



THE LONDON BOROUGH  
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Kerry Nicholls  
*Kerry.Nicholls@bromley.gov.uk*

DIRECT LINE: 020 8461 7840

FAX: 020 8290 0608

DATE: 13 March 2023

To: Members of the  
**RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND  
SCRUTINY COMMITTEE**

Councillor Tony Owen (Chairman)  
Councillor Keith Onslow (Vice-Chairman)  
Councillors Will Connolly, Christine Harris, Tony McPartlan, Chris Price,  
Will Rowlands, Shaun Slator, Alison Stammers and Pauline Tunnicliffe

Non-Voting Co-opted Members  
Ermond Berisha, Bromley Youth Council (Part 1 Only)

A meeting of the Renewal, Recreation and Housing Policy Development and Scrutiny  
Committee will be held Bromley Civic Centre on **TUESDAY 21 MARCH 2023 AT  
7.00 PM**

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

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

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

TASNIM SHAWKAT  
Director of Corporate Services & Governance

**Paper copies of this agenda will not be provided at the meeting. Copies can  
be printed off at <http://cds.bromley.gov.uk/>. Any member of the public  
requiring a paper copy of the agenda may request one in advance of the  
meeting by contacting the Clerk to the Committee, giving 24 hours' notice  
before the meeting.**

**Items marked for information only will not be debated unless a member of the  
Committee requests a discussion be held, in which case please inform the  
Clerk 24 hours in advance indicating the aspects of the information item you  
wish to discuss**

# A G E N D A

## **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 relating to reports on the agenda should be received within two working days of the normal publication date of the agenda. Please ensure that questions specifically relating to reports on the agenda are received by the Democratic Services Team by **5 pm on Wednesday 15 March 2023.**

#### **a QUESTIONS FOR THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER**

#### **b QUESTIONS FOR THE CHAIRMAN OF RENEWAL, RECREATION AND HOUSING PDS COMMITTEE**

### **4 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE MEETING HELD ON 23 JANUARY 2023 (Pages 5 - 18)**

### **5 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME (Pages 19 - 26)**

### **6 HOLDING THE RENEWAL, RECREATION AND HOUSING PORTFOLIO HOLDER TO ACCOUNT**

### **7 PRE-DECISION SCRUTINY OF RENEWAL, RECREATION AND HOUSING PORTFOLIO REPORTS**

Portfolio Holder decisions for pre-decision scrutiny.

#### **a BUDGET MONITORING 2022/23 (Pages 27 - 36)**

### **8 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

#### **a HOUSING IT SYSTEMS REPORT (Pages 37 - 44)**

**b AFFORDABLE HOUSING - POLICY AND STRATEGY DOCUMENTS**  
(Pages 45 - 52)

**9 POLICY DEVELOPMENT AND OTHER ITEMS**

**a NATIONAL PLANNING POLICY FRAMEWORK UPDATE** (Pages 53 - 58)

**b BUILDING CONTROL BUDGETARY POSITION** (Pages 59 - 68)

**c THEMATIC SESSION - HOUSING ASSOCIATIONS**

.....

This page is left intentionally blank

## **RENEWAL, RECREATION AND HOUSING POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 23 January 2023

### **Present:**

Councillor Tony Owen (Chairman)  
Councillor Keith Onslow (Vice-Chairman)  
Councillors Jonathan Andrews, Will Connolly,  
Tony McPartlan, Chris Price, Will Rowlands, Shaun Slator  
and Mark Smith

### **Also Present:**

Councillor Yvonne Bear, Portfolio Holder for Renewal,  
Recreation and Housing PDS Committee  
Councillor David Cartwright QFSM

### **40 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillor Christine Harris and Councillor Alison Stammers and Councillor Jonathan Andrews and Councillor Mark Smith attended as their respective substitutes.

Apologies for absence were also received from Councillor Pauline Tunnicliffe and Ermond Berisha, Youth Representative.

### **41 APPOINTMENT OF VICE-CHAIRMAN**

The Chairman proposed that Councillor Keith Onslow be appointed Vice-Chairman for the remainder of the 2022/23 municipal year. This was seconded by Councillor Will Rowlands, put to the vote and CARRIED.

**RESOLVED: That Councillor Keith Onslow be appointed Vice-Chairman for the remainder of the 2022/23 municipal year.**

### **42 DECLARATIONS OF INTEREST**

Councillor Tony Owen declared an interest in relation to Item 10a: Renewal, Recreation and Housing Portfolio Draft Budget 2023/24 in that he was in receipt of a pension paid by the Pensions Insurance Corporation.

Councillor Mark Smith declared an interest in relation to Item 9a: Future of Community Resource Centres in that he was a member of the Bromley Library Service.

**43 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE  
PUBLIC ATTENDING THE MEETING**

Two questions for oral reply were received at the meeting. A copy of those questions with the Portfolio Holder's responses can be viewed at Appendix A to these minutes.

**44 MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS  
COMMITTEE MEETING HELD ON 16 NOVEMBER 2022**

**RESOLVED:** That the minutes of the meeting held on 16 November 2022 be agreed and signed as a correct record.

**45 MATTERS OUTSTANDING AND FORWARD WORK PROGRAMME  
Report CSD23017**

The report set out progress against outstanding actions from previous meetings.

**RESOLVED:** That the report be noted.

**46 HOLDING THE RENEWAL, RECREATION AND HOUSING  
PORTFOLIO HOLDER TO ACCOUNT**

**A HOUSING, PLANNING & REGENERATION PORTFOLIO  
PLAN UPDATE - 2022/23 Q3 UPDATE  
Report HPR2023/003**

The report presented the 2022/23 Quarter 3 update to the Housing, Planning and Regeneration Portfolio Plan.

In considering workstreams within the Portfolio Plan, a Member expressed concern regarding application criteria for food vouchers as those who had previously applied were not eligible for the current round. The Director of Housing, Planning, Property and Regeneration explained that Government advice was that food vouchers must be targeted at those who had not benefitted from previous rounds but that a range of support was in place for all struggling households in Bromley, including welfare and crisis funds. A Member queried whether an increase had been seen in the use of Section 21 notices to evict tenants from private rented accommodation and the Assistant Director: Housing advised that this had not been the experience in Bromley and that the Local Authority worked with landlords to maintain existing tenancies wherever possible. Another Member reported that the phone waiting times for the Housing Options Service had been raised as a concern by Citizens' Advice Bromley. The Assistant Director: Housing confirmed that this was an identified issue within the service and that steps were being taken to improve call waiting times, including modal shift to online forms and e-mail.

In response to a question from a Member, the Assistant Director: Culture and Regeneration confirmed that there were currently no uncommitted funds within the scheme to deliver improvements to shopping parades. A review was being undertaken on the deliverability of the agreed work programme which could free up some funds and an update would be provided to Members in early Summer 2023. Another Member asked about the backlog in processing Planning Applications and was advised that this had largely been resolved with only twenty cases remaining unallocated. A Member noted an action to review the potential for commercial and community uses of disused park buildings and the Assistant Director: Culture and Regeneration advised that responsibility to deliver this work sat within the Sustainability, Green Services and Open Spaces Portfolio.

The Committee requested that the Project Tracker be presented in a more readable format in future reporting.

**RESOLVED: That the progress on the actions associated with the Housing, Planning and Regeneration Portfolio Plan for Quarter 3 of the 2022/23 financial year be noted.**

#### **47 PRE-DECISION SCRUTINY OF RENEWAL, RECREATION AND HOUSING PORTFOLIO REPORTS**

The Committee considered the following report for which the Portfolio Holder for Renewal, Recreation and Housing was recommended to take a decision:

##### **A CAPITAL PROGRAMME MONITORING - QUARTER 3 2022/23 Report FSD23009**

The report presented the capital programme monitoring position for Quarter 3 of the 2022/23 financial year and the revised capital programme for the four-year period 2022/23 to 2026/27 which had been approved by the Council's Executive at its meeting on 18 January 2023.

The Head of Regeneration provided an update on the work being undertaken towards the redevelopment of the Walnuts and West Wickham Leisure Centres which would include extensive public consultation of which details would be announced in February 2023. It had become clear that the planned redevelopments would require some form of closure of the leisure centres, but it was hoped to limit this to a maximum of 12-months and to stagger the planned redevelopments so that the Walnuts and West Wickham Leisure Centres were not closed at the same time. It was definite that temporary leisure facilities could not be provided during any closure period due to the significant costs involved.

With regard to the proposed redevelopment of Chislehurst Library, a Member underlined the need to consider accessibility and public toilet provision as part of any planned scheme. The Head of Regeneration advised that the Capital

Programme reflected the previous Property-led scheme and that this had now been superseded by the Operational Property Review. Library maintenance and works projects would be developed in response to the findings of the Operational Property Review and this would include consultation where appropriate. In response to a question from another Member, the Director of Housing, Planning, Property and Regeneration advised that contingency spend was not necessary for Local Authority-owned buildings identified for disposal.

**RESOLVED: That the Portfolio Holder be recommended to note and acknowledge the changes put to the Council's Executive on 18 January 2023.**

#### **48 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee considered the following reports on the Part 1 (Public) agenda for the meeting of the Council's Executive on 8 February 2023:

##### **A FUTURE OF COMMUNITY RESOURCE CENTRES Report HPR2023/010**

The report recommended the permanent relocation of the Cotmandene Community Resource Centre to St Paul's Cray Library and the temporary relocation of Mottingham Community and Learning Shop to Mottingham Library with the service including a one-day-a-week session at St Edward's Church subject to a twelve-month trial to be reviewed after six months. The report also asked the Council's Executive to transfer management of these services to Greenwich Leisure Limited (GLL) by way of a Change Control Note to GLL's overarching contract and the secondment and/or TUPE of staff depending on the consultation outcome.

The Chairman notified the Committee of a correction to Recommendation 2.3 in the published report in that it was sought to "*Delegate any further decisions on the transfer to GLL to the Director of Housing, Planning, Property and Regeneration in consultation with the Director of Corporate Services and the Portfolio Holder for Renewal, Recreation and Housing*" and this was noted by the Committee.

The Chairman expressed his intention to deal with the proposals for the two Community Resource Centres separately and invited Councillor and Ward Member David Cartwright to address the Committee with regard to the proposals for the Mottingham Community and Learning Shop.

Councillor David Cartwright advised that whilst he and his ward colleague, Councillor Will Rowlands agreed there was a need to relocate the Mottingham Community and Learning Shop, it was crucial that this provision remained close to the Mottingham estate. The service primarily provided early intervention services and support to the residents of this area, including elderly and disabled people as well as those facing multiple challenges, and



the current proposal would move this provision away from the community it served. Underlining the Local Authority's responsibility to serve its residents, Councillor and Ward Member Will Rowlands proposed an additional recommendation:

*2.2 (ii) To note the need for the Mottingham Resource Centre to be situated in close proximity to the existing location on the Mottingham estate (an area of social and economic deprivation) and continue to search for an alternative site during the 6/12 months trial in case the library site does not prove suitable. Furthermore, that Officers consider the implications and feasibility of extending the time available at St. Edward's Church, during the trial period, from one day to two days per week, if required, to provide increased local availability of facilities and resources to the elderly, disabled and vulnerable who reside on the Mottingham estate.*

Councillor Will Rowlands moved that the above additional recommendation be approved. The motion was seconded by Councillor Sean Slator, put to the vote and CARRIED.

The Chairman invited Councillor and Ward Member Chris Price to address the Committee with regard to the proposals for the Cotmandene Community Resource Centre.

Councillor Chris Price paid tribute to the dedication of staff who had made a success of the temporary relocation of the Cotmandene Community Resource Centre at St Paul's Cray Library but expressed significant concerns with regard to permanent relocation. The number of customers accessing the Cotmandene Community Resource Centre had reduced significantly during the temporary relocation and it was felt there was insufficient space for either service to provide a full service offer should this arrangement be made permanent. A significant majority of respondents to the consultation had expressed a preference for the Cotmandene Community Resource Centre to return to its established location on Cotmandene Crescent and further work should be undertaken to review the viability of this supported by a robust maintenance plan. Councillor Chris Price also requested a further consultation be undertaken to fully capture the views of all stakeholders.

In response to the points raised, the Assistant Director: Culture and Regeneration advised that the option for the Cotmandene Community Resource Centre to remain in its established location had been previously discounted due to the ongoing and significant issues impacting the building which had resulted in multiple closures of the service and equipment damage. The report considered by the Renewal, Recreation and Housing PDS Committee on 16 November 2022 had not included the option of the Cotmandene Community Resource Centre remaining in its current building and the Committee had agreed the actions recommended by that report. A number of alternate sites had been considered with St Paul's Cray Library being identified as being both the most suitable location and the only option

within the St Paul's Cray area. Planned refurbishment works at St Paul's Cray Library would address existing issues with the building condition as well as delivering the more flexible space required to enable both services to deliver their full service offer. The Cotmandene Community Resource Centre would also benefit from sole use of the library space on days when the library service was closed. The Portfolio Holder further underlined that the funding for the refurbishment works was linked to the permanent relocation of the Community Resource Centre and that any delay to agreeing this could result in the service operating within temporary relocation arrangements for a longer period. A Member asked that a commitment be made to ensure service users were not disadvantaged as a result of the planned relocation and the Assistant Director: Culture and Regeneration confirmed that the new arrangements would be widely publicised and closely monitored. Another Member advised that Councillor and Ward Member Colin Hitchens had asked that his support for the planned relocation to St Paul's Cray Library be reported to the Committee.

Councillor and Ward Member Chris Price proposed an amended recommendation be agreed with regard to Cotmandene Community Resource Centre:

- 2.1 Continue to review options for the Cotmandene Community Resource Centre and St Paul's Cray library and undertake further consultation with staff in both organisations and within the community again.*

Councillor Chris Price moved that the above amended recommendation be approved. The motion was seconded by Councillor Tony McPartlan, put to the vote and FELL.

**RESOLVED: That the Council's Executive be recommended to:**

- 2.1 Agree the permanent relocation of the outreach services at Cotmandene Resource Centre to St Paul's Cray Library, including the transfer of management services to GLL by way of a Change Control Note to GLL's overarching contract and the secondment and/or TUPE of staff depending on the consultation outcome;**
- 2.2 (i) Agree the temporary relocation of the outreach services at Mottingham Learning Shop to Mottingham Library, with a one-day-a-week session at St Edward's Church, subject to a twelve-month trial, to be reviewed after six months. These services are to be transferred to the management of GLL rather than the Council by way of a Change Control Note to GLL's overarching contract and will include the secondment and/or TUPE of staff;**
- 2.2 (ii) Note the need for the Mottingham Community and Learning Shop to the situation in close proximity to the existing location on the Mottingham estate (an area of social and economic deprivation)**

and continue to search for an alternative site during the six to twelve-month trial in case the library site did not prove suitable. Furthermore, that Officers consider the implications and feasibility of extending the time available at St Edward's Church during the trial period from one day to two days per week, if required, to provide increased local availability of facilities and resources to the elderly, disabled and vulnerable who reside on the Mottingham estate;

- 2.3 Delegate any further decisions on the transfer to GLL to the Director of Housing, Planning, Property and Regeneration in consultation with the Director of Corporate Services and the Portfolio Holder for Renewal, Recreation and Housing;
- 2.4 Agree the disposal of the Cotmandene building for sale or rent subject to a further report from Property; and,
- 2.5 Note the expected capital cost of the move is £594k, which is within the Operational Property Review (OPR) allowances for the two library sites, and that the budget be approved as part of the OPR process with a requirement for this project to report to the OPR Board until completion.

**B PROCUREMENT OF CONSULTANCY SERVICES FOR THE  
CRYSTAL PALACE PARK REGENERATION PLAN  
Report HPR2023/007**

The urgent report provided an update on the delivery of the Crystal Palace Park Regeneration Plan and requesting approval for the procurement of multi-disciplinary consultancy services for the capital schemes.

**RESOLVED:** That the Council's Executive be recommended to:

- Note the contents of this report, namely information regarding the procurement of the multi-disciplinary consultancy services for the next stages of the Regeneration Plan at Crystal Palace Park; and,
- Approve the procurement of the multi-disciplinary consultancy services to replace AECOM noting that the Regeneration Plan is already on the Capital Programme, with funding secured for the works required under the shadow S106 agreement.

**C CHANGING PLACES TOILETS  
Report HPR2023/011**

In March 2022, the Local Authority was awarded £220k grant funding from the Department of Levelling Up, Housing and Communities (DLUHC) to deliver four Changing Places facilities at agreed locations across the Borough with the use of funds and associated procurement approach agreed by the

Portfolio Holder for Renewal, Recreation and Housing on 5 October 2022. This report sought formal approval to accept and spend the grant monies in line with parameters of the funding application, together with approval for contract award for the associated works.

**RESOLVED: That the Council's Executive be recommended to:**

- **Approve the allocation and spend of the Changing Places Fund grant monies which total £220k, in line with the interventions set out in the funding application and within this report, to enable the delivery of four Changing Places facilities across the borough before 31 March 2024;**
- **Approve award of contract, via exemption to competitive tender, to Rise Adapt for the delivery of two modular Changing Places units (situated at Crystal Palace Park and High Elms Country Park) at an estimated value of £145,500. Award of contract will be subject to confirmation of management and maintenance agreements as set out in 3.19 – 3.20;**
- **Approve the distribution of funds to Princess Royal University Hospital (PRUH) and MyTime Active to deliver Changing Places Toilets at the PRUH and The Pavilion Leisure Centre; and,**
- **Delegate authority to the Director of Housing, Planning, Property and Regeneration, in consultation with the Portfolio Holder for Renewal, Recreation and Housing to agree any changes to the delivery of Changing Places programme within the boundaries of the grant funding available and legal contract with DLUHC.**

**D REPLACEMENT OF PLANNING AND BUILDING CONTROL CASE MANAGEMENT IT SYSTEMS**  
**Report HPR2023/012**

The report sought approval to draw down funds from the Council's Technology Fund for one-off costs associated with the replacement of the Planning and Building Control Case Management IT Systems.

In response to a question from a Member, the Assistant Director Planning and Building Control advised that the planned new systems would provide a replacement for both back-office case management activities as well as a new public facing planning portal. The requested funds did not include costs associated with the procurement of new Planning and Building Control Case Management IT Systems which would be subject to a further report.

**RESOLVED: That the Council's Executive be recommended to agree that funds totalling £402,307 be drawn down from the Council's Technology Fund.**

**E LOCAL LONDON SUB-REGIONAL PARTNERSHIP  
Report HPR2023/008**

The report sought authority for the Local Authority to join the *Local London* sub-regional partnership which brought together local authorities primarily to access funding. The Local Authority had been a nominal-member of *Local London* for several years to access devolved employment and skills programmes and full membership would enable Bromley's businesses and residents to benefit from the full range of funding programmes.

Whilst not objecting to joining *Local London*, the Vice-Chairman underlined the need for reassurance in a number of areas, including the annual contribution and insurance clause. The Head of Economic Development confirmed that Legal Services had reviewed the Inter Authority Agreement, including the annual contribution and insurance clause, and had identified no concerns which was set out in the report. The annual contribution had remained the same since the establishment of *Local London* and there was therefore seemingly no appetite from other local authority members to increase this contribution in the short to medium-term. Additionally, by joining *Local London*, the Local Authority would have access to new funding streams that would total significantly more than its annual contribution.

In response to a question from a Member, the Head of Economic Development explained that the 12-month notice period to exit *Local London* reflected the nature of funding which was often delivered via schemes with a minimum one-year duration. The Local Authority would be able to raise any concerns on the Inter Authority Agreement with *Local London*, and the Local Authority had already been approached to provide feedback. A Member requested that the worst-case exit cost be provided to the Council's Executive to support its decision making. Another Member requested an annual update be reported to the Renewal, Recreation and Housing PDS Committee in advance of membership renewal, and this was agreed by the Committee.

**RESOLVED: That the Council's Executive be recommended to:**

- **Approve the Local Authority to join *Local London* and sign the Inter Authority Agreement (IAA) for the *Local London* Sub-Regional Partnership so as to establish joint arrangements with the *Local London* Authorities including the formation of a Joint Committee with its terms of reference as set out in the IAA;**
- **Approve the annual membership fee, currently £50K per annum, for the duration of Bromley's membership, noting interdependencies with UK Shared Prosperity 3-year period (Paragraph 3.7) and *Local London's* current strategy period 2022-2025 (Paragraph 3.5);**

- **Delegate authority to the Portfolio Holder for Renewal, Recreation and Housing to determine continuing membership annually on review of value added;**
- **Appoint the Portfolio Holder for Renewal, Recreation and Housing as the Local Authority's Member at the *Local London* Joint Committee with authority to make decisions where there are no direct implications for the Local Authority's finances (Paragraph 3.14) and appoint the Leader to be the Reserve Member; and,**
- **Note the benefits of joining *Local London*, as set out in Paragraphs 3.8-3.13.**

## **F HOUSING DELIVERY UPDATE**

This report was withdrawn and would be considered at the next meeting of the Renewal, Recreation and Housing PDS Committee on 21 March 2023.

## **49 POLICY DEVELOPMENT AND OTHER ITEMS**

### **A RENEWAL, RECREATION AND HOUSING PORTFOLIO DRAFT BUDGET 2023/24 Report FSD23010**

The report considered the Portfolio Holder's draft 2023/24 Budget which incorporated the future cost pressures, planned mitigation measures, savings from transformation and other budget options reported to the Council's Executive on 18 January 2023. Members were requested to consider the initial draft budget being proposed and to identify any further action that might be taken to reduce cost pressures facing the Council over the next four years with a view to the Council's Executive making recommendations to Council on the 2023/24 Council Tax levels. There were still outstanding issues and areas of uncertainty remaining and any further updates would be included in the 2022/23 Council Tax report to the meeting of the Council's Executive on 8 February 2023.

In response to a question from a Member, the Director of Housing, Planning and Regeneration confirmed that the Local Authority continued to progress Phase 2 of the Meadowship Homes Scheme which was a joint venture with Orchard and Shipman. The Scheme aimed to acquire approximately 250 properties for use as social rented accommodation to help address homelessness and temporary accommodation pressures and where possible, properties were acquired within or close to the Borough. The Vice Chairman observed that the Scheme was partly funded by a £67m finance facility from Pensions Insurance Corporation (PIC) and asked for further details regarding the loan. The Head of Finance: Adult Social Care, Health and Housing confirmed that although there was limited market data available for this type of transaction, work carried out in relation to Meadowship Homes 2 provided confidence that a competitive rate had been secured and that further details

would be circulated to Members following the meeting. Another Member was concerned that the Council's Executive had recently agreed a 7% increase in social housing rent levels for the 2023/24 financial year and the Head of Finance: Adult Social Care, Health and Housing advised that even with this increase, social housing rent levels for Bromley remained well within the local Housing Allowance level.

**RESOLVED: That:**

- **The update on the financial forecast for 2023/24 to 2026/27 be noted;**
- **The initial draft 2023/24 budget be noted as a basis for setting the 2023/24 budget; and,**
- **The Council's Executive be recommended to note the comments of the Renewal, Recreation and Housing PDS Committee on the initial draft 2023/24 budget at its meeting on 8 February 2023.**

**B LOCAL PLAN REVIEW: ISSUES AND OPTIONS  
CONSULTATION  
Report HPR2023/004**

The report provided details of the proposed 'Issues and Options' Local Plan consultation. This report had also been considered by the Development Control Committee at its meeting on 10 January 2023 and the recommendations had been supported.

In considering the report, the Chairman highlighted the importance of ensuring that housing development in Bromley did not negatively impact the established character of its communities. The Head of Planning Policy and Strategy confirmed that extensive consultation would be undertaken on the proposed 'Issues and Options' Local Plan with a view to maximising the response by members of the public and other stakeholders.

**RESOLVED: That:**

- 1) **Details of the proposed Local Plan 'Issues and Options' consultation be noted, including the example section provided at Appendix 1; and,**
- 2) **It be noted that the final decision to approve the 'Issues and Options' draft for public consultation will be for the Director of Housing, Planning, Property and Regeneration, in discussion with the Portfolio Holder for Renewal, Recreation and Housing.**

**C COMMUNITY INFRASTRUCTURE LEVY: SPENDING  
Report HPR2023/006**

The report provided an update on the collection of the London Borough of Bromley Community Infrastructure Levy (CIL) and set out a possible spending approach for the 'neighbourhood proportion' (NCIL)

In response to a question from a Member. The Infrastructure Delivery Team Leader confirmed that whilst it was planned to take a ward-based approach to the 'neighbourhood proportion' of the Bromley Community Infrastructure Levy, this would include reviewing the impact of any spend on neighbouring wards.

**RESOLVED: That:**

- 1) The 'key principles' to guide the appropriate expenditure of NCIL be noted; and,**
- 2) The intention to convene a 'Neighbourhood CIL Spending Review Panel' to have an input on the expenditure of NCIL receipts be noted.**

**D THEMATIC SESSION: HOUSING SCHEMES AND THE  
REVENUE ACCOUNT**

The Committee received a presentation from Michelle Bowler, Head of Housing Schemes on Housing Schemes and the Revenue Account. The presentation is appended to the minutes at Appendix B.

In response to a question from the Chairman, the Head of Housing Schemes advised that in becoming a Social Landlord, the Local Authority was entering a heavily regulated area and would need to agree Tenancy and Residential Asset Monitoring Strategies and Tenancy Management and Rent Setting Policies which would be supported by Member consultation. Another Member queried the fault reporting process and the Head of Housing Schemes confirmed that clear processes were in place for residents to report and address faults and that regular meetings were held with providers to discuss and resolve any arising issues, including repairs and complaints.

The Committee thanked the Head of Housing Schemes for her excellent presentation.

**RESOLVED: That the presentation be noted.**

**50 RENEWAL, RECREATION AND HOUSING INFORMATION  
BRIEFING**

The items comprised:

- Digital Infrastructure Work Plan Update



**RESOLVED:** That Information Items be noted.

**PART 2 (CLOSED) AGENDA**

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

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

**The following summaries  
refer to matters involving exempt information**

**52 EXEMPT MINUTES OF THE RENEWAL, RECREATION AND HOUSING PDS COMMITTEE HELD ON 16 NOVEMBER 2022**

The exempt minutes of the meeting of Renewal, Recreation and Housing PDS Committee on 16 November 2022 were agreed as a correct record.

**53 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) EXECUTIVE REPORTS**

The Committee considered the following reports on the Part 2 (Exempt) agenda for the meeting of the Council's Executive on 8 February 2023:

**A PROCUREMENT OF CONSULTANCY SERVICES FOR THE CRYSTAL PALACE PARK REGENERATION PLAN - PART 2 (EXEMPT) APPENDICES**

The Committee considered two Part 2 (Exempt) appendices for Item 9b: Procurement of Consultancy Services for the Crystal Palace Park Regeneration Plan.

The Meeting ended at 9.13 pm

Chairman

This page is left intentionally blank

# Agenda Item 5

Report No.  
CSD23046

London Borough of Bromley

PART ONE - PUBLIC

---

**Decision Maker:** RENEWAL, RECREATION AND HOUSING PDS COMMITTEE

**Date:** 21 March 2023

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

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

**Contact Officer:** Kerry Nicholls, Democratic Services Officer  
Tel: 020 8461 7840    E-mail: kerry.nicholls@bromley.gov.uk

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

**Ward:** All Wards

---

1. Reason for report

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

- Monitoring progress against actions arising from previous meetings; and,
- Developing the Committee's Forward Work Programme.

---

2. **RECOMMENDATION(S)**

2.1 **That the Renewal, Recreation and Housing PDS Committee reviews and comments on:**

- **Progress on matters arising from previous meetings; and,**
- **The Forward 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: Not Applicable
- 

Impact on the Local Economy

1. Summary of Local Economy Implications: Not Applicable
- 

Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: Not Applicable
- 

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** sets out matters outstanding from previous meetings.

#### 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 RRH PDS Committee Work Programme for the current municipal year, including: the provisional report title (or activity); the Report Author; and Committee's role. Committee is invited to comment on the proposed schedule and suggest any changes it considers appropriate.

3.5 Other reports will be added to the Work Programme as items arise. In addition, there may also be references from other committees, the Renewal, Recreation and Housing Portfolio Holder, or the Executive.

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

**MATTERS OUTSTANDING FROM PREVIOUS MEETINGS**

<b>Minute Number/Title/Date</b>	<b>Action/PDS Request</b>	<b>Update</b>	<b>Action by</b>	<b>Expected Completion Date</b>
46a. HPR Portfolio Plan Update 2022/23 (23 January 2023)	<p>The findings of a review the Small Parades Improvements Scheme to be reported to Members.</p> <p>The Project Tracker to be presented in a more readable format.</p>	<p>To be reported when available.</p> <p>Completed.</p>	<p>Assistant Director: Culture and Regeneration</p> <p>Performance and Strategy Manager</p>	<p>Summer 2023</p> <p>Requested for future reporting</p>
49a: RRH Portfolio Draft Budget 2023/24 (23 January 2023)	Further details on the Meadowship Homes 2 loan to be provided to Members.	To be actioned	Head of Finance: Adult Social Care, Health and Housing	March 2023

**RENEWAL, RECREATION & HOUSING PDS COMMITTEE  
WORK PROGRAMME 2023/24**

<b>Meeting Date: June 2023</b>	<b>Division</b>	<b>Committee Role</b>
Matters Outstanding and Work Programme	Democratic Services	Standard Items
Provisional Outturn 2022/23	Financial Management	PH Decision
Provision of Libraries – contract performance report (Bi-Annually)	Culture	PH Decision
Orpington SPD	Planning Policy and Strategy	Pre-decision Scrutiny (Executive)
ECB (English Cricket Board) & LCT (London Cricket Trust) NON-TURF Pitches (NTPs) Fund	Culture and Regeneration	Pre-decision Scrutiny (Executive)
Award of Contract : BEAM Ltd	Housing Service	Pre-decision Scrutiny (Executive)
Q4 Update for HPR Portfolio Plan (including Risk Register reported bi-annually)	Housing Compliance and Strategy	PDS Committee
More Homes Bromley annual report	Housing Service	PDS Committee
Pinnacle annual contract performance report	Housing Service	PDS Committee
Meadowship Homes Acquisition	Housing Service	PDS Committee
Completion of Meadowship Phase 1/2	Housing Service	PDS Committee
Housing Policies Report	Housing Service	PDS Committee
Reviewing Allocations Scheme	Housing Service	PDS Committee
Leisure Strategy Report/Sport and Leisure Presentation	Culture and Regeneration	PDS Committee
Leisure Centre Report	Culture and Regeneration	PDS Committee
Local Plan Progress Update (Nov 2022 onwards)	Planning Policy and Strategy	PDS Committee
Planning Appeals – costs (bi-annually)	Planning and Building Control	PDS Committee
Contract Register ( <u>Public and Non-Public Reports</u> )	Culture and Regeneration	PDS Committee
Thematic Session – To Be Confirmed	To Be Confirmed	PDS Committee
<b>Meeting Date: September 2023</b>	<b>Division</b>	<b>Committee Role</b>
Matters Outstanding and Work Programme	Democratic Services	Standard Items

Budget Monitoring 2023/24	Financial Management	Pre-decision Scrutiny (PH Decision)
Quarter 1, Capital Programme Monitoring	Financial Management	Pre-decision Scrutiny (PH Decision)
Q1 Update for HPR Portfolio Plan	Housing Compliance and Strategy	PDS Committee
Local Plan Progress Update	Planning Policy and Strategy	PDS Committee
Thematic Session – To Be Confirmed	To Be Confirmed	PDS Committee
Digital Infrastructure Work Plan Update (bi-annually)	Housing, Planning and Regeneration	Information Item
<b>Meeting Date: November 2023</b>	<b>Division</b>	<b>Committee Role</b>
Matters Outstanding and Work Programme	Democratic Services	Standard Items
Budget Monitoring 2022/23	Financial Management	Pre-decision Scrutiny (PH Decision)
Quarter 2 Capital Monitoring	Financial Management	Pre-decision Scrutiny (PH Decision)
HRA Business Plan and Policies	Financial Management	PDS Committee
Provision of Libraries – contract performance report (Bi-Annually)	Culture	PDS Committee
Q2 Update for HPR Portfolio Plan	Housing Compliance and Strategy	PDS Committee
Planning Appeals – costs (bi-annually)	Planning and Building Control	PDS Committee
Local Plan Progress Update	Planning Policy and Strategy	PDS Committee
Contract Register ( <u>Public and Non-Public Reports</u> )	Culture and Regeneration	PDS Committee
Thematic Session	To Be Confirmed	PDS Committee
<b>Meeting Date: January 2024</b>	<b>Division</b>	<b>Committee Role</b>
Matters Outstanding and Work Programme	Democratic Services	Standard Items
Capital Monitoring Programme Q3	Financial Management	Pre-decision Scrutiny (PH Decision)



Local London Annual Update	Economic Development	Pre-decision Scrutiny (PH Decision)
Draft Budget 2024/25	Financial Management	PDS Committee
Q3 Update for HPR Portfolio Plan (including Risk Register reported bi-annually)	Housing Compliance and Strategy	PDS Committee
Local Plan Progress Update	Planning Policy and Strategy	PDS Committee
Thematic Session	To Be Confirmed	PDS Committee
Digital Infrastructure Work Plan Update (bi-annually)	Housing, Planning and Regeneration	Information Item
<b>Meeting Date: 21 March 2024</b>	<b>Division</b>	<b>Committee Role</b>
Matters Outstanding and Work Programme	Democratic Services	Standard Items
Budget Monitoring 2022/23	Financial Management	Pre-decision Scrutiny (PH Decision)
Contract Register ( <u>Public and Non-Public Reports</u> )	Culture and Regeneration	PDS Committee
Update for HPR Portfolio Plan	Housing Compliance and Strategy	PDS Committee
More Homes Bromley annual report	Housing Service	PDS Committee
Pinnacle annual contract performance report	Housing Service	PDS Committee
Local Plan Progress Update	Planning Policy and Strategy	PDS Committee
Thematic Session	To Be Confirmed	PDS Committee

This page is left intentionally blank

Report No.  
FSD23026

## London Borough of Bromley

### PART ONE - PUBLIC

---

**Decision Maker:** **PORTFOLIO HOLDER FOR RENEWAL, RECREATION AND HOUSING**

**For Pre-Decision Scrutiny by the Renewal, Recreation and Housing Policy Development and Scrutiny Committee on:**

**Date:** **21<sup>st</sup> March 2023**

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

**Title:** **BUDGET MONITORING 2022/23**

**Contact Officers:** James Mullender, Head of Finance (Adults, Health & Housing)  
Tel: 020 8313 4196    E-mail: [James.Mullender@bromley.gov.uk](mailto:James.Mullender@bromley.gov.uk)  
Murad Khan, Head of Finance (Environment & Corporate Services)  
Tel: 020 8313 4015    E-mail: [Murad.Khan@bromley.gov.uk](mailto:Murad.Khan@bromley.gov.uk)

**Chief Officer:** Director of Housing, Planning and Regeneration

**Ward:** All Wards

---

1. Reason for report

- 1.1 This report provides the second revenue budget monitoring position for 2022/23 for the Renewal, Recreation and Housing Portfolio based on expenditure and activity levels for the second quarter of the financial year.
- 

2. **RECOMMENDATION(S)**

2.1 **The Renewal, Recreation and Housing PDS Committee is requested to:**

- i) **Note the projected net overspend of £805k on controllable expenditure based on information as at December 2022.**

2.2 **The Renewal, Recreation and Housing Portfolio Holder is requested to:**

- i) **Note the projected net overspend of £805k on controllable expenditure based on information as at December 2022.**

## Impact on Vulnerable Adults and Children

1. Summary of Impact: None directly arising from this report
- 

## Corporate Policy

1. Policy Status: Sound financial management
  2. MBEB Priority: To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents
- 

## Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre: RR&H Portfolio Budgets
  4. Total current budget for this head: £15.6m
  5. Source of funding: Existing revenue budget 2022/23
- 

## Personnel

1. Number of staff (current and additional): 190 Full time equivalent
  2. If from existing staff resources, number of staff hours: Not applicable
- 

## Legal

1. Legal Requirement: Statutory Requirement: The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000 and the Local Government Act 2002
  2. Call-in: Applicable: Portfolio Holder decision.
- 

## Procurement

1. Summary of Procurement Implications: Not Applicable
- 

## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2022/23 budget reflects the financial impact of the Council's strategies, service plans etc. which impact on all of the Council's customers (including council tax payers) and users of the services.
- 

## Ward Councillor Views

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

### 3. COMMENTARY

3.1 The 2022/23 projected outturn for Renewal, Recreation and Housing Portfolio is detailed in Appendix 1A, broken down over each division within the service. Appendix 1B gives explanatory notes on the movements in each service. The current position is a projected overspend of £805k on the controllable budget, and some of the main variances are highlighted below.

3.2 The main variations are summarised in the table below:

	<b>£'000</b>
Building Control income	213
Planning & land Charges	164
Culture	15
Supporting People Contracts	Cr 102
Temporary Accommodation	893
Housing Support	Cr 378
	<u>805</u>

### 4. COMMENTS FROM THE DIRECTOR OF HOUSING, PLANNING & REGENERATION

4.1 £1,116k of growth was included in the housing budget for 2022/23 to reflect the continuing pressures in relation to homelessness and the provision of temporary accommodation. A total of £1,785k savings was also included to mitigate these pressures.

4.2 Whilst approaches remain high, the ongoing supply of acquired properties and prevention work has continued to slow the rate of growth in nightly paid accommodation placements. However, the number of approaches are starting to rise alongside increased pressure on nightly paid accommodation rates across London and the South East. This results in a £747k overspend on temporary accommodation, with a £413k overspend on housing overall. As has been reported work is ongoing to increase the supply of affordable housing to continue to mitigate and reduce the current pressures relating to temporary accommodation particularly in relation to the increased ability to secure leased accommodation within temporary accommodation subsidy rates however this is becoming increasingly challenging due to the current inflation rises in relation to accommodation costs.

4.3 A substantial part of Planning Services' work attracts a fee income for the Council, for example the planning application fees. The fee income and volume of work reflects the wider economic circumstances affecting development pressures in the Borough. There is a risk of income variation beyond the Council's immediate control; however, trends are regularly monitored in order that appropriate action can be taken. Action has successfully been taken to negate the risk of Government Designation for Special Measures due to Planning performance for the current year. However, this is based on the actions identified being implemented to reduce the risk of Government Designation in future years.

4.4 There is a risk of substantial planning appeal costs being awarded against the Council by the Planning Inspectorate if the Council is found to have acted unreasonably. For major appeals, which can arise unpredictably, there is often a need for specialist external consultant's advice which creates additional costs.

4.5 The key risks in the Renewal, Recreation and Housing Portfolio continue to be:

- i) Increased homelessness and the associated costs particularly relating to the increased demand for placements across London
- ii) Increased rent arrears arising from inflation and increased costs of utilities and so forth

- iii) Reduced vacant housing association properties coming forward for letting
- iv) Increased maintenance and repairs costs in relation to the travellers site required to maintain health and safety standards
- v) Fluctuations in planning applications and need to ensure application processing is sufficiently resourced
- vi) Increases being seen in construction and maintenance costs

4.6 Finally, the ongoing impacts of the Covid-19 pandemic on budgets are now becoming apparent. Significant losses in income, from commercial rents, are expected as town centres have been severely affected during lockdown restrictions. The impact of increased utility and maintenance costs is also impacting on tenants of commercial properties and their ability to maintain rental payments.

## **5. POLICY IMPLICATIONS**

5.1 One of the “Making Bromley Even Better” ambitions is to manage our resources well, providing value for money, and efficient and effective services for Bromley’s residents and to meet this we will need to maintain a relentless focus on efficiency, outcomes of services and prudent management of our finances.

5.2 The “2022/23 Council Tax” report highlighted the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised to minimise the risk of compounding financial pressures in future years.

5.3 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council’s budgetary control and monitoring arrangements.

## **6. FINANCIAL IMPLICATIONS**

6.1 Overall the current projected overspend position stands at £805k. A detailed breakdown of the projected outturn by service area is shown in appendix 1A with explanatory notes in appendix 1B. Other financial implications are contained in the body of this report and Appendix 1B provides more detailed notes on the major services.

6.2 Costs attributable to individual services have been classified as “controllable” and “non-controllable” in Appendix 1. Budget holders have full responsibility for those budgets classified as “controllable” as any variations relate to those factors over which the budget holder has, in general, direct control.

6.3 “Non-controllable” budgets are those which are managed outside of individual budget holder’s service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service. As such, any variations arising are shown as “non-controllable” within services but “controllable” within the Resources, Commissioning and Contracts Management Portfolio. Other examples include cross departmental recharges and capital financing costs.

6.4 This approach, which is reflected in financial monitoring reports to budget holders, should ensure clearer accountability by identifying variations within the service that controls financial performance. Members should specifically refer to the “controllable” budget variations relating to portfolios in considering financial performance.

<b>Non-Applicable Sections:</b>	Legal, Personnel and Procurement Implications
Background Documents: (Access via Contact Officer)	2022/23 Budget Monitoring files in ECS and ECHS Finance Section

## Renewal, Recreation &amp; Housing Budget Monitoring Summary

2021/22 Actuals £'000	Division Service Areas	2022/23 Original Budget £'000	2022/23 Latest Approved £'000	2022/23 Projected Outturn £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	<b>PLACE DEPARTMENT</b>							
	<b>Planning</b>							
99	Building Control	90	90	303	213	1	244	0
Cr 128	Land Charges	Cr 126	Cr 126	Cr 62	64	2	0	0
1,707	Planning	1,493	1,677	1,777	100	3	0	0
<b>1,678</b>		<b>1,457</b>	<b>1,641</b>	<b>2,018</b>	<b>377</b>		<b>244</b>	<b>0</b>
	<b>Culture &amp; Regeneration</b>							
908	Culture	830	1,031	1,046	15	4	25	0
4,649	Libraries	4,873	5,442	5,442	0		0	0
23	Economic Development	80	262	262	0		0	0
<b>5,580</b>		<b>5,783</b>	<b>6,735</b>	<b>6,750</b>	<b>15</b>		<b>25</b>	<b>0</b>
	<b>Operational Housing</b>							
1,314	Housing Strategy, Advice and Enabling	1,460	1,477	1,528	51	5	51	0
Cr 1,089	Housing Benefits	Cr 1,539	Cr 1,539	Cr 1,539	0		0	0
Cr 175	Housing Improvement	Cr 30	Cr 31	Cr 74	Cr 43	6	Cr 33	0
6,406	Allocations and Accommodation	4,295	4,291	5,184	893	7	655	324
877	Supporting People	1,070	1,044	942	Cr 102	8	Cr 118	Cr 94
1,488	Housing Options and Support	2,006	2,001	1,615	Cr 386	9	Cr 62	0
<b>8,821</b>		<b>7,262</b>	<b>7,243</b>	<b>7,656</b>	<b>413</b>		<b>493</b>	<b>230</b>
<b>16,079</b>	<b>Total Controllable</b>	<b>14,502</b>	<b>15,619</b>	<b>16,424</b>	<b>805</b>		<b>762</b>	<b>230</b>
2,141	<b>TOTAL NON CONTROLLABLE</b>	Cr 883	Cr 990	Cr 990	0		0	0
5,555	<b>TOTAL EXCLUDED RECHARGES</b>	5,627	5,627	5,627	0		0	0
<b>23,775</b>	<b>TOTAL RR &amp; H PORTFOLIO TOTAL</b>	<b>19,246</b>	<b>20,256</b>	<b>21,061</b>	<b>805</b>		<b>762</b>	<b>230</b>



<b>Reconciliation of Latest Approved Budget</b>		<b>£'000</b>
<b>Original budget 2022/23</b>		<b>19,246</b>
<b>Carry Forward Requests approved from 2021/22</b>		
Rough Sleepers Initiative Grant expenditure		228
Rough Sleepers Initiative Grant income	Cr	228
Homelessness Reduction Grant		89
Homelessness Reduction Grant	Cr	89
New Burdens Funding Grant expenditure		124
New Burdens Funding Grant income	Cr	124
Local Plan Implementation		120
New Homes Bonus - Regeneration		73
<b>Central Contingency Adjustments</b>		
Accommodation for Ex-Offenders expenditure		70
Accommodation for Ex-Offenders income	Cr	70
Rough Sleepers Initiative Grant expenditure		455
Rough Sleepers Initiative Grant income	Cr	455
Norman Park grant		151
Libraries contract inflation		54
Resources to address Planning minor applications backlog		90
Funding of Economic Development posts		109
Local London membership subscription		50
Libraries refresh		515
Provision for agency workers contract savings	Cr	14
Homes for Ukraine expenditure		821
Homes for Ukraine grant	Cr	821
Homeless Prevention Initiatives expenditure		883
Homeless Prevention Initiatives grant	Cr	883
<b>Other</b>		
Local Plan Review funded from Growth Fund		
- expenditure		600
- income	Cr	600
R&M Planned Maintenance adjustment	Cr	107
Adj to NI budget following reversal of 2022-23 increase in November	Cr	31
<b>Latest Approved Budget for 2022/23</b>		<b><u>20,256</u></b>

**REASONS FOR VARIATIONS****1. Building Control Dr £213k**

For the chargeable service, an income deficit of £193k is projected based on actual income so far this year. A review of fees and charges was carried out in Q2 to ensure the service complies with Building Account Regulations, which requires that the service operates on a full cost recovery basis (i.e. does not make a surplus or is subsidised on an ongoing basis). Revised charges were implemented on 1 October, which is helping to increase income and has reduced the forecast shortfall by £51k from Q2. A £20k overspend is forecast on the salaries budget, mainly due to use of agency staff to cover vacancies. In accordance with the Regulations, any surplus or deficit in year is charged to or funded from the Building Control Charging Account earmarked reserve and would leave a total deficit balance of £235k to recover from income in future years.

**2. Land Charges Dr £64k**

A £52k shortfall of land charges income compared to budget is now being forecast, due to reduced activity in Q3. There is also a £12k overspend forecast on the staffing budget, resulting in an overall overspend now being forecast of £64k.

**3. Planning Dr £100k**

A £187k shortfall of planning fee income compared to budget is now being forecast, as receipts in the first three quarters of this financial year have been significantly lower than last year. There are, however, underspends on the salaries budget due to vacancies, which results in a net overspend being forecast of £100k.

**4. Culture Dr £15k**

Following the death of HM Queen, the borough's Operation London Bridge plan was enacted. This generated costs that had not been budgeted for at the start of the year in relation to the ceremonies the borough was required to deliver, the screening of the funeral, and the production of a memorial quilt which is ongoing.

**5. Housing Strategy, Advice and Enabling Dr £51k**

There are three posts within the service which are unfunded. Options to address this are being reviewed and some short-term funding identified to ease some of the pressures on this service area.

**6. Housing Improvement Cr £43k**

In year vacancies during a period of recruitment are expected to result in an underspend of £43k.

**7. Allocations and Accommodation Dr £893k**

There is currently a forecast overspend of £1,630k in the Temporary Accommodation before projected savings from increasing the supply of affordable housing. For this round of budget monitoring the number of Households in Temporary Accommodation was 1,064. It is currently expected that this will increase to 1,109 by the end of the financial year, at an average cost of around £7,110 per household per annum. This is partly offset by the Homeless Prevention

Initiatives allocation in contingency and exceptional winter top up of the Homeless Prevention Grant top totalling £883k which are being requested for draw down this cycle.

These figures exclude other schemes like More Homes Bromley, Orchard & Shipman, ex-residential care homes, and the Bromley Private Sector Leasing Scheme. Once these client numbers have been included there are currently over 1,551 households in Temporary Accommodation.

Transformation savings totalling £1,286k were identified at the start of 2022-23 to provide a longer-term alternative to expensive nightly paid accommodation. Included in this Meadowship Homes (£1,043k) and (Burnt Ash Lane £39k) continue to progress and schemes at Bushell Way, Anerley Town Hall car park and Beehive are now complete. Savings of £127k are expected to be achieved over the remainder of the financial year. The Full Year Effect of these savings is estimated at around £2.2m.

There is also currently a forecast overspend on salaries of £25k. This is due mainly to the cost of funding two short term posts to meet the additional workload created by the new schemes. There are some vacancies within the service which are partly offsetting this additional cost.

						£'000
<b>Summary of overall variations within Allocations and Accommodation:</b>						
Temporary Accommodation						747
More Homes Bromley Guarantee						248
Transformation Savings still to be delivered						Cr 127
Salaries						25
<b>Total variation for Allocations and Accommodation</b>						<b>893</b>

**8. Supporting People Cr £102k**

A £102k underspend is currently forecast in the Supporting People area mainly as a result of procurement exercises during 2021/22 and 2022/23 containing costs within inflation that had accumulated in the budget whilst the previous contracts had been fixed for a number of years. There has been a virement of £26k from this budget to the HOPE contract in the Housing Strategy, Advice and Enabling service area to fund in-year one off additional costs.

**9. Housing Options and Support Cr £386k**

There are a number of vacancies within the service and some posts are difficult to fill. Temporary posts have been created to try and address this. The current projected underspend is £63k.

There is a forecast underspend of £325k on the work carried out around Homelessness Prevention, which is been impacted on by the challenges in recruiting staff during the course of the financial year.

The Travellers budget has been realigned during the 2022-23 budget setting process and this should reduce some of the previous variances including the running costs and fee income. The Traveller Site Manager post continues to be difficult to fill and will result in an in-year underspend on salaries.

### **Waiver of Financial Regulations:**

The Council's Contract Procedure Rules state that where the value of a contract exceeds £50k and is to be exempt from the normal requirement to obtain competitive quotations the Chief Officer must obtain the agreement of the Director of Corporate Services, the Director of Finance and the Director of Commissioning and (where over £100,000) approval of the Portfolio Holder and report use of this exemption to Audit Subcommittee bi-annually. Since the last report to the Executive, no waivers have been actioned.

### **Virements Approved to date under Director's Delegated Powers**

Details of virements actioned by Chief Officers under delegated authority under the Financial Regulations "Scheme of Virement" will be included in financial monitoring reports to the Portfolio Holder. Since the last report to Executive, one virement has been actioned. to implement contract upgrades for the HOPE contract. £26k has been vired from the underspend in Supporting People to the Housing Strategy and Enabling service area. This is one off virement for 2022-23 only.

Report No.  
CSD23048

## London Borough of Bromley

### PART 1 - PUBLIC

---

**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by the Renewal, Recreation and Housing Policy Development and Scrutiny Committee on 21<sup>st</sup> March 2023

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

**Title:** HOUSING IT SYSTEMS REPORT

**Contact Officer:** Tracey Wilson, Head of Housing Compliance & Strategy  
Tel: 0208 313 4515 E-mail: Tracey.Wilson@bromley.gov.uk

**Chief Officer:** Sara Bowrey, Director, Housing, Planning & Regeneration

**Ward:** All Wards

---

#### 1. REASON FOR REPORT

- 1.1 Bromley's contract with MRI Software for a managed Housing IT system is due to expire on 9<sup>th</sup> April 2024, having utilised the two year extension option.
  - 1.2 Bromley's contract with Home Connections for a managed Housing IT system is due to expire on 16<sup>th</sup> April 2024 with an extension option of 1 +1 year(s).
- 

#### 2. RECOMMENDATION(S)

- 2.1 To extend the contract with both MRI Software and Home Connections for two years respectively to allow a full options appraisal to test the market fully.
- 2.2 This report is requesting authorisation to apply the two year extension for Home Connections, which is provided for within the contract terms, from 16<sup>th</sup> April 2024 to 15<sup>th</sup> April 2026 at an estimated contract value of £14k per annum.
- 2.3 Approve extension beyond terms under Regulation 72a with a 1+1 options to MRI Software (formerly known as Orchard Housing). This is anticipated to commence from 16 April 2024 at an estimated annual value of £134k per annum.
- 2.3 Agree the Compliance & Strategy Division utilises the extension period to review the market in order to present commissioning and procurement options for Executive decision prior to the extension period expiring.
- 2.4 Agree the drawdown of up to £40k from the Technology Fund earmarked reserve for a SME/Business Analyst to review the market.

## Impact on Vulnerable Adults and Children

Summary of Impact:

---

### Transformation Policy

1. Policy Status: Existing Policy
  2. Making Bromley Even Better Priority (delete as appropriate):  
(5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

### Financial

1. Cost of proposal: Estimated Cost: £336k (£28k – Home Connections extension, £268k – MRI extension, £40k – review)
  2. Ongoing costs: Recurring Cost: £148k (£14k – Home Connections, £134k – MRI)
  3. Budget head/performance centre: Housing Compliance & Strategy
  4. Total current budget for this head: £1,477k
  5. Source of funding:
- 

### 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: Non-Statutory - Government Guidance: The Housing Systems are integral in the delivery of the Council's statutory housing functions
  2. Call-in: Applicable: Executive decision.
- 

### Procurement

Summary of Procurement Implications:

---

### Property

Summary of Property Implications: N/A

---

### Carbon Reduction and Social Value

Summary of Carbon Reduction/Sustainability Implications: N/A

---

### Customer Impact

Estimated number of users or customers (current and projected): Estimated number of users/beneficiaries (current and projected): Estimated number of users/beneficiaries (current and projected): The Council receives more than 6,000 approaches for housing advice and approximately 500 applications each month for inclusion on the housing register. The allocation for temporary

accommodation and social rented housing is managed through the housing system covering a total housing association stock in excess of 11,000 units.

---

#### Ward Councillor Views

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

### **3. COMMENTARY**

- 3.1 The MRI Housing IT system allows the Council to fulfil its statutory duties in relation to Housing. MRI enables the Choice Based Lettings system in order to facilitate nominations and holds data in relation to all aspects of a clients interaction with the housing service. This includes; Housing Register applications, temporary accommodation placements, contact records etc.
- 3.2 The Home Connections (Hope) IT system; complies with the statutory returns requirement that is essential in order to manage the volume of households approaching the Local Authority for assistance in respect of homelessness.
- 3.3 This report sets out the business case to extend beyond term so that there is sufficient time to undertake this review, and so that both contracts co-terminate, allocate suitable funds to recruit a suitable Subject Matter Expert (SME) to review the current systems, review the market to produce a technical specification and a further recommendation or options for Members to consider. Therefore this report will need to draw down £40k for recruitment of a suitable SME as set out in the Finance section.
- 3.4 The extension period will allow time to review the market in order to present commissioning and procurement options for Executive decision prior to the extension period expiring.
- 3.5 There is no one with the required experience within the Council currently to carry out this activity. Previous budget options which delivered reductions in core staffing recognised the need to recruit the necessary expertise as and when required rather than maintaining a standing resource.
- 3.6 This also represents a good opportunity for the Council to review the provision of these systems and potentially identify savings and efficiencies as a result and to ensure alignment with key corporate programmes.
- 3.7 The SME is required to undertake work to identify the ongoing requirements of supporting systems and project management. The resource management will be within the HPR systems team with sign off by the services involved.
- 3.8 The reviews identified by this report are two core system reviews that will be required over the next few years. The resource identified in this report for initial draw-down may be used flexibly across a number of system reviews and programme upgrades in the longer term, although initially required on the Housing IT System review given the initial timescales available.

#### **Summary of Business Case**

- 3.9 The Housing Department uses two information systems to support its business, MRI (previously known as Orchard) and Home Connections. The justification for extending the MRI contract is as follows:
- 3.10 There is a statutory requirement to provide a housing needs service. The timely and targeted provision and management of these services is dependent on an appropriate management information system capable of the functions below
- Provide statutory statistical returns and data management facilities enabling the monitoring of relevant local and national performance indicators and progress towards defined targets
  - Hold information about service activity levels
  - Effectively gather quantitative and qualitative evidence of performance in line with regulatory guidance
  - Provide secure storage of data enabling the Local Authority to meet national requirements regarding information provision



- 3.11 The alternative is to go out to tender for a new information management system which will incur significant procurement and purchase costs and will also incur similar ongoing annual charges. Additionally, the service would face disruption caused by a complete change of information management and working practices, including the requirements for configuration and training.
- 3.12 The Hope system has proved to be an effective IT system which complies with the statutory returns requirement that is essential in order to manage the volume of households approaching the Local Authority for assistance in respect of homelessness.
- 3.13 With the impact of the pandemic and the increased volume of homelessness approaches to this local authority, it is vital that we continue with a system that is familiar to all staff and provides a reliable reporting function (HCLIC). With the additional upgrades to the system we will be adding the ability to track and report on approaches and outcomes for Rough Sleepers and Ex-Offenders.
- 3.14 The addition of the Duty to Refer module will ensure that a statutory housing function is included in the HOPE system. This will allow an efficient, reliable process and free up Officer time and reduce the risk of error at present it is currently managed via a service mailbox and does not feed into the HOPE system automatically.
- 3.15 Failure to provide the correct statistical returns in the required format can impact on the Local Authorities ability to secure the necessary funding and resources in order to provide statutory services and prevent against costly legal challenge.
- 3.16 With the new Domestic Abuse Bill and our aim to achieve DAHA Accreditation for our work with victims of Domestic Abuse, the proposed upgrades to the system will further support the services work to provide a better service to Domestic Abuse victims which in turn will bring us closer to achieving DAHA accreditation for the local authority.

### **Service Profile / Data Analysis / Specification**

- 3.17 The service deals with more than 5000 approaches each year.
- 3.18 There are approximately 1,600 households in TA, of which 1,205 are in costly forms of nightly paid accommodation. The current average cost to the Council of placing a household into nightly paid temporary accommodation is £7100 per annum for each household.
- 3.19 An effective and compliant system is therefore essential to ensure that increased caseloads can be effectively managed and that compliance with statutory duties is maintained.

### **Options Appraisal**

3.20 The following options are available;

- Option 1 – Do nothing
- Option 2 – Re-procure the existing systems now via a compliant route
- Option 3 – Extend the contract(s) for a limited time and complete a full options appraisal and assess the market

#### **Option 1 – Do Nothing**

This isn't possible as the Council has a requirement to fulfil its statutory duties.

## **Option 2 – Re-procure the existing systems**

Re-Procure the existing systems this is not recommended as using two IT systems that do not integrate with each other is subject to duplication of work and the potential for errors as well as the additional resources required to manage this.

## **Option 3 – Complete a full options appraisal and assess the market**

Extend both MRI and HOPE to co terminate on 09<sup>th</sup> April 2026 and undertake an options appraisal, this is recommended as it enables the service to fully assess the market and suitable suppliers to see if there are now more suitable, cost-effective options available that will take into account changes in legislation as well as manage the newly acquired Housing Revenue Account.

### **Preferred Option**

3.21 Option 3 is the preferred option to ensure that we are procuring the best fit for purpose, robust system that fully supports the IT requirements in Housing.

## **4. MARKET CONSIDERATIONS**

4.1 Not applicable until an options appraisal has been undertaken, if permitted.

## **5. SOCIAL VALUE, CARBON REDUCTION AND LOCAL / NATIONAL PRIORITIES**

5.1 By undertaking a full options appraisal we can be assured that we will procuring the most fit for purpose system for all users, particularly our residents. An example of this could be a customer portal, allowing our residents to communicate with us flexibly.

## **6. STAKEHOLDER ENGAGEMENT**

6.1 A project team will be established to review the current systems, this will include seeking the views from officers who will be using the systems and well as external stakeholders, such as our clients who may be accessing the system direct to either request or provide information and also our partners to ensure statutory and non-statutory information is accurate and accessible.

## **7. PROCUREMENT AND PROJECT TIMESCALES AND GOVERNANCE ARRANGEMENTS**

### **7.1 Estimated Value of Proposed Action:**

MRI cost: 2017-2024 - £1037k

MRI extension cost: 2024 – 2026 - £268k

MRI whole life value: £1305

Home Connections cost: 2019-2024 £78k

Home Connections extension cost: £28k

Home Connections whole life value: £106k

7.2 **Other Associated Costs:** £40k consultancy cost to undertake market review

7.3 **Proposed Contract Period:** 10<sup>th</sup> April 2024 to 09<sup>th</sup> April 2026

7.4 N/A

## **8. IMPACT ASSESSMENTS (INCLUDING VULNERABLE ADULTS AND CHILDREN)**

8.1 A full impact assessment will be undertaken in parallel with the full options appraisal.

## **9. TRANSFORMATION/POLICY IMPLICATIONS**

9.1 This approach supports the Making Bromley Even Better corporate strategy to manage our resources well, providing value for money, efficient and effective services for Bromley's residents.

## **10. IT AND GDPR CONSIDERATIONS**

10.1 There are several large IT oriented projects underway within the organisation at present that are demanding significant resource time from the Digital and IT service. This may have implications on other IT projects being undertaken as key resources may have less availability to support services and therefore maybe necessary to consider additional resources to be brought in to provide IT support for the project.

## **11. PROCUREMENT CONSIDERATIONS**

11.1 The report seeks a variation to the contracts for both the MRI and Home Connections (Hope) IT systems, for a period of up to 24 months, to co-terminate 31<sup>st</sup> March 2025. This will allow the service sufficient time to undertake a review of the requirement, with the view of undertaking a competitive process to establish a provider so that the Council can discharge its statutory duty in relation to this service. The value of the proposed variation being £134,000pa for MRI giving a cumulative spend of £1,305,000 and £14,000pa for Home Connections, giving a cumulative spend of £106,000.

11.2 The variation stated above can be completed in compliance with Regulation 72 of the Public Contract Regulations.

11.3 Subject to compliance with Regulation 72 of the Public Contract Regulations (which allows change to a contract without re-advertisement where the proposed change, irrespective of monetary value, is provided for in the initial procurement documents in a clear, precise and unequivocal option clause which specifies the conditions of use and the scope and nature of the change), the Council's requirements for authorising an extension are covered in CPR 23.7 and 13.1. For a contract of this value, the Approval of the Portfolio Holder following Agreement by the Chief Officer, the Director of Commissioning, the Director of Corporate Services and the Director of Finance must be obtained.

11.4 Following Approval, the variation must be applied via a suitable Change Control Notice, or similar, agreed with the Provider.

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

## **12. FINANCIAL CONSIDERATIONS**

12.1 The estimated cost of the proposed extensions for MRI and Home Connections is £134k and £14k per annum respectively, which will take the whole life values to £1,305k and £106k as set out in the table below:

	MRI	Home Connections	Total
	£'000	£'000	£'000
<u>Existing contracts</u>			
2017/18	150		150
2018/19	112		112
2019/20	209	29	238
2020/21	192	13	205
2021/22	130	13	143
2022/23	118	10	128
2023/24	126	13	139
	1,037	78	1,115
<u>Proposed extensions</u>			
2024/25	134	14	148
2025/26	134	14	148
	268	28	296
<b>Total</b>	<b>1,305</b>	<b>106</b>	<b>1,411</b>

- 12.2 The initial set up and some of the subsequent renewals in the existing contract were funded from the Housing IT system capital scheme. The costs of the proposed extension will be met from the existing Housing IT revenue budget.
- 12.3 It is also requested that a sum of up to £40k is approved for drawdown from the Technology Fund earmarked reserve to fund a SME/Business Analyst to review the market.

### 13. LEGAL CONSIDERATIONS

- 13.1 This report requests Members approve the extension of two IT Housing Management Systems, one within the permitted contractual framework (Home Connections) and one outside of the permitted contract (MRI Software).
- 13.2 The Home Connections contract can simply be extended in accordance with its own contractual terms and in accord with the “Formal Contract Extension Procedure” under Contract Procedure Rule (CPR) 23.6.
- 13.3 As regards the MRI Software contract then, as this is an extension beyond its term, it may only be permitted under Regulation 72 of the Public Contracts Regulations 2015 (the Regulations) and CPR 23.7. The proposed variation adds £134,000 pa to the contract detailed in this report which has a whole life value of £1.305 million. Regulation 72 sets out a series of circumstances when a contract may be varied without the need for a fresh procurement. One of those circumstances, under Reg. 72(1)(c), is where “*the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen; the modification does not alter the overall nature of the contract; and any increase in price does not exceed 50% of the value of the original contract.*”
- 13.4 Should these extensions be approved then Legal Services can assist with any contractual documentation when instructed.

<b>Non-Applicable Headings:</b>	Strategic Property Considerations; Personnel Considerations; Ward Councillor Views.
Background Documents: (Access via Contact Officer)	[Title of document and date]

Report No.  
HPR2023/018

## London Borough of Bromley

### PART ONE - PUBLIC

---

**Decision Maker:** EXECUTIVE

**Date:** For Pre-Decision Scrutiny by the Renewal, Recreation and Housing PDS Committee on 21<sup>st</sup> March 2023

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

**Title:** AFFORDABLE HOUSING – POLICY AND STRATEGY DOCUMENTS

**Contact Officer:** Michelle Bowler – Head of Housing Schemes  
Tel: 0208 464 3333 E-mail: michelle.bowler@bromley.gov.uk

**Chief Officer:** Director of Housing, Planning, Property and Regeneration

**Ward:** All Wards

---

1. Reason for decision/report and options

- 1.1 The Council transferred its housing stock to Clarion Housing Association (formerly known as Broomleigh) in 1992. In July 2020 the Council approved the re-opening and setting up of a Housing Revenue Account (“HRA”) for the provision of affordable housing and has recently been developing housing on Council-owned land. The Council was registered as a provider of social housing by the regulator on 29 September 2020 (Reg no:5103).
- 1.2 To remain compliant with the regulatory requirements and ensure delivery to our residents, the Council, now a stock holding authority, are required to produce various housing policies and strategies. Four of the required policies are nearing completion, two of which will require statutory consultation. They are a Tenancy Strategy, Residential Asset Management Strategy, Tenancy Management Policy and Rent Setting Policy.
- 

2. **RECOMMENDATION(S)**

2.1 **Members of Renewal, Recreation and Housing Policy Development and Scrutiny Committee are asked to review the four documents and make any comments available to the Executive.**

2.2 **The Council’s Executive is requested to:**

- a) **Approve the Residential Asset Management Strategy and the Rent Setting Policy for adoption;**
- b) **Approve the draft Tenancy Strategy and the Tenancy Management Policy for eight weeks public consultation; and**
- c) **Note that the results of the consultation together with any suggested amendments arising from this consultation will be reported back to the Executive for final approval and adoption of the two documents.**

### Impact on Vulnerable Adults and Children

1. Summary of Impact: The Council's house building programme is focused on affordable housing and seeks to ensure that vulnerable adults and young people are supported to remain in their own homes wherever possible or to secure alternative suitable and sustainable accommodation solutions.
- 

### Transformation Policy

1. Policy Status: New Policy/Strategy
  2. Making Bromley Even Better Priority
    - (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 residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
    - (4) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
- 

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Operational Housing
  4. Total current budget for this head: £7,262k
  5. Source of funding: Existing revenue budget
- 

### Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

### Legal

1. Legal Requirement: Statutory Requirement:
  2. Call-in: Applicable: Executive Decision.
- 

### Procurement

1. Summary of Procurement Implications: None
- 

### Property

1. Summary of Property Implications: The documents are served to ensure the properties are well managed and maintained.
- 

### Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: None
- 

### Customer Impact

1. Estimated number of users or customers (current and projected): 60 Current
- 

### Ward Councillor Views

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

### **3. COMMENTARY**

- 3.1 The Council was registered as a provider of social housing by the regulator on 29 September 2020 (Reg no: 5103). Under section 74 of the Local Government and Housing Act 1989 (the 1989 Act) a local housing authority is required to keep a Housing Revenue Account in accordance with proper practices. The keeping of the HRA is governed by Schedule 4 of the 1989 Act. In line with Government issued Direction (14 March 2019) the Council can hold up to 200 units of accommodation outside of the Housing Revenue Account (HRA) i.e., remain within the general fund.
- 3.2 Under the Housing & Regeneration Act 2008 and the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 despite the initial 60 properties being held in the General Fund and regardless of the management and accounting arrangements in place for the social housing stock, as the Council is the landlord, they will be regulated as a registered provider.
- 3.3 As a Local Authority Registered Provider under the Regulations we are required to comply with only one of the four Economic Standards in respect of the Rent Standard and all four of the Consumer Standards
- Home Standard
  - Tenancy Standard
  - Neighbourhood and Community Standard
  - Tenant Involvement and Empowerment Standard
- Failure to meet these standards could lead to the Regulator exercising its powers and ultimately de-registration which will mean we will not be able to meet our housing needs.
- 3.4 To satisfy the law and regulations there are a number of policies, procedures and management structures that the Council need to put in place as a housing provider, including but not limited to a Tenancy Strategy, Residential Asset Management Strategy, Tenancy Management Policy and Rent Setting Policy.

### **RESIDENTIAL ASSET MANAGEMENT STRATEGY**

- 3.5 The Regulator of Social Housing's Decent Homes Standard and the Council's landlord responsibilities, requires the management of its social rented housing assets. Considering the need to directly oversee housing management within a highly regulated environment, it has been recognised that a robust and compliant approach to asset management is needed, encompassing operational management standards and controls, and to inform decision making as the portfolio grows.
- 3.6 The Asset Management Strategy sets out Bromley's approach to the management of its social rented housing assets. It is an interim document, reflecting the new nature of the portfolio setting out the aspirations and the future course for managing these residential assets.
- 3.7 The strategy sets out its expectation around the valuation, compliance with building legislation and the long-term preservation of the asset. This will lead onto a full strategy and 30-year plan in the next 12 months.

### **RENT AND SERVICE CHARGE SETTING POLICY**

- 3.8 In line with the Regulator of Social Housing Rent Standard, this policy sets out the framework for setting new rents, annual rent reviews and rebasing rents when a property is relet.
- 3.9 Compliance with the legislation around the main rent products is critical and the policy also covers the rectification and remediation, if necessary, in the event of noncompliance. This is very much driven by current legislation and will not go to public consultation on this basis.

### **TENANCY STRATEGY**

3.10 The Localism Act 2011 places an obligation on the Council to have a tenancy strategy which is drafted in consultation with the housing providers. It identifies areas of best practice of all social landlords operating in the borough and provides guidance on our preferred approach to tenure and affordability.

In introducing this tenancy strategy, we aim to:

- Work with social landlords to meet the housing needs of our residents
- Assist affordable housing developers to understand what the council requires of social landlords who own, let and manage stock.
- Ensure that the supply of housing is genuinely affordable and built to a good standard which meets the needs of residents

## **TENANCY MANAGEMENT POLICY**

3.11 This document complies with the Regulators Tenancy Standard and the Council's tenancy agreements. The aim of this Policy is to set out how the Council manages tenancies in Bromley owned properties from the point at which a tenancy is granted, through to the point at which it ends.

3.12 It covers a variety of subjects around the tenancy agreements used, the granting of those tenancies and the conditions within and the lifecycle of that tenancy from sustainment to enforcement, succession and mutual exchange

3.13 The following appendices are attached for Members' review:

- Appendix 1 - Residential Asset Management Strategy (To Follow)
- Appendix 2 - Rent and Service Charge Setting Policy (To Follow)
- Appendix 3 - Tenancy Strategy (Draft, pending consultation) (To Follow)
- Appendix 4 - Tenancy Management Policy (Draft, pending consultation) (To Follow)

## **NEXT STEPS**

3.14 If recommendations are agreed, the Residential Asset Management Strategy and The Rent Setting Policy will be published and adopted with immediate effect. The Tenancy Strategy and Tenancy Management Policy will proceed to a full consultation programme, results will be collated into an accompanying report and presented to Members evidencing how consultation has influenced the final versions for consideration and adoption.

## **4 IMPACT ON VULNERABLE ADULTS AND CHILDREN**

4.1 The Council's house building programme is focused on affordable housing and seeks to ensure that vulnerable adults and young people are supported to remain in their own homes wherever possible or to secure alternative suitable and sustainable accommodation solutions.

## **5 TRANSFORMATION/POLICY IMPLICATIONS**

5.1 The increase of housing supply is one of the key priorities within the council transformation programme to ensure a suitable cost affective supply of accommodation for housing needs. This also allows the council to meet its statutory duties in respect of housing

## **6 FINANCIAL IMPLICATIONS**

6.1 There are no financial implication directly arising from the content of this report.

6.2 The Council has an exemption from the Secretary of State to hold the current properties it has developed/is developing in the General Fund rather than in the HRA. At present this totals 109 properties, with a potential maximum that can be held outside the HRA of 200.

6.2.1 It is therefore not intended at this time that these properties will be transferred to the HRA due to the additional administrative burden. However, officers have started work on a draft 30-year HRA business



plan in readiness, and future reports will be presented for the consideration of business cases for individual sites and the adoption of the HRA business plan.

## 7 LEGAL IMPLICATIONS

- 7.1 Under the terms of section 150 Localism Act 2011 ('the Localism Act'), Councils in England must prepare and publish a strategy (a "tenancy strategy") setting out the matters to which the registered providers of social housing for its district are to have regard in formulating policies relating to:
- the kind of tenancies they grant
  - the circumstances in which they will grant a tenancy of a particular kind
  - where they grant tenancies for a term certain, the lengths of the terms, and
  - the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.
- 7.2 Section 150 (3) of the Localism Act states that the Council, as a local housing authority, must have regard to its tenancy strategy in exercising its housing management functions.
- 7.3 Section 151 of the Localism Act provides that
- before adopting a tenancy strategy, or making a modification to it reflecting a major change of policy, the authority must—
    - (a) send a copy of the draft strategy, or proposed modification, to every private registered provider of social housing for its district, and
    - (b) give the private registered provider a reasonable opportunity to comment on those proposals.
  - before adopting a tenancy strategy, or making a modification to it reflecting a major change of policy, the authority must also-
    - (a) consult such other persons as the Secretary of State may by regulations prescribe, and
    - (b) in the case of an authority that is a London borough council, consult the Mayor of London.
  - the authority must, in preparing or modifying a tenancy strategy, have regard to—
    - (a) its current allocation scheme under section 166A of the Housing Act 1996,
    - (b) its current homelessness strategy under section 1 of the Homelessness Act 2002, and
    - (c) in the case of an authority that is a London borough council, the London housing strategy.
- 7.4 The Regulator of Social Housing has been given by the Secretary of State two main objectives:
- Economic objective: to make sure that registered providers (landlords) are well-managed and financially stable
  - Consumer objective: to make sure that tenants get quality accommodation, have choice and protection, and can hold their landlords to account.
- 7.5 To achieve these objectives, The Regulator has set of regulatory standards that contain specific expectations registered providers of social housing must comply with and the outcomes that providers are expected to achieve. Providers' boards and local authority councillors who govern service delivery are responsible for meeting the relevant standards and determining how this is done.
- 7.6 Under the Tenancy Standard provided by the Social Housing Regulator, it states that registered providers of social housing shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:

- a) The type of tenancies they will grant.
  - b) Where they grant tenancies for a fixed term, the length of those terms.
  - c) The circumstances in which they will grant tenancies of a particular type.
  - d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period.
  - e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property.
  - f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.
  - g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
  - h) The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy.
  - i) Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.
- 7.7 It would appear from the content of this report and in particular the attachments to this report which comprises of the Residential Asset Management Strategy ; the Rent and Service Charge Setting Policy; draft Tenancy Strategy and the Tenancy Management Policy that the Executive in adopting the Residential Asset Management Strategy and the Rent Setting Policy and starting the consultation on the draft Tenancy Strategy and the Tenancy Management Policy the Council is properly complying with its legal duties under the Localism Act and those as are required by the Housing Regulator and as a landlord including the Council's Public Sector Equality Duty.

## **8 PROPERTY IMPLICATIONS**

- 8.1 The documents are served to ensure the properties are well managed and maintained.

## **9 CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

- 9.1 The HRA properties provide much needed affordable rented social homes to meet statutory housing needs. The design and build has also been cognisant to contribute to the Council's carbon reductions ambitions by ensuring that new homes are energy efficient and meet all current relevant standards.

## **12 CUSTOMER IMPACT**

- 12.1 The Council currently has roughly 1500 households in temporary accommodation. The new housing stock provides good quality affordable housing to meet statutory housing needs.
- 12.2 The range of policy and strategy documents ensure the Council is meeting its statutory duties and that affordable housing stock is well managed and maintained and that the tenant and landlord responsibilities are adhered to.

<b>Non-Applicable Headings:</b>	Personnel Implications/Procurement Implications/Ward Councillor Views
Background Documents: (Access via Contact Officer)	

This page is left intentionally blank

Report No.  
HPR2023/014

London Borough of Bromley

PART ONE - PUBLIC

---

**Decision Maker:** RENEWAL, RECREATION AND HOUSING PDS COMMITTEE  
AND DEVELOPMENT CONTROL COMMITTEE

**Date:** RRHPDS: 21 March 2023  
DCC: 18 April 2023

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

**Title:** NATIONAL PLANNING POLICY FRAMEWORK UPDATE

**Contact Officer:** Ben Johnson, Head of Planning Policy and Strategy  
E-mail: [ben.johnson@bromley.gov.uk](mailto:ben.johnson@bromley.gov.uk)

**Chief Officer:** Tim Horsman, Assistant Director (Planning)

**Ward:** All Wards

---

1. Reason for report

- 1.1 This report provides an update on the Government's proposals to amend the National Planning Policy Framework (NPPF)
- 

**2. RECOMMENDATION(S)**

- 2.1 The Renewal, Recreation and Housing PDS Committee and Development Control Committee are requested to note the report.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: No Impact
- 

## Transformation Policy

1. Policy Status: N/A
  2. Making Bromley Even Better Priority:
  3. (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
  4. (4) For residents to live responsibly and prosper in a safe, clean and green environment great for today and a sustainable future.
- 

## Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A
  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: The National Planning Policy Framework is not legislation, but it is a material consideration in the determination of planning applications, and also applies to plan-making. The Planning and Compulsory Purchase Act 2004 (as amended) states that decisions on planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.
  2. Call-in: Not Applicable: No Executive decision.
- 

## Procurement

1. Summary of Procurement Implications: N/A
- 

## 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/beneficiaries (current and projected): N/A
- 

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

#### Background

- 3.1 From December 2022 to March 2023, the Government consulted on changes to the NPPF<sup>1</sup>. This included specific changes intended to be made in spring 2023 (subject to and following consultation); and calls for views on a wider range of proposals, particularly focused on making sure the planning system capitalises on opportunities to support the natural environment, respond to climate change and deliver on levelling up of economic opportunity. The consultation document also signals areas that the Government expect to consider in the context of a wider review of the NPPF to follow Royal Assent of the Levelling Up and Regeneration Bill. The government will consult on the detail of these wider changes later in 2023, reflecting responses to the current consultation.
- 3.2 This report provides details on the key aspects of the proposals likely to come into effect in spring 2023, particularly those which could have specific implications for planning in Bromley. In terms of the medium/longer term proposals, many of these will be subject to further consultation; officers will update members in future when further details are published.
- 3.3 The consultation included a track changes version of the NPPF<sup>2</sup> setting out the immediate changes. The most relevant changes for Bromley are set out below.

#### **Housing**

- 3.4 Local Planning Authorities (LPAs) with an up-to-date local plan will no longer need to continually show a deliverable five-year housing land supply. In this context, 'up-to-date' means where the housing requirement as set out in strategic policies is less than five years old. Bromley's current housing requirement is set out in the London Plan, which will be five years old in March 2026. Up until this date, Bromley will no longer have to prepare an ad hoc five-year housing land supply and will no longer trigger the presumption in favour of sustainable development due to the lack of a five-year housing land supply.
- 3.5 The presumption in favour of sustainable development can still be triggered where the Housing Delivery Test (HDT) indicates that the delivery of housing was below 75% of the housing requirement over the previous three years; however, this does not currently apply to Bromley as previous HDT results have all exceeded 75%. Further changes proposed to the HDT mean that, where the HDT results trigger the application of the presumption in favour of sustainable development, this can be 'switched off' where a LPA can show sufficient permissions for enough deliverable homes to meet 115% of their housing requirement over the specific HDT period. Allowing consideration of approvals as well as completions as part of the HDT is considered to be a positive change, as it is something that the LPA has more direct control over, compared to completions which is entirely down to applicants.
- 3.6 Where a requirement to produce a five-year housing land supply does apply, LPAs will no longer be required to provide housing supply buffers. Currently the NPPF requires LPAs to include a buffer of 5%, 10% or 20% on top of their five-year housing land supply in plan-

---

<sup>1</sup> Available here: <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

<sup>2</sup> Available here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1126647/NPPF\\_July\\_2021\\_-\\_showing\\_proposed\\_changes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126647/NPPF_July_2021_-_showing_proposed_changes.pdf)



making or when making decisions. The 5% buffer is expected in all cases as a minimum, the 10% buffer is applied when an Annual Position Statement or recently adopted plan meets specific criteria (as set out in the NPPF) and the 20% buffer is applied as a consequence of the Housing Delivery Test, where a LPA delivers less than 85% of the homes it is required to.

- 3.7 Changes are proposed to the process of calculating housing need. The NPPF will be amended to make it clear that the standard method for calculating local housing need is an advisory starting point and is not mandatory; this was the case previously, but the explicit reference will provide useful clarity.
- 3.8 In terms of meeting housing need, the NPPF changes mean that LPAs are not required to review and alter Green Belt boundaries if this would be the only way of meeting housing need in full. Similarly, if housing need can be met only by building at densities which would be significantly out-of-character with the existing area (taking into account the principles in local design guides or codes), this may be an adverse impact which could outweigh the benefits of meeting need in full.
- 3.9 The proposed NPPF revisions would amend the 'tests of soundness' that apply to Local Plan examinations; plans (including proposed housing targets) will no longer be required to be 'justified', and instead, a Local Plan examination would assess whether the LPAs proposed target meets need as far as possible, taking into account other policies in the NPPF; and whether it will be effective and deliverable. The purpose of these changes is to provide more certainty that LPAs can propose a plan with a housing requirement that is below their local housing need figure, so long as proposals are evidenced, the plan makes appropriate and effective use of land, and where all other reasonable options to meet housing need have been considered. It is noted that the process of establishing a housing requirement in London is the remit of the London Plan; however, the proposed changes relating to consideration of Green Belt and increased densities would also apply to future versions of the London Plan.
- 3.10 Changes are proposed to make clear that LPAs should give greater importance to Social Rent homes, when addressing their overall housing requirements in their Local Plan and making planning decisions.
- 3.11 The proposed NPPF amendments will also provide further support relating to consideration of older persons housing, ensuring that the needs of older people are met; particular regard is given to retirement housing, housing-with-care and care homes, which are identified as important typologies of housing that can help support an ageing population.

## **Design**

- 3.12 Amendments to the NPPF are proposed to emphasise the role of beauty and placemaking in strategic policies; and create a stronger link between good design and beauty by making additions to Chapters 6, 8 and 12 of the NPPF. The term 'beauty' is not defined by the NPPF, although our assumption is that the LPA will be responsible for determining what is beautiful in the local context, through provision of policy, guidance, design codes, etc.
- 3.13 LPAs will be encouraged to use planning conditions to require clear details of a scheme's design and materials; conditions should reference clear and accurate plans and drawings which provide visual clarity about the design of development, as well as clear conditions about the use of materials where appropriate, so they can be referred to as part of the enforcement process.
- 3.14 A new policy is proposed which would require LPAs to take a positive approach towards

well designed upward extension schemes, particularly mansard roofs. The rationale for the amended policy is unclear, particularly as this type of upwards extension is often unsuccessful with countless examples of poor design; it is simply not the case that mansards are universally suitable, as the consultation document seems to suggest. The amendment is completely at odds with policy and guidance elsewhere in the NPPF and PPG which defers consideration of design matters to LPAs.

## Environment and Climate Change

- 3.15 Replacing old renewable and low carbon energy sources with more powerful and efficient models will be made easier. Changes to paragraphs 155 and 158 of the existing NPPF will enable the re-powering of renewable and low carbon energy schemes where planning permission is needed, and providing that the impacts of any development proposal are or can be made acceptable in planning terms.
- 3.16 The NPPF will also be amended with a new paragraph 161 to give significant weight to the importance of energy efficiency through adaptation of buildings, whilst ensuring that local amenity and heritage continues to be protected.

## 4. POLICY IMPLICATIONS

- 4.1 Policy implications are set out in the report.

## 5. LEGAL IMPLICATIONS

- 5.1 The NPPF is a material consideration in the determination of planning applications. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) states that decisions on planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The NPPF also applies to plan-making. Any future Local Plan review will need to be consistent with national planning policy in order to demonstrate it is 'sound'.

<b>Non-Applicable Sections:</b>	Impact on Vulnerable Adults and Children; Personnel/Procurement/Financial/Property/Carbon Reduction and Social Value Implications; Customer Impact.
Background Documents: (Access via Contact Officer)	<p>Bromley Local Plan 2019, available from: <a href="https://www.bromley.gov.uk/downloads/file/51/bromley-local-plan">https://www.bromley.gov.uk/downloads/file/51/bromley-local-plan</a></p> <p>London Plan (adopted 2 March 2021), available from: <a href="https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf">https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf</a></p> <p>National Planning Policy Framework (July 2021), available from: <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf</a></p> <p>National Planning Practice Guidance, available from: <a href="https://www.gov.uk/government/collections/planning-practice-guidance">https://www.gov.uk/government/collections/planning-practice-guidance</a></p> <p>Levelling-up and Regeneration Bill: reforms to national planning policy, available from: <a href="https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy">https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy</a></p> <p>National Planning Policy Framework (showing indicative changes for consultation), available from: <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126647/NPPF_July_2021_-_showing_proposed_changes.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1126647/NPPF_July_2021_-_showing_proposed_changes.pdf</a></p>

Report No.  
HPR2023/015

## London Borough of Bromley

### PART ONE - PUBLIC

---

**Decision Maker:** RENEWAL, RECREATION AND HOUSING PDS COMMITTEE

**Date:** 21 March 2023

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

**Title:** BUILDING CONTROL BUDGETARY POSITION

**Contact Officer:** Alison Pipes, Head of Building Control  
Tel: 0208 4617203      E-mail: alison.pipes@bromley.gov.uk

**Chief Officer:** Sara Bowrey, Director of Housing, Planning, Property and Regeneration

**Ward:** All Wards

---

1. Reason for decision/report and options

- 1.1 This report outlines the budgetary position for Building Control, including trend data over 5 years.
- 

2. **RECOMMENDATION(S)**

2.1 The Renewal, Recreation and Housing PDS Committee is asked to note:

- Current pressures on the building control service and the steps taken to improve the budgetary position; and,
- The next steps identified.

## Impact on Vulnerable Adults and Children

1. Summary of Impact: N/A
- 

## Transformation Policy

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

## Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: R56404 and R56430– Planning Services – Building Control
  4. Total current budget for this head: £90k
  5. Source of funding: Revenue budget
- 

## Personnel

1. Number of staff (current and additional): 12.9 FTE
  2. If from existing staff resources, number of staff hours: 464.40 FTE x36
- 

## Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable: No Executive decision.
- 

## Procurement

1. Summary of Procurement Implications: N/A
- 

## 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): Volume of applications is around 3,000 per annum
- 

## Ward Councillor Views

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

### **3. COMMENTARY**

#### **3.1 Background**

- 3.1.1 Building Control is concerned with ensuring buildings are constructed to minimum technical standards as set out in the Building Regulations.
- 3.1.2 A person carrying out work that is controlled under the Building Regulations can choose to use either the Council's Building Control service or employ a private Building Control company (Approved inspector).
- 3.1.3 The council has a statutory duty to provide a Building Control service under S91 of the Building Act 1984 to fulfil its responsibilities relation to Building Regulations. This in effect means that if someone wishing to carrying out building work that is controlled under the Building Regulations and they wish for LLB to deal with their application, we cannot refuse to do so. Furthermore, only the Council has enforcement powers under the Building Act 1984.
- 3.1.4 The main source of income to the Building Control service is through building regulation applications. Under the Building (Local Authority Charges) Regulations 2010, the authority is authorised by means of a scheme, to fix charges to recover the cost of performing the functions relating to Building Regulations. The CIPFA Local Authority Building Control Charging 2010 document provides guidance in the methodology.
- 3.1.5 The overarching principles of the Charges Regulations is that users of the service pay only for the service they receive. The charging scheme should be reviewed each year to ensure no profit or deficit occurs. Should this happen, the charges should be amended accordingly.
- 3.1.6 A full review of the charging scheme was carried out in 2022 and a new scheme introduced on 1 Oct 2022. Prior to this, the charging scheme had not been changed since 2013.
- 3.1.7 The building control service had been without a permanent Head of Service for several years. Shared and then interim arrangements had been put in place. A permanent Head of Building Control was appointed in 2021.

#### **3.2 Income trend**

- 3.2.1 In 2017/2018 the Building Regulation application income budget was £800,770, this reduced slightly in 2018/2019 to £789,450, this has remained at this level to date.
- 3.2.2 The income target has not been achieved for at least the last 7 years. Fig 1 in Appendix 1 shows a downward trend dropping from £703,614 in 2017/2018 to £529,103 in 2021/2022.

#### **3.3 Reasons for Income Reduction**

- 3.3.1 The number of Building Regulation Applications dealt with by LB Bromley has reduced due to:
- Loss of work to the private sector (customers can chose to use LB Bromley or a private building control company)

- Covid pandemic (2020/2021) This led to a reduction in available applications.
- Recovery after Covid (2021/2022) Many private building control companies furloughed staff during the pandemic. In 2021/2022 they recovered and increased market share as they competed strongly for the work. This is the picture across London where market share has been lost.
- Economic downturn in UK (from July 2022)

3.3.2 Refer to Appendix A: Fig 2 Cumulative Building Regulation Applications; Fig 3 Total Number of Building Regulation Applications Received Month by Month; Fig 4 Market Share

### **3.4 Action taken to address the shortfall in income**

- 3.4.1 New charging scheme introduced on 1 October 2022. This led to significant increases in some categories of work so it was important that any increase in charges would not further reduce market share and thus having no impact on the overall income level
- 3.4.2 The service needed to undergo some improvements to ensure it could meet the customer's higher expectations of a higher cost service.
- 3.4.3 Reorganisation of processes and structure within the technical support team removed backlogs and created a faster turnaround of enquiries and registration process
- 3.4.4 Appointment of interim building control surveyors while permanent staff could be recruited. Additional staff were needed to provide the capacity to deal with day-to-day work, reduce reliance on overtime and compete against the private sector for more lucrative work.
- 3.4.5 The service successfully recruited a permanent Senior Building Control Surveyor and additionally was successful in filling a vacancy following a resignation in 2022. An interim surveyor is currently covering maternity leave. Following their return, staffing costs will be within budget.
- 3.4.6 The new charges were established by reference to the CIPFA Guide but also benchmarking other Authorities for both the amounts and the categories of work. The aim was to make the charges more transparent and straightforward. Market intelligence of the private sector was also used to ensure charges are competitive for a comparable level of service.
- 3.4.7 Communication with regular agents was important to ensure they remained with us despite the increased costs.
- 3.4.8 Key aspects of the new charging scheme are:
- Simplified categories
  - Increase in charges
  - Plan charge payments include all checking and administrative costs so all costs recovered if work does not go ahead
  - Commercial charges not published (for competitors to see and undercut)

### **3.5 Impact of the actions taken**

- 3.5.1 The increase in ability to win large projects. For example, commercial and high-rise residential developments, such as new 100+ room care home, large housing development.
- 3.5.2 The economic downturn in Q2 of the current year has caused a reduction in available building regulation applications, however, since the introduction of the new charges, market share has held. This can be seen in Fig 4 Market Share.
- 3.5.3 The level of income in Q3 in 2022/2023 was higher than the same period the previous year. And the average income per application has gone up significantly. This can be seen in Fig 5 Average Income Per Building Regulation Application.

### **3.6 Recovery of other costs to Building Control**

- 3.6.1 The building control service deals with dangerous structures. Costs can be incurred when emergency work is required to secure the building or structure. Legislation allows for the recovery of costs associated with removing the danger. The costs include emergency contractor costs and the cost of the surveyor attending the site and administrative costs.
- 3.6.2 Costs have not been recovered for at least 7 years. A review was carried out in 2022/2023 to identify costs that could be recovered.
- 3.6.3 Following the review of dangerous structure costs, a sum of approximately £93,000 has been recovered.
- 3.6.4 Procedural changes have been identified and put in place to ensure costs are recovered in a timely manner.

### **3.7 Next Steps**

- 3.7.1 Review the charging scheme on an annual basis and make changes as necessary -. Review will include analysis of cost recovery of different application types; market share analysis of potential losses where charges are increased including analysis of market rates where available; calculation of hourly rate and methodology for individually determined charges. Timescale - Q1 2023/2024
- 3.7.2 Discussion with finance on realigning the budget to ensure income target is appropriate - The budget should be aligned to ensure that the income balances the cost of the building regulations service. However the full impact of the new charges needs to be considered before realigning budget. Timescale - Q3 2023/2024
- 3.7.3 Continue to monitor income levels quarterly and carry out reconciliation checks - Improved monitoring of accounts is to be expected following the roll out of the new Oracle system to Heads of Service. Access to live data will enable up to date reporting and any inaccuracies to be identified immediately.
- 3.7.4 Embed revised dangerous structure process to ensure recovery of fees - New procedure is in place for ensuring dangerous structures are managed effectively and costs recovered quickly. Outstanding cases will be reviewed on a quarterly basis. Timescale - ongoing

3.7.5 Ensure effective payment system and reporting within the Uniform replacement software. The requirements for payments and reporting forms part of the specification for the new software which is scheduled to be in place by from May 2024.

#### **4 TRANSFORMATION/POLICY IMPLICATIONS**

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

#### **5 FINANCIAL IMPLICATIONS**

5.1 The Building Control service is forecasted to overspend in the region of £213k this year and this has been a similar story for the past few years.

5.2 This paper provides background, financial data, and trend analysis to give a wider more complete picture of the building control service and income generation and reasons for the drop off in income.

5.3 There are possible actions that can take place to close this gap, the paper outlines these briefly, further work would be required to cost these properly and implement them.

#### **6 LEGAL IMPLICATIONS**

6.1 The Authority is authorised to fix a charging scheme under the Building (Local Authority Charges) Regulations 2010, to recover the cost of performing its functions relating to Building Regulations.

6.2 Under the Building Act 1984, the Authority can recover costs for dealing with dangerous structures from the owner of the property/structure.

#### **7 CUSTOMER IMPACT**

7.1 Customers of the building control service have a private sector alternative. This is reflected in the market share analysis. (Fig 4 of Appendix A)

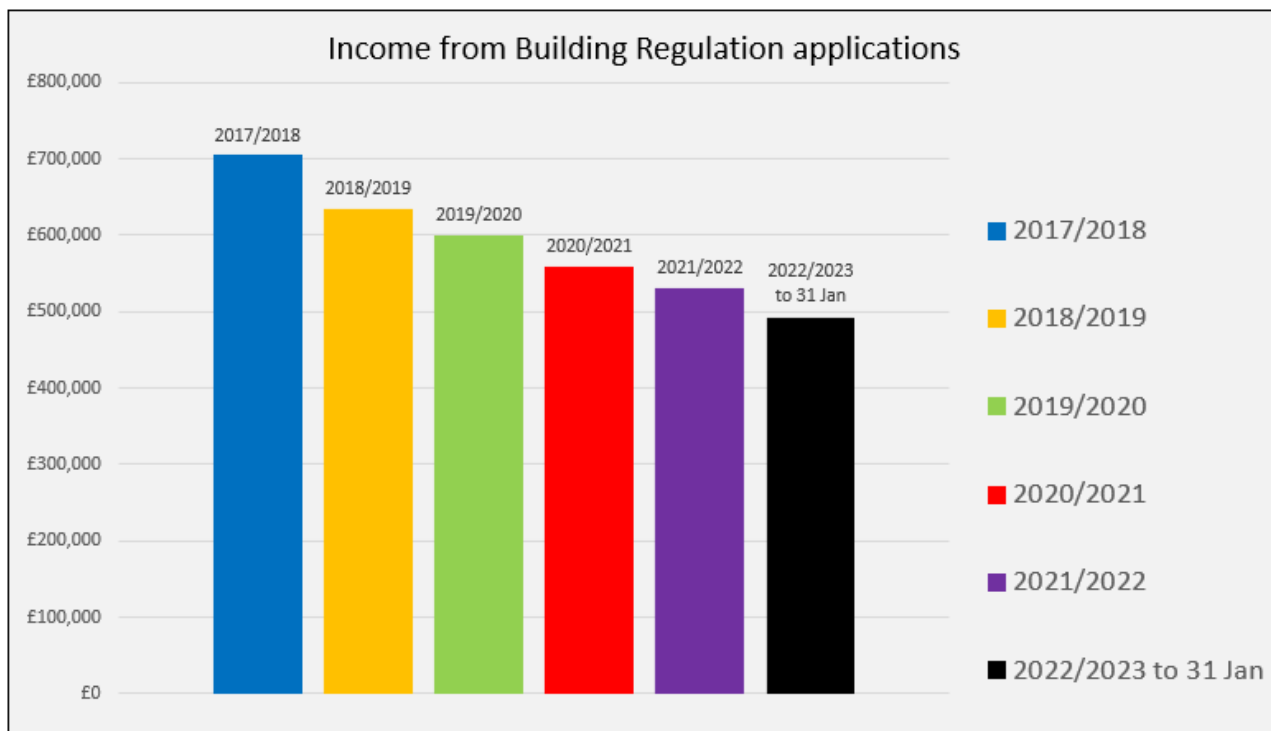
<b>Non-Applicable Headings:</b>	Impact on Vulnerable Adults and Children; Procurement/Property/Carbon Reduction and Social Value Implications; Ward Councillor Views.
Background Documents: (Access via Contact Officer)	



**Fig 1 Income from Building Regulation Applications**

Shows income net of tax received from Building Regulation applications for each full financial year from 2017/2018 to 2021/2022. This shows a downward trend dropping from £703,614 in 2017/2018 to £529,103 in 2021/2022.

The current year to 31 January (£489,777) to compares the position of 10 months income against the full previous year and how positive the new charges have been since 1 October.



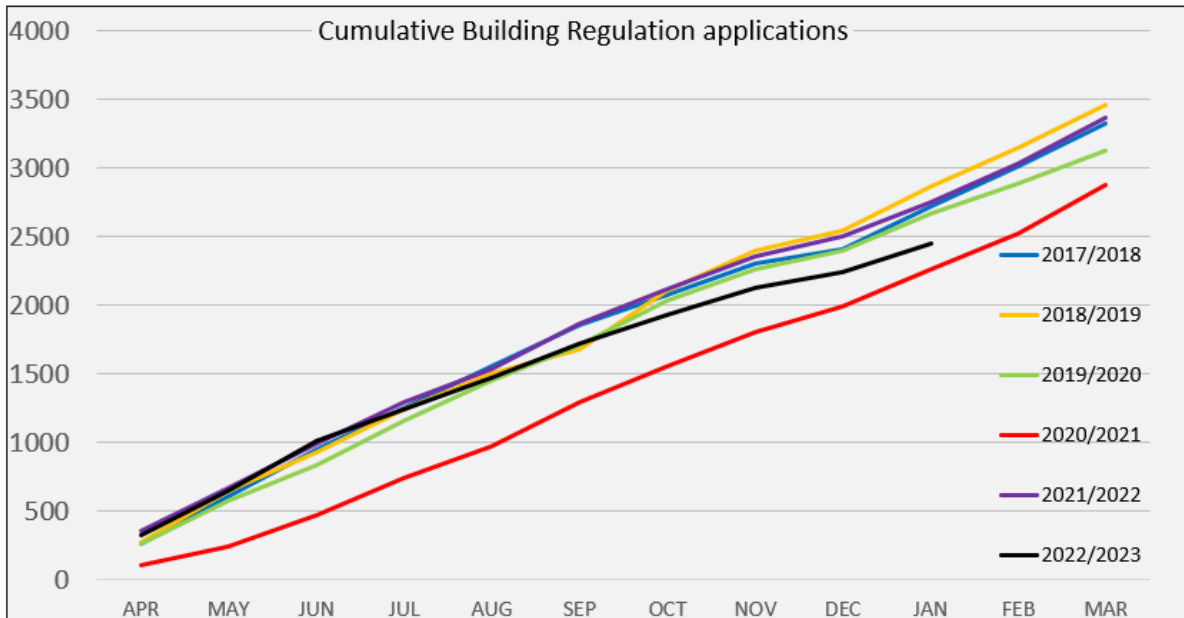
**Fig 2 Cumulative Building Regulation Applications**

This chart shows the number of available building regulation applications each year since 2017/2018 to 2022/2023 YTD.

Available means those that are either dealt with by LBB and private building control companies. This is a good indication of the amount of building work being carried out in Bromley.

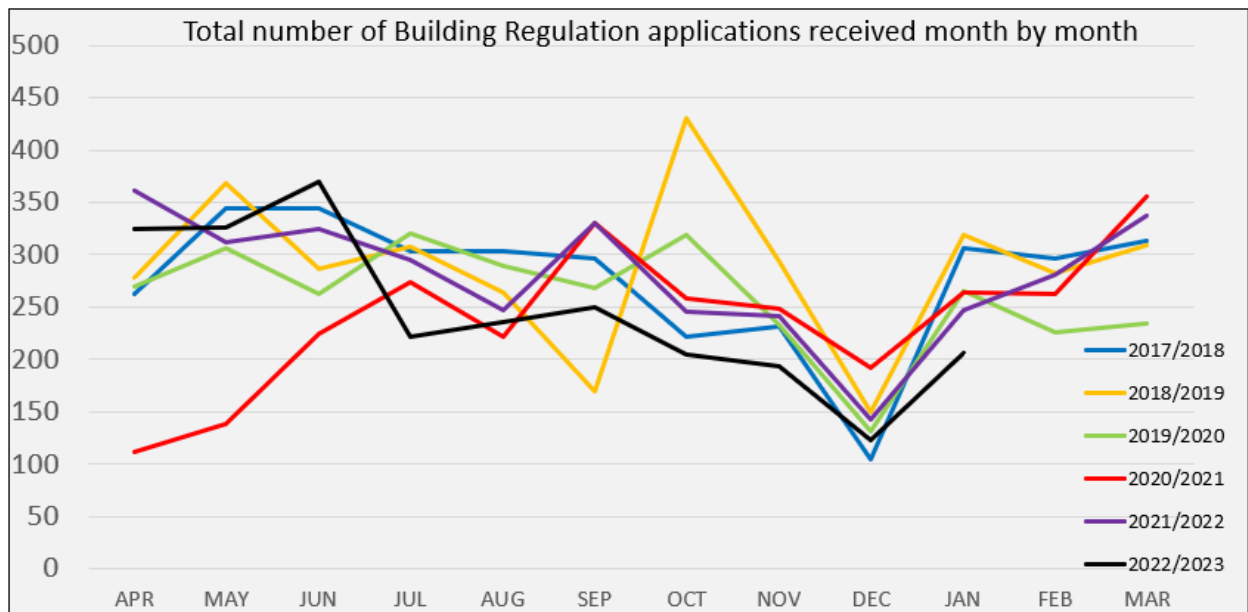
The chart shows the impact of the Covid pandemic (2020/2021) which led to a reduction building work being carried and therefore building regulation applications followed by recovery in 2021/2022.

From July 2022, the impact of the economic downturn in the UK can be seen to have a negative impact on the amount of building work being carried out as the line rises less steeply.



**Fig 3 Total number of Building Regulation applications received month by month**  
 This chart shows the same applications as in Fig 2 but shows the month by month variations. The impact of covid and economic downturn are more clearly pronounced in this chart.

Also evident is the seasonal low in December due to holidays and weather.

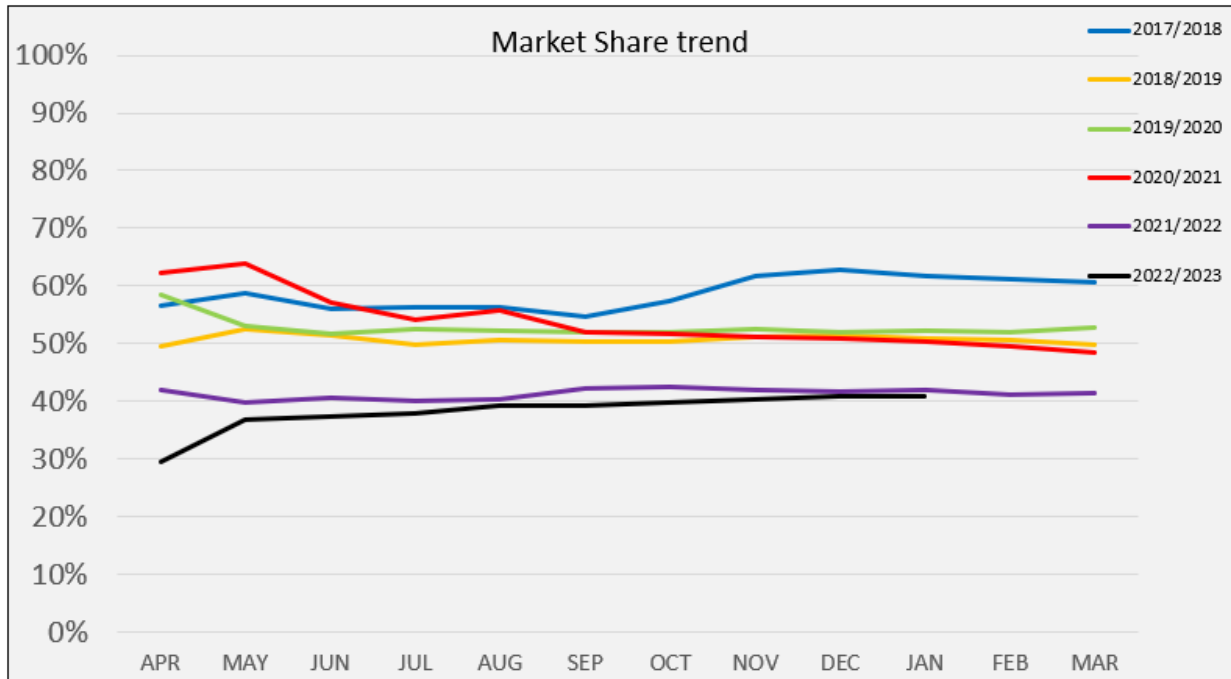


**Fig 4 Market Share Trend**

Measured as the percentage of Building Regulation Applications dealt with by LB Bromley against the total number of available applications. This is measured on a month by month basis. The percentage is calculated on numbers and not value of work.

What can be seen from this chart is the where private building control companies were inactive during covid and then in 2021/2022 competed strongly for work.

The chart also shows that LBB market performance has not been affected by our higher from October 2022.

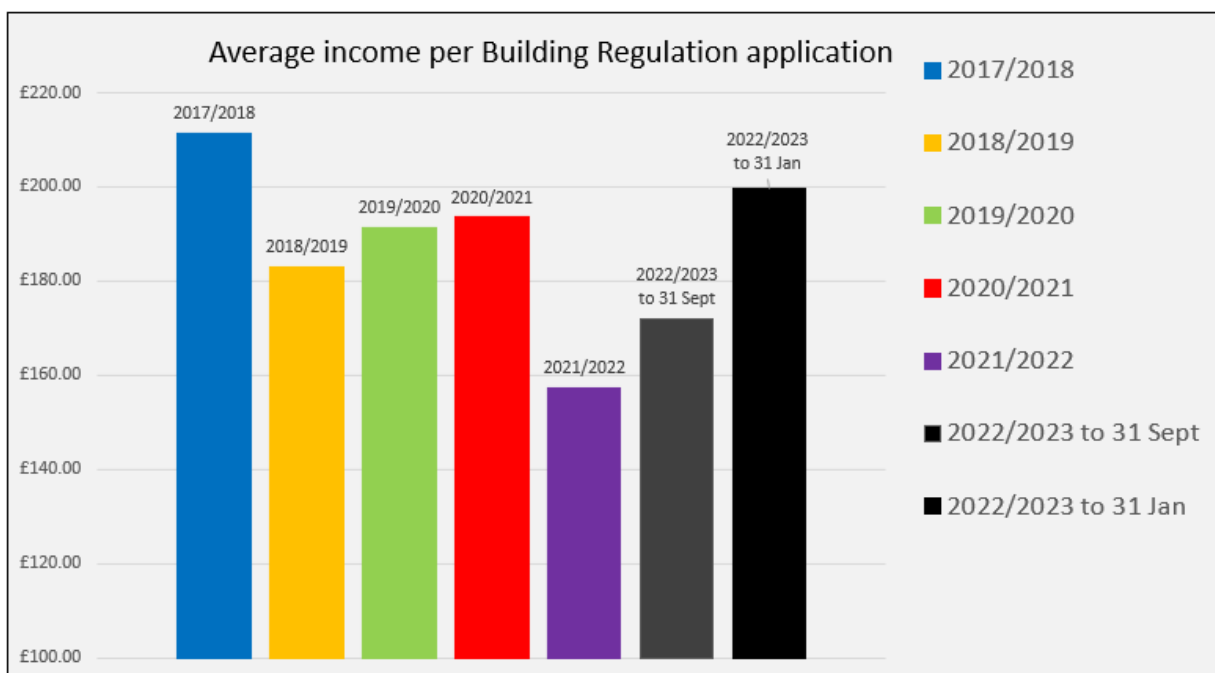


**Fig 5 Average Income per Building Regulation Application**

This chart shows the average income per application dealt with by LBB. It is measured as total income divided by the total number of Building Regulation applications dealt with by LBB.

If applications charges remain the same, the income will generally reduce as the number of applications reduce. Charge had been untouched since 2013 so this chart is a good indication of the value of the applications that we have received. In 2021/2022 the figures indicate that applications received were low value and therefore minor work which is understandable following the covid pandemic.

The figures for 2022/2023 show the increase in value to £172/application to 31 September. The average income has increased to £200/application for the current year to 31 January and this demonstrate the positive impact of the new charging from 1 October 2022 and the major projects won.



This page is left intentionally blank