. Formal consultation with staff and their representatives will commence in accordance with Council policies, procedures and employment legislation.**
- (5) Authority be delegated to the Portfolio Holder for Resources, Commissioning and Contract Management and to the Director of Corporate Services and Governance for agreeing any relevant decisions to enable the implementation and delivery of the recommendations in the report that are agreed by Executive.**

**70            PROPERTY INVESTMENT FUND PORTFOLIO - PORTFOLIO PERFORMANCE UPDATE, INVESTMENT STRATEGY AND MITIGATION FUND (PART 1)**

The report related to the Council's Property Investment Fund Portfolio, providing an update to Members on the Portfolio's performance, and setting out the proposed Investment Strategy and supporting Key Performance Indicators to be adopted.

The report had been scrutinised by the Executive, Resources and Contracts PDS Committee at its meeting on 5<sup>th</sup> October 2022 and the Committee had supported the recommendations.

**RESOLVED that**

- (1) The contents of the report be noted.**
- (2) The adoption of the Investment Strategy (Strategic Objectives) as set out in Section 3.3 (3.3.21) of the report be approved.**
- (3) The adoption of the Key Performance Indicators as set out in Section 3.3 (3.3.23 – 3.3.25) be approved.**
- (4) The creation of a mitigation fund equating to 10% of the rental income generated by the Investment Fund properties as set out in Section 3.3 (3.3.26 – 3.3.30) of the report be approved, with reporting on this to be included within the annual Executive, Resources and Contracts PDS Committee portfolio performance reports.**
- (5) Authority be delegated to the Director of Housing, Planning, Property and Regeneration, Assistant Director, Property and Head of Estates & Asset Management in consultation with the Portfolio Holder for Resources, Commissioning and Contract Management to act within the adopted Strategy and Key Performance Indicators.**
- (6) The disbandment of the Property Investment Advisory Board be approved, to be replaced with regular Officer briefings to the Portfolio Holder for Resources, Commissioning and Contract Management for general asset management and performance updates with reporting to the Executive for material deviations from the adopted Investment Strategy and for key decisions such as acquisitions and disposals alongside the annual comprehensive performance report currently in place.**

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

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

**72            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**

**73 EXEMPT MINUTES OF THE MEETINGS HELD ON 29 JUNE  
AND 15 JULY 2022**

The exempt minutes of the meetings held on 29<sup>th</sup> June and 15<sup>th</sup> July were confirmed.

**74 CONTRACT AWARD: ACCOMMODATION, SUPPORT AND  
TENANCY SUSTAINMENT (PART 2)**

The Executive considered the outcome of the tender process and awarded the contract.

**75 PROCEED TO CONTRACT AWARD FOR THE BROMLEY  
INTEGRATED SEXUAL HEALTH SERVICE (PART 2)**

The Executive considered the outcome of the tender process and awarded the contract.

**76 IT PROCUREMENT AND PROVISION (PART 2)**

Report CSD22069B

The Executive considered a report setting out options and recommendations on the future of IT services including procurement options.

**77 PROPERTY INVESTMENT FUND PORTFOLIO - PORTFOLIO  
PERFORMANCE UPDATE, INVESTMENT STRATEGY AND  
MITIGATION FUND (PART 2)**

The Executive considered a report setting out specific asset plan proposals for each of the properties held within the Investment Fund Portfolio.

**78 CAPITAL PROGRAMME MONITORING - APPENDIX E**

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

**Appendix A - Questions**

Chairman

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*6 October 2022*

The Meeting ended at 7.53 pm

## EXECUTIVE

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### QUESTIONS FOR WRITTEN REPLY

**1. From Andrew Stotesbury to the Portfolio holder for Transport, Highways and Road Safety**

Will the Executive instruct the Environment Committee to reverse its decision that effectively ends the roll out of School Streets across Bromley?

**Reply:**

No.

**2. From Andrew Stotesbury to the Portfolio holder for Transport, Highways and Road Safety**

Practically where traffic cannot be excluded and where there is some existing Calming and 20mph zones by schools will these be made more visibly by: increased road markings and signs, and be effectively enforced by remote means: Automatic Number Plate Recognition cameras for average speed and environmental monitoring?

**Reply:**

The Traffic Engineers will always seek to make sure that signs and lines are appropriate, clear and visible. If there is any location where road users, parents or the school feel that road markings or signs can be made even clearer, the Council will be happy to investigate. ANPR cameras are already used outside schools to help with the enforcement of School Keep Clear zigzag markings, but no extension to their use is planned.

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