



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 5 September 2022

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

Councillor Simon Fawthrop (Chairman)
Councillor Shaun Slator (Vice-Chairman)
Councillors Jeremy Adams, Mark Brock, David Cartwright QFSM, Robert Evans,
Kira Gabbert, Julie Ireland, Simon Jeal, Jonathan Laidlaw, Ruth McGregor,
Tony Owen, Will Rowlands, Mark Smith and Melanie Stevens

A meeting of the Executive, Resources and Contracts Policy Development and
Scrutiny Committee will be held Bromley Civic Centre on **WEDNESDAY 5
OCTOBER 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>

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 8 September 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 28 JULY 2022 (EXCLUDING EXEMPT ITEMS) (Pages 5 - 10)**

5 **MATTERS OUTSTANDING AND WORK PROGRAMME (Pages 11 - 18)**

6 **FORWARD PLAN OF KEY DECISIONS (Pages 19 - 30)**

7 **SCRUTINY OF THE CHIEF EXECUTIVE (Pages 31 - 40)**

HOLDING THE RESOURCES, COMMISSIONING AND CONTRACTS PORTFOLIO HOLDER TO ACCOUNT

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

Portfolio Holder decisions for pre-decision scrutiny.

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

b **POLICY: PUBLIC PROCUREMENT UPDATE (Pages 41 - 52)**

HOLDING THE EXECUTIVE TO ACCOUNT

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 6 October 2022.

10 **POLICY DEVELOPMENT AND OTHER ITEMS**

a **CONTRACTS REGISTER AND CONTRACTS DATABASE UPDATE**

(Part 1 Report and Appendix available online only)

PART 2 AGENDA

11 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

12 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS (IF ANY)

13 PART 2 CONTRACTS REGISTER AND CONTRACTS DATABASE UPDATE (Pages 53 - 76)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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EXECUTIVE, RESOURCES AND CONTRACTS POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 28 July 2022

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Shaun Slator (Vice-Chairman)
Councillors Jeremy Adams, Mike Botting,
Dr Sunil Gupta FRCP FRCPath, Simon Jeal,
Jonathan Laidlaw, Ruth McGregor, Tony Owen,
Will Rowlands, Mark Smith, Melanie Stevens,
Sam Webber and Jonathan Andrews

Also Present:

Councillors Christopher Marlow and Colin Smith

23 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Mark Brock sent apologies and Councillor Dr Sunil Gupta attended as substitute.

Councillor David Cartwright sent apologies and Councillor Mike Botting attended as substitute.

Councillor Julie Ireland sent apologies and Councillor Sam Webber attended as substitute.

Councillor Robert Evans sent apologies and Councillor Jonathan Andrews attended as substitute.

Councillor Marlow sent apologies and attended virtually.

24 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

No questions were received.

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

No questions were received.

**27 QUESTIONS FOR THE RESOURCES, COMMISSIONING AND
CONTRACTS MANAGEMENT PORTFOLIO HOLDER**

No questions were received.

**28 MINUTES OF THE EXECUTIVE, RESOURCES AND CONTRACTS
PDS COMMITTEE MEETING HELD ON 22 JUNE 2022 (EXCLUDING
EXEMPT ITEMS)**

Councillor Adams said that at the previous meeting he had made a comment in the discussion that had taken place relating to Treasury Management. He had referred to investment in sterling bonds and the current disruptions in the market. In view of this, he had urged caution in future investments in those bonds and requested that this be noted in the minutes. The Director of Finance commented that with respect to investments, the Council was currently not looking at long term investments. The Council was carefully considering the impact of inflation and interest rates.

With the inclusion of the above it was resolved that the minutes be agreed and signed as a correct record.

**29 MATTERS OUTSTANDING AND WORK PROGRAMME
CSD22092**

A Member referred to the Investment Property Report which was now being moved to September. He asked if the Operational Property Report would also now be presented at the September meeting. The report could then be discussed at the September meeting of the Executive. The Director of Finance confirmed that it was intended that the Operational Property Report would indeed go to the September meeting or very soon after that. It would definitely need to be scrutinised in advance of any decisions regarding the Budget and Capital Programme expenditure. The Chairman commented that it would be good if both reports could be taken at the same time.

A Member referenced the report regarding the Health and Wellbeing Centre which had originally been scheduled for May. He wondered what the delay was, and as this was a health related matter, why it was coming to the Executive Resources and Contracts Committee. It was clarified that property and investment matters came to the Executive Resources and Contracts Committee and also that this report related to a 'disposal'. The delay surrounding the report was because the health organisation concerned had not confirmed final proposals.

A Member referred to the Section 106 Agreements update report which was scheduled for the October meeting. She mentioned that previously a working group had been set up to discuss these matters and was wondering if this working group was ongoing. It was noted that Councillor Marlow had chaired this group and that conclusions were drawn and recommendations carried forward. It had been determined that Section 106 matters would be discussed

by individual PDS committees. The original working group had been wound up approximately 18 months to two years ago.

A Member referenced the report with respect to the award of contracts for capital works at Redhill School and wondered why this had been scheduled in for February 2023 instead of September 2022. The Chairman said the response to this question would be forwarded to the Member in writing.

It was noted that the IT Procurement Report had been moved to September.

A Member commented that as Section 106 agreements had been replaced by CIL, would the Committee be receiving reports on CIL updates. The Chairman responded and said that Section 106 agreements were still operative and that the Council was still able to enter into both agreements.

A Member stated that many emails were being sent in from the public with respect to Biggin Hill Airport. He hoped that these emails were being picked up by the relevant officer and that the various issues would be incorporated into, and addressed in the report coming to the Committee in September.

A Member asked how it was decided what the Committee would look at and discuss. The Chairman responded and said it would be good practise to raise matters with the Chairman initially. Every Member had a right to ask for issues to be raised.

A Member queried why the Civic Centre Development Scheme was not scheduled on the Work Programme. The Director of Finance confirmed that the matter was definitely being worked on and was in hand. It was anticipated that the report would be presented to the Committee either in September or shortly after that.

RESOLVED that the Matters Outstanding and Work Programme Report be noted.

30 FORWARD PLAN OF KEY DECISIONS

The Committee noted the Forward Plan of Key Decisions covering the period July 2022 to October 2022.

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

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

**A COUNCIL TAX SUPPORT REDUCTION SCHEME 2023/24
FSD22060**

The Revenues and Benefits Manager attended the Committee to present the report and to answer questions.

The report detailed 8 possible options for a revised Council Tax Support/Reduction Scheme. He said that the option that was proposed for recommendation was 'Option 6.' This was the option where working age minimum liability would be increased to 30% and entitlement restricted to band 'D' Council Tax liability. This would deliver approximately £360k in savings.

The Chairman said that to mitigate against any possible adverse impacts, he was proposing an additional recommendation whereby the Portfolio Holder be requested to set aside an additional £25k in the contingency budget for each year of the scheme's operation to be drawn down by the Hardship Fund if required. This additional recommendation was seconded by the Vice Chairman.

Councillor Jeal pointed out that during the previous consultation, there had been just 154 responses out of 2000 people that had been consulted. He said that that is represented just 0.1% of Council Tax payers and so was in effect meaningless. He therefore proposed the following additional recommendation, which if accepted would be recommendation 2.5. This was seconded by Cllr Ruth McGregor.

The proposed new recommendation was that officers take measures to increase the response rate to the consultation by:

1. Setting a 1% response rate target;
2. Publicising the consultation link on the Council's website and through social media;
3. Additionally consulting local organisations supporting residents in poverty and in relation to debt management- such as Citizen's Advice, Living Well Bromley, Bromley Foodbank, Z2K, Children's Poverty Action Group and Christians Against Poverty and others considered suitable by officers.

The Chairman felt that this would involve a disproportionate amount of work and was not something that he would recommend. The Revenues and Benefits Manager said that she would endeavour to increase the scope of the consultation by working with public affairs.

A Member expressed the view that it was important to get quality insights from charities. Another felt that during the process of the consultation, it would be good to mention other funds that may be available. The Chairman suggested that Members speak to the Director of Finance to see what funds may be available and then share that information with their constituents. A discussion

took place concerning the Hardship Fund and how this should be brought to the attention of residents. The Revenues and Benefits Manager informed the Committee that applications to the Hardship Fund were now the highest that they had ever been and she was no longer expecting the fund to be under-utilised.

A Member asked how the Council assisted individuals who were not computer literate and it was explained that these individuals could present physically or make a call to the Council.

Members voted regarding the additional recommendation that was proposed by Cllr Jeal and seconded by Cllr Webber. There were 4 votes in favour of the recommendation and 9 against. The motion was lost.

The Chairman proposed the following revisions to the substantive recommendations which was seconded by the Vice Chairman, Councillor Slator.

2.1 Consider the Council Tax Support/Reduction scheme Options recommended for the public consultation exercise. The Executive Resources and Contracts Policy Development and Scrutiny Committee recommends that the Portfolio Holder adopt option 6 in Paragraph 4 of the report.

2.2 The Portfolio Holder to approve option 6 be recommended in the public consultation exercise for the Authority's Council Tax Support/Reduction Scheme to come into effect from the year 2023/24.

2.3 The Portfolio Holder to agree that no automatic annual consultation will take place on the Council Tax Support/Reduction scheme, as has been the case in previous years, unless an agreed proposal is put forward to revise or replace the currently agreed scheme.

Additionally:

2.4 That the Portfolio Holder be requested to set aside an additional £25K in the contingency budget for each year of the scheme's operation to be drawn down by the hardship fund if required.

A vote was taken on the revised substantive recommendations and the motion was carried by 9 votes to 6.

RESOLVED that the revised recommendations as noted above (2.1 to 2.4) be endorsed by the Portfolio Holder.

32 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the 'High Streets for All Funding' report that was being presented to the Executive on 3rd August. The Regeneration Project

28 July 2022

Manager attended to answer any questions that Members may have had on the report.

The report had been circulated to members of the RR&H PDS Committee with a request for comments before going to the Executive.

The Chairman expressed the view that 'Option 2' seemed like the most sensible option to proceed with.

Councillor Jeal said that his understanding was that members of the RR&H PDS Committee would submit their comments directly to the Executive so he would not be expressing any views on the night.

There were no questions for the Regeneration Project Manager.

RESOLVED that the High Streets for All Funding Report be noted.

33 INFORMATION ITEMS

A RISK MANAGEMENT

The Committee noted the Risk Management data that had been published as an information briefing.

The meeting ended at 8.45 pm

Chairman

Agenda Item 5

Report No.
CSD22094

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 5 October 2022

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

Title: MATTERS OUTSTANDING AND WORK PROGRAMME

Contact Officer: Philippa Gibbs, Deputy Democratic Services Manager
Tel: 020 8461 4638 E-mail: Philippa.Gibbs@bromley.gov.uk

Chief Officer: Director of Corporate Services and Governance

Ward: All Wards

1. Reason for decision/report and options

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

- Monitoring progress against actions arising from previous meetings; and
- Developing the 2022/23 Forward Work Programme.

2. **RECOMMENDATION(S)**

That the Executive, Resources and Contracts PDS Committee reviews and comments on:

1. Progress on matters arising from previous meetings; and
2. The 2022/23 work programme, indicating any changes or particular issues that it wishes to scrutinise for the year ahead.

Impact on Vulnerable Adults and Children

1. Summary of Impact: None
-

Transformation Policy

1. Policy Status: Not Applicable:
 2. Making Bromley Even Better Priority (delete as appropriate): Not Applicable:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £366k
 5. Source of funding: Revenue Budget
-

Personnel

1. Number of staff (current and additional): 6
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: Non-Executive reports are not subject to call-in
-

Procurement

1. Summary of Procurement Implications: Not Applicable
-

Property

1. Summary of Property Implications: Not Applicable
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications:
-

Customer Impact

1. Estimated number of users or customers (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

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 2022/23, 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. 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

- 3.5 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.

Non-Applicable Headings:	Impact on Vulnerable Adults and Children, Transformation/Policy Implications, Financial Implications, Personnel Implications, Legal Implications, Procurement Implications, Property Implications, Carbon Reduction/Social Value Implications, Customer Impact, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Minutes of previous meetings

MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

Minute Number/Title /Date	Action/PDS Request	Update	Action by	Expected Completion Date
29 Matters Outstanding and Work Programme	That a response to the query concerning the timing of the award of contracts for capital works at Redhill School be provided in writing following the meeting.	The response was sent to the Councillor.	Head of Strategic Place Planning	13 September 2022

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

Meeting Date: 19 October 2022		
Meeting Date: 19 October 2022	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Gateway Report: Procurement of Council IT Services	Governance and Contracts	Pre decision Scrutiny (PH)
Section 106 Agreements: Update*	Planning and Regeneration	PDS Committee
Risk Register (Red Risks)	Audit	Information Briefing
Meeting Date: 23 November 2022		
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)
BT/ICT Contract Monitoring Report	IT	PDS Committee – Monitoring Report
Scrutiny of the Leader (including short written summary)	N/A	PDS Committee
Cost of Agency Staff	HR	PDS Committee
Contracts Register and Contracts Database Update	Governance and Contracts	PDS Committee
Free Speech (Chairman's Request)	Corporate Services/HR	PDS Committee
Insurance Fund – Annual Report 2021-22	Insurance and Risk	PDS Committee
Risk Registers	Audit	Information Briefing
Meeting Date: 5 January 2023		
Meeting Date: 5 January 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny

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
Scrutiny of the Resources, Commissioning & Contract Management Portfolio Holder (including short written summary)	N/A	PDS Committee
Scrutiny of the Executive Assistant to the Leader (including short written summary)	N/A	PDS Committee
Meeting Date: 2 February 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny
Treasury Management Strategy 2023/24 and Quarter 3 Performance 2022/23	Finance	PH Decision/Council
Annual Investment Strategy 2023/24	Finance	PH Decision/Council
Scrutiny of the Chief Executive (including short written summary)	N/A	PDS Committee
Scrutiny of the Resources, Commissioning and Contract Management Executive Assistant (<i>if applicable</i>) (including short written summary)	N/A	PDS Committee
Contracts Register and Contracts Database Update	Governance and Contracts	PDS Committee
Property Investment Update	Property	PDS Committee
Risk Register (Red Risks)	Audit	Information Briefing
Meeting Date: 22 March 2023	Division	Committee Role
Matters Arising/Work Programme/Forward Plan	Democratic Services	Standard Items
Executive Agenda	Various	Pre-decision scrutiny

Post-Completion Review of Oracle Fusion Implementation	Finance.	PDS Committee.
Scrutiny of The Leader (including short written summary)	N/A	PDS Committee
Annual PDS Report 2022/23	Democratic Services	PDS Committee
Not Programme.	Division	Committee Role
Civic Centre Development Scheme Update	Property	PDS Committee

*Part 2 (Exempt) Report

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LONDON BOROUGH OF BROMLEY

FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS PUBLISHED ON: 23 AUGUST 2022

PERIOD COVERED: August 2022 - November 2022

DATE FOR PUBLISHING NEXT FORWARD PLAN OF KEY AND PRIVATE EXECUTIVE DECISIONS: 20 September 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						
CHILDREN'S SOCIAL CARE	Council	10 October 2022 Executive and Children, Education & Families PDS Committee	Meetings	Contact Officer: Richard Baldwin Richard.Baldwin@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
COUNCIL TAX SUPPORT 2023/24	Council	12 December 2022 Executive, Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Jayne Carpenter Tel: 020 8461 7996 Jayne.Carpenter@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents
COUNCIL TAX LEVEL 2023/24	Council	27 February 2023 Executive, PDS Committees, business community & local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@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?
REVENUE BUDGET 2023/24	Council	27 February 2023 Executive, PDS Committees, business community and local residents	Meetings	Contact Officer: Peter Turner Tel: 020 8313 4668 peter.turner@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
CAPITAL STRATEGY 2023 TO 2027	Council	27 February 2023 Executive, PDS Committees and key stakeholders	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@bromley.gov.uk	<u>Meetings in public</u>	Report and relevant background documents
ANNUAL INVESTMENT STRATEGY 2023/24	Council	27 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@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?
TREASURY MANAGEMENT STRATEGY 2023/24	Council	27 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: David Dobbs Tel: 020 8313 4145 david.dobbs@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
EXECUTIVE						
LOCAL PLAN PROJECT PLAN AND BUDGET	Executive	21 September 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Ben Johnson Tel: 020 8461 7845 ben.johnson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
BROMLEY TOWN CENTRE SUPPLEMENTARY PLANNING DOCUMENT (SPD) - CONSULTATION DRAFT	Executive	21 September 2022 Development Control Committee, Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Ben Johnson Tel: 020 8461 7845 ben.johnson@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?
URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD) - CONSULTATION DRAFT	Executive	21 September 2022 Development Control Committee, Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Ben Johnson Tel: 020 8461 7845 ben.johnson@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
COMMISSIONING OPTIONS AROUND HRS STOCK	Executive	21 September 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Lynnette Chamielec Tel: 020 8313 4009 Lynnette.Chamielec@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
COUNCIL OWNED INVESTMENT PROPERTY - STRATEGY AND PERFORMANCE UPDATE	Executive	21 September 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Amy Milton Tel: 020 8461 7172 amy.milton@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

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?
IT PROCUREMENT AND PROVISION	Executive	21 September 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Vinit Shukle Tel: 0208 461 7713 Vinit.Shukle@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
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
ACCOMMODATION, SUPPORT AND TENANCY SUSTAINMENT CONTRACT AWARD	Executive	21 September 2022 Renewal, Recreation and Housing PDS Committee	Meetings	Contact Officer: Lydia Lewinson Tel: 020 8461 7691 lydia.lewinson2@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meeting, with exempt material considered during confidential proceedings</u>	Report and relevant background documents
CONTRACT FOR DYNAMIC PURCHASING SYSTEM FOR EDUCATION AND CHILDREN'S SERVICES	Executive	21 September 2022 Children, Education & Families PDS Committee	Meeting	Contact Officer: Sally Kelly Tel. 020 8461 7258 Sally.Kelly@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?
HEALTH AND WELLBEING CENTRE	Executive	19 October 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Darren Essex darren.essex@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents
ADULT SOCIAL CARE REFORMS	Executive	19 October 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Heather Sinclair-Constance heather.sinclair-constance@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant Background Documents
BIGGIN HILL AIRPORT - NOISE ACTION PLAN REVIEW	Executive	19 October 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Matthew Amer Tel: 020 8313 4938 matthew.amer@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents
COMMUNITY EQUIPMENT CONTRACT - GATEWAY REPORT	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Esme Ahmeti Tel: 020 8313 4519 esme.ahmeti@bromley.gov.uk	<u>Meeting in Public</u>	Report and relevant background documents

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WELFARE FUND	Executive	30 November 2022 Renewal, Recreation and 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
OPERATIONAL PROPERTY REVIEW	Executive	30 November 2022 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Michael Watkins Tel: 020 8313 4178 Michael.Watkins@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
HOUSING - BECKENHAM TRIANGLE	Executive	30 November 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
HOUSING INFORMATION SYSTEMS	Executive	30 November 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

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GATEWAY 1: ADULT MENTAL HEALTH RECOVERY AND REHABILITATION SUPPORT AT HOME SERVICE	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background document
SUBSTANCE MISUSE - GATEWAY REPORT	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Mimi Morris-Cotterill Tel: 020 8461 7779 mimi.morris-cotterill@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
LEASE VEHICLE PROCUREMENT - GATEWAY REPORT	Executive	30 November 2022 Environment and Community Services PDS Committee	Meetings	Contact Officer: Paul Chilton Tel: 020 8313 4849 paul.chilton@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
WEST LONDON ALLIANCE - GATEWAY REPORT	Executive	30 November 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Phil White Tel: 020 8313 4857 philip.white@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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LEARNING DISABILITY SHORT BREAKS - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Michael Fowle Tel: 020 8461 7815 michael.fowle@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
LEARNING DISABILITY SUPPORTED LIVING SERVICES - BROMLEY ROAD, BROSSIE WAY & PADUA ROAD - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Andrew Royle Tel: 020 8461 7601 andrew.royle@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 document
HOLIDAY AND SATURDAY GROUP BASED SHORT BREAK SERVICE FOR DISABLED CHILDREN AND YOUNG PEOPLE - CONTRACT AWARD	Executive	30 November 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Daniel Manns Tel: 020 8313 4618 daniel.manns@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
ADVOCACY SERVICE - CONTRACT AWARD	Executive	30 November 2022 Adult Care & Health PDS Committee	Meetings	Contact Officer: Kelly Sylvester Tel: 020 8461 7653 kelly.sylvester@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

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UKRAINE UPDATE	Executive	11 January 2023 Executive, Resources & Contracts 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
OPERATIONAL BUILDING MAINTENANCE BUDGETS AND PLANNED PROGRAMME 2023/24	Executive	8 February 2023 Executive, Resources & Contracts PDS Committee	Meetings	Contact Officer: Michael Watkins Tel: 020 8313 4178 Michael.Watkins@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
EXTRA CARE HOUSING - STRATEGIC REVIEW	Executive	8 February 2023 Adult Care & Health PDS Committee	Meetings	Contact Officer: Jodie Adkin Jodie.adkin@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
AWARD OF CONTRACT - CAPITAL WORKS AT RED HILL PRIMARY SCHOOL	Executive	8 February 2023 Children, Education & Families PDS Committee	Meetings	Contact Officer: Robert Bollen Tel: 020 8313 4697 Robert.Bollen@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with exempt material considered during confidential proceedings.</u>	Report and relevant background documents
ADULT CARE & HEALTH PORTFOLIO						
CHILDREN, EDUCATION & FAMILIES PORTFOLIO						

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AWARD OF CONTRACT - CONSULTANCY SERVICES	Portfolio Holder for Children, Education and Families	Between 13 and 30 September 2022 Children, Education & Families PDS Committee	Meetings	Contact Officer: Robert Bollen Tel: 020 8313 4697 Robert.Bollen@bromley.gov.uk	<u>Report is expected to be considered in the public part of the meetings with confidential material considered during exempt proceedings.</u>	Report and relevant background documents
PUBLIC PROTECTION & ENFORCEMENT PORTFOLIO						
OUT OF HOURS NOISE SERVICE	Portfolio Holder for Public Protection and Enforcement	Between 8 and 30 September 2022 Public Protection & Enforcement PDS Committee	Meetings	Contact Officer: Sarah Newman sarah.newman@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents
RENEWAL, RECREATION & HOUSING PORTFOLIO						
PROCUREMENT OF MODULAR CHANGING PLACES FACILITIES FOR CRYSTAL PALACE PARK FOR CRYSTAL PALACE PARK AND HIGH ELMS COUNTRY PARK	Portfolio Holder for Renewal, Recreation and Housing	Between 12 and 30 September 2022 Renewal, Recreation & Housing PDS Committee	Meetings	Contact Officer: Jessica Naylor jessica.naylor@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

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RESOURCES, COMMISSIONING & CONTRACT MANAGEMENT PORTFOLIO						
SUSTAINABILITY, GREEN SERVICES AND OPEN SPACES						
TRANSPORT, HIGHWAYS AND OPEN SPACES						
PARKING FEES REVIEW	Portfolio Holder for Transport, Highways and Road Safety	Between 22 November 2022 and 9 December 2022 Environment & Community Services PDS Committee	Meetings	Contact Officer: Angus Culverwell Tel: 020 8313 4959 angus.culverwell@bromley.gov.uk	<u>Meeting in public</u>	Report and relevant background documents

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

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE, RESOURCES AND CONTRACTS POLICY
DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 14 September 2022

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

Title: SCRUTINY OF THE CHIEF EXECUTIVE

Contact Officer: Ade Adetosoye CBE, Chief Executive
Tel: 020 8313 4197 E-mail: ade.adetosoye@bromley.gov.uk

Chief Officer: Ade Adetosoye CBE, Chief Executive

Ward: All Wards

1. Reason for report

This report provides a written update to inform the scrutiny of the Chief Executive at Executive, Resources and Contracts PDS Committee.

2. **RECOMMENDATION(S)**

Members are requested to note the report.

3. COMMENTARY

Introduction

3.1 Since my previous scrutiny session in February 2022, I can provide the following updates:

- Updates on key organisational priorities for 2022/23.
- Priorities for the next six months.

Updates on Key Organisational Priorities for 2022/23:

Delivery of Transformation Programme Proposals for 2022 – 2023

3.2 The Council is now in the third year of its four-year Transformation Programme. Savings identified for this year, as reflected in this year's Council Budget are circa £2.8 million in 2022/23 and £2.6 million in 2023/24, which officers have and continue to work hard to achieve.

3.3 Thinking about the future of the Transformation Programme, the Council's Transformation Board held a number of workshops between February – May this year to focus on 12 key areas of work from across our six workstreams. This included SEND Transport, our 0-25 Service, Digitalisation, Demand Management, and Adult Social Care Reform and Integration. These workshops have achieved a number of objectives, including identifying priority projects for delivery over the course of this next financial year.

3.4 As for key deliverables against our Transformation priorities for the next two years, I am pleased to report:

- Our Operational Estate Strategy will be brought to Members shortly for decision, which will set out the framework the Council uses to make decisions about the shape of the operational estate going forward.
- Transformation proposals and options for managing the budget deficit will be considered by Members in the autumn.
- Work continues to re-procure our IT contract for go-live in December 2023.
- Our updated corporate website has now gone live, which is part of our programme of work to ensure a user interface that is more customer friendly.
- Jointly working with South East London Clinical Commissioning Group (SELCCG) retendered and awarded the Primary and Secondary Intervention Service (PSIS) contract. The new contract commences on 1 October 2022.
- Brought forward a workplan to deliver improvements to our 0 – 25 service.
- Begun to tenant our three housing sites, Bushell way, Anerley Town Hall and Burnt Ash.
- Launched the Council's Electric Vehicle Charging Strategy last November, and a residential charging pilot early this year.
- Continued with the Council's four-year tree planting programme and the rollout of LED street lighting across the borough.

Financial Management

3.5 The 2022/23 Council Tax report to Executive on 9 February 2022 indicated a balanced budget this year and a budget gap of £4.3 million in 2023/24, rising to £12.9 million in 2024/25 and £19.5 million by 2025/26.

- 3.6 Since this report, figures have increased due to the significant recent financial challenges relating to higher levels of inflation, the potential costs of Adult Social Care Reform, and expected changes to the statutory override position impacting on funding for Dedicated Schools Grant (DSG) deficits.
- 3.7 In addition to this, Local Government awaits the Government's next Spending Review and outcomes of the Fair Funding Review and Business Rates. My Senior Leadership Team and I will continue to keep a close focus on monitoring of the Council's budget with the priority as ever to balance the budget and continue to take a One Council Transformation approach to minimise cost/ growth pressures and deliver planned mitigation and transformation savings.
- 3.8 Where appropriate we will also lobby Government to ensure that Bromley receives its fair share of funding to meet the current and future challenges Bromley and other local authorities face.
- 3.9 Regular 'Are We on Track' monthly assessment meetings will continue to determine whether we are on course to deliver projected budget savings, and to manage and scrutinise growth. My fortnightly Transformation Programme Board meetings similarly monitor progress against our six key workstreams, considering the level of growth the Council can afford, mitigation and/or alternative Transformation options. Members will also note that financial monitoring reports are reported at Committee on a quarterly basis.
- 3.10 In terms of the long-term impact of the COVID-19 crisis on the Council's budget, the COVID and the Collection Fund surplus earmarked reserves has provided transitional support as the Council progresses with longer term decision making. These reserves though represent one-off resource, and a review on the financing of the Council's Capital Programme will be undertaken shortly.

Making Bromley Even Better

- 3.11 During 2022, the Council and Partner agencies refreshed and signed up to deliver a new Corporate Strategy, 'Making Bromley Even Better' (MBEB). Our vision for Bromley is simple and clear. We want our borough to be 'A fantastic place to live and work, where everyone can lead healthy, safe and independent lives'
- 3.12 We have five ambitions for the next stage of our journey. These are:
1. For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.
 2. For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 3. For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 4. For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
 5. To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents
- 3.13 Members will note that all Portfolio Holder Plans (2022/23) have been aligned to the MBEB ambitions, and progress against these ambitions can be found in Portfolio Holder updates to

their respective PDS committees. Members are also set to receive an annual report on MBEB in March 2023.

- 3.14 Officers have updated the workforce induction, committee report templates and appraisal documents as relevant to ensure that MBEB is understood and championed by all. MBEB will also increasingly be seen as a 'golden thread' that runs through a wide range of our refreshed single and joint agency strategies.
- 3.15 Updates on some key work in progress to date:
- Children, Education and Families PDS were presented a report on transforming SEN transport. The ambition is to provide a service that supports self-help and independence and placing children and families at the centre of policy developments.
 - Work continues around our 0 – 25 years' service for children and young people with disabilities, which focuses on improving arrangements for the transition into adulthood for young people, and the service recently held a successful '14 – 25 Transition Day' in April this year.
 - The One Bromley Local Care Partnership Board which replaces the previous Bromley Borough Based Board continues to meet and discuss Bromley's health economy and ensuring the right services are commissioned to meet the needs of Bromley's residents.
 - Adult Care and Health PDS approved our 'Tackling Loneliness Strategy Action Plan', which we have already begun to make progress against during Loneliness Awareness Week in June.
 - Continued work to deliver priorities against our Mental Health and Wellbeing Action Plan for 2021 – 2023 that includes the transformation of community mental health services, which has already begun through the establishment of our new Bromley Mental Health and Wellbeing Hub.
 - Delivered the first phase of the Bromley Homes for Bromley People programme, with housing schemes now coming forward in York Rise, Orpington and West Wickham.
 - As part of delivering our Economic Development Strategy we have provided £2.141 million of funding support across business support programmes to help businesses start and grow, launched the Bromley Business Hub that provides bespoke support to existing and new businesses, and increased infrastructure including Full Fibre upgrades to support economic activity.
 - Council committed to a new target that will achieve net zero in just five years' time, by 2027, which will continue the work in recent years to reduce carbon emissions such as procuring 100 per cent green energy for Council gas and electricity supplies, our £1.35 million street tree planting project and our LED street lighting upgrades which have reduced carbon dioxide emissions each year and achieved savings in energy and maintenance costs.

Operational Property Review

- 3.16 Officers have worked to establish baseline data on the operational estate to support decision making on its future management. This has included the commissioning of condition surveys, which have identified significant maintenance liabilities on operational assets.

- 3.17 Officers are now working on a strategy for managing the operational estate to reduce the maintenance challenges as part of the council's medium term financial planning.
- 3.18 The findings of the Operational Property Review will be presented to members for discussion during the autumn.

Health Integration

- 3.19 Earlier this year the Government published the White Paper 'Health and Social Care Integration: Joining Up Care for People, Places and Populations'. Our Adults Social Care Team alongside Health Colleagues have been working together to respond to the White Paper, which builds on the successes of joint working locally.
- 3.20 As part of the changes to moving into an integrated model of working, Local Care Partnership Boards have been set up across the six boroughs in the South East London (SEL) Integrated Care System (ICS).
- 3.21 Governance arrangements in Bromley have progressed in recent months with the One Bromley Local Care Partnership Board now replacing the previous Bromley Borough Based Board, which will act as the highest level for the governance procedures in Bromley.
- 3.22 Going forward we will continue to work together to deliver on the priorities set out in the Health and Care Act (2022), ensuring as always that resources and services meet the needs of our communities.

Adult Social Care and Health

- 3.23 The new Integrated Care Service arrangements for South East London came into effect on 1 July 2022. Bromley has been well placed to move to the new integrated ways of working and has already realised benefits being provided by the system in Bromley. As ever, we will continue to work with Health colleagues in responding to the 'Joining up Care for People, Places and Populations' White Paper, strengthening relationships and delivering for our residents.
- 3.24 The service will continue to work through the implications of the Government White Paper 'People at the Heart of Care: Adult Social Care Reform'. The most significant of these changes is the way Adult Social Care will work with public and care providers to reduce the gap between the fees that the Council pays and those charged to private payers. A Team will work on introducing the new systems that will both enable the introduction of the 'Lifetime Care Cap' and monitoring of individual contributions towards this and the financial impact on the Council.
- 3.25 In terms of the introduction of Information Sharing agreements across Health and Social Care, Bromley has recently started using the Shared London Care Record, which was implemented as part of the changes to the new Liquid Logic System. This new way of working will enable improved integrated working and remove a number of barriers to effective joined up working.

Assurance Readiness

- 3.26 Adult Social Care is also making good progress as part of preparations for the re-introduction of the assurance of services and have been aligning the Departments Transformation Programme on priority areas. Further details on areas the CQC assurance of Adult Social Care will cover are still to be formalised. However, it can be assumed that the assurance process will look at the delivery of the whole service including how budgets are managed; how carers are supported; how the service is planning for the future; how the market is being managed; and the use of Assistive Technology. It is anticipated that the assurance process will also consider integrated arrangements and will align with assurance of the ICS system.
- 3.27 The Adults Directorate already has services that are registered through CQC, namely the Shared Lives Services, Reablement and Care Link services, although the inspection of these is still temporarily ceased.

Housing Supply and Affordable Housing

- 3.28 Bromley residents have now started to move into their new homes at two of our housing developments in the borough. This includes our housing site at Bushell Way, 'Chris Witty Place', which contains 25 one and two-bedroom affordable apartments, and our development in Anerley. Our scheme at Burnt Ash Lane is also almost complete, and it is anticipated that lettings will start this month (September 2022).
- 3.29 The Council continues to progress key work to achieve its target of delivering 1,000 new affordable quality homes for Bromley residents as set out in our Housing Strategy, and housing schemes are now coming forward in York Rise, Orpington, and West Wickham.
- 3.30 Our acquisition scheme with Orchard and Shipman 'Meadowship Homes', which is also part of our approach to increasing affordable housing for residents, has now let the 100 properties from Phase One of the scheme, with the full scheme of circa 242 properties to be complete by May 2022. A second phase of property acquisitions with Orchard and Shipman for up to 300 properties was also agreed at Executive on 15 July, which will also be used for accommodation to help reduce the current pressures in relation to homelessness and temporary accommodation.
- 3.31 Officers are also exploring and carrying out options appraisals of further sites that may be suitable for self-delivery house building and strategic regeneration across the borough, including any sites identified through our Operational Property Review that can be developed or disposed of to generate a capital receipt.

Children's Services Inspection Readiness

- 3.32 Children's Services continue to prepare for an inspection of its Youth Justice Service, expected in the next 12 months, which will cover both the work of the Council and Partners.
- 3.33 Children's Social Care also continue to work hard to deliver excellent services for our children and young people, with preparations underway for an inspection in 2023.

School Places

3.34 Work continues with a range of schools, parents, prospective parents and the Department for Education to help ensure there are sufficient places to meet demand for school places and provide a choice of good schools. This also includes work to deliver the Borough's first Special Free School which will support children who have special communication difficulties with co-presenting social and emotional mental health needs, including high levels of anxiety. The Multi-Agency Centre of Excellence remains at the heart of the Special Free School and will ensure the site is a resource hub from families as well as delivering an effective and high-quality education for children within their local community.

Net Zero Carbon Emissions by 2027

3.35 Earlier this year, Council agreed a policy to achieve net zero in just five years' time, by 2027. Significant progress has already been made to reaching this target, which has included our street planting initiative to plan 5,000 street trees across the Borough, our project to upgrade 3,863 streetlights to LED lights to make the Borough more energy efficient, our electric vehicle charging pilot and the decision to procure 100% green energy for gas and electricity supplies.

3.36 The Council will continue to deliver key work against the following seven priority areas to achieving its target to be carbon neutral by 2027:

1. Street Lighting LED Upgrade.
2. Buildings: energy efficiency.
3. Renewable Energy Procure 100% renewable electricity and gas.
4. Council Fleet Switch to electric vehicle fleet.
5. Alternative Technologies and Renewables Investment.
6. Woodlands, Parks & Greenspaces.
7. Certified Carbon Offsets (from UK-based projects).

Digital Strategy and Digital Agenda for the Council

3.37 The current and new circumstances have made the move of digital Transformation more urgent. Significant progress has been made towards our vision for the future, and updates against our digital projects and programme includes:

- The Council agreed a Memorandum of Understanding (MoU) with Openreach to improve connectivity across the borough.
- Since May 2020 – December 2021, there has been a significant improvement in full fibre broadband access in Bromley with 24.7% of premises within Bromley with full access, which compares significantly with the position as of May 2020 which showed just 1% had full access.
- The Council refreshed and launched its new and upgraded website.
- Implemented technology in the Council Chamber to enable hybrid meetings.
- Rolled out Microsoft Products such as SharePoint, Microsoft Teams, Microsoft Power BI, Forms and Power Applications to improve communication, access to information and collaboration across the organisation and out partners to allow for smarter working, whilst managing information in line with best practice.

3.38 Next steps on our digitalisation journey is the implementation of our Digital Strategy:

- Digital-led approach to service delivery, supporting long term challenges regarding managing demand and enhancing user experience for residents.

- Work programme to outline individual projects, and
- Providing separate invest-to-save business cases for any activities where funding is required and identified return on investment, in addition to ensuring co-funding opportunities are explored.

3.39 Additionally, work to re-procure our IT contract to meet the new and emerging needs of the Council is underway, with the new contract due to go live in December 2023.

Realignment of Communications

3.40 Following the structural change at the end of last year that saw our Public Affairs Team move to the leadership of our Director of HR and Customer Services, we have increased staffing capacity in the Team. This has supported our ambitions for communications in the last year, and some of our successes include:

- **Stronger communications planning** – A long term calendar has been developed as part of introducing better communications planning, with senior officers across the Council contributing to the planning process.
- **Enhanced digital engagement** – The ‘Update’ email newsletter to residents has been successfully operating for the last 18 months with high readership (circa 40,000) and distribution (circa 70,000) statistics directly supporting increased website use.
- **Digital marketing** – Online advertising has been used to engage with residents, with tracking technology monitoring its effectiveness.
- **Improved social media presence** – Social media platforms including Twitter and Facebook have been optimised.

Ukraine Response

3.41 The Council is delivering vital support as part of the local response to the war in Ukraine, which includes supporting Government schemes such as ‘Homes for Ukraine’.

3.42 Our Ukraine Support Hub and telephone service provides accessibility to information, advice, and support, including advice about healthcare, employment, education, learning English and everyday issues.

3.43 In terms of the delivery of our programme over the next few months, we have increased staffing capacity and ESOL (English for Speakers of Other Languages) provision within the borough, which all Ukrainian adults and their family members over the age of 19 are eligible for.

3.44 Updates on the impact of the crisis on the Council and our services continue to be monitored at my Senior Leadership Team meetings, and regular communications to Members on our response continue.

Workforce Development

3.45 As part of work to build a strong and resilient workforce, our Workforce Development Team has taken forward several initiatives. This has included:

- Training and development programmes that are accessible to all staff to enhance professional development by learning new skills continue, including our 'Career Planning Workshops' and post-entry training/ qualifications.
- A number of secondment opportunities have been promoted throughout the organisation, including opportunities to support our local response to the Ukraine crisis.
- From 1 April this year, training and development management and administration across the organisation was centralised under the HR Organisational Development Team alongside the training and development budgets and funding to support the aim of continuing to develop a skilled, agile, able workforce that is supported to deliver Bromley's corporate objectives and respond to local and Government priorities.
- Colleagues in HR have now completed the recruitment process of our 2022 cohort of Graduates, which is one of our 'grow your own' and succession planning initiatives that supports recent undergraduates to develop their career in local Government, with the aim of retaining them at the Council long-term. Of our 2020 cohort, four of the nine Graduates have already secured permanent positions within the Council.
- Apprenticeships are being used to support succession planning and to upskill existing members or staff, and the four apprentices we currently have at the Council are studying in Infrastructure Tech, Artificial Intelligence, Regulatory Compliance and Social Care.
- The Kickstart programme has been running since last October and is progressing well, with a total of 16 placements offered to young people across the Council. Of the first cohort, four have been offered temporary/ fixed term contracts in Bromley in departments including HR, Housing and Legal.
- We continue to hold locum to permanent events in Social Care, with our most recent taking place on 18 May 2022 for Children's Social Care staff to find out more about converting from a locum to permanent qualified social work position at Bromley.
- Our cross-borough mentoring programme, led by the Council, progresses well, and has received positive feedback, and we continue to support the OneBromley Mentoring Programme.

4. Priorities for the next six months

4.1 The key organisational priorities for the next six months are:

1. Delivery of Transforming Bromley Programme 2019 – 2023.
2. Maintaining our Long-Term Budget Management and Financial Strategy to manage demand and growth.
3. Delivery of key findings from the Operational Property Review.
4. Delivering preparations within Adults Social Care as part of reforms.
5. Supporting the integration of Health and Social Care.
6. Meeting our statutory and regulatory requirements and inspection readiness.
7. Rollout and implementation of cross cutting corporate plans and strategies.
8. Departmental service reviews for efficiencies in Legal Services, Customer Services and Performance.
9. Responding to legislative changes and macro issues from Central Government.
10. Continuing with our local response to the war in Ukraine.

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Report No.
CSD22102

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **Resources, Commissioning and Contract Management Portfolio Holder**

Date: **5 October 2022**

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

Title: **POLICY: PUBLIC PROCUREMENT UPDATE**

Contact Officer: Laurence Downes, Assistant Director Governance & Contracts
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Chief Officer: Tasnim Shawkat, Director of Corporate Services & Governance

Ward: All

1. Reason for decision/report and options

- 1.1 This report provides an update and overview to Members on Transforming Public Procurement, now being considered by Parliament as The Procurement Bill.
- 1.2 This report also notes the need to update the Councils Contract Procedure Rules in due course to ensure compliance with updated Regulations; and it recommends the development of a formal 'Local Procurement Priorities' policy document as a side document to 'Making Bromley Even Better'.

2. **RECOMMENDATION(S)**

- 2.1 Executive, Resources & Contracts Policy Development & Scrutiny Committee are asked to note the report and provide comment.
- 2.2 The Resources, Commissioning & Contract Management Portfolio Holder is asked to note the update on Transforming Public Procurement; and to agree the proposed approach for both the development of 'Bromley Local Procurement Priorities' as set out in paragraphs 3.23 to 3.30 and the update of the Councils Contract Procedure Rules as set out in paragraphs 3.31 to 3.37.

Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
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Transformation Policy

1. Policy Status: New Policy: New legislation in progress
 2. Making Bromley Even Better Priority:

(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Personnel

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

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: Covered in the scope of this report
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Property

1. Summary of Property Implications: N/A
-

Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

The Procurement Bill - Introduction and Summary

- 3.1 In December 2020, the Transforming Public Procurement Green Paper was published for consultation. In December 2021, Cabinet Office issued the response to the consultation setting out intended amendments to the Green Paper proposals. In May 2022, the Procurement Bill was introduced to Parliament and is currently passing through the parliamentary process before its expected implementation in 2023. The Cabinet Office has indicated there will be at least a six month implementation phase which suggests that the Bill will not become 'live' until late 2023, possibly 2024. This timetable is subject to potential further delays.
- 3.2 This paper provides a summary of key elements of the Procurement Bill. It does not cover the whole scope or detail of the Bill but highlights key areas only.
- 3.3 Currently, public contracting authorities are subject to the UK Public Contracts Regulations 2015 and related Regulations. The Procurement Bill will replace these Regulations. The update to Regulations was prompted in part by the UK's formal exit from the European Union on 31 December 2020. However, this was not expected to lead to fundamental change in the approach to public procurement in the UK which has been borne out in the proposed legislation.
- 3.4 This is because the EU principles, processes and requirements that previously influenced UK legislation were themselves based on World Trade Organisation principles and processes governed through Government Procurement Agreements (GPA). From 1 January 2021, the UK rejoined GPA but as a sovereign state and so the same principles and processes continue to underpin current and proposed UK legislation.
- 3.5 The proposed Procurement Bill can be summarised as follows:
- **Consolidation** – removing duplication by bringing together separate Regulations into a single overarching set of public contracts Regulations;
 - **Clarification** – the redrafting of existing Regulations to provide clarity where appropriate;
 - **Flexibilities** – amendments to existing Regulations to allow some additional flexibilities largely in technical procurement processes;
 - **New Requirements** – additional requirements on contracting authorities, particularly in relation to transparency.
- 3.6 It is important to note that the Procurement Bill is currently going through Parliament and has been subject to a significant number of amendments – around 500 amendments are currently being debated. The final outcome, particularly in the detail, may be different to our current understanding of the content of the Bill. The Bill also refers to secondary legislation which will set out much of the detail of the supporting processes but which is not yet available – these will be crucial to designing compliant processes within Bromley.

The Procurement Bill – Key Elements and Potential Impact on Procurement in Bromley

Consolidation (Low Impact):

- 3.7 The Procurement Bill suggests a single set of Regulations, replacing the four different sets of Regulations that are in place currently: Public Contracts (which are most applicable to the Council), Concession Contracts, Utilities Contracts and Defence & Security.

- 3.8 This is because many of the requirements under each different set of Regulations were similar or identical. The aim, set out in the original Green Paper, of reducing the number of Regulations is largely achieved through this method.
- 3.9 The proposed change is expected to have Low Impact on the Council. Whilst this change is welcome (allowing a single set of Regulations to be referred to), it does not in itself change or reduce the content of the applicable Regulations.
-

Clarification (Low Impact):

- 3.10 Some parts of the Bill seek to amend current Regulations to address potential ambiguities or apply a change of emphasis.
- 3.11 Key examples of this include:

3.12 The Principles of Public Procurement:

- 3.12.1 The current Regulations are underpinned by the key Principles of Transparency, Non-Discrimination, Equal Treatment and Proportionality. These are retained with the exception of Proportionality (instead, the Bill retains this in practice via repeated reference throughout the Regulations).
- 3.12.2 In addition to the Principles, the Bill proposes statutory Objectives which include Public Good, Value for Money, Integrity and Promoting the Importance of Open and Fair Competition.
- 3.12.3 The practical distinction between Principles and Objectives is to be established although it is expected that Principles will impose harder-edged obligations. The main departure from current Regulations is the introduction of Public Good. The intent appears to be twofold: firstly, to emphasise the ability of contracting authorities to consider more holistic factors – such as social value – within their evaluation and award criteria; and secondly, to link to the introduction of National Procurement Priorities as a consideration in public procurement. National Procurement Priorities are considered in more detail further in this paper.
- 3.12.4 The impact on Bromley is expected to be low as both Principles and Objectives are currently reflected in similar language through the Councils Contract Procedure Rules and in custom and practice.

3.13 Most Economically Advantageous Tender (MEAT) vs Most Advantageous Tender (MAT):

- 3.13.1 The Procurement Bill proposes that evaluation of tenders moves away from the Most Economically Advantageous Tender (MEAT) to the Most Advantageous Tender (MAT).
- 3.13.2 This amendment is intended to reinforce, add clarity and encourage broader considerations of value, rather than changing the scope of the current principles. It is intended to encourage and give comfort to contracting authorities in taking on social and environmental considerations as part of the evaluation criteria of a tender process.
- 3.13.3 In practice, this is likely to have a low impact on Bromley as we have applied that approach to procurement since the introduction of the Social Value Act 2012. Procurement in Bromley is routinely evaluated on a combination of price and quality which may include social and environmental considerations. The proposed evaluation criteria are normally set out, including the ratio of price/quality, in the supporting Gateway paper prior to commencing procurement.

3.13.4 The devil may be in the detail. An important principle of evaluation is that award criteria must be linked to the subject matter of the contract and this is reconfirmed in the Bill. However, the Bill also indicates that secondary legislation may allow award criteria to be set that do not directly relate to the subject matter of the contract – for example, a suppliers adherence to Net Zero policy across its whole business rather than just relating to the immediate procurement. There are likely to be limitations to this – linked to proportionality – to ensure such approaches do not adversely affect SMEs who may not be competitive against larger suppliers on such measures.

Flexibilities (High Impact):

3.14 The Bill proposes significant changes to current procurement procedures. These do not necessarily reduce or relax existing arrangements but may offer flexibility in designing procurement processes to suit the requirement – albeit likely to be restricted within defined parameters.

3.15 There are four areas of potential new Regulations that require closes attention:

3.16 The ‘Light Touch’ Regime

3.16.1 The current Regulations allow for a ‘Light Touch’ Regime for defined health, social care and education services. The threshold by which the full weight of the Regulations apply is higher than other services; and where the threshold is exceeded, the Regulations allow for flexibilities in the design of the procurement and Notice requirements. However, whether above or below threshold, the procurement must still adhere to the principles of the Regulations and must operate within certain parameters.

3.16.2 It was initially proposed that the ‘Light Touch’ Regime would be removed entirely. This has been fully reversed and the ‘Light Touch’ Regime remains. Initial reading of the Bill suggests that there may be further flexibilities applied to contracts under the ‘Light Touch’ Regime such as when Notices are applicable. The supporting detail may have significant impact as a large volume of Bromley Council contracts fall under this category so the final outcome will be reviewed closely and procedures updated to reflect confirmed changes.

3.17 Healthcare Services and Provider Selection Regime

3.17.1 A separate piece of legislation – the Health and Care Act – suggests that defined healthcare services will be removed from the scope of the Procurement Bill and will be subject to separate Regulations. Progress of this separate legislation has been delayed and the final outcome is to be confirmed. The details of both pieces of legislation and how they complement (and, hopefully, not contradict) each other will need to be reviewed carefully to inform future procedures and robust decision making, ensuring the right procedure is followed for the right services.

3.17.2 The procurement process under the Health and Care Act is titled the Provider Selection Regime and indicates that it will increase the ability of commissioners to vary or extend existing contracts without undertaking a further competitive procedure – where the circumstances allow it. This applies equally to local authorities commissioning healthcare provision, including joint commissioning with healthcare partners. Again, the final detail will need to be reviewed and Contract Procedure Rules and associated guidance updated to reflect the potential flexibilities.

3.17.3 This will have significant impact as there are several healthcare services and contracts that potentially may come under this new regime. This will require careful consideration within future Gateway reports on healthcare services as there will be a different range of options to explore, compared to other services.

3.18 Procurement Procedures

3.18.1 The current Regulations allow for five specific procurement procedures which are prescriptive within the Regulations. These include the Open Procedure (most common), Restricted Procedure (also common), Competitive Procedure with Negotiation, Competitive Dialogue and Negotiated Procedure Without Prior Publication (commonly known as an Exemption to Competitive Tendering, allowable only in limited circumstances).

3.18.2 The Procurement Bill proposes to retain the Open Procedure and the Negotiated Procedure. The Negotiated Procedure is rebranded as the Limited Tendering Procedure and is largely identical but, in response to the Covid 19 pandemic, with additional powers for Ministers to declare 'when action is necessary to protect life' allowing greater flexibility for contracting authorities to use this procedure when such measures are in place.

3.18.3 All other current procedures are removed and replaced with a Competitive Flexible Procedure. It is proposed that this procedure will contain minimal rules other than those needed to ensure compliance with the reformed principles of the new Regulations and Government Procurement Agreements.

3.18.4 Essentially this means that contracting authorities can design the procurement procedure to suit the requirement, albeit within defined parameters.

3.18.5 The introduction of the Competitive Flexible Procedure will have high impact on procurement in the Council and presents both opportunities and challenges. The current procedures are well understood and highly prescriptive; while this does not support flexibility, existing processes and knowledge are based on these, the procedures are common across all contracting authorities, there is a common pathway and the procedures are understood by the market.

3.18.6 By replacing with a Competitive Flexible Procedure, each procurement (that is not Open or Limited Tendering) will need to be designed. This could potentially lead to better designed procurement processes that better fit the needs of the individual requirement with a particular focus on the flexibility to include elements of negotiation across a wider range of tenders.

3.18.7 Balanced against this, there will be a need for more detailed consideration in the planning stage of a procurement process which may lead to capacity and resource pressures. The need to commence planning in a timely manner to allow sufficient 'upfront' time and resource to be committed becomes more critical to the success of a project. To mitigate this, it is expected that over time the Corporate Procurement Team will develop 'template' procedures that can be applied to the majority of tenders. In addition to capacity considerations, there will be the need to consider strategies for market engagement to ensure potential bidders are clear on the requirements of each individual tender. The potential for procurement procedures to differ between contracting authorities and from tender to tender may increase the volume of clarification queries (leading to additional pressure on capacity) as well as the risk of challenge.

3.19 Frameworks and Dynamic Purchasing Systems

3.19.1 The Procurement Bill introduces significant flexibility in the use of framework contracts with the introduction of 'open' frameworks. Currently, frameworks are 'closed', i.e. the providers on the

framework are established through the initial tender process and cannot be changed; the framework itself can be for no longer than four years.

3.19.2 The 'open' framework allows us to appoint new providers to the framework during its term; and the length of the framework can be up to eight years. This could be particularly beneficial when considering future arrangements for current Bromley frameworks such as Passenger Transport or Domiciliary Care.

3.19.3 Similarly, additional flexibilities may be allowed in the use of Dynamic Purchasing Systems (rebranded as Dynamic Markets). While the rules of application look similar, the scope for use of Dynamic Markets may be broadened. Further analysis needs to be undertaken to determine what opportunities may arise here – further guidance is expected.

New Requirements (High Impact):

3.20 The Bill places significant new burdens on contracting authorities which will require changes to many of our key processes. Most of these are linked to increased transparency requirements. This is likely to have a high impact on the Council, not only in terms of additional pressure on capacity, resource and planning but also the potential for increased risk of challenge. Key examples include:

3.21 Notices

3.21.1 Under the current Regulations, the Council has to publish procurement Notices on designated Government websites with strict compliance on content and timescales. The current requirements are that we publish Tender Notices (excluding lawful exceptions) and Contract Award Notices. This applies to any contract of £25k or over. In addition, optional notices can be made such as Prior Information Notices (alerting the market to upcoming tenders) or VEAT Notices (notifying the intent to award a contract without competition).

3.21.2 Under the Bill, there is a significant increase in the Notices required. The full detail of what is required under each Notice – content and timescales - is to be confirmed through secondary legislation, but the new requirements are:

- Planning Notice – this appears to be optional and similar to a Prior Information Notice, i.e. informing the market of an upcoming opportunity.
- Preliminary Market Engagement Notice – this appears to be optional and is intended to inform the market of market engagement events prior to a tender.
- Pipeline Notice – this is a significant new requirement and is not optional. Contracting authorities who spend more than £100m on contracts in a financial year (which includes local authorities) are required to annually publish a pipeline notice containing information on all upcoming tenders planned over the next eighteen months with a value of £2m or higher.
- Tender Notice – not optional, broadly as per the current requirements, stating that the authority is tendering for an opportunity.
- Contract Award Notice – not optional, broadly similar to the current requirements stating that the authority intends to award a contract.

- Procurement Termination Notice – not optional, required if the authority decides not to award a contract where a Tender Notice has been made.
- Contract Detail Notice – this is a significant new requirement and is not optional. The authority must publish to confirm, with details, that a contract has been entered into. For contracts over £2m, a copy of the contract must be published, redacted as appropriate.
- Contract Change Notice – this is a significant new requirement and is not optional. The authority is required to publish a Notice for a modification to a contract unless below a stated value. This would include formal extension options.
- Payments Compliance Notice – this is a significant new requirement and is not optional. The authority must issue a Notice, with detail, every six months setting out payments made for each relevant contract.
- Transparency Notice – not optional, this is required where an authority proposes to award a contract via exemption to competitive tendering.
- Dynamic Market Notice – not optional, the authority must make Notices before and after establishing a Dynamic Market arrangement as well as Notices for any modifications or cessation.
- Contract Performance Notices – this is a significant new requirement and is not optional. For contracts over £2m and annually, the authority must publish Key Performance Indicators for each contract and the providers performance against them. In addition, the authority must publish Notices where breach of contract has occurred or failure to remedy poor performance.
- Contract Termination Notices – not optional, the authority must publish Notices where a contract has been terminated. This includes where a contract has reached the end of its term, i.e. every contract will require a Contract Termination Notice.

3.21.3 As can be seen from the lengthy list, these are significant new burdens on the Council. The new Notice requirements are not simply additional administrative requirements covered through the Corporate Procurement Team. They have implications for commissioners in ensuring planning is effective to comply with Pipeline Notices; for finance colleagues in ensuring new processes and reporting procedures are in place for Payments Compliance Notices; for Contract Owners and Legal colleagues in determining the details of contracts to be published and which much be redacted; and, most significantly, for Contract Owners in managing Notices for contract performance and Key Performance Indicators. Given the public nature of these Notices, it is anticipated that this may lead to challenges in contract management and provider relationships; providers are more likely to contest performance monitoring where there is an increased risk of reputational damage. Finally, there is an overall increased risk of ensuring compliance and the associated audit requirements or reputational damage in not doing so.

3.22 Contract Award Assessment Summaries

3.22.1 Currently, prior to issuing a Contract Award Notice each tenderer is sent a Feedback letter informing them of whether they have been successful or unsuccessful in their bid. The Feedback letter informs them of the strengths and weaknesses of their bid, summarised from the evaluation process. A Contract Award notice is then made and the 'standstill' period commences.

3.22.2 The new Regulations replaces this with an Assessment Summary. The full detail is to be established through secondary legislation but it is understood that this not only involves more

detailed information on the evaluation of their bid (including potentially evaluators notes) but also similar detail for the winning bid.

3.22.3 The full detail of the new requirements are to be confirmed but it is likely to require greater care, time and resource in the management and recording of the evaluation process to ensure that suitable and appropriate records are provided to each tenderer. The potential risk of challenge may also be higher.

Local Procurement Priorities

3.23 In June 2021, Cabinet Office issued a Procurement Policy Notice setting out National Procurement Priorities and requiring contracting authorities to have regard to these when carrying out public procurement (alongside any additional local priorities).

3.24 This requirement is now included within the Procurement Bill, including the introduction of Public Good as an objective and clarifications on areas such as MAT as set out in paragraphs 3.10 to 3.13. Consideration of National Procurement Priorities should be reasonable and proportionate and within the parameters of current and proposed legislation (so there are limitations).

3.25 The National Procurement Priorities are set at a top level of detail only and largely restate the requirements of the Social Value Act 2012 (and so are aligned with our current local priorities):

- Creating new businesses, job and skills.
- Tackling climate change and reducing waste.
- Improving supplier diversity, innovation and resilience.

3.26 Contracting authorities are asked to give regard to these priorities when considering the specification of services and evaluation criteria for award of contract. In addition, authorities are asked to consider their policies and processes for managing procurement projects and whether they have the right organisational capability and capacity.

3.27 The introduction of National Procurement Priorities does not necessitate significant change in Bromley procurement practice or priorities. Consideration of social value elements has been long established and set out within a Social Value policy alongside other local priority documents such as 'Local Rules OK' for considering local and SME suppliers. Related policies are currently being considered by Members and will be developed further and incorporated into procurement practice. The Contract Procedure Rules already align with the principles and objectives of the new legislation including the Gateway process which underpins procurement decisions and strategies.

3.28 However, this is an opportunity to refresh and restate our Local Procurement Priorities. This is not starting from scratch – as set out in 3.27 we already have a range of policies and guidance in place or in development, such as with Net Zero. It is proposed to collate these into a single overarching document that sets out our priorities at a top level, with links to supporting policy, guidance and further detail as required. The overarching document is intended to sit within 'Making Bromley Even Better' as a side document.

3.29 The suggested high level Local Procurement Priorities – underpinned by the principles of relevance, proportionality, practicality and with regard to capacity and resource - are:

- Value for Money.
- Effective Governance, including compliance and management of risk.
- Transparency.
- Social Value:
 - Economic – supporting the local economy (including employment and apprenticeship opportunities) and SMEs
 - Environmental – seeking to minimise environmental impacts of goods, services and works purchased, including Net Zero policy
 - Social – supporting local voluntary and community services, groups and projects, engaging with service users, managing supply chains to ensure human rights and employment standards are met (Modern Slavery).

3.30 The proposed approach for agreeing a Local Procurement Priorities document is for the lead Officer to draft a Local Procurement Priorities document in consultation with Chief Officers, the Portfolio Holder and the ER&C Chairman. The draft will initially be based on existing policy (updated as necessary), emerging policy (such as Net Zero) and the requirements of the Procurement Bill. Once completed, the draft will be discussed at ER&C PDS for further revision and iterations, leading to an agreed version. This will then be formatted and presented in line with 'Making Bromley Even Better' and a final version agreed and published. If the approach is agreeable, a timetable will be developed. If broader engagement (such as one to one or group meetings, either in person or virtually) with Members of ER&C PDS is preferred in preparing the initial draft, this can also be arranged.

Contract Procedure Rules

- 3.31 The Councils Contract Procedure Rules (CPR) form part of the Financial Regulations which, in turn, form part of the Constitution of the Council. They also fulfil the requirement of the Local Government Act 1972 (and subsequent amendments) to have standing orders in place for public procurement. They set out the rules for conducting procurement in Bromley, including governance of procurement decisions
- 3.32 The content of the CPR mainly reflects the principles, objectives, processes and requirements of relevant legislation, primarily the Public Contracts Regulations 2015, the Social Value Act 2012 and other statutory requirements such as Transparency Regulations. As a result, the CPR will need to be updated in due course to reflect the new requirements of the Procurement Bill. The timetable for this will be dependent upon the progress of the Bill and the publication of primary and secondary legislation as well as supporting statutory guidance.
- 3.33 As well as reflecting the Regulations, the CPR sets out the key governance processes for procurement in Bromley alongside other areas such as competition requirements for below threshold procurements (i.e. below the threshold by which the full weight of Regulations apply but which are still subject to the Regulations). These can be revisited and updated at the same time.
- 3.34 In 2020, a substantial amount of work was done on updating the CPR to the stage at which a full new draft was prepared, informed by Member and Officer engagement. This was put on

hold once the Procurement Green Paper was announced as it was clear that any update needed to reflect the new legislation.

- 3.35 It is proposed to use that draft as a starting point to commence a process of updating the CPR, the timetable for completion linked to the progress of the Procurement Bill and its subsequent implementation period.
- 3.36 One of the principles of the draft was to restructure the CPR to address the feedback that it was a complex and lengthy document and not laid out in an intuitive fashion. The intent was to make it shorter, simpler, clearer, and focused on the core principles and objectives of value for money, fairness, and transparency, underpinned by strong governance arrangements with clear roles and responsibilities. The detail currently in the CPR – the technical procedures and processes of procurement – would instead be covered in supporting Technical Guides.
- 3.37 As it is the Technical Guides that will be largely derived from the detail of the Procurement Bill, this will allow consideration of the main body of the CPR sooner (but with a final decision still dependent upon the timetable of the Bill). As above, the suggested approach is for the lead Officer to draft a revised CPR, based on the work already undertaken, and in consultation with Chief Officers, the Portfolio Holder and the ER&C Chairman. Once completed, the draft will be discussed at ER&C PDS for further revision and iterations, leading to an agreed version in due course and subject to the progress of the Procurement Bill. If the approach is agreeable, a timetable will be developed. If broader engagement (such as one to one or group meetings, either in person or virtually) with Members of ER&C PDS is preferred in preparing the initial draft, this can also be arranged.

<p>Non-Applicable Headings:</p>	<p>Impact on Vulnerable Adults & Children Property Implications Procurement Implications Carbon Reduction / Social Value Implications Customer Impact Transformation/Policy Implications Financial Implications Personnel Implications Legal Implications Ward Councillor Views</p>
<p>Background Documents: (Access via Contact Officer)</p>	<p>The Procurement Bill Contract Procedure Rules Local Rules OK Sustainable Procurement Policy Carbon Management Programme Update</p>

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