

**EXECUTIVE  
WEDNESDAY 30 NOVEMBER 2022  
DECISION SHEET**

PLEASE NOTE: Set out below is a summary of the decisions made by the Executive on Wednesday 30 November 2022. Further details of the discussion and decision making for each item can be viewed in the minutes of the meeting.

<b>Agenda Item No.</b>	<b>Title of Report</b>	<b>Decision</b>
1	<b>APOLOGIES FOR ABSENCE</b>	Cllr Aisha Cuthbert.
2	<b>DECLARATIONS OF INTEREST</b>	None
4	<b>QUESTIONS</b>	4 written questions answered.
5	<b>BUDGET MONITORING 2022-2023</b>	<ol style="list-style-type: none"> <li>1. The latest financial position be considered;</li> <li>2. A projected net overspend on services of £9,568k forecast based on information as at July 2022 be noted;</li> <li>3. The comments from Chief Officers detailed in Appendix 2 be noted;</li> <li>4. A projected reduction to the General Fund balance of £1,478k as detailed in section 3.3 of the report be noted;</li> <li>5. The full year cost pressures of £9.369m as detailed in section 3.4 of the report be noted;</li> <li>6. The release of funding from the 2022/23 central contingency as detailed in paragraphs 3.2.2 to 3.2.6 of the report be agreed;</li> <li>7. The release of £314k from the CEF Health Reserve Fund for expenditure in the CEF department as detailed in para. 3.8 of the report be agreed.</li> </ol>
6	<b>CAPITAL PROGRAMME</b>	1. The report, including a total re-

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	<b>MONITORING 2022-23</b>	<p>phasing of £134k from 2022/23 into future years be noted and a revised capital programme be agreed.</p> <p>2. The following amendments to the capital programme (paragraph 3.3 of the report) be approved:</p> <ul style="list-style-type: none"> <li>(i) Increase of £3,000k in relation to the budget for depots</li> <li>(ii) Increase of £20,970k for additional costs associated with Project Smith, the preferred option for the existing capital budget for the Civic Centre redevelopment scheme</li> </ul> <p>3. That Council be recommended to approve the increase of £23,970k to the capital programme (paragraph 3.3 of the report).</p>
7	<b>OPERATIONAL PROPERTY REVIEW</b>	<p>1) The contents of the report be noted;</p> <p>2) The Operational Estate Strategy as detailed at 3.22 to 3.30 of the report be adopted;</p> <p>3) Officers progress the various Workstreams identified at 3.34 to 3.43 of the report noting that works packages once scoped and costed will then be reported to the Executive for consideration to proceed and award works packages;</p> <p>4) The sums identified within the report are incorporated into the Capital Programme;</p> <p>5) The funding of the £3M resources identified at 3.45 of the report be agreed in principle to enable Officers to progress the various Workstreams and such funding to made available from the Capital Programme.</p>
8	<b>PROPERTY DISPOSALS</b>	That the report be noted and referred to Full Council.

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9	<b>FUTURE COUNCIL HQ OPTIONS</b>	That the report be noted.
10	<b>BIGGIN HILL AIRPORT LTD: REQUEST TO VARY USER CLAUSE</b>	That BHAL's application to amend the Permitted User Clause in the Lease be refused and appropriate funds to fight any tribunal case be set aside.
11	<b>BROMLEY TOWN CENTRE HEALTH AND WELLBEING CENTRE DEVELOPMENT PROPOSAL ON BEHALF OF THE NHS BROMLEY ICB</b>	<ol style="list-style-type: none"> <li>1. It be noted that the updated proposals for the HWBC on the site of the Adventure Kingdom and that previous proposals as approved by the Executive, Resources and Contracts at its meeting on 9<sup>th</sup> February 2022 will not be proceeding.</li> <li>2. Approval be given to agree the updated proposals with the ICB for delivery of the project on behalf of the ICB such as design, procurement, terms, management and funding, as set out in sections 3.2 to 3.18 of this report, as necessary to proceed and to approve the intention to continue to work in partnership with the ICB, noting that the ICB continues to provide a cost indemnity for the Council's costs in respect of the project.</li> <li>3. Authority be delegated to the Director of Housing, Planning, Property and Regeneration in consultation with the Director of Finance, the Director of Corporate Services and the Resources, Commissioning and Contract Management Portfolio Holder, to determine and finalise, as detailed in sections 3.2 to 3.18, all necessary commercial terms, financial arrangements and to deal with publicising, if appropriate, any Open Space Notices and considering representations received and reporting to Members as necessary, and prior to or in conjunction with the proposed report at 2.4 below.</li> <li>4. Approval be given for proceeding to procurement, via a compliant joint</li> </ol>

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		<p>procurement arrangement with the ICB as set out in paragraph 3.12 to 3.16, for the main works contractor for the refurbishment of the HWBC site at an estimated cost of £6,500,000 (with cost indemnity for the works provided by the ICB). Noting that a formal decision on contract award (and associated contract novations) as set out in paragraphs 3.12 to 3.16 will be presented to Executive in due course prior to the commencement of contract.</p> <p>5. Authority be delegated to the Assistant Director of Legal Services to enter into all relevant legal agreements as detailed in paragraphs 3.12 to 3.16 of the report and any other necessary ancillary legal documentation relating thereto, including (but not limited to):</p> <ul style="list-style-type: none"> <li>• The project agreement;</li> <li>• The Section 2 agreement;</li> <li>• Agreement for lease and lease; and</li> <li>• Option agreement.</li> </ul> <p>6. It be noted that the ICB programme envisages construction commencement in June 2023 for completion in March 2024 in order to secure funding. Should there be significant delays to the ICB programme then the Council will need to consider whether it should proceed at that time.</p> <p>7. Officers provide regular updates to Executive, Resources and Contracts PDS Committee on the ICB's progress with the project.</p>
12	<b>IT TRANSFORMATION</b>	<p>8. The information be noted and the procurement of the Microsoft's Cloud (Azure) as the Council's Data Center with disaster recovery and increased resilience of the Data Centre for 5 years be agreed.</p> <p>9. An increase in the IT Services revenue</p>

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		<p>budget of £400k be approved to ensure Microsoft Cloud (Azure), Disaster Recovery and Cyber Security functions required are procured and available for the Council. This additional revenue budget requirement represents a forward commitment as part of the 2023/24 and future years budget. There will be part-year costs expected of c. £100k in 2022/23 which will need to be managed from within the existing approved IT Services revenue budget.</p> <p>10. The use of the current IT service provider, BT, through the mechanism of the Westminster City Council Pan-London ICT Framework to procure the services detailed in the report be agreed. Where in the opinion of the Director of Corporate Services and Governance a separate procurement is required or desirable, agree to delegate authority to this Director in consultation with the Portfolio Holder, to authorise the use of an alternative procurement route in order to proceed to procurement and award the contract.</p>
13	<b>UK SHARED PROSPERITY FUND - BOROUGH ALLOCATION</b>	<ol style="list-style-type: none"> <li>1. The acceptance of the in-principle allocation of UKSPF grant funding totalling £1.63M, be approved and the capital programme and revenue budgets be adjusted accordingly;</li> <li>2. Authority be delegated to the Director of Housing, Planning and Regeneration in consultation with the Portfolio Holder for Renewal and Recreation to determine interventions agreed with Greater London Authority through a grant agreement and any variations to the grant;</li> <li>3. The proposed interventions submitted to the Greater London Authority set out in paragraphs 3.6-3.29 be noted; and,</li> <li>4. It be noted that the scope of this</li> </ol>

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		<p>decision does not include the in-principle allocation of £760K for 2024-2025 for People and Skills which is only accessible through Local London and determined through sub-regional decision-making.</p>
14	<p><b>NIGHT TIME ENTERPRISE ZONE FOR BROMLEY TOWN CENTRE</b></p>	<ol style="list-style-type: none"> <li>1. A new one-off revenue budget for the Night Time Enterprise Zone project of £130k, funded by GLA grant funding of £130k (Your Bromley match funding will be directly spent by Your Bromley) be approved, noting that this would be accepted and expended on the interventions included in the funding application, as set out in paragraph 3.9</li> <li>2. It be noted that the allocated funding must be spent prior to reimbursement by the Greater London Authority</li> <li>3. It be noted that this decision is being put before the Executive in accordance with General Exception Rule 15 of the Council's Access to Information Procedure rules for the following reasons: <ol style="list-style-type: none"> <li>i) The grant award was confirmed on 15 September 2022, however the GLA did not publicly announce the awards until 17<sup>th</sup> November 2022, therefore it could not be published on the Council's Forward Plan 28 days before the decision is made;</li> <li>ii) due to the funding timescales, it would be impracticable to defer the decision until it has been included in the forward plan and to wait for the next Executive meeting.</li> </ol> </li> <li>4. It be noted that in accordance with Rule 15 (b) the Chairman of the</li> </ol>

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		<p>Renewal, Recreation and Housing PDS Committee had sight of the report 5 clear days prior to the decision, fulfilling the requirement of Rule 15 (b).</p>
15	<p><b>LAWN TENNIS ASSOCIATION PARKS RENOVATION FUND</b></p>	<ol style="list-style-type: none"> <li>1. The acceptance of the Lawn Tennis Association Grant be approved, subject to standard Terms and Conditions;</li> <li>2. The scheme be added to the capital programme; and,</li> <li>3. Officers commence the tender process to procure an operator.</li> </ol>
16	<p><b>DEPOT INFRASTRUCTURE WORKS STAGE 3 UPDATE</b></p>	<ol style="list-style-type: none"> <li>1. That it be noted that the total capital budget for the depot infrastructure works remains at £6.107m within the capital programme; with revenue funding from maintenance budgets now identified to fund the critical repair works at Central Depot Waste Site and Beaverwood Parks Depot referenced in Executive Report ES20109;</li> <li>2. That it be noted that the progress of the design development for the two Council Waste Sites, as detailed in the report below;</li> <li>3. That Full Council be recommended to approve an additional £3m capital funds from the capital programme to be allocated to the depot infrastructure works, giving a total all-inclusive budget of £9.107m;</li> <li>4. Proceeding to procurement for a suitable construction contractor via a restricted or competitive procedure with negotiation procurement process for the main</li> </ol>

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		<p>works contract, along with the proposed variation of the Veolia contract as per <i>Paragraph 2.5</i> below be approved. The combined estimated total construction value of these works is £7.145m, with an additional £715k client contingency delegated to the Project Manager, Capital Projects to be used as needed making the total estimated value up to £7.860m; and,</p> <p>5. The Veolia Waste collection contract be varied to enable them to design and build two new weighbridges on the operational road within Waldo Road Waste Transfer Station section. The construction costs of which will be contained within the above figures.</p>
17	<b>GATEWAY REPORT - PROCEED TO PROCUREMENT: SUBSTANCE MISUSE</b>	<ol style="list-style-type: none"> <li>1. A variation to the current Adult and Young People’s Substance Misuse Services contracts (paragraphs 3.17 and 3.18 of the report) be approved to increase the contract value across both contracts by £120k for the period from 1 December 2022 to 30 November 2023.</li> <li>2. The extension be approved beyond term for the current contracts (paragraph 3.19 of the report) for a period of 4 months from 1 December 2023 to 31 March 2024 at an estimated value of £540k.</li> <li>3. The commissioning approach be approved and proceed to procurement for a combined Adults and Young People’s Substance Misuse Service (paragraphs 3.20 to 3.25 of the report) for a five year contract commencing 1 April 2024, with the option to extend for a further three years, at an estimated</li> </ol>



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		<p>annual value of £1,718k (whole life value £13,744k).</p> <p>4. Authority be delegated to Chief Officers in consultation with the Portfolio Holder to authorise an appropriate portion of the Supplemental Substance Misuse Treatment and Recovery (SSMTR) Grant to be drawn down in 2023/24, 2024/25 and to vary the scope and value of the contract accordingly subject to the grant conditions which will be specified by the Office for Health Improvement and Disparities (OHID).</p>
18	<p><b>GATEWAY 1: ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT AT HOME SERVICE</b></p>	<p>1.10.1 The commencement of a tender process for the housing support mental health services ‘support@home’ contract be approved:</p> <p>1.10.1.1 for an initial period of 5 years from 01 October 2024 to 30 September 2029</p> <p>1.10.1.2 with two options to extend for a further period of 2 years from 01 October 2029 to 30 September 2031 and 1 October 2031 to 30 September 2033</p> <p>1.10.1.3 at an estimated total contract value of £23.4m; and</p> <p>1.10.2 Authority be delegated to the Chief Officer in consultation with the Portfolio Holder to approve the contract extension period(s) on satisfactory achievement of the contract performance indicators.</p>
19	<p><b>GATEWAY 2: PERMISSION TO AWARD REPORT - ADVOCACY SERVICES (PART 1)</b></p>	<p>1. The contract for the provision of the Advocacy services be awarded as detailed in the accompanying Part 2 Report. The proposed contract will commence on 1<sup>st</sup> April 2023 for a five-year period with the option to extend for up to a further two years.</p>

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		<p>2. Authority be delegated to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care &amp; Health services, the Assistant Director of Governance &amp; Contracts, the Director of Finance and the Director of Corporate Services and Governance, to vary the contract to meet statutory demands and exercise the extension period for up to two years.</p>
20	<p><b>LEARNING DISABILITY - SHORT BREAKS - CONTRACT AWARD (PART 1)</b></p>	<p>1. The contract for the provision of 34 block bed nights per week at the residential short breaks service at 118 Widmore Road be awarded for a period of 5 years from 1 April 2023 to 31 March 2028 with an extension option of 3 years from 1 April 2028 to 31 March 2031 to the provider and at the contract value as detailed in the Part 2 report.</p> <p>2. Authority be delegate to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care and Health Services, the Assistant Director Governance &amp; Contracts, the Director of Finance and the Director of Corporate Services and Governance, to exercise the 3-year extension period.</p>
21	<p><b>LEARNING DISABILITY SUPPORTED LIVING SERVICES - BROMLEY ROAD, BROSSIE WAY AND PADUA ROAD - CONTRACT AWARD (PART 1)</b></p>	<p>1. The contract for the provision of supported living services be awarded to the provider detailed in the Part Two report commencing 6 March 2023 for a period of 4 years to 5 March 2027 with an option to extend for a further 4 years from 6 March 2027 to 5 March 2031. The estimated total cost of the award over the full 8-year term (excluding inflationary increases and fluctuations due to individual client need) is detailed in the Part Two</p>

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		<p>report.</p> <p>2. Authority be delegate to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care and Health Services, the Assistant Director Governance &amp; Contracts, the Director of Finance and the Director of Corporate Services and Governance, to exercise the 4-year extension period.</p>
22	<b>MAINTAINED NURSERIES TRANSFORMATION</b>	<p>1. It be agreed to proceed to formal staff and public consultation on a proposal to close the Council nursery located in Blenheim Children and Family Centre. The proposal would include that the service is decommissioned from 31 March 2023 and that staff currently employed to work at Blenheim Nursery are permanently relocated to the Council nursery at Community Vision, Penge; and,</p> <p>2. Authority to implement any proposed closure be delegated to the Director of Education in consultation with the Portfolio Holder for Children, Education and Families, having considered the outcome of the consultation period.</p>
23	<b>HOLIDAY AND SATURDAY GROUP BASED SHORT BREAK SERVICE FOR DISABLED CHILDREN AND YOUNG PEOPLE - CONTRACT AWARD</b>	<p>1. The award of contract for the provision of the Holiday and Saturday Group Based Short Breaks Service be approved as detailed in the accompanying Part 2 Report (Report CEF22067B). The proposed contract to commence on 1 April 2023 for the period of three years plus the option to extend for two periods of up to two years, making a total possible contract period of seven years, ending on 31 March 2030; and,</p> <p>2. Authority be delegated to the Director of Children, Education and Families to apply the two two-year contract extensions in consultation with the Portfolio Holder for Children, Education</p>

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		and Families and subject to agreement of the Director for Corporate Services and Governance, the Director of Finance and the Assistant Director: Governance and Contracts as determined by Contract Procedure Rules.
24	<b>CONSIDERATION OF ANY OTHER ISSUES REFERRED FROM THE EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE</b>	None
25	<b>LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000</b>	Executive agreed to move in to Part 2.
	<b>CAPITAL PROGRAMME MONITORING 2022-23 (PART 2 APPENDIX)</b>	Noted
	<b>OPERATIONAL PROPERTY REVIEW (PART 2)</b>	The schedule of properties which the operational property review considered were noted.
	<b>PROPERTY DISPOSALS (PART 2)</b>	The Executive agreed the recommendations outlined in the report
	<b>FUTURE COUNCIL HQ OPTIONS (PART 2)</b>	The Executive agreed the recommendations outlined in the report.
	<b>BIGGIN HILL AIRPORT LTD: REQUEST TO VARY USER CLAUSE (PART 2)</b>	Noted.
	<b>GATEWAY 2: PERMISSION TO AWARD REPORT - ADVOCACY SERVICES (PART 2)</b>	Contract Awarded.
	<b>LEARNING DISABILITY SUPPORTED LIVING SERVICES - BROMLEY ROAD, BROSE</b>	Contract Awarded.

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	<b>WAY AND PADUA ROAD - CONTRACT AWARD (PART 2)</b>	
	<b>LEARNING DISABILITY SHORT BREAKS - CONTRACT AWARD (PART 2)</b>	Contract awarded
	<b>HOLIDAY AND SATURDAY GROUP BASED SHORT BREAK SERVICE FOR DISABLED CHILDREN AND YOUNG PEOPLE - CONTRACT AWARD (PART 2)</b>	Contract Awarded
	<b>DEPOT INFRASTRUCTURE WORKS STAGE 3 UPDATE</b>	Noted.

The meeting ended at 9.00 pm.

*Graham Walton  
Democratic Services  
01/12/22*